SENATE—*Tuesday, October 19, 1993*

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 9:40 a.m., on the expiration of the recess, and was called to order by the Honorable GEORGE J. MITCHELL, a Senator from the State of Maine.

(Mr. FEINGOLD assumed the chair.)

PRAYER

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

Let us pray:

Commit thy works unto the Lord, and thy thoughts shall be established.—Proverbs 16:3.

Gracious God, our Heavenly Father, we pray for our leadership. As time moves relentlessly and the end of the session nears, pressure increases and issues abound. We thank Thee for leadership which is fair and patient and resourceful. We pray for special grace and wisdom for leadership which has to juggle so many balls in the air at the same time. Grant our leaders daily refreshing and encourage the staffs who work hard to lift burdens. Help us all, Lord, to appreciate our leadership, to be grateful and supportive.

In the name of Jesus who said, "come unto me all ye who labor and are heavy laden and I will give you rest." Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 19, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RUSSELL D. FEINGOLD, a Senator from the State of Wisconsin, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. FEINGOLD thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1994—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the conference report accompanying H.R. 2446. The report will be stated.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2446) a bill making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 7, 1993.)

Mr. SASSER. Mr. President, I am pleased to bring before the Senate the conference report on the military construction appropriations bill for fiscal year 1994.

Mr. President, the conference report is within the 602(b) budget allocation for both budget authority and outlays. I am pleased to report that the conference agreement is also below the President's budget request by $729 million.

Mr. President, there were more than 350 differences between the House and Senate approved versions of the appropriations bill and report. Those differences totaled $1.1 billion.

The conferees were able to work out an agreement to bring the bill back below the President's budget estimates. The conferees had to make some very difficult decisions. Most members have had to take cuts in their own States. The conferees were unable to fund every project and stay within the 602(b) budget allocation.

Mr. President, the conference report represents a fair compromise. It is under budget and I recommend its approval.

Mr. President, I want to thank my distinguished colleague, the Senator from Washington, for his support and contributions to the subcommittee this year.

Mr. President, I yield to the ranking minority member for any comments he might have.

Mr. GORTON. Mr. President, my sincere thanks to my colleague from Tennessee. Senator SASSER has provided a thoughtful and quality product. I greatly appreciate his work in this area.

I am, however, very concerned that while we have accomplished a lot, much is still unfunded. We must help the services get their needs met with regard to family housing. While this bill helps in many ways, in this area we can do more. I hope that during this year we will find ways to help our men and women in the services to improve living conditions for their families.

We were obviously not able to meet all the requests of our colleagues. I daresay we have made every effort. I have received calls from Senators concerned about unfunded projects. This bill shows the beginning of the pain we are all going to feel with a declining defense budget.

In my estimation, next year there is more pain to come. This bill is going to get more and more difficult as defense spending continues to be reduced. Fewer and fewer colleagues are going to see the benefits of this bill that we saw in the past.

Mr. President, before I close, again I want to express my thanks to the chairman, Senator SASSER, to the other members of the subcommittee, the subcommittee staff, Mike Walker, Jim Morhard on this side, for their efforts on the bill.

It is a good, fair bill, and I urge its adoption.

Mr. President, I yield the floor.

There is one project for which I think my friend from Tennessee is already aware. It is a rehabilitation of facilities at the White Sands Missile Test Range.

Mr. SASSER. Yes, I am aware of this project. It was taken out in conference because of it being a rehab project and therefore should have been in the operations and maintenance account.

Mr. GORTON. I understand that it was not a prejudicial reduction. Is that correct?

Mr. SASSER. Yes, that is correct. I would expect the department to fund this project out of the correct account in fiscal year 1994.

Mr. GORTON. The conferees failed to provide any funding to upgrade the hydrant refueling system at Pease AFB in New Hampshire. Could the chairman of the subcommittee tell us why this project was not funded?

Mr. SASSER. As the Senator from New Hampshire is aware the Senate

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

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bill provided $5.6 million for eight fueling points. The House bill provided $5.1 million, the budget request, for four fueling points. As with all items in conference, the conferees requested updated project data and justification for this project. The official form 1391, provided the conference, indicated that $5.6 million would provide only four points. In addition the conference was advised that given the size of the air guard unit, no more than four points were required. Since we were unable to validate a requirement for eight points, the Senate conferees receded on an eight-point project. The House conferees, within their rights, receded on the four-point project.

Mr. SMITH. It is my understanding that the National Guard Bureau is reviewing the potential need for an eight-point project. If such a requirement is validated by the Bureau how would you recommend we proceed?

Mr. SASSER. Unfortunately, the conference has concluded and the official justification material provided to conference supported only four points. If the Department were to subsequently validate an eight-point project based upon new requirements, such a project could be included in the fiscal year 1995 budget request.

Mr. SMITH. Would there be any circumstance under which such a project could be funded in fiscal year 1994?

Mr. SASSER. As the distinguished Senator from New Hampshire is aware the Department of Defense may submit a request for reprogramming at any time during the fiscal year. It would be my view that if such a request were made, based upon a new validated requirement, that such a request would receive careful consideration by the subcommittee.

Mr. SMITH. I thank the distinguished chairman for his clarification and for his willingness to consider a reprogramming for this project should an eight-point project be validated as a requirement of the Air National Guard during fiscal year 1994.

Mr. GORTON. May I inquire of the chairman if a reprogramming would also be considered for a four-point project if the Department determined that to be the appropriate sized project?

Mr. SASSER. Yes, I assure the distinguished ranking member that we would also carefully consider a reprogramming for a four-point system if the eight-point system cannot be validated.

Mr. GORTON. I thank the Senator for the clarification.

Mr. DOMENICI. Mr. President, the Senate is now considering the conference report accompanying H.R. 2446, the fiscal year 1994 military construction appropriations bill.

The bill provides a total of $10.1 billion in budget authority and $2.4 billion in new outlays for the military construction and family housing programs of the Department of Defense for fiscal year 1994.

When outlays from prior-year budget authority and other completed actions are taken into account, the bill totals $10.1 billion in budget authority and $8.8 billion in outlays for fiscal year 1994.

Mr. President, I understand that the distinguished chairman of the Appropriations Committee has filed a revised subcommittee allocation to accommodate this bill. With that reallocation, I will support the conference report.

Mr. President, the final bill has come back approximately $271 million above the Senate-passed bill. The reallocation will accommodate this change. Even with this reallocation, however, the final bill is fully $729.2 million in budget authority below the President's budget request, and $208.6 million in budget authority below the House-passed bill.

To achieve these reductions and to delete the Senate-passed 4 percent across-the-board reduction was a very difficult task for the distinguished subcommittee chairman and ranking Republican member.

I want to convey my thanks to them for the support they gave to several priority New Mexico projects. I understand that one item that was dropped—$2.5 million for the White Sands Missile Range—was done so without prejudice because it more properly should be funded through the Department of Defense O&M accounts.

I thank the conferees for the attention they gave to some critical infrastructure work at Kirtland Air Force Base. I deeply regret that the full Senate package was not kept intact, but I appreciate the committee's acknowledgement that such projects should retain priority.

I shall continue to work on these very important projects.

I urge the adoption of the conference report.

Mr. MITCHELL. Mr. President, and Members of the Senate, under a previous agreement entered, the Senate is now considering the conference report on the military construction appropriations bill and will shortly vote on that measure.

Following that vote, the Senate will resume consideration of the Department of Defense appropriations bill. It is my hope that we can complete action on that bill this evening. Of course, I have had the same hope and expressed it several previous evenings. But I hope that this hope is more realistic than the previous hopes.

We have a large number of appropriations conference reports to take up and complete prior to the expiration of the pending continuing resolution, which will expire at midnight on Thursday. So my hope is that we can complete action on receipt of those several measures from the House as soon as is possible, and I hope we can get the cooperation of all Senators in that regard.

In any event, that time deadline means that it is likely that the Senate will be in session into the evening tonight, tomorrow, and Thursday, with the strong likelihood of a session, including votes, on Friday until the middle of that day. That, of course, depends upon events between now and then.

For the information of Senators with respect to the schedule, it is my intention to proceed to crime legislation and education legislation in the near future. We have a number of other important measures to take up before the sine die adjournment, which I still hope we can reach by Thanksgiving.

Mr. President, parliamentary inquiry. Am I correct in my understanding that the time for the two leaders has been reserved for their use later in the day and that the Journal of the proceedings has been approved to date?

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

Mr. MITCHELL. In that event, the hour of 9:45 having been reached, I yield the floor.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. BUMPERS] is necessarily absent.

The PRESIDING OFFICER (Mr. CAMPBELL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 5, as follows:

[Rollcall Vote No. 316 Leg.]

YEAS—94

Akaka	Ford	Metzenbaum
Baucus	Glenn	Mikulski
Bennett	Gorton	Mitchell
Biden	Graham	Moseley-Braun
Bingaman	Gramm	Moynihan
Bond	Grassley	Murkowski
Boren	Harkin	Murray
Boxer	Hatch	Nickles
Bradley	Hatfield	Nunn
Breaux	Heflin	Packwood
Bryan	Helms	Pell
Burns	Hollings	Pressler
Byrd	Hutchison	Pryor
Campbell	Inouye	Reid
Chafee	Jeffords	Riegle
Coats	Johnston	Robb
Cochran	Kassebaum	Rockefeller
Cohen	Kempthorne	Roth
Conrad	Kennedy	Sarbanes
Coverdell	Kerrey	Sasser
Craig	Kerry	Shelby
D'Amato	Kohl	Simon
Danforth	Lautenberg	Simpson
Daschle	Leahy	Specter
DeConcini	Levin	Stevens
Dodd	Lieberman	Thurmond
Dole	Lott	Wallop
Domenici	Lugar	Warner
Dorgan	Mack	Wellstone
Durenberger	Mathews	Wofford
Exon	McCain	
Feinstein	McConnell	

NAYS—5

Brown Feingold Smith
Faircloth Gregg

NOT VOTING—1

Bumpers

So the conference report was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid on the table, the Senate concurs en bloc to the amendments of the House to the amendments of the Senate, and the motion to reconsider both actions en bloc is laid on the table.

The Senate concurred en bloc to the amendments of the House to the amendments of the Senate Nos. 1, 4, 6, 7, 9, 11, 13, 17, 20, 23, 24, 25, 26, 27, 28, 29, 38, 40, and 42, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$906,676,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 4 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$681,373,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 6 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 101-148, $7,662,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 102-519, $14,406,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 102-136, $62,899,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Navy' under Public Law 102-380, $37,660,000 is hereby rescinded".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert "$1,021,567,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 9 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 101-148, $8,315,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 101-519, $6,550,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 102-136, $12,980,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Military Construction, Air Force' under Public Law 102-380, $2,250,000 is hereby rescinded".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$44,405,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$302,719,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 17 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$74,486,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 20 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$228,885,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 23 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$370,208,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$772,055,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 25 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$1,142,263,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 26 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert ": *Provided further*, That of the funds appropriated for 'Family Housing, Navy and Marine Corps' under Public Law 101-148, $14,100,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Family Housing, Navy and Marine Corps' under Public Law 101-519, $25,018,000 is hereby rescinded: *Provided further*, That of the funds appropriated for 'Family Housing, Navy and Marine Corps' under Public Law 102-380, $1,253,000 is hereby rescinded".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 27 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$187,035,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 28 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$790,912,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 29 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$977,947,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 38 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert "$1,144,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 40 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken by said amendment, insert:

SEC. 122. (a) Notwithstanding any other provision of law, the Secretary of the Army shall transfer, no later than September 30, 1994, without reimbursement or transfer of funds, to the Architect of the Capitol, a portion of the real property, including improvements thereon, consisting of not more than 100 acres located at Fort George G. Meade in Anne Arundel County, Maryland, as determined under subsection (c).

(b) The Architect of the Capitol shall, upon completion of the survey performed pursuant to subsection (c) and the transfer effected pursuant to subsection (a), utilize the transferred property to provide facilities to accommodate the varied long term storage and service needs of the Library of Congress and other legislative branch agencies.

(c) The exact acreage and legal description of the property to be transferred under this section shall be determined by a survey satisfactory to the Architect of the Capitol and the Secretary of the Army, and in consultation with officials of Anne Arundel County, Maryland.

(d) Any real property and improvements thereon transferred pursuant to this section shall be under the jurisdiction of the Architect of the Capitol, subject to the rules and regulations providing for the use of such property as may be approved by the House Office Building Commission and the Senate Committee on Rules and Administration: *Provided*, That any existing improvements made available by the Architect to the Librarian of Congress, under the direction of the Joint Committee on the Library, or hereafter erected upon such real property pursuant to law for the purposes of providing for the long term storage and service needs of the Library of Congress shall be subject to the provisions of sections 136, 141 and 167 to 167j of title 2, United States Code.

(e) Portions of the real property and any improvements thereon transferred pursuant to this section that are not determined to be immediately required for storage or service needs by the Architect are authorized to be leased temporarily to the Secretary of the Army: *Provided*, That nominal lease payments made by the Secretary of the Army shall be credited to the appropriation "Architect of the Capitol, Library Buildings and Grounds, Structural and Mechanical Care, No Year".

(f) There are authorized to be appropriated to the Architect of the Capitol such sums as may be necessary to carry out the provisions of this section.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 42 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken by said amendment, insert:

SEC. 124. None of the funds appropriated in this Act or any other Act may be used for the purposes of establishing any criminal detention or rehabilitation facility or program at Fort George Meade, Maryland.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Nickles/Cochran amendment No. 1051 (to committee amendment on page 154, lines 7–22), to prohibit the use of funds to support United States Armed Forces personnel in certain international operations.

AMENDMENT NO. 1051

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii [Mr. INOUYE] is recognized.

Mr. INOUYE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending question is the amendment offered by the Senator from Oklahoma [Mr. NICKLES] to the last committee amendment.

Mr. INOUYE. I thank the Chair.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma, [Mr. NICKLES] is recognized.

Mr. NICKLES. Mr. President, parliamentary inquiry: What is the pending business?

The PRESIDING OFFICER. The pending business is the amendment of the Senator from Oklahoma to the committee amendment.

Mr. NICKLES. Mr. President, I ask unanimous consent that Senator Hutchison be added as a cosponsor.

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

Mr. NICKLES. Mr. President, I inquire of the chairman of the Appropriations subcommittee what his desires are. We have been on the amendment for some time.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senate will be in order.

The Senator from Oklahoma.

Mr. NICKLES. I might inquire of the Defense Appropriations Subcommittee chairman what his desires are. Our amendment, I understand, is pending. We have the yeas and nays ordered. I am ready to vote on it.

I have a few more comments, and I would like to respond to a couple of comments that President Clinton had in a letter. But it is my hope that we can vote pretty quickly.

Mr. INOUYE. Mr. President, I am well aware that the Senator from Oklahoma desires to have a vote immediately, and I can understand that. We have had a lengthy debate on this matter. But I should advise the Senate that at this moment discussions are being held involving the administration and involving the leadership of the Senate, studying the Nickles amendment and hoping to come forth with some adequate response thereto.

So I hope we can continue our debate on the Nickles amendment. But I feel confident that by midafternoon we should be voting on this matter.

Mr. NICKLES. I thank my friend and colleague.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. INOUYE. Mr. President, on behalf of Senator GREGG, I ask unanimous consent that the Senator's amendment be deleted from the accepted list of amendments.

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

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

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

Mr. INOUYE. Mr. President, by inadvertence on my part, an amendment that was proposed to be submitted by the Senator from Nebraska [Mr. KERREY] was left off the accepted list. I ask unanimous consent that inadvertence be corrected and that Mr. KERREY be permitted to submit an amendment.

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

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NICKLES. Mr. President, in looking at a letter that the President sent to the leader, or to Bob DOLE, dated October 18, he has one paragraph that refers to my amendment. It says:

The amendment regarding command and control of U.S. forces, which already has been introduced, would insert Congress into the detailed execution of military contingency planning in an unprecedented manner. The amendment would make it unreasonably difficult for me or any President to operate militarily with other nations when it is in our interest to do so—and as we have done effectively for half a century through NATO.

Mr. President, let me just touch on that comment. That is totally incorrect. Neither the amendment that I have now pending, which explicitly excludes NATO, nor the amendment that I originally introduced would affect NATO. NATO has always been under U.S. command.

My amendment only says we will not have U.S. combat troops under U.N. operational command with a foreign commander. So it does not have any impact whatsoever on NATO. So the President just clearly is wrong, by this statement—either by my first amendment, original amendment, or by the amendment that I have now submitted. NATO is totally, completely excluded from this amendment.

We also state, "Any prospective standing United Nations international armed force." So, again, NATO is just not included.

It could lead to an all-or-nothing approach that causes the United States to shoulder the entire burden of a conflict even when a multinational approach would be most effective from the standpoint of military planning, burden sharing, and other American national interests.

Again, that is not correct. This amendment would not prevent a Persian Gulf-type operation. That was a multinational effort. That was a multinational effort that had burden sharing in it; significant costs were picked up by other countries, et cetera. This amendment would not prohibit that.

So, again, I just say that this part of the President's letter which deals with my amendment is just totally inaccurate and misleading. And I regret that. I do not mind debating this amendment, but I would like people to know what the facts are, and the facts are we limit U.N. operations for combat troops. We do not limit U.N. operations for peacekeeping operations, for logistics operations, for medical, or for humanitarian needs.

This amendment would limit U.N. operations for combat with a foreign commander. That is not to take away from the Presidential prerogatives, but it is more or less to reassert and make sure those prerogatives are not assigned to the U.N. Secretary General or to the United Nations. If we are talking about combat, that is another matter and that is a matter, I think, constitutionally should remain with the Commander in Chief and should not be delegated.

So this amendment in no way undermines NATO, in no way undermines Korea, in no way undermines any type of bilateral arrangement we would want to make with any country. It only limits U.N. operations that are with combat forces, if those forces are under a foreign commander.

I will underline, most people paid attention to the "foreign commander"—do you have something against foreign commanders? A lot of foreign commanders might be involved with NATO.

We might have foreign commanders involved with Korea. If we are talking about combat troops, what I do not want to have is us involved in a commitment to the United Nations and then find out that we have assigned combat responsibilities to U.N. command.

I will tell you, the U.N. command is understaffed and overworked and overburdened, I guess, with roles. They have over 80,000 peacekeeping troops that are involved right now in 14 different operations around the world and they have 80—80—managers. A little over half of those are military. That is the reason why the phones are not answered on weekends. That is why the phones are not answered at night.

The President said, "We want to beef up the peacekeeping operations at NATO," and that certainly needs to be done. But I am afraid he also wants to do it so we can expand the role of these peacekeeping operations to go well beyond humanitarian, well beyond peacekeeping, well beyond border monitoring, but into peacemaking, peace enforcing.

That is a significant expansion of the U.N. role. That is a significant expansion of U.N. peacekeeping role. I hope my colleagues are aware of that. I hope my colleagues are aware that this administration is now talking about a new Assistant Secretary of Defense for Peacekeeping. I hope that my colleagues are aware that in the United Nations, our Ambassador to the United Nations has been talking about an expanding role for peacekeeping forces, as well as the President. That is my concern.

I hope my colleagues also are aware that the U.N. Secretary General has been calling for an international standing army. I have serious reservations.

This amendment would prohibit that, and my colleagues need to know that. This amendment would prohibit the United States from committing U.S. combat troops to an international standing army that is without a mission, that is looking for a fire to put out, looking for a problem to solve. So they need to be aware. That is really what the amendment is all about: Trying to make sure that we do not turn control of U.S. combat troops over to the United Nations. I see that as a serious mistake.

It would allow humanitarian efforts. It would allow peacekeeping efforts, in the traditional sense, as we have done. So I wanted, Mr. President, just to clarify that the President's remarks concerning at least this Senator's amendment were totally inaccurate.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, will the distinguished proponent of the amendment, the Senator from Oklahoma, entertain a question?

Mr. NICKLES. I will be happy to.

Mr. WARNER. Yesterday, I had the opportunity to have a brief colloquy with the Senator about his amendment. I continue to have concerns about it.

I want to clarify the concerns the Senator apparently has with respect to U.S. forces serving under a foreign commander. This most often occurs down in the lower ranks, perhaps at the company or battalion level. Throughout the military history of our country, we have had our troops respond to a battalion commander, perhaps a regimental commander, indeed in some cases a company commander of other nations, particularly Great Britain, France, and allies with whom and in whom we have had many operations through these years.

It is my understanding that this amendment would prohibit that.

Mr. NICKLES. The Senator is incorrect. Let me read this section. It says:

> . . . when such forces are under United Nations operational or tactical control.

That is paramount. In other words, if the United States wanted to do something—you mentioned under French or under Italian—those are usually under NATO alliance. NATO would be exempt. We could also have our troops involved bilaterally or multilaterally. But the prohibition is really on U.N. operations.

Mr. President, I mentioned this yesterday but I did not emphasize it, and maybe I will try to do so today. U.N. operations has a peacekeeping force right now that is comprised of 80,000 troops. They have 80—only 80—people who are involved in management. About 45 of those I believe are military. So we have had U.N. peacekeeping forces commanders in Yugoslavia try to get some answers from the United Nations and they said, "Hey, they don't answer the telephone after 5 o'clock; the phone isn't answered on weekends." And, of course, they have contingencies and have problems.

So my amendment is directed not so much at foreign commanders, but as under U.N. operations with foreign command, that basically just excludes us and it says, "Wait a minute, if you are talking about U.S. combat forces, then we are going to prohibit that unless we have congressional approval."

You could have, to answer the Senator's question very specifically, a situation if we are doing something bilaterally with Britain or with the Italians or something like that, that would be permissible. What would not be permissible would be to have it under U.N. operational control with foreign command.

Mr. WARNER. Mr. President, I thank the distinguished colleague for that clarification. It would be my hope that we are not trying to cast general criticism toward all foreign commanders. Our military colleges and universities, as you know, are privileged to have many young officers from allied and friendly countries who come and train with us and go on to become very responsible, highly professional military persons in their countries.

Mr. NICKLES. I appreciate the Senator raising that because that is certainly my intention.

Mr. WARNER. Let me speak to another area that concerns me and that is when the Senator precisely wants to prohibit our Armed Forces serving in a situation of combat. My concern is that peacekeeping missions can overnight turn into a combat situation. So if we were to follow the letter of the law, so to speak, in your amendment, you permit, without enactment of a statute approving it, use of U.S. forces under U.N. control for "medical, logistics, communications, humanitarian"—humanitarian is a very broad one —"training, temporary observer or liaison activities." But those missions, within a matter of a few minutes, can be transformed from "peacekeeping," by which we mean there is a permissive, noncombat-type environment to "peacemaking," by which we mean there is an unstable, hostile environment or even outright combat.

Peacemaking includes trying to employ the use of arms either to defend yourself or to stop the other person from interfering with the peacekeeping operations. How does the Senator deal with that? You are permitting our people to go into a situation under U.N. control because it is "merely" peacekeeping, but within 15 minutes it can be transformed into peacemaking.

Mr. NICKLES. To respond to my friend and colleague's question, we have examined all the U.N. peacekeeping roles going all the way back to 1945 to present time. I think there are 27. I might also mention that it took 40 years to do the first 13, and in the last 8 years we have done 14. So we have seen a very expanding role for the United Nations. None of those 27 activities would have been prohibited under my amendment. But if we want to take a scenario and say, what happens if you have a peacekeeping operation, that is, Somalia, for example——

Mr. WARNER. Let us take Bosnia. That thing is so volatile.

Mr. NICKLES. Somalia is almost a better example because you do have a peacekeeping operation, you have logistics. All the logistics people in Somalia are under U.N. command. I do not know if the Senator is aware of that. But the Rangers have always been under U.S. command.

Mr. WARNER. Mr. President, I am fully aware of the current command and control arrangements in Somalia.

Mr. NICKLES. When the tragedy resulted and when the President decided he wanted to send in a few thousand more troops, he reasserted that all the combat troops were going to be under

U.S. command. So he is basically doing in Somalia what I am saying that we should do in this amendment.

My point is, if you have a humanitarian measure that goes awry, or if you have a humanitarian or peacekeeping effort that becomes entangled in some type of an armed conflict where our troops are—well, one, they always have a right of engagement. We never take that away from our commanders. If they are fired upon, their troops are in danger, they are able to protect their troops to the best of their ability and they are able to do that, period. But if you have the peacekeeping force, and they are fired upon, and they are engaged in hostilities and going to be engaged in combat, the President has two options. The President can assert United States control over those combat operations, as President Clinton did in Somalia, and this amendment would not be triggered whatsoever. If he is going to stay engaged in combat and keep it under U.N. command and under foreign command, then he would have to seek authorization from Congress. And he would have 30 days to do so.

Mr. WARNER. I might also suggest to the Senator, we are using rather loosely the words "command," and so forth. Technically, as I understand Somalia, the United States logistics forces are under operational control of the U.N. commander, but they still are under the command of our Commander in Chief. I would like to bring that to the Senator's attention and perhaps later on, if this amendment moves, we can work out the clarification of that language, which I think would be helpful.

So often when you put troops in for a humanitarian mission, such as logistic troops, what we would call peacekeeping troops, you should collocate with them, or at a short distance, troops that can come in and rescue them, troops trained specifically for combat operations, if the operation suddenly changes from one of peacekeeping to peacemaking. Peacemaking is really a euphemism for having a fight.

The Senator feels that his amendment allows our troops to serve for peacekeeping under a foreign commander, but if in 10 minutes it goes to peacemaking, what happens under the Senator's amendment such that our troops are not under a foreign commander? Just how does that work?

Mr. NICKLES. Again, let me remind my colleague, there are two steps. One, it would have to be under a U.N. operation and a foreign commander. So the Senator will have a better understanding, the United Nations is a bureaucracy, and I fault the United Nations greatly for the disaster that occurred in Somalia, as well as I fault our commanders and our civilian commanders. I think we made a serious mistake, and we can go through that in chronological order if we want.

But we had a superior force there, and it was under U.S. command, not under U.N. command. It was under U.S. command. That force was reduced significantly. And when we were down to about 4,000 troops, and after the earlier disaster, the United Nations changed the role or the mission: Capture General Aideed. Then we were at 4,000 troops, and we became engaged in combat.

I might mention our forces were still under U.S. command, and so there is that responsibility. That is important because not only is it the chain of command but it is also chain of responsibility. And we did have a disaster. We lost 18 lives. We have 60 some wounded. It was a real disaster. It should not have happened.

I might mention, too, that our military was giving advice not to have this be our mission in Somalia. And so we allowed the political hierarchy, I guess, to consent to changing the mission and make it a U.N. mission that expanded it from humanitarian to combat. I think that was a serious mistake.

Then we did not provide the commander in the field with the necessary military equipment he requested. That is a second major error and one that, unfortunately, resulted in lost lives. So I think that was a mistake.

But to answer specifically the Senator's question, what happens when you have a humanitarian effort that is good intentioned, well-intentioned, supported by all, that goes sour and turns into a combat situation, the President has a couple of options.

He could, one, put the combat operations under his direct control, eliminate the problem. He would not have to do that unless the original operation was under U.N. operation and under foreign command. In other words, if you have U.S. combat troops all of a sudden under U.N. command where really the United States is not directly engaged in direct operation or control, the President can assert that. We have U.S. lives that are at stake, at risk, so the President as Commander in Chief would assert that control. He could do that. Or he would also have the option to come to Congress and say I believe it is in our best interests to leave it under foreign command, and here is his request. He requests a waiver. My guess is he would probably get it, our not wanting to pull the rug out from under our troops.

Mr. WARNER. Mr. President, I wish to come back to a practical situation. This amendment says, "None of the funds appropriated or otherwise made available by this act or any other act may be used to support U.S. Armed Forces personnel, other than those engaged in medical, logistics, communications, humanitarian, training, temporary observer, or liaison activities," and so forth.

Let us say we have one of these missions just quoted, call it humanitarian, and we have perhaps 500 troops somewhere abroad building roads, working in hospitals, and doing all of those things to try to help some tragic situation, and they are under the control, let us say, of a Pakistani colonel.

Mr. NICKLES. Under the United Nations.

Mr. WARNER. Under the United Nations. All of a sudden they are faced with a combat situation to protect themselves. The Senator says the President takes control, comes back to the Congress. I say to the Senator, that Pakistani colonel has to make a combat decision in 15 minutes.

Mr. NICKLES. He could do it.

Mr. WARNER. He does not have time for the President of the United States to bring an American colonel in.

Mr. NICKLES. He would not have to.

Mr. WARNER. What does this Pakistani colonel do?

Mr. NICKLES. If the Senator will yield——

Mr. WARNER. Yes.

Mr. NICKLES. I mentioned earlier we still have rules of engagement, and we would have the right to protect and defend our troops, anytime they are fired upon under any circumstance, which is what we have everywhere in the world under any circumstance.

Mr. WARNER. Then what do we do if we fly in some combat troops to rescue them? Do we put an American colonel in charge and tell the Pakistani you are relieved of command?

Mr. NICKLES. Under rules of engagement, U.S. forces have the right, the responsibility, I believe, and the authority to protect those troops. If they are engaged—if they find themselves under fire, in combat for whatever reason, they have the ability to protect themselves, to extricate themselves from the situation.

Mr. WARNER. I understand that, but the U.S. troops on the humanitarian mission are doctors and engineers.

Mr. NICKLES. Whatever was necessary to protect those troops, they could do it if they found themselves——

Mr. WARNER. Who is "they," Mr. President? Who is "they"? You have the troops—let us say there are 500 troops. They are engineers, they are doctors, they are nurses, they are sanitation experts, and they are just working on trying to improve some area of the world. It is a U.N. mission, it is under a Pakistani colonel, and there are other nations involved in this, with their doctors and their sanitation experts. There are four or five nations in there. And suddenly this thing evolves into a conflict. Now, exactly what transpires?

Mr. NICKLES. To answer the Senator's question, those would be U.S. forces that are under fire.

Mr. WARNER. Right.

Mr. NICKLES. You have the operational situation where we always have the rules of engagement. If you are

fired upon or if your lives are threatened, if our nurses or doctors or whatever would be so, we would have the authority—the military commander would have the authority without getting the President's permission to rescue or defend or protect those lives.

Mr. WARNER. Mr. President, which military command is the Senator talking about?

Mr. NICKLES. Our military command. It might be the joint command. But if you have United States forces anywhere—the Senator knows this—whether you are in Korea or any place else, if you have those forces fired upon or engaged in some type of hostilities, they have the right to protect themselves, and whatever forces are in that area would be able to assist to extricate themselves from whatever hostilities they would be engaged in.

Now, if you are talking about a longer run situation; that is, Somalia, we had troops—let us take the Somalia case. We had Rangers there. Now, those Rangers were under U.S. control. They were fired upon. Our commander had the right to use whatever military force he deemed necessary to rescue our forces. Unfortunately, he did not have the tools necessary because that was declined from the political side, and that was a mistake. But he does have the right of engagement to protect, or extricate our personnel from that engagement. And that would be the case not just in Somalia but any case anywhere in the world. That is standard U.S. military policy.

Mr. WARNER. Mr. President, I would like to understand. I would like to return to this hypothetical. We have 500 doctors, sanitation experts, logisticians, road building experts, and a firefight begins to imperil their lives.

The U.N. Pakistani colonel in the humanitarian operation can be in operational control not only of the United States forces, but some Pakistani forces, Italian forces, and maybe some French forces. That Pakistani colonel has to have a plan and he has to execute it. Suddenly if the United States comes in and says "We are going to take care of our own," do we leave the other U.N. forces? What do we say to the Pakistani colonel, "Pack up and go home"?

It is not as simple as I think the Senator is trying to put forth in this amendment. This is a very complicated amendment. It gives this Senator and I think some others great concern as to their command and control.

I share the Senator's view that the United Nations today is moving too quickly, is not adequately staffed, not adequately equipped, and does not have the experience. There are certain parts of the Senator's amendment which I support and support strongly.

But when we begin to say that under this amendment we can do certain things with the U.N. but not others, I am saying those humanitarian efforts within 5 minutes can be converted into combat, or "peacemaking" efforts to use that term, and we may not have in position, if this amendment were the law, the command and control arrangements nor the backup for a proper rescue.

Mr. NICKLES. If the Senator will yield, I think he made the case for my amendment. That is why, frankly, we are trying to avoid situations where we put U.S. combat forces into situations in likelihood of combat where you have the U.N. control with a foreign commander. That is what I am trying to avoid because that is a scenario you are going to find happen if you have this administration wanting to do a very expansive peacekeeping operation where they have talked repeatedly about expanding the peacekeeping role throughout the world. That is going to happen.

So what I am saying is if you do get into combat situations, the President should assert himself as Commander in Chief so you do not have these blank lines of deployment. Who is responsible? We have never in our 48-year history in the United Nations committed U.S. combat forces to the United Nations unless we have had a U.S. control. I do not think we should now.

This administration is talking about doing it. I do not think we should do that. I am not talking about the change. It is the administration that has been talking about the change. We have never committed U.S. troops to an international peacekeeping armed force. This administration has been talking about it. The U.N. Secretary General is talking about it. This amendment would prohibit that.

So it does have some significance. But, basically, the changes that are proposed by the administration by advancing their role in peacekeeping and now talking about not just peacekeeping but, for the Senator's edification, they are also talking about peacemaking and peace enforcing.

So they are talking about a much expanded role in peacekeeping. I am trying to say, no, we have not been doing that. The United States has never done that. We never assigned U.S. combat forces who are away under U.N. operations and foreign command where we do not have direct control. This administration would like to do that—or at least it has been reported as recently as the President's speech of the 27th—this expanded role. That is what I am trying to protect.

So I think the Senator is very close to my position although it has not quite——

Mr. WARNER. Mr. President, I will summarize my concern with the amendment. I agree with the Senator that the United Nations is not ready. I agree with the Senator that we should not be giving the President any encouragement to do these various things about the U.N. army, and so forth, like that. We are in complete agreement on that.

Where we disagree is the Senator from Oklahoma explicitly gives the President authority to send our troops under a foreign U.N. command and control situation for humanitarian and other purposes. I am saying the history has shown us that those types of missions within a matter of minutes can become combat situations. And the amendment, in my judgment, does not adequately protect our troops put in that situation under a foreign commander. It might change in 15 minutes.

Mr. NICKLES. If the Senator will yield.

I appreciate what the Senator is saying, that my amendment is not strong enough and does not go far enough, and maybe he is right. But my point is that we are already doing that. Maybe we should restrict that. I am not going that far.

I told several of my colleagues who have acted like this amendment is draconian or far-reaching, I said, "Wait a minute. It is not." It would not change what is happening in Somalia because they have United States combat troops, rangers, under United States operations and control. The Senator is aware of that. Frankly, it will not change what we are trying to do in Haiti. This amendment would not change that.

My amendment will not, unless they are talking about moving in combat forces. But that was not historically our intention. I am pleased the President has backed off from doing that because I think that was a mistake. But of the 14 peacekeeping operations that are now ongoing throughout the world, most of which are humanitarian or border monitoring, we are engaged in some of those to a very minor degree. For the most part, my amendment would not prohibit those. But we are already engaged in it. That is my point. We are already engaged in monitoring those. We are still engaged in some humanitarian efforts in Somalia. My amendment would not change that.

So it does not at all encompass, as some people would say or some people might like, but we are already doing it. The Senator yesterday raised the question: Well, constitutionally we cannot even assign troops to the U.N. peacekeeping efforts.

We are already doing it. My amendment does not really touch that. But it does have a restriction that says when you are talking about combat, when you are talking about assigning combat, that is when we should say "Wait." If you are going to put combat troops under the United Nations which is understaffed, which is undermanned but say, OK, that does not decide what it wants to do. But when you have a U.N. representative in Somalia that

goes public with the press conference, now our role and our mission is to go get General Aideed, that one press conference could have easily cost a lot of American lives. He probably could have been captured if that was our role without telling the world about it. Once you tell the world about it, the cost of getting him went up significantly. And, unfortunately, we had a loss of life in the process.

So we have restricted this to in every way trying not to be intrusive on the President's rights but more to assert the President's rights so if he is talking about inserting combat troops, he should be the Commander in Chief, not the Secretary General.

I thank my friend from Virginia.

Mr. WARNER. I thank my friend from Oklahoma.

Our difference is that peacekeeping can turn into peacemaking within a matter of minutes.

I find in this amendment, which is an attempt to codify the various things we are doing now, there is too big of a loophole to satisfy this Senator. That is the reason that at the present time I have concerns about the amendment.

I yield the floor.

Mr. NICKLES. Mr. President, I appreciate my colleague's comments and statements.

I might mention, we do not codify anything. We are not legislating. What we do say is none of the funds shall be used to support U.S. combat troops under U.N. command with a foreign commander. But we are not codifying and saying it is OK; Mr. President, if you want to send them in for humanitarian training, we do not authorize anything. That is the Armed Services Committee. That is not the Appropriations Committee. The Appropriations Committee in this case, we do have the power of the purse. Some people say constitutionally, yes, we have the power of the purse. This says no combat troops. But we are not saying that it is not OK for the President to send out *x* number of troops for humanitarian, *x* number of troops for medical, *x* number of troops for observer status. A lot of those are observers. We do not touch that.

We just say we are not going to fund the combat troops; we do not want to have U.S. combat troops under U.N. control, foreign commander, where really the United States is out of the loop. We think the Commander in Chief should be in the loop. He should take control. He should not assign control. He should delegate control when you are talking about combat forces, risking the lives of men and women for our country. But we are not authorizing. We are not saying it is OK. We are not saying *x* number, you can double or triple humanitarian or training or observer troops. We just do not restrict that. So I want to make sure that that point is clear.

Mr. President, I yield the floor.

I thank the Senator from Virginia.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

Mr. President, I am concerned about a series of amendments which are being considered by the Senate which have very grave overtones for limiting Executive power in the context of this defense appropriations bill.

An amendment by the distinguished Senator from West Virginia [Senator BYRD] was adopted last week; an earlier amendment by Senator BYRD was adopted in September which placed certain limitations on the President with regard to Somalia. Last week we rejected an amendment by the distinguished Senator from Arizona [Senator MCCAIN] which would have called for an immediate pullout of troops in Somalia.

Today, we are considering an amendment by the distinguished Senator from Oklahoma which would limit Executive authority on U.S. forces under foreign command.

There has also been comment about an amendment, soon to be offered, on the Haiti situation. In the context of this floor debate, without having hearings and without extensive deliberation, there is a real danger that the Senate, the Congress, may be going too far in limiting executive authority. In the passions of the moment we are influenced by the very serious situation which we confronted in Somalia which has resulted in the loss of American lives.

I believe that this problem is materially compounded by the President who, regrettably, has been indecisive, vacillating, and has changed positions. This makes the Presidency a weak institution at the moment—or at least this President a weak President at the moment—and it invites action by the Congress to try to correct the situation by legislating foreign policy.

It is fortuitous that we have on the floor at this moment the defense appropriations bill, which provides a vehicle for limiting funding and provides the strongest constitutional approach that Congress has to try to influence foreign policy by cutting off funds.

The War Powers Act which sought to address these issues by requiring withdrawal of troops within 60 days after the hostilities, unless authorized by the Congress, or unless the date was established was very carefully crafted after very extensive consideration by the Congress. The amendments which we have been considering in the course of the last several weeks and are considering again today, and perhaps later today or tomorrow on Haiti, go considerably further in limiting executive authority.

I do believe that the strongest constitutional case can be made in the present context on limiting expenditures, because Congress traditionally has the power of the purse. But that is by no means clear. The President has authority as Commander in Chief. Therefore, a constitutional question is presented under these two express provisions of the Constitution, and it is questionable as to how it would come out if submitted as a court case.

I think it is regrettable that there has never been a decision under the War Powers Act by the Supreme Court of the United States, because if it had been established that Congress had the authority to influence foreign policy by compelling the withdrawal of troops after 60 days when they were in hostilities, we might not be facing this situation.

Back in 1983 or 1984, an effort was made, when Senator Howard Baker was the majority leader, to have a constitutional test. Extensive legal papers were prepared, and there was an effort to get a joint submission by the executive branch and at least the Senate—the House had not been consulted to the best of my knowledge—before getting a Presidential agreement for such a submission. But the President declined to do so. To this moment, it is unclear whether the War Powers Act is constitutional. So we are confronted today with these efforts through the appropriations process to limit Presidential authority.

I supported Senator BYRD's amendment last week, which called for a limiting of mission and the withdrawal of forces on or before March 31, which had the agreement of the President. I supported that amendment in contrast to Senator MCCAIN's amendment, which called for immediate withdrawal from Somalia, because, as I said on the Senate floor last Thursday night, I thought the institution of the Presidency was an issue. I think the institution of the Presidency is an issue on the amendment which is now pending by the distinguished Senator from Oklahoma.

It is my view on this amendment, after listening to the debate, that there is not an appropriate balance of responsibility between the President and the Congress and that the amendment is too broad in its terms when it makes a provision which says none of the funds appropriated "under this act or any other act." This will probably have the effect of making the amendment permanent law, thus precluding the use of U.S. forces under U.N. control.

There has been significant precedent, Mr. President, for having U.S. troops under control other than U.S. control. In World War I, Marshal Foch of France controlled United States forces. In the Battle of the Bulge, General Montgomery controlled U.S. forces.

There are and have been U.S. forces under control—although not in combat roles at the present time—of the United Nations in a variety of situations.

Our forces may not be in combat roles, but they are present in the western Sahara, Cambodia, Kuwait, the former Yugoslavia, and in the Sinai.

I believe there are strong U.S. policy reasons to encourage participation by other nations in the onerous duties of being the peacekeeper around the world. The issue is open for debate as to what is the appropriate role of the United States. And it is very difficult, if not impossible, for the United States to be the policemen of the world.

So it is in our interest to try to get other nations to do more. In the 40-plus years that NATO has been in existence, we have constantly argued that our partners in the North Atlantic Alliance ought to do more. I have attended many of those North Atlantic assembly meetings where the debate is hot and heavy, with the U.S. position being advanced that other nations are doing an insufficient amount of burdensharing. When we have problems in the Persian Gulf, Bosnia, or Somalia, it is in the United States interest that other nations make a much greater contribution than they have been willing to make up until the present time.

If the United States is to take the position that our forces will not serve under any command other than a U.S. command, how can we ask other nations to make material contributions to those forces and ask them at the same time for their personnel to be under the command of another nation? It is obviously an impossibility to have many nations, with many command forces, operating on the same battlefield without having anarchy.

So it is a fundamental matter. If we are looking for help from other nations—which we are, and certainly should be, because the United States has had to bear too much of the burden—it is, I think, unrealistic to put a limitation on the ability of the President to supply forces that may serve under a foreign command.

Mr. NICKLES. Will the Senator yield for a second?

Mr. SPECTER. Yes.

Mr. NICKLES. Was the Senator aware of the fact that NATO is totally excluded from this amendment, as is Korea? And so the point that the Senator was making really would not apply in that case. What we are really directing this at is under U.N. operations.

I want to make sure the Senator is aware that NATO would not be infringed in any way by this amendment.

Mr. SPECTER. Mr. President, I am pleased to respond to my distinguished colleague from Oklahoma that I am aware of that. I have studied his amendment in detail. There are certain aspects of it I would like to discuss with my distinguished colleague.

I make the reference to NATO as an analogy, that there can be a NATO command, where U.S. forces would be under command other than that of the United States.

It is a matter of principle that we ask other nations to submit their forces to the command of the United States. Where the United Nations may be called upon to respond in Somalia or Bosnia, or who knows what problem may arise in the future, if we seek support from other countries, it is inappropriate for us to say we will not have our forces under a command other than United States command if we expect other countries to be under such a command.

My references to NATO are by way of analogy where we have submitted ourselves to an organization, the North Atlantic Treaty Organization, where our forces may be subject to another command. That is a very strong argument for not precluding the possibility of having our forces under another command.

I realize, in making this argument, that it is not a popular argument with the American people, especially at a time when American soldiers have been killed in Somalia. I am also aware that there have been significant mistakes made by the United Nations, although there have also been serious mistakes made by the United States. There is a strong ring of patriotism to say that we ought not to be exposing American lives unless they are under U.S. command. I am not saying that we should be exposing them to commands of the United Nations, but I am saying that on October 19, 1993, the Senate of the United States ought not to pass a law which will permanently bind U.S. Presidents from making a decision in the future on this subject.

I believe it is a decision which has to be made with the utmost of care before American soldiers are placed under command of anyone other than U.S. commanders, but we have to expect the President of the United States to discharge those responsibilities with care and with responsibility.

There is a great temptation for the Senate today to try to exercise greater authority on foreign policy because of the serious errors which have been made and because there has been so much indecision and vacillation on Bosnia, Somalia, and Haiti. The temptation is great today for the Senate to exercise authorities beyond the range of constitutional prudence or beyond the range of public policy prudence. That is why I think we ought to pause and look very carefully at precisely what we are undertaking to do.

This has not been an easy question because we have had wars which have not been declared by Congress. Korea was a war never declared by Congress. Vietnam was a war never declared by Congress, although that legal issue is muddied perhaps by the Gulf of Tonkin resolution.

As we have wrestled with the provisions of the War Powers Act —and the constitutionality of that has not yet been decided—we are searching for other avenues to try to exert appropriate congressional responsibility. I do believe that it is very, very important for Congress to exercise its authority when the United States is confronted with a situation which is in the category of a war. The Congress has the sole authority under the Constitution to declare war.

Back in late 1990, when the United Nations resolution had made the demand on Iraq to vacate Kuwait by January 15, I took the floor and pressed hard to have a decision made by the United States as to whether we would use force. That was a very difficult time in U.S. foreign policy because President Bush said that he had the authority to proceed by complying with the United Nations resolution and supplying U.S. forces. Both the House and the Senate were not scheduled to debate the issue at the time.

It was only on January 3, 1991, when the distinguished Senator from Iowa, Senator HARKIN, raised the issue on the swearing-in day that the Senate was compelled to take up the issue on January 10 as to whether the Congress would authorize the use of force. We then had a very, very extensive debate in the Senate on that subject which was followed by a 52-to-47 vote authorizing the use of force.

I thought that the Senate's action in 1991 was appropriate and was necessary because that situation was really tantamount to a declaration of war and was within the constitutional prerogative.

It seems to me that when Senator BYRD offered his resolution on Somalia, after we had had a long, drawn-out period, it was appropriate for there to be a cutoff date unless there was a specific authorization by the Congress to permit the retention of the U.S. troops engaging in hostility. That is an issue that has to be considered by the Congress.

In my reading of the amendment which has been offered by the distinguished Senator from Oklahoma, I note that there are exceptions to having U.S. troops under U.N. command. If it is a part of any prospective standing U.N. international armed force, that is an exception. Of course, there is no standing U.N. international armed force at the present time.

A question which I have for my distinguished colleague from Oklahoma relates to that provision. I think it would be useful for this RECORD to have a fuller description of what the author of the amendment has in mind on that specific subject.

(Mr. MATHEWS assumed the chair.)

Mr. NICKLES. Mr. President, if the Senator will yield, I would like to respond.

One, we prohibit the U.S. combat forces from participating in a U.N.

international combat force. We prohibit that. That is a very important part of this amendment.

So it is not an exemption. There are exceptions to the rule. It is a prohibition. If you looked at the amendment structured that way, it says, no funds shall be used or committed to U.S. combat forces, and then we also state, any part of any prospective standing U.N. international armed force.

The U.N. Secretary General would like to create an international armed force peacekeeping body, whatever you want to call it, looking for fires to put out without a mission specific, without a country specific, without a region specific. I think that is a mistake. So that is the reason that section is in there.

There are also people in this administration who have been advocating that position as well, I believe, including candidate Bill Clinton. I think he has moderated or come out against that position recently.

The reason that was in there, I tell my colleague—and excuse the long answer, if this is longer than he wants—under Presidential Decision Directive 13, there we are contemplating a standing force. I think they now have decided that it would not be prudent. But I think it would be very imprudent, and that is the reason it is in there.

Mr. SPECTER. Mr. President, I have a followup question with respect to the standing U.N. international armed force, whether that could be authorized by the Congress.

In posing that question I know that the answer is obvious. It could be authorized by the Congress because we have full plenary authority in that situation.

In subsection (a)(1) of the amendment, the prohibition against having U.S. forces under U.N. operation and tactical control has an exception if certain conditions are met, including a joint resolution authorizing the placing of such forces under foreign command.

Simply for the purpose of clarification, I ask my colleague from Oklahoma if there could not be a United Nations international armed force if there were a similar joint resolution by the Congress authorizing such a force?

Mr. NICKLES. I do not think that would be the case. My guess is that the President and Congress could create a U.S. participation in an international armed force but it would have to be done by treaty, or at least that is my guess, and certainly would require Senate authorization, if not confirmation, of that treaty. That is a very significant proposal.

One of the concerns I have about the first section, the exceptions, I might relate to my colleagues, is to allow the President some latitude, if he did find himself involved in a situation where a peacekeeping force became engaged in combat, so the President could respond, ask for a waiver, and declare an emergency, and then Congress could authorize that within 30 days. That is why the exceptions are there.

The essence of the second part of that is we do not want U.S. combat forces assigned to an international peacekeeping—not peacekeeping—to an international U.N.-controlled armed force; very simple, very direct.

It is one sentence, but it is a powerful sentence. If you read it in context, it says none of the funds appropriated or otherwise made available by this act to fund any part of any prospective standing U.N. international armed force.

Mr. SPECTER. Well, Mr. President, if the Nickles amendment were adopted, became the law of the land, it would be an act of Congress prohibiting U.S. participation in "any prospective standing U.N. international armed force," and that could be altered by another act of Congress. So we could change that with this prohibition, and we could authorize by an act of Congress such participation.

My colleague from Oklahoma raises an interesting legal issue as to whether that would require a treaty and a two-thirds approval by the Senate or simply a majority vote of the Congress, which we need not debate at any length today.

Mr. COCHRAN. Mr. President, will the distinguished Senator yield to me for a further response on that point?

Mr. SPECTER. I would, on the condition that I do not lose my right to the floor, since I think I am only permitted to yield for a question.

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

Mr. COCHRAN. I thank the Senator for yielding.

As I understand the use of the language in the amendment, I think the intent, certainly on the part of this Senator as an original cosponsor of the amendment, is to make sure that the executive understands that he does not have the authority to use any funds appropriated in this bill only to fund any U.S. participation in a standing army controlled and directed by the United Nations. That is purely and simply the limitation, as I understand it.

Therefore, any legislative act that might be enacted subsequent to this date would certainly control authority over the troops if we decided to grant that authority, to legislate the authority for the President, and it would be an amendment to the bill that we are now considering.

So this is a bill that will fund the Department of Defense's program for the next fiscal year that begins October 1, 1993. That is the limitation that is contained in this amendment, and it can be changed by changing the law.

But what we do not want to see happen is to drift into a situation where we have this new assistant Secretary of Defense for Democracy and Peacekeeping who makes pronouncements and suggestions like those we have heard from other administration officials, including the President, that they are considering new initiatives in this entire area, and a new attitude toward multilateralism.

It makes me wonder, without the benefit of hearings where we listen to what the specific plans or proposals are, that if we do not act in the way this amendment suggests we act, the administration could go forward with some of these suggestions, and we could wake up one morning and see the United States as a part of some international standing army or rapid reaction force without having been consulted, without having had the opportunity to debate this matter in the Senate. That is what this amendment seeks to address.

I thank the Senator.

Mr. SPECTER. Mr. President, I would ask my distinguished colleague from Mississippi what is the import of the language "or any other act"? Because in the amendment the language reads "None of the funds appropriated or otherwise made available by this act or any other act may be used to support U.S. Armed Forces personnel" under U.N. control or "any prospective standing U.N. international armed force."

Mr. COCHRAN. I suppose it means under any other appropriations bills, such as the foreign aid bill, which we passed the other day, or any other bills that the Congress has already acted upon this year that applied to the fiscal year beginning October 1.

My friend may want to respond to that question.

Mr. NICKLES. The Senator is exactly correct.

Also, for my colleague's information, originally the peacekeeping forces were funded out of the foreign operations bill and this amendment was drafted with that intent. Now that has been moved over to the defense bill.

But we would not want someone to say, "Wait a minute. In a previous year's appropriations bill, we had another $100 million left over and therefore we will allocate a certain percentage of that unused or unallocated amount for the establishment of an international peacekeeping force."

Mr. SPECTER. Well, if the provision of "or any other act" is intended to apply to all appropriations bills for the next fiscal year, the fiscal year we are in currently, then that might be more clearly specified, because it raises a concern on my part where it says "any other act" that it could apply in the future.

We have had, in the history of the Congress, considerable legislation on appropriations bills where we have attached provisions to appropriations

bills which have stood long beyond the context of the next fiscal year. This provision might well be read to preclude the President from spending money in 1996, 1997 or thereafter under the prohibitions of this act.

Mr. NICKLES. To further clarify, that is not the authors' intention. I think this appropriations bill says "None of the funds appropriated." I do not think you could place a restriction in an appropriations bill for fiscal year 1994 that would have a restriction that would be applied beyond the end of the fiscal year.

Mr. SPECTER. Well, as I say, I do believe that there have been provisions of appropriations bills which have extended beyond the life of the fiscal year for which they were intended and that a reading of the phrase, "any other act," could be very broad indeed.

I have one other subject which I think is worthy of a moment's discussion with the distinguished authors of the bill. The subject relates to having U.S. forces under U.N. command, and whether it would not be sufficient to rely upon the War Powers Act as opposed to new legislation such as this amendment.

The amendment does have a provision that the President can act if national security interests justify a waiver of the prohibitions, the President declares that an emergency exists, informs Congress of his action and the reasons therefor, and within 30 days of such declarations there is a joint resolution authorizing such actions.

Now, if the 30-day provision had been 60 days, it would have the substantive effect of being very close to the War Powers Act, where, after U.S. forces are introduced into hostilities, they are to be withdrawn unless authorized by Congress to remain there before the expiration of 60 days.

My question to my colleague from Oklahoma is whether the thrust of his amendment with the 60-day provision would be satisfied by the War Powers Act if the War Powers Act was constitutional and was complied with by the President.

Mr. NICKLES. Mr. President, to respond to my colleague, this is just the opposite of the War Powers Act. The War Powers Act was really kind of trying to restrict the President from getting engaged in international conflicts without congressional authorization or approval within 60 days.

What we are trying to do is reassert and not infringe—I think the Senator said impede—the President's ability. We do not want to impede the President's ability to do anything with U.S. forces. We just want to make sure he keeps control over U.S. forces.

And so we are not trying to take away his authority. We are trying to make sure he does not delegate his authority to the United Nations.

Mr. SPECTER. But, my colleague——

Mr. NICKLES. But it is not even analogous to the war powers.

Mr. SPECTER. But is not an indispensable part of his authority his right to delegate that authority?

Mr. NICKLES. I seriously question whether—that is the essential part of this amendment. Many of us do not believe that. The President should not delegate combat forces to the United Nations. That is what this amendment is about. We do not think he should delegate them to the United Nations. We do not think he should delegate U.S. combat forces to an international standing army under U.N. control.

We do not impede the President's ability. We just say do not give it away, do not give away your constitutional responsibility. Do not give away our constitutional responsibilities.

So the war powers and this are totally different issues. We are trying to make sure the President does not delegate that authority to the United Nations, which has very lofty, utopian-type goals, but they are engaged in 14 conflicts around the world. They have 80,000 troops, and they only have 80 supervisors.

Mr. SPECTER. Is the Senator not authorizing or permitting, under his amendment, the President to delegate this authority to place U.S. forces under——

Mr. NICKLES. No.

Mr. SPECTER. Wait a minute. You have not heard the question yet. I will repeat it so you have the full question.

Mr. NICKLES. Thank you.

Mr. SPECTER. Is the Senator not permitting, under his amendment, the President to delegate to the U.N. authority over U.S. troops for 30 days?

Mr. NICKLES. If the Senator will yield, we do not. We restrict the President from getting our troops involved in combat. We do not restrict the President as far as humanitarian and other provisions.

That does not mean we authorize them. We restrict combat, but we allow the President to delegate authority for humanitarian, for monitoring and so forth. But the only place where we are putting the restriction is where we are talking about U.S. combat troops. That does not mean we OK the rest. That was similar to the discussion I had with the Senator from Virginia [Mr. WARNER]. We are not taking a position on that. We just have not restricted it. The only restriction we have is when we are talking about U.S. combat troops.

In regards to the 30 days the Senator mentioned, yes, we put that 30 days in thinking the President might find himself in a scenario where peacekeeping became peacemaking or it became involved in a conflict. So we did allow for an emergency or allow the President to make a waiver, to come to Congress and make that case.

Or the President has another option. The President would not have to do anything under this amendment if he just asserted U.S. control over those troops. That has always been the case. That was the case in the Persian Gulf. That has been the case in other operations—U.N. operations where they have become engaged in conflict. The President has asserted control over those troops.

The same thing in Somalia, I might tell my friend. The troops that engaged in combat are under U.S. control. So we are trying to keep the President's control, make sure it is not delegated to the United Nations.

Mr. SPECTER. I take that lengthy answer to be a "yes"?

Mr. NICKLES. Nothing in this language authorizes the President to do anything. Nothing impedes his power to do anything if he keeps control over the troops in that chain of command.

Mr. SPECTER. Let us review the bidding. The amendment prohibits the use of funds for U.S. Armed Forces under U.N. control, but there is an exception. That exception is, under (b), "The prohibition described in subsection (a)(1) shall not apply" under three conditions.

First, the President determines the "national security interests justify waiver of such prohibition; (2), the President declares that an emergency exists and immediately informs the Congress of his actions and reasons therefor; and (3), within 30 days of such declaration there is enacted a joint resolution authorizing such actions. * * *"

So, under Senator NICKLES' language, is it not true that until 30 days pass and there is no such congressional declaration, that the President does have authority to use funds under this act to put U.S. troops under U.N. control, once he determines there is a national security interest and there is an emergency, and he informs the Congress?

Mr. NICKLES. To respond to my colleague, during that 30-day period we do nothing to authorize it. We just do not prohibit that money for that 30 days. It gives the President that latitude——

Mr. SPECTER. I understand.

Mr. NICKLES. To make that decision, but it is not an assertive affirmation about what he has done. What it just says is, no, we do not prohibit the use of funds during that 30 days.

Mr. SPECTER. I understand. That is why I characterized it as a "yes" answer, because it eliminates the prohibition and leaves the President where he stands at the present time.

Mr. NICKLES. That is correct.

Mr. SPECTER. If the term were 60 days, so that the President would not have a prohibition from acting within 60 days, would the consequence of the Senator's amendment not be the same as the War Powers Act? I understand there is a difference between authorization and prohibition, but would not the impact of the Senator's amendment,

were the term 60 days, be the same as under the War Powers Act where Presidential authority terminates after 60 days, unless there is an affirmative action by the Congress authorizing the use of forces? Just as the President's emergency powers, under my colleague's amendment, terminate at 30 days unless there was an affirmative conclusion by the Congress that he could continue that course?

Mr. NICKLES. I would say no. The Senator again is trying to make the analogy between this resolution and war powers. The two do not fit. War powers says the President can take whatever action he wants but he has to get congressional approval within 60 days if our U.S. forces are engaged in hostilities.

Under this amendment, all the President has to do is assert control over those troops and this amendment does not apply, period. So there is no restriction whatsoever of the President in making commitments of U.S. forces under this amendment if he asserts control over those troops.

Again, with respect to war powers, most people have perceived war powers as a restriction of Presidential authority or involvement in other countries. This amendment does not touch that. The President can do whatever he wants, as long as he asserts and maintains control over those forces. This amendment tries to make sure that he does not delegate that authority to the United Nations.

Mr. SPECTER. Mr. President, I thank my colleague from Oklahoma for those answers and I compliment him for his diligence in pursuing this amendment and his work generally. We have worked together in the Senate since election day in 1980, and it has always been a pleasure.

But with all respect, I disagree with my distinguished colleague on his conclusions on this issue. I think it is a very important point because I think the continuing denial by the executive branch, by the President, to recognize the constitutionality of the War Powers Act has brought us to the situation where we are today, where there is an active effort made by the Congress, the Senate today, to limit executive authority through the power of the purse and the power to control spending. It is entirely fortuitous that this defense appropriations bill is on the floor at this particular time. The sequence of events in Bosnia and Somalia and now in Haiti, which the President has responded to with vacillation and indecision, gives rise to action by the Congress to try to fill the vacuum. It is, I submit, action which goes beyond the constitutional limits and beyond the appropriate limits of public policy.

If we did not have this bill on the floor we would have many speeches in morning business or in the middle of quorum calls, but we would not be using real bullets like we are today. When we introduce amendments which cut off spending, that is a very powerful weapon, the only real weapon which the Congress has in asserting authority in fields like Somalia or Haiti or Bosnia.

I think that the passions of the moment and public opposition to what has happened in Somalia, when Americans have died and Haiti where Americans headed in and then were recalled while executive branch officials said we may use force even though it does not appear in any way warranted, have given rise to these very appealing amendments to limit executive authority.

I suggest that they go too far in a constitutional sense, and I suggest that they undermine the institution of the Presidency. The discussion that I have just had with my colleague, Senator NICKLES, I think is illustrative of the point. He disagrees with my conclusion, but I believe that it is conclusive, as a matter of logic, that had the Nickles amendment given the President 60 days before cutting him off from exercising his discretion to place U.S. troops under a U.N. command in a situation of hostility, that it would have had the same effect as the War Powers Act. The War Powers Act provides that when U.S. forces are in hostility that they have to be withdrawn at the expiration of 60 days unless authorized by Congress, or the period is extended.

Had the Nickles amendment contained a 60-day provision, it would have authorized the President, upon his declaration of an emergency, to put U.S. forces under U.N. command for a period of 60 days unless authorized to continue them by a joint resolution of the Congress.

It is the absence of the War Powers Act and our ability to function under the War Powers Act which has brought these additional amendments to the floor. The War Powers Act would have provided additional restraints beyond that which is in the Byrd amendment, which goes until March 31.

We face a tough situation. We will have a variety of Presidents over the course of the next many years and the history of this country. May it be many, many centuries. The Constitution has been very carefully crafted on a balance of legislative and executive authority. I think the Senate has to be very careful not to overrespond when we have the problems of Somalia, the problems of Haiti, and we have the indecisiveness and vacillation of this President, not to weaken the institution of the Presidency.

Mr. NICKLES. Will the Senator yield? I will just make one clarification. The difference in war powers, as I stated, is this whole amendment is void, so the President would not have to withdraw troops or do anything, if he asserted control over those troops. I just make that point.

I have a question for my colleague from Pennsylvania. Does the Senator support the United States making a commitment of combat troops to an international United Nations combat force?

Mr. SPECTER. Under what situation?

Mr. NICKLES. That is a good question. That is one of the things this amendment would prohibit. The U.N. Secretary General—so my colleague will know this amendment was not drafted because of mistakes that were made in Somalia. This amendment was drafted long before the Somalia disaster happened, although it contributes to the interest in the amendment. But this administration was considering and contemplating making commitments to a standing U.N. international combat force without mission specific, without country or region specific. It would be there to put out fires as the U.N. Secretary General and maybe U.N. Security Council would deem fit.

I think that is a mistake. That is one of the things this amendment would prohibit. I did not know if the Senator was interested—some of my colleagues may be interested in supporting that. I think one or two are. But I think it is a serious mistake. I did not know if the Senator was interested in supporting and committing U.S. troops to a U.N. armed force.

Mr. SPECTER. My answers are these: When it comes to the issue of a standing U.N. armed force which is in part 2 of your amendment, I do not believe that the President of the United States has the authority to commit U.S. troops to such a standing U.N. international armed force without authorization of Congress. I do not believe that issue ought to be decided by the U.S. Senate when there are five Senators on the floor, and probably some of those who are on the floor are waiting for purposes other than engaging in this debate.

That is a momentous question. It ought to be taken up after we have hearings, after we have extensive consideration, after we hear from a variety of witnesses and we have an opportunity to think about it when we are on more than one foot.

I heard about this amendment, if I may say, last week, and I have been thinking about it. I came back especially to vote on it yesterday. I did not seek a postponement, but I was pleased to see it was postponed.

I thought about it and I consulted with my son Shanin who took a year of international law at Cambridge. I called him up to get the real inside story. I want to have consultations and discussions about issues such as these with the next generation in the Specter household.

I do not want to decide it today. I do not think the President has that authority, and I do not want to see him

exercise that authority without the Congress acting. It may be it requires treaty ratification; that it is a question which requires two-thirds approval of the Senate. Maybe we can leave the House out of it entirely and just have ratification by the Senate.

When it comes to the gravamen of your amendment on the emergency use of Presidential authority over U.S. troops under U.N. command, I do not want to limit future Presidents. I might want to limit this President, but I do not want to limit the institution of the Presidency in this way.

I also do not want to decide this question on a Senate debate with a handful of Senators here. We have the War Powers Act which has not been used and I think it is scandalous that it has not been. I entered into extensive debates—I remember Senator Percy on the floor of the Senate when war powers was debated during Beirut. We went through Korea, which he agreed was a war; Vietnam was a war, and we had a problem of how we exercised congressional authority to declare war.

I am just not prepared to see a ration of amendments—even as thoughtful as the Senator from Oklahoma has been—or have this amendment decided by the Senate when only a few of us have said a few things on the Senate floor.

Mr. NICKLES. If the Senator will yield, I appreciate my colleague's comments. I happen to agree with you wholeheartedly that the President should not and I believe could not make a commitment of U.S. combat forces to an international army without concurrence or authorization or possibly treaty commitment of the United States.

I was going to ask, and I know my friend from Wyoming has been waiting patiently, but does the Senator support making a United States commitment of combat troops to an international group that might entail 25,000 combat troops going into Bosnia? There are a lot of things that are out there that I hope my colleague—I do not think his position is that far away from mine, when I listened to his responses, we do not want to make a commitment of combat troops to an international organization. That is what this amendment would prohibit.

I have not given up on getting the Senator's vote. I appreciate very much his interest and his diligence in studying the issue.

Mr. SPECTER. In response to Bosnia—and I do not know if the Senator from Wyoming is waiting patiently. I think he is waiting impatiently. I will only be another 30 seconds.

I do not think the President should commit troops to Bosnia, I say to my colleague from Oklahoma, because there is no emergency there. The situation in Bosnia has remained pretty much the same. We have had a lot of Presidential declarations on the subject, before and after his inauguration. I think that is a matter that ought to come before the Congress, just as the use of force in the gulf war came before the Congress without the President exercising authority on his own.

I yield the floor.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. WALLOP. Mr. President, as I listened to the arguments of my friend from Pennsylvania, for the life of me, I do not see why they are not arguments in support of the Nickles amendment. I share with him the concern of Congress transgressing its constitutional authority.

This Senate last week acted to limit the President's authority in Somalia after having witnessed a failed policy delivered by incompetent people. It was the uniform, it was not a partisan view that it had been a failed policy, and it was not a partisan policy that it was done incompetently.

When the President of the United States said, "I was unaware that the mission had changed," people began to wonder if he was in fact the Commander in Chief. I mean, after all, who does approve mission changes but the President of the United States?

So as I was listening to the arguments of the Senator from Pennsylvania, what I see happening is that with troops under the command of a U.N. commander, we have no place to go to limit that person. That is a foreign person whose authority is not under the reach of the Congress of the United States.

What I see the Senator from Oklahoma trying to do is maintain a set of circumstances under which the political accountability of events that take place overseas regarding the lives of young Americans in combat remains within the reach of the political apparatus of America.

We, I suppose, can get Madeleine Albright to go up and moan about the incompetence of U.N. commanders in New York City, but that does not leave them within the reach of the body politic responsible for those lives and those decisions.

Far from denying the President authority, what I see the Senator from Oklahoma doing is maintaining that authority and also maintaining accountability. Once you put it in the hands of a foreign commander under the auspices of the United Nations the political accountability goes with it. And the President can say, "Well, I did not know they were going to do that," and Secretary Aspin, if he can get a full sentence out of his mouth, can deny that he thought that was going to happen.

But there still is no accountability once it is under the command of the United Nations. I see what we are doing here, those of us who support this amendment, is trying to maintain accountability, not tie the President's hands but tie the President's hands for excuses. The President can do as he wishes in committing U.N. troops.

I quite agree with the Senator from Pennsylvania on what I believe to be the unconstitutional nature of the War Powers Act. But keep in mind, Members of the Senate and colleagues, that we acted last week after demonstrated failure. We are now talking about whether this is going to deny us burdensharing offers from our allies overseas.

We have noted that our allies overseas are not particularly enthusiastic about burdensharing, and one part that I always disagreed on, with Secretary of Defense Cheney and President Bush and others, is this whole notion of collective security. If you take a look at the history of the world, collective security depends on one thing and one thing alone. That is one part of the collection having the ability and the will to go all by itself if necessary. Then you can get all kinds of people to join you. If you do not have that will and that ability to begin with, there is not going to be a collection. You cannot gather up courage by having lots of people around with no competence. You have to have one with will and one with competence, and then the collection will become complete.

We are not going to see that. So this is not a debate about burdensharing. This is a debate about keeping will and command authority and political accountability in the hands of the Congress, in the hands of the body politic of America. And so it should be.

We have had and are going to have some very curious debates. Many Members of the Senate listened to an extraordinary briefing from the Secretary of Defense and Mr. Tarnoff and General Powell on what we are going to do or not going to do or might do, if we can decide what to do, in Bosnia. And the net result of it was the majority leader and others spared the Secretary of Defense from having to go any further and said we were only talking about plans that had not yet been made, which was an obvious event to those who attended the briefing. But still, they were within the reach of the political accountability of the Senate and the Congress of the United States, where they belonged.

We are going to have a debate about Haiti. I do not believe, frankly, as I see it coming down, that we ought to, in the name of protecting ourselves from incompetent decisions that we fear are about to be made, make the United States forever more an incompetent Nation because Presidents cannot act.

It seems to me that is a very different thing than what is taking place with this amendment, which is making

certain that when and if the President does act, he gets the credit or he is accountable for whatever takes place. This is a Nation founded on politics, political judgment, freedom and democracy, and accountability is part of it. Success is owed when success is won, but blame is deserved when blame is earned. What I see the Nickles amendment doing is nothing more simple than keeping that equation framed and within the reach of the Congress of the United States.

Mr. President, I salute the sponsor of this amendment, and I hope very much that the Senate sees fit to adopt his amendment.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first I would like to make a parliamentary inquiry relative to the Nickles amendment. The inquiry is this. On line 6, the words "by this act or any other act" appear. My inquiry is whether or not the presence of the words "or any other act" by themselves constitute this as legislation on an appropriations bill?

The PRESIDING OFFICER. In the opinion of the Chair, that would constitute legislation on an appropriations bill.

Mr. LEVIN. Mr. President, I wonder if my friend from Oklahoma would answer a few questions. He has been very responsive to questions this morning. I think it is important that we have this kind of discussion and debate on a matter as important as this. I commend him for his willingness to engage in that kind of debate.

As I understand the discussion with the Senator from Pennsylvania, the Senator from Oklahoma indicated that during the 30-day period in subsection (b) on page 2, where the President determines that a national security interest justifies a waiver and that an emergency exists, during the 30-day period following that declaration, the U.S. troops may be assigned to a U.N. commander.

Is that correct? Did I hear the Senator correctly?

Mr. NICKLES. If the Senator will yield, I am not sure I caught all the question. The President would have the option at any point to assert control.

Mr. LEVIN. I understand.

Mr. NICKLES. And therefore void any prohibition whatsoever that is triggered by this amendment. If he went the waiver route—basically, he can go two ways.

Mr. LEVIN. It is the waiver route I am inquiring about.

Mr. NICKLES. One, he could assert control. The amendment does not apply. It is what Senator WALLOP was talking about, about accountability and responsibility. If he wished to keep it under U.N. command, under foreign command, he could do so. He could request the waiver, go through the emergency process, and seek a joint resolution of authorization from Congress.

Mr. LEVIN. My question to the Senator from Oklahoma, Mr. President, is during the 30-day period referred to, the Congress has the opportunity to act to authorize. During that period, may the President assign those troops to that foreign commander under U.N. authority?

Mr. NICKLES. This amendment would allow the President to continue on during that 30-day period of time. It does not authorize it, but it does not restrict the funds to prohibit him from that engagement.

Mr. LEVIN. So there is no prohibition in this amendment during that 30-day period that Congress is deliberating on the authority question, there is no prohibition for the President assigning those troops to that foreign commander under U.N. auspices?

Mr. NICKLES. I would have to answer the Senator and say if the President declared an emergency.

Mr. LEVIN. Yes. I am saying under the qualifications in the waiver provision, if he has declared the emergency and he has determined that national security interests justify a waiver and then submits a joint declaration, a joint resolution to the Congress, there is nothing in this amendment which prohibits those troops from being assigned to the foreign commander under U.N. auspices during that 30-day period?

Mr. NICKLES. The Senator is correct.

Mr. COCHRAN. Will the Senator yield for one further clarification on that provision?

Mr. LEVIN. I have some other questions on that provision, but I would be happy to yield.

Mr. COCHRAN. Rather than using the word "prohibition," it would be more appropriate, in this cosponsor's opinion, if you would say there is no limitation on the use of funds appropriated in this bill for that purpose.

Mr. LEVIN. Or any other bill, according to the language of the amendment.

Mr. COCHRAN. On any appropriations bill for this fiscal year. That is the intent of the amendment. That is what the answer was to a similar question posed by the Senator from Pennsylvania just a moment ago. That is the intent, and that is why the appropriate word would be limitation on the use of funds, rather than "prohibition."

Mr. LEVIN. I appreciate that clarification. I do not think that is the intent that is executed in this language for a number of reasons, not the least of which is that the language does not say "or any other appropriations act." It says "or any other act." So this has been, by the Chair's ruling, just by those words alone, deemed legislation on an appropriations bill. I thank my friends for the clarification at least of the intent of the language.

My second question is this: If the President submits a joint resolution to the Congress, or the Congress takes up a joint resolution in any event, is there an expedited process that you have provided for to assure that there will not be a filibuster during that 30-day period.

Mr. NICKLES. We have not put that language in this amendment.

Mr. LEVIN. My next question is: If the President determines that there is a national security interest which justifies a waiver of the prohibition and declares the emergency and informs the Congress, and on the 30th day there is no joint resolution enacted, for whatever reason—perhaps it is being filibustered or perhaps it has been defeated—is there any prohibition in this language on the President again determining that the national security interest justifies a waiver and again declaring on the 30th day that an emergency exists in order to start another 30-day clock running? Is there any prohibition on that in this language?

Mr. NICKLES. I do not know that there is specific language that would prohibit that. That is certainly not the intent. If the President wished to proceed, he has 30 days to get congressional authorization, which is the intent.

He either has to withdraw the troops or put the combat troops in the U.S. control.

Mr. LEVIN. I understand the intent. These are critical questions. These can be life and death questions for men and women in combat. So we are dealing with an extremely serious matter, and I think all of us, whatever side of the question we end up with, would agree with that, whatever we do in these areas, and there are going to be merging areas, many of them.

Is it fair to say that there is nothing in this language which addresses the issue—I am not talking the intent but in the language itself—and there is nothing which would preclude the President from issuing on the 30th day another determination and another declaration to start another 30-day clock running?

Mr. NICKLES. That is more than a violation of the intent. It is my thought and belief that at the end of 30 days, the funds will be cut off.

Mr. LEVIN. Is there any language in here which implements the belief of the Senator in that regard?

Mr. NICKLES. I think the language is fairly clear. I compliment my friend from Michigan, who goes to great lengths to try to analyze things, but I believe that the language is very clear. I do not see it as being ambiguous.

Mr. LEVIN. Could the Senator read the language which justifies a waiver in declaring an emergency? I do not see any language there which implements the Senator's intent. I understand the Senator's intent.

Mr. NICKLES. I appreciate my colleague's interest, but certainly I do not read this language—and I will read it again, but there is a prohibition. If you read this it says:

None of the funds appropriated or otherwise made available by this Act or any other Act may be used to support United States Armed Forces personnel—

And it says—

when such forces are: under United Nations operational or tactical control if such forces would be under the command, operational control or tactical control of foreign officers, unless prior to that date (A) the President has submitted a report * * * or (B) that the congressional committees and subcommittees have had 30 days to review * * * (C) and a joint resolution authorizing the placing of such forces under foreign command has been enacted.

We do allow the Presidential exception or the waiver under (b). It says:

The prohibition described in subsection (a)(1) shall not apply if the President determines that national security interests justify a waiver of such prohibition.

What the Senator is saying is that maybe I should clarify it and say that the President could only request one waiver. I do not think it is even implied that the President would have the authority to come back and submit an additional waiver request on the same incident of committing U.S. troops. I repeat to my colleague that if the President is troubled by this provision——

Mr. LEVIN. I am troubled by this provision. I think we have to be very clear on this. I think it is fair to say that there is no express prohibition or grant of that authority to the President, but that the intent of the Senator from Oklahoma is that there only be one waiver period. That is the way I read it.

Mr. NICKLES. The way the language would read is that the President would only have the 30 days, not renewed authority to submit additional waiver requests.

Mr. LEVIN. I thank my friend for that. I do not see that in the language, but perhaps I will continue to look for that very important question to be answered. In the meantime, I do think that the real issue here, which I will address later on this afternoon, is whether or not this language will jeopardize American forces. I think that is really the key here as to whether or not we could, by this language, inadvertently find ourselves in circumstances where our own troops are placed in jeopardy by this restriction on Presidential power.

I am not talking about section 2, which has to do with the standing army. That seems to me to be a very different issue. But here we are talking about in operational circumstances, where we have American forces in combat, whether there will be circumstances where the assignment of them under clear rules to a U.N. commander, not of American nationality, could be essential for their well-being, or whether or not the removal of that authority under emergency circumstances on a battlefield, without time for a Presidential waiver, could plunge our men into great jeopardy. I know that is not the intent of my friend from Oklahoma. I know him well enough to know his intent is not that at all. But I believe this amendment inadvertently could place our troops in great danger in combat circumstances, and I will be addressing that issue later on this afternoon.

I thank my friend from Oklahoma for answering the question.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER (Mr. BREAUX). The Senator from Ohio is recognized.

Mr. METZENBAUM. Mr. President, I know this matter is of major importance to the U.S. Senate and the Congress, and I would not interrupt the debate; but it is my understanding that there is nobody waiting on the floor to be heard at the present time.

I have spoken with the managers of the amendment, as well as the manager of the bill.

Under the circumstances, I ask unanimous consent to speak as in morning business for a period not to exceed 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio is recognized.

Mr. METZENBAUM. I thank the Chair.

(The remarks of Mr. METZENBAUM pertaining to the introduction of S. 1566 are located in today's RECORD under "Statements of Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The chairman of the committee, the Senator from Hawaii, is recognized.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECESS UNTIL 2:30 P.M.

Mr. INOUYE. Mr. President, on behalf of the leadership, I ask unanimous consent that the previous order governing the recess period today for the party conference luncheons be changed to reflect the period to extend to 2:30 p.m., and that the Senate stand in recess.

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

There being no objection, the Senate, at 12:15 p.m., recessed until 2:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. WOFFORD].

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from Pennsylvania, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. BOREN. Mr. President, I rise to speak about the pending amendment by my colleague from Oklahoma that is now before the Senate, and more broadly, to talk about the situation in which we find ourselves with reports of other amendments that may well be offered in regard to potential operations in Bosnia and Haiti and elsewhere.

It is very easy for all of us to become emotional at a time like this. Who could watch those scenes on television of one of our own young soldiers being dragged through the streets in Somalia without feeling emotion? Who could not be touched by the tragic combat deaths of our soldiers in that country? Who could not be concerned about the situation in the Balkans and about what could happen if American troops are committed as a part of an international peacekeeping force in Bosnia? What American could not be disturbed when our ship was turned around and our forces were turned back when they landed in Haiti, again to carry out the terms of an agreement that had been freely entered into between the two parties in that country?

As we look at the mistakes that have been made, it is easy to whip ourselves up into a frenzy and to seek to lash out in every direction with purported solutions without thinking about the long-term consequences.

I think we are about to do that. I cannot think of a period of time since I have served in the Senate, including the 6 years that I chaired the Senate Committee on Intelligence, in which I have been more alarmed by the possibility that the tides of emotions of the moment might lead us to make very unwise decisions for the future of this country as I am now.

I appeal to my colleagues on both sides of the aisle: Stop. Pause. Reflect. Think. Think not only about today and tomorrow and next week, but think about next year, and think about the kinds of foreign policy we need in the next century as well, in this new world environment in which we are entering.

I do not believe this debate is really about what we should do in Haiti. I, for

one, am not anxious to send American forces into Haiti. I would be very reluctant to see that happen. You would have to convince me, after a long and hard argument, that it should be done. But I do not think that is what we are talking about here. The same is true of sending American forces into Bosnia. I would be extremely reluctant to do that now, not until conditions are much clearer than they currently are.

I do not think this is a debate about Somalia. As I said on the floor last week, I had the opportunity, with Senator PELL and Senator LEVIN, to be among the very first Members of Congress to be in Somalia after our troops landed—4 days, I believe, after the marines landed. They had just arrived. They were still sleeping on the ground. They had no facilities. But in the beginning that mission was succeeding. It was succeeding diplomatically, in getting the various sides to lay down some of their arms. We all remember that, when our forces went into that country, they were not resisted. They were not brought under attack. They had the support of virtually the total local population, and they were able to stop hundreds of thousands of innocent children from starving.

I do not support what has happened since then. The policy has veered off course. It was not watched closely enough. We became partisans and combatants, choosing one side in a civil war over another, and we unnecessarily and tragically risked the lives of young American troops. But I do not believe this debate is about whether we like what happened in Somalia, either.

In fact, the current amendment would not even affect what happened in Somalia. I believe it is drawn perhaps because of the outrage among many Americans—an outrage which I share—of a policy gone awry. But let us remember that those troops that were tragically killed in Somalia were under the command of American officers in an American operation at the time.

If these series of amendments that are on the floor, or are apt to be on the floor over the next few hours, are not really about whether we should go into Haiti, or whether we should continue down a certain path in Somalia, or what we should do in Bosnia, what are they really about? They are fundamentally about what kind of foreign policy we are going to have in this country for the next several years.

Mr. President, I appeal to my colleagues again to stop and think about the world situation in which we now find ourselves. Not too long ago, I was at a gathering where a well-known columnist in this city grabbed me by the lapels and said: "Isn't this an exciting and incredible time to be alive?" I must confess, I was taken aback by the intensity of that remark. I said, "What do you mean?" He said, "Well, I was up writing a column, thinking about it until early this morning, and I was thinking about how much change has occurred in this world in the last 3 years, more change in a shorter period of time than any other period in the history of our world for the past several centuries in terms of changed relationships between nations and economic systems and political systems, all without the cataclysm of world war. Think of the change."

Then he said, "There is something else. It is the first time in many, many years since we have been a world power that the world is not divided into two superpower camps looking at each other across the barrel of a gun."

A remarkable moment. No sooner was World War II over then our parents and grandparents had to face the responsibility of fighting the cold war with the hairline nuclear trigger. This continued for the next 45 years. We never had an opportunity to build a new world order or to secure the peace. We never had an opportunity to make sure that World War II was the war to end all wars because, for one reason, the United Nations could not effectively function because of the Soviet veto in the Security Council and because of the competing power blocs which aimed missiles at each other.

Now we have a unique moment, an opportunity that our parents did not have and our grandparents did not have to chart a new course, to come up with a new architecture. Since the great and most powerful nations of the world are not at each other's throats, since they do not have one finger on the red button, now is an opportunity to work together. Perhaps now, for example, we can figure out a way to stop the spread of dangerous weapons around the world. That is a terrible threat that we face.

Some of the nations obtaining these dangerous weapons—chemical weapons, biological weapons, and nuclear weapons—are among the least responsible nations in the world. That is a real threat, an even graver threat in the long run perhaps, than the superpower confrontation of the cold war.

How long will this opportunity last for us to devise a new foreign policy for this country? No one knows. Three weeks ago, we saw events in Moscow that, had they ended differently, could have slammed shut that window of opportunity and perhaps even restarted the cold war. But we are living in a unique opportunity to build a whole new architecture for the foreign policy of this country to take us into the next century. We have a moment that has been given to us when the world is not divided into two major hostile camps.

So, Mr. President, this is not the time for us to react emotionally to the events of yesterday or of a week ago. It is the time for us to sit down, using our best ability and our clear and deep thoughts, bringing together the top expertise available in this country, taking time out from our busy schedules as Members of Congress, to try to come up with an architecture for that policy.

If things change and the world is plunged back into a new cold war, what will we have? The missiles are all still there and they are all still targeted, the weapons continue to spread around the world, and brush-fire wars begin to break out all over the world again, with dangerous weapons being used—chemical weapons, nerve gas that could be put into the air-conditioning systems of major buildings or chemicals that could be put into the water supply of major cities and kill literally millions of people around the world. If we do not take the opportunity given to us to build a different kind of architecture for our children and our grandchildren, they are going to look at us and they are going to say: "Where were you? Why did you miss the opportunity?"

Trying to act with a floor amendment—a floor amendment—with only a few hours of debate, to set precedents that will have a major impact on the future of this country in the next century because we are emotionally overwrought by things that have happened that none of us on either side of the aisle like, is wrong, Mr. President; it is wrong. We need cold water splashed on our faces so that we will stop and think: What do these amendments purport to do, the ones talked about and the one now pending?

The one now pending, in essence, rules out or makes it almost impossible for us to use multilateral approaches to solve foreign policy crises by requiring approval in advance before the Presidents can enter into operations within the United Nations.

I think we need to think through how we should operate if our troops are under the command of the United Nations. We should think that through very carefully. There should be guidelines. So far we have not lacked adequate guidelines. For us to adopt a policy which says, in essence, we do not really want to participate and to make available multilateral approaches to solving crises in the world, and which rules out that alternative now is grossly premature and irresponsible.

The American people have said time and time again, "We do not want to be the world's policeman all by ourselves." Why should our taxpayers foot the full bill every time there is a crisis? Why should young Americans take all the risks? Why should it mainly be American lives that are put at risk and put in jeopardy?

That is why, in many cases, it has been right for this country to work with other nations. Where would we have been in Korea if we had to do it all alone? Where would we have been in the Persian Gulf if we had to do it all alone? Where would we have been in

terms of trying to contain communism for 45 years if we had to do it all alone without NATO and SEATO and others helping us in that effort?

And yet, Mr. President, that is exactly what we are being asked to do because we are overwrought with what happened in Somalia. We are being asked to adopt an amendment that is quite far-reaching. Wake up, my colleagues. Wake up. We are being asked to adopt an amendment that, in essence, repudiates the multilateral option for us as we enter a very new, uncertain, uncharted world environment.

I do not think the American people want us to give away that tool. We can always say no to a multilateral operation. Congress always has the power to cut off the money and to stop an operation anytime we want to do it. But why tie our hands in advance? Why give up an option before we can even possibly imagine all of the circumstances in which it might be needed in the future?

There is something else, Mr. President. All three of these amendments—and we should think about this—all three of these amendments require—whether we are talking about the potential amendment to be offered on involvement in Haiti or in Bosnia, or whether we are talking about this amendment dealing with possible operations within the United Nations—that the President receive prior approval from Congress before the President acts.

Mr. President, that is one of the most radical suggestions that has ever been made on the foreign policy front in the Congress of the United States. Not since the beginning of our country, not ever, as far as I can find—and I am still researching the point. I do not believe that ever before have we passed a statute saying the President of the United States has to have prior approval before, as Commander in Chief, he acts to preserve our national security interests.

We are not just talking about this President, if we pass amendments such as this that set this type of precedent. People may be dissatisfied with some of the things this President has done. I am not satisfied with every one of them. But if we set this precedent, we are setting a precedent not only for this President but for every President in the future.

The War Powers Act does not do that. I have heard the War Powers Act discussed by some on the other side of the aisle, and I have sometimes agreed with them that the War Powers Act goes too far in restricting the powers of the President as Commander in Chief.

What does the act say? It says, after the President commits forces, he has to file a report. Once that report is filed, the clock starts running. If there is no congressional approval after the fact, then the forces would have to be withdrawn. It does not say before.

Think about what we are doing, as we enter into a new era without a crystal ball to guide us. We are saying that we are going to make a fundamental change in the constitutional powers of the President of the United States with floor amendments in the Senate, with maybe 5 minutes of deliberation by the average Member, who cannot be here for all the debate, with all action concluded in 1 week.

Mr. President, we badly need that cold water in our faces. We need to step back. We need to wake up. We need to reflect. We need to get rid of this pent-up emotion that is driving us to make decisions we will regret year after year after year. We have the power to stop Presidents if they act irresponsibly. President Clinton has already indicated, for example, in the case of Bosnia that he does not intend to commit any American forces in Bosnia without full advanced consultation with the Congress.

I think that is a wise decision by the President. I think he should consult with us in advance. But I do not think we should ever pass a statute which says the President must have the prior approval of the Congress before he enters into actions, unless it is something that the President voluntarily decides to do. No President, no Member of this Senate, can possibly know every situation. We cannot have 535 commanders in chief in this country. We cannot run this country by committee in the midst of a national or international emergency or crisis.

Once I heard Mrs. Thatcher say something very wise. She was asked, "What one lesson have you learned above all others in your years of public service serving as Prime Minister and in Parliament?" Do you know what she said? "I have learned always to expect the unexpected."

A very wise lesson. Be prepared for the unexpected. If there is any lesson we can learn, it is that. Here we are trying to tie the hands of the President of the United States and future Presidents by establishing a precedent. And we are doing this, for the first time in our country's history, by use of floor amendments without hearings in the relevant committees, without sitting down thoughtfully, as I think we should, legislative branch and executive branch together, perhaps even with a special commission composed of Members of both Houses and both parties and the executive branch, in order to think about the long-term changes in our foreign policy that are needed.

In his book, entitled "Present at the Creation," Dean Acheson wrote about the beginnings of a new foreign policy, a new approach. It is the foreign policy we still have. It came together after World War II, at the beginning of the Truman administration. As our colleague from Florida, Senator GRAHAM, has reminded some of us, even that architecture which served us so well and included collective security, the containment of communism, the Truman doctrine, the beginnings of NATO, the Marshall Plan, even that architecture was not put together in a week or a month. It evolved over 2 to 3 years in the Truman administration.

Without careful thought and reflection, we are going to change the basic constitutional powers of the President with a floor amendment. In essence, we are going to push aside multilateral action as an option at a time in which none of us want to see our young people and our taxpayers have to bear all the risks and all the burdens. It is unwise, Mr. President.

This is not about Haiti. This is not about Somalia. This is not about Bosnia. This is not about whether or not we approve of everything that has happened. I do not think any of us do on either side of the aisle. This is about charting fundamental foreign policy for this country into the next century. It is about the powers of the President to deal with emergency situations. It is about our constitutional framework of Government.

Mr. President, let us have the courage to say that we should not make those kinds of long-range, fundamental decisions without adequate reflection. The American people look at us sometimes, and they say, "What are you people doing in Congress to make such major decisions with so little thought and reflection about the possible implications?"

They are right. If the American people witness us deciding such fundamental questions out of emotion, without adequate thought and reflection, but with floor amendments, they will be right.

I honestly hope that all these floor amendments will be withdrawn. Yes, then we should go—bipartisan, together, Republicans and Democrats, Americans—we should go to the President and we should say, "Mr. President, there is a fundamental decision that needs to be made about how we interact with the United Nations if our forces are committed and there are some fundamental decisions that need to be made about how Congress and the executive branch work together in times of international crisis."

We should sit down, and we should work, we should think, we should study, and we should give it our best effort. That is what we should do.

I am not denigrating the motives of any of those who have offered these amendments or talked about offering these amendments. They are people for whom I have the highest regard. My colleague from my home State and I have never had a cross word. We have great mutual respect for each other, and I have great respect for the other coauthors of this amendment. I have

great respect for the distinguished minority leader. I commended the position which he took recently on a very difficult foreign policy issue. He is one of the Senators in this Chamber for whom I have the greatest respect.

But I say and appeal to my colleagues, please stop and think. Let us not make these fundamental decisions now. I have been here when Republican Presidents warned us against micro management or tying the hands of the Commander in Chief or applying the War Powers Act when it perhaps should not have been applied. In nearly every one of those situations, I believe, except once, I supported the power and the discretion of the Commander in Chief to make those decisions when the President was of the other party. It is not a matter of politics. This is a matter of what is good for the country.

I understand the frustration that has led to the offering of this particular amendment. I have not heard all the comments made by my colleague from Oklahoma, but I think he has pointed out, accurately, that we have not yet determined well enough what the guidelines should be in terms of committing American forces and how they are to operate within the United Nations and how that is to interact with the Congress. There, in essence, is a vacuum existing right now because we have not clearly enough spelled out those foreign policy objectives. And I thank my colleague and others who raise this issue—and there are those on both sides of the aisle that have done us a service. They have put on the radar screen for all of us that we are operating without a clear course of action or charter in front of us. The President and the Congress need to understand each other and their appropriate roles. And our young people need to know the rules and obligation of the support that is either behind them or not before they are even put in that position.

Having done that and realizing that we do not have in place a foreign policy with sufficient guidelines. Let us go to work to accomplish these goals. But let us not do this with floor amendments in the U.S. Senate without adequate time to think about the issues. Please do not do that. Let us not do that to our country. Let us not do that to those that will be living in the next century. It is too important. It requires more thought. Let us take the time; let us do our job right.

I urge my colleagues seriously to consider—and I will be the first to join with them in the effort—to say to the President that it is time we sit down and work out these guidelines and understandings. Let us not listen to our hearts alone, but to our heads as well. Let us not just emotionally react to a situation that has deeply and gravely disturbed all of us in our country, of both parties, wherever we happen to live. The decisions are too important.

We are given an opportunity, as I said in the beginning, Mr. President, not given to any other generation, save perhaps those alive in that brief period right after World War I. There was an effort then that failed to put together a new world order—the debate over the League of Nations ended tragically, with the country in disarray and with nothing in its place. Thereafter we were plunged into World War II followed by the cold war. And now, 70 years later, we have that opportunity again. It is a gift to us. It is a chance for us to chart the right course for our children and our grandchildren, to make a lasting change in the relationship among the nations of the world.

Let us meet that responsibility. But let us do it carefully and wisely, and let us give it our best efforts. We must work together, with Members from both sides of the aisle, because I believe this Nation must speak with one bipartisan voice. Let us do the job. You have raised some serious concerns. You have made valid points. You have made criticisms that are correct. Now let us deal with them constructively, as we should, and let us do it in the right way and not try to develop on the floor of the U.S. Senate, in 1, 2, or 3 days of debate, a basic architecture of the foreign policy of this country that will carry us into the next century. Let us give it more thought now that we have had the problem brought to our attention forcefully, and let us wisely craft the best solution.

Mr. DODD. Mr. President, if the Senator will yield, I will not take a great deal of time, but I want to commend our colleague, the senior Senator from Oklahoma, for his statement here this afternoon. He certainly has expressed my views and, I hope, the views of the majority, because it transcends the specific issues in front of us which are not insignificant, and that is the role of the United States in the post-cold-war period. Do we commit forces to be a part of international peacekeeping forces? If so, where, under what circumstances, and how? Do we support that before we take the action or after the action is taken?

We have a critical issue with Bosnia, and we have not decided it. And there is division in this country as to how we ought to proceed. We saw a great division in Somalia, a policy to go in and try to feed hundreds of thousands of starving people. The policy changed and moved, and we had a significant debate less than a week ago. Now we have the issue on Haiti—again, a critically important issue.

This is a different time, and our colleague from Oklahoma properly pointed that out, and he pointed it out in a historical context. There was only one other period in this century when we found our country in a similar position as today. That was at the end of World War I when we were virtually the unchallenged power in the world. We debated as to whether or not we ought to establish something called the League of Nations, and how we deal with world crises. Many competent historians would argue that the collapse of our ability to put together some alternative to superpower confrontation contributed to World War II and events thereafter.

We now find ourselves once again, for the second time in this century, as the Senator pointed out, in that unchallenged position. We need to sort out how we are going to handle this. Obviously, none of us here, I hope, wants to go it completely alone in every case. President Bush established a foreign policy approach with the Persian Gulf crisis that I think ought to be the model of how we at least try to resolve problems in the future.

There was a disagreement and debate over whether the time was right to use force in the Persian Gulf. But I do not recall an ounce of debate and discussion about whether or not the formulation of an international coalition at the very outset of that issue was the wrong approach to take. As I recall, everybody endorsed it, and properly so. It was a significant foreign policy achievement under the leadership of the then Secretary of State, Jim Baker, and others, putting together that coalition and deciding to go in and deal with Saddam Hussein on that basis.

I think you would have had a different political debate internationally and domestically had we decided to do it alone in Iraq. I am not sure what the outcome would have been.

President Bush is the architect, in many ways, of this approach—the use of international bodies to deal with these problems. One thing I hear from my constituents is that "this country cannot resolve every problem in the world." The Senator from Oklahoma has very accurately framed at least the format by which we ought to examine these issues. By lurching in Bosnia or Haiti, or lurching in this amendment dealing with the United Nations, we are not doing that in the way it ought to be done.

That is all I think the Senator from Oklahoma is pointing out here. We need now to spend some time and think this through, so that we approach it intelligently. I will comment on Haiti specifically later on. But the senior Senator from Oklahoma has properly and intelligently framed how this debate ought to occur and at what level it ought to occur. I hope that our colleagues who have offered these amendments, with the best of intentions, will take heed to what our senior colleague from Oklahoma has raised here this afternoon and possibly withdraw these amendments.

In fact, I point out that in Haiti the President has done the right thing. He

did not send in troops when the danger occurred there, the very thing we asked him to do to avoid that kind of confrontation. So I think we should go through the process and approach this new foreign policy architecture in a way that makes some sense, not just for these events, but for the future as well. As the Senator from Oklahoma pointed out in quoting Margaret Thatcher, I can guarantee as we stand here today, next week or next month there will be another crisis someplace else in the world, and we will be lurching for an answer on that one as well, unless we try to think this thing through and do it in an intelligent, responsible way.

I commend the Senator for his remarks.

Mr. BOREN. I thank my colleague very much.

I see my colleague from New Mexico on his feet. We have matters to debate in another meeting in the Joint Committee on the Organization of Congress.

I am very serious about what I said a moment ago. I hope my colleague from Oklahoma will think about it, and I hope the distinguished minority leader and others, who perhaps are considering offering amendments on specific subjects on specific countries will think about it.

It would be much better if we could find a way, rather than dealing with these issues in sort of an ad hoc manner, country by country, with floor amendments, to come together and make a bipartisan proposal, a very serious one, in which we really bring together the best thinkers in both parties and both Houses of Congress and with the administration in a totally bipartisan fashion to look at this whole area and to do so in a very, very thoughtful and a very careful way.

I am not saying this in order to try to diffuse criticisms of the President. The President himself has admitted that mistakes were made in Somalia, for example.

If the resolution wants to have a whereas clause that says the administration and leaders of our Government have not yet developed fully enough guidelines under which we should be operating, this Senator would be happy to agree with that statement. We do need to develop them. I think we need to develop them together, not only with the President, but Congress and the President together with Members of both parties.

So I would hope that staff members and perhaps our colleagues, if they are listening in their offices, will take this suggestion seriously, because I mean it, seriously. I think that we are all willing to say that mistakes have been made. Let us go forward from there, and let us sit down and really try to do this in the right way rather than in an ad hoc way.

Again, I say that not to offer criticism of those who have offered these amendments, because the points they have made are valid, and needed to be made; this issue needed to be raised.

I just appeal to them—let us figure out a way; let us get together as we should, Democrats and Republicans, across the aisle together; and let us figure out a way and mechanism that can be established so we can deal in a broader way and sounder way and one which will allow us to take care of various situations rather than doing it ad hoc.

So I appeal to my colleagues to take my request seriously, not to treat it as a matter of political rhetoric but to take it seriously, because I think there is much work that needs to be done as my colleagues who have offered this amendment have pointed out.

Let us do this work together, and let us find a better way of making these decisions, because they are so far-reaching.

We had many debates out here about the constitutional powers of the Presidency, and I think that we need some new mechanisms. The world is changing. We need to think of new ways to operate in it and to think about how the President and the Congress interact. Let us do this in a different way. That is all I am suggesting.

I am not suggesting that concerns are invalid. I am just saying let us find a different approach for dealing with it.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. BOREN. I am happy to yield.

Mr. DOMENICI. Mr. President, I am going to use a moment and make an observation which I assume will bring a response but, if not, we will probably leave and do some other work. We are already late and not only late this afternoon but maybe the Senate thinks we are late in not having a deal out here on congressional reform.

Let me say I am privileged to listen to the Senator's remarks here. Frankly, I agree with a lot of what the Senator has said.

I hope the Senator does not think that the Senator from New Mexico approaches this in a cavalier manner. This is serious business.

However, I suggest to the Senator we have had a little bit of time to assess our relationship to the United Nations and what we ought to be doing in the areas that Senator NICKLES addresses. It is not a new issue. It is just that it has been called to our attention again. That is, the relationship of American men and women in the military in combat as part of a U.N. force under U.N. command, and it is also the issue of the United Nations' standing army versus American military men and who will lead them in combat if there is to be such activities.

I personally believe that there is a huge vacuum in those two areas. I think the American people expect us to do something about those two areas quickly. Frankly, I think we are going to have ample opportunity after we adopt this amendment, if we do, on just these two areas—that is what it is all about—for the President and the Congress to decide in due course. And sometimes due course around here takes 2 or 3 years.

We have been complaining about the United Nations not having any fiscal control over all the moneys that the world gives them, and nothing has been done year after year after year. Everybody says "Study it. It is very important."

Finally, we are going to say in an appropriations bill you are going to get less money until you do something, and we are not sure we know what is right. But we said 10 percent of the arrearage you do not get until you have some kind of auditing system.

I submit if we do not do something like Senator NICKLES is suggesting, which does not have to last any longer than it takes for this institution, the House and the President, to thoroughly examine the issue, if they want to, and do something much more diverse, widespread, create a different atmosphere about the relationship of America to the United Nations, what should we do? Why should we not adopt just these two, the standing army provisions and the prohibitions on our men and women being in that standing army of combat unless Americans control it? Why should we not go ahead and say continue your U.N. activity but not as far as combat is concerned unless you follow the principles in the amendment?

I believe there is just as good an argument to say do that and then give everybody plenty of time to proceed with the other areas as there is your argument on the broad spectrum of Presidential constitutional power as the Commander in Chief.

Mr. BUMPERS. Mr. President, I wonder if the Senator from New Mexico, before he leaves the floor, will answer a question for me with the indulgence of the Senator from Oklahoma.

Mr. DOMENICI. I would be pleased to try.

Mr. BUMPERS. Mr. President, could the Senator from New Mexico tell me what situation would be different in the past several years, including Somalia today? What situation would be different if the Nickles amendment had been in effect?

Mr. NICKLES. Mr. President, if the Senator will allow me to respond, I will be happy to respond to my colleague from Arkansas. There is nothing. This amendment, which some of my colleagues have spoken to with great energy and acted like this is a fundamental change in course in history, it is not correct, because this amendment

would allow the President to do exactly what he is doing right now in Somalia.

As the Senator from Arkansas is probably aware, the combat troops are under the U.S. command. The logistic troops, humanitarian troops are under U.N. command.

This amendment would not prohibit or tie the President's hand in any way, shape, or form.

I might go further. I do not want to overanswer my colleague's question. But as to the idea of people saying that this is historical change, I have looked at all past U.N. peacekeeping operations going all the way back to 1945. This amendment would not have affected any of those.

Mr. BUMPERS. If the Senator will allow me at that point, if it is not broke, why are we trying to fix it?

Mr. NICKLES. That is an excellent question. The reason is—and I will read some quotes—this administration is contemplating very expansive use of U.N. peacekeeping forces, which I might mention have grown dramatically just in the last few years. They have gone from 10,000 in 1990 to over 80,000 today. I will read you just a quote that was made by Madeleine Albright, U.N. Ambassador, who said: "The end of the cold war has opened up another avenue for multilateral cooperation long limited by U.S. solely." Really, that is U.N. peacekeeping. I will go further. This is President Clinton.

Her comments were made September 23, less than a month ago.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. NICKLES. Let me make an additional point.

President Clinton, on September 28, less than a month ago, said "If the parties to the conflict now"—referring to Bosnia— "take hard steps needed to make real peace, the international community, including the United States, must be ready to help in its effective implementation."

I think my colleague is aware the U.N. Secretary General has been talking about 50,000 troops. The U.N. Secretary General says they should be under U.N. command.

I might note that the nominee for NATO commander, Gen. George Joulwan, yesterday said they should be under NATO command. If they are under NATO command, this amendment would not come into effect. It does not do anything as far as undermining our existing, very successful NATO relations. It does not do anything that would undermine our relations in Korea.

But it does say we do not want to put U.S. combat forces under U.N. command with the foreign commander. That leaves the President totally out of the equation as Commander in Chief, and I think that is a serious mistake and it has not been done in the past I inform my colleague from New Mexico. We are not talking about changes; we are talking about changes, about the proven, effective methods we have in the past. That is that we do not commit U.S. combat troops to the United Nations and turn that over to foreign control and really get the United States out of the chain of command. I think that would be a serious mistake. We have not done it in 48 years. It is now being contemplated by the administration.

I also tell my friend from Arkansas that enthusiasm for that has probably waned somewhat in the last couple weeks as a result of the disaster in Somalia.

I hate to think of that reason, but I would tell my colleague from Arkansas this amendment was contemplated well before the Somalia disaster ever happened. This is not a result of that disaster. This is the result of reading newspaper clips, including the Washington Post.

This is a result of reading newspaper clippings, including the Washington Post on June 18, that says "U.S. Plans a Wider Role in U.N. Peacekeeping." There is another article from the Washington Post, "Wider U.N. Police Role Supported; Foreigners Could Lead U.S. Troops."

That has not been the case in the past. Those are changes in policy, changes that I am trying to curb.

But I am going so say that in my minimal restrictions we do not restrict the use of peacekeeping troops, we do not restrict the use of humanitarian troops, medical troops and so on. We have limited it and narrowed it to combat troops, to limit it to invasive power and making sure the President maintains and keeps his role as Commander in Chief.

Mr. BUMPERS. If the Senator would yield further—who has the floor?

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

Mr. DOMENICI. I think the Senator asked me a question. All I want to tell you is he answered it much better than I could have.

The PRESIDING OFFICER. The senior Senator from Oklahoma has the floor.

Mr. BOREN. Let me say just one word and then I will let my colleague from New Mexico make a brief comment, because we both have to go to this meeting which we are cochairing.

I am still concerned, I would say in response to his original question to me, that we make this decision in this way. Again, I want to compliment my colleagues for raising valid concerns.

I agree exactly with the term "vacuum" that was used by the Senator from New Mexico. I think there is a vacuum in some ways in terms of the guidelines that have been lacking in terms of the use of these forces.

But, for example, President Bush proposed—and I recall when he did it—that we allow one of our unused military bases to be used as a training base for U.N. forces where units from other countries could come together with American units and train together, and perhaps be reequipped so their radios would communicate with each other and the rest of it.

I am not sure from reading this amendment whether or not that would be allowed. Certainly the U.N. troops in Somalia or anywhere else would be operating much more efficiently and probably with less loss of lives and less risk to our troops if they had the opportunity to train together, to work together, and if the commanders knew each other, and they could have been better equipped.

As I read the second part of this amendment, which says no funds will be used except for certain categories, I think it might well rule out the use of training and equipping of these kinds of forces which would make them much more effective.

Whether we ought to allow that is subject to debate; whether President Bush's proposal is wise or not is a matter worthy of debate.

All I am saying is, I do not think it is a matter that should be decided by floor amendment without hearings in relevant committees and without long-term consideration of how all of that should fit together in terms of our foreign policy architecture.

I, again, want to thank my colleagues. I have spoken with some passion. I certainly have not spoken in anger or in criticism of my colleagues, because they are frustrated and worried and raising questions about a vacuum that does indeed, I believe, exist in terms of the inadequacy of guidelines to cover these situations.

I would simply appeal, while there are many good ideas here, that we pool all of our good ideas together and we do it over not a prolonged period of time but allow enough time to make sure that we have had sufficient hearings and have given it sufficient thought, because I do think these are fundamentally important decisions and we should make them very, very carefully.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, before the Senator from Oklahoma leaves, I would like to compliment him on all the remarks he made, especially the part about this being a very far-reaching piece of legislation. And for us to come to the floor here with 100 Senators and 100 different views for each one to try to amend or craft or decide whether he is going to vote for or against something of this magnitude borders on lunacy.

Now, for whatever merit or demerit this amendment has, it should be introduced as legislation. It ought to be referred to the Foreign Relations Committee and the Armed Services Committee and reported back to us. There ought to be hearings. It ought to be debated at length.

I think that was the main thrust of what the Senator from Oklahoma said, and I subscribe to that. But I have a few other things I would like to say, also.

I would not impugn the motives of the Senator from Oklahoma, but I must say, I had not ever heard of this amendment. It may be that he and some of his colleagues were busily crafting this amendment before the big firefight in Somalia on October 3 and 4, but I had never heard of it.

I will agree, everybody knows I am not just a steadfast defender of President Clinton, because I think the resolution that was adopted by the United Nations setting out as a part of our mission there to arrest Aideed was a mistake. I am not sure that I ever said that on the floor of the Senate or even said it to my wife over the breakfast table at the time, but certainly, on hindsight, that turned out to be a bad vote. And in a way it is a tragedy that Madeleine Albright was not instructed to vote no on that resolution.

But let me go back and review the bidding. Bear in mind, we went to Somalia for humanitarian purposes. Humanitarian is covered in this amendment, and I will come back to it in just a moment.

But I can remember my predecessor here in the U.S. Senate, Bill Fulbright, and I were having lunch about a week after President Bush said we are going to send troops to Somalia to feed the people and alleviate the death, or at least prevent the death of as many as a million people. Virtually nobody in the United States opposed that.

I was having lunch with Senator Fulbright and I said, "What do you think about it?"

He said, "I have very grave reservations about it."

Now, let me tell you. His reservations were not necessarily based on the fact that he is an academician and understands history. I think his reservations were, more than anything else, based on his 30-year tenure in the U.S Senate and seeing the most laudable motives on the most laudable undertakings anybody could conjure up, turn sour.

I said, "Surely, you are not opposed to the United States preventing this many deaths?"

He said, "I'm telling you, a lot of these things start out for the most noble and laudable reasons, but the first thing you know, they begin to bog down."

And the minute we began to feed these people and they became healthier, our mission continued there. We should have pulled out before the U.N. resolution ever said anything about arresting Aideed.

But I remember Senator Fulbright said, "The first thing you know, you lose an American soldier. And the next thing you know, a soldier is taken hostage and everybody is demanding a little pound of revenge. And the next thing you know, we are bogged down."

How prescient that observation was because it happened precisely the way he said it would happen.

But even so, going on, Mr. President, I will agree that we made a mistake in voting for the resolution to arrest Aideed. I think we erred in expanding the mission of our forces there. Once we fed those people and they became rather self-sufficient—they are right now—it would have been infinitely better if we had left. But we did not. Chalk that up to a mistake.

But no resolution was offered here when it was said we were going to stay. There were a few Senators that said I think this is a mistake; that we ought to get out. I was one of them.

But all of the sudden, when you lose some people in a firefight, people want to change the law in a very dramatic way that everybody agrees impinges dramatically on the President's authority as Commander in Chief and on his authority to make and implement foreign policy.

Our military forces exist essentially for two purposes—to make certain that our Nation is secure and, No. 2, to implement foreign policy. The tragedy of this amendment is it has a lot of political appeal. I said not long ago that I wish I could vote no on the President's deficit reduction package. I did not mean I wish I could vote no because I thought it was a bad idea—incidentally, as many newspapers in my State construed. I said I wish I could vote no so I would not have to answer so much mail. I wished I could vote no because I know where the politics of that issue was. But I voted yes because I thought it was a good idea to try to do something about the deficit rather than just sit around and make chamber of commerce speeches about the deficit.

I would like to vote aye on this for the same reason. I can tell my colleagues that the Nickles and Dole amendments are popular across the country. Do you know why? Do you know why a lot of people in this body will vote "aye"? Because you cannot answer your critics with a bumper strip. It is a complex issue. If you could come up with a little short, snappy bumper strip to answer why you voted no on the Nickles amendment, I daresay he would not get 20 votes. But it is complex.

It has gotten to the time in this country the reason we have a $4 trillion debt is because people cannot answer it on a bumper strip. No, I will take that back. One of the reasons we have a $4 trillion debt is because all those people who favor a line-item veto and constitutional amendment to balance the budget vote for every dime of spending that comes up on the floor of the Senate and then go home and say, what we really need is, not a Senator with the stamina and determination and courage to reduce the deficit, it is because they will not vote for a constitutional amendment to balance the budget.

Everybody applauds and says, "Isn't he wonderful?" That is wonderful chamber of commerce talk. I said it on the floor—it sounds a little arrogant, and I am a little reluctant to say it—I know how to make people stand and cheer as well as anybody in this body. As the old saying goes, "You can bring people to their feet but you cannot bring them to their senses," with those bumper strip answers.

While I am willing to concede that there have been a couple of foreign policy mistakes made, I have this very strong suspicion that a lot of people are going to come out here and vote for the Dole amendment and are going to vote for the Nickles amendment and pack their bags this weekend and head for New Hampshire and tell them why they ought to be elected to replace Bill Clinton. Bear in mind one thing. Bill Clinton did not send troops to Somalia. I thought it was a mistake to send peacekeeping troops to Haiti. I did not agree with that. I still do not agree with it. And I do not think he will.

For whatever it is worth to my colleagues, they should bear this in mind. President Clinton has said he will not send peacekeeping troops to Bosnia without congressional approval. I think that is a very good concession on the part of the President. He is saying, "I want to cooperate with you."

Everybody here knows there are times when the President must have the authority to act. When I first came here I was a staunch proponent of the War Powers Act. But the longer I have been here—I am not going to yield until I finish and then we will have a colloquy—I have concluded over a period of years that the War Powers Act is almost impossible to implement. I think it would be more impossible to implement than a balanced budget amendment. But, be that as it may, I think the President wants to cooperate with the Congress. He has talked to virtually every leader in the Senate on every move he has made. I think right now there is a sense that his popularity is suffering as a result of an ill-defined foreign policy. I am not quarreling with that. It is not well defined.

But we have had an operation to bring about the dissolution of the Soviet Union for over 40 years, called NATO. It has been a textbook example of 17 nations cooperating under all kinds of different commands: Canadian, British, French, American. It is a

perfect example of how nations can cooperate to achieve a mission. So what does this amendment do? Well, it exempts NATO. We have 600 troops in Macedonia right now, under a foreign command. I expect this amendment, before it is voted on, to maybe exclude Macedonia. Nobody suggests bringing these troops home from Macedonia, though they may be in harm's way. The Senator from Georgia and I were in Macedonia 3 or 4 months ago, and we visited with the U.N. commanders there. It is a very poor nation, scared to death the war in Yugoslavia is going to extend. I heartily applauded President Clinton's sending 600 troops to Macedonia, and my guess is the Senator from Georgia, the chairman of the Armed Services Committee, did also. That is one small thing we can do. But he could not have done that under the Nickles amendment, not without a lot of debate in the U.S. Senate. It has been said here many times, we had two battalions under a French command in Desert Storm.

This amendment, for example, starts off saying the President can send troops without congressional approval if the mission is humanitarian. Is that not what Somalia was; to feed people? So there is not anything in this amendment that would have stopped George Bush or Bill Clinton from sending troops to Somalia, because it was a humanitarian mission. But, as Senator Fulbright said, humanitarian missions have a tendency to go sour, and the first thing you know the troops with the most laudable, altruistic motives of feeding people are caught in combat. So what do you do then? Come back and say, withdraw, retreat, disengage? The President has to submit a request for permission from Congress. There will be no more shooting until 30 days have elapsed and Congress has acted on it.

Mr. NICKLES. Will the Senator yield?

Mr. BUMPERS. I will be happy to yield.

Mr. NICKLES. I would like to inform the Senator that is not correct. I will inform the Senator our amendment would allow the President to do just exactly what he did.

You have troops in Somalia who were under U.N. command, and those are primarily for humanitarian and logistic causes. We do have some rangers who were in combat, and they were under U.S. operational control. The President is sending a few thousand additional troops. They are also under U.S. control, not under U.N. control. So the President, basically, did exactly in that situation what is allowed.

So this amendment, if there was a future Somalia, would not have impacted his flexibility in responding in any way.

Mr. BUMPERS. Let me ask a question. I stand corrected on the point my colleague made. But let me ask this additional question.

Let us assume that in Somalia you have a battalion of Americans who are there under the most laudable purposes, namely, humanitarian purposes. Let us assume that they are under an American command. Let us assume further that all of a sudden they get encircled by Aideed's forces and the only troops close enough to rescue them is a battalion—say, a company or two companies of Americans, and a battalion of French. Would you allow those two companies of Americans to be put under the command of the French so they could rescue the Americans?

Mr. NICKLES. If the Senator will yield, one, you have rules of engagement. Our troops anywhere, anyplace, anytime, regardless of their position or status, have rules of engagement, and that is to be able to protect themselves and to call on other troops, U.S. troops or allies, if necessary, to extricate themselves from that situation. That does not change.

Mr. BUMPERS. Where does your amendment refer to rules of engagement?

Mr. NICKLES. That is just a fact of military rules of engagement which we do not encroach upon in any way, shape, or form. That is the case for all military personnel worldwide. It always has been, it still will be.

To respond to where I think my friend and colleague from Arkansas is coming from, what if you have a situation where you have United States troops engaged in a humanitarian effort that does go sour; that is, like our situation in Somalia, do they have the capability? It just so happens the Rangers who were encircled, who were pinned down for hours, were under U.S. control. The other troops, the logistic troops basically, are staying in a U.N. or U.S. compound separate from that facility, but they have the right, through rules of engagement, to try to rescue our troops.

Likewise, the President took exactly the right action. He made it very clear in his press conference that the additional thousands of troops would be under U.S. command.

I might also tell my friend and colleague, in cases of U.S. combat, all Presidents, going all the way back throughout the history of the United Nations, when we committed U.S. combat troops, they have been under U.S. command. So we do not lose that chain of command. We do not delegate that chain of command to the United Nations or to the Secretary General of the United Nations.

Mr. BUMPERS. I think the Senator ought to take his amendment and put a provision in there that where the rules of engagement ought to apply, then this amendment is null and void, so there can be no mistaking what the answer is to the question I just asked.

Let me ask a second question. If I understand the amendment correctly, if we have an American commander—and let us assume the American commander is in charge of all American troops—but let us assume that you have five American battalions that are under the tactical command, one of the French, one of the British, one of the Canadians, one of the Pakistanis, one of the Indians. As long as the overall command is American, the Senator has no problem with that, is that correct, even though tactically most of these people are under the command of a foreign commander?

Mr. NICKLES. The Senator is correct. We had that situation, I might mention, in the Persian Gulf, where actually we had the 82d Airborne under the operation——

Mr. BUMPERS. We had two battalions under the command of the French there.

Mr. NICKLES. That is correct, but that would not be prohibited because you had the operational control under the direction of the United States.

Mr. BUMPERS. I submit to the Senator that the tactical matter is a lot more important at that level than is the overall division level.

Mr. NUNN. Will the Senator from Arkansas yield on that particular point?

Mr. BUMPERS. I will be happy to yield.

Mr. NUNN. I heard the answer of the Senator from Oklahoma to that. As I understand the question, the Senator from Arkansas was saying, if there was an overall operational commander who was American, and then, under that commander, there was a foreign commander that had tactical command of U.S. forces, would that be exempt from the Nickles amendment, or would that require congressional approval?

I understand the Senator from Oklahoma to say that would be exempt from the Nickles amendment because the operational command was under an American.

Mr. President, I will say to my friend from Oklahoma and my friend from Arkansas, that is not the way I read the Nickles amendment. The paragraph that is operable here says very clearly, and I hope the Senator's interpretation is correct because I think that would——

Mr. BUMPERS. What page is the Senator on?

Mr. NUNN. The Nickles amendment I have in front of me is page 1, paragraph "(a) Prohibition," but (1) under paragraph (a). The first paragraph says:

> None of the funds appropriated—

So forth and so on—

> may be used * * * after March 1, 1994, when such forces are:

And this is the applicable paragraph.

> (1) under United Nations operational or tactical control if such forces would be under the command, operational control, or tactical control of foreign officers, unless prior to that date.

If the answer of the Senator from Oklahoma is correct, he needs to change that "or" to "and," because clearly this covers either operational control or tactical control, as I read it.

Mr. NICKLES. If the Senator will yield.

Mr. NUNN. I will be glad to. I do not have the floor.

Mr. BUMPERS. The Senator's point is well made. It is a follow-on to the one I was about to make, so please proceed.

Mr. NICKLES. If the Senator will allow me to respond, on page 3, we define U.N. operational or tactical control. It "means the exercise by the United Nations Security Council, the United Nations Secretary General, or any other non-United States entity designated by the United Nations Security Council or the United Nations Secretary General, with the exception of NATO, of the power of command usually given to the leader of a military force, such as the authority to coordinate and direct mission-related activities of the units comprising such force."

So I appreciate the remark made by my colleague, but I think that definition clearly states it would be the overall commander of such units.

Mr. NUNN. I have to beg to differ with my colleague from Oklahoma. I have seen the definition, but the definition says here:

For the purposes of this section, "United Nations operational or tactical control"—

That covers both, operational or tactical—

means the exercise by the United Nations Security Council, the United Nations Secretary General, or any other non-United States entity designated by the United Nations Security Council or the United Nations Secretary General, with the exception of NATO, of the power of command usually given to the leader of a military force, such as the authority to coordinate and direct mission-related activities of the units comprising such force.

That applies to operational command or tactical command. The Senator's amendment on page 1 clearly—clearly—covers operational or tactical command.

If the Senator means "and," then it ought to be said here. Because if he means "and"—for instance, Jonathan Howe is the head of the United Nations over in Somalia. He is an American. He is not a foreigner. But if under him there is some tactical commander or, if under an American general, General Montgomery, who wears two hats over there—it is rather complicated, as we all know; he wears two hats—under him—he is an American. No matter what hat he wears, anybody under him, it is OK, even though he has a U.N. hat, because he is an American. If he has a Nigerian tactical commander under him, the way the Senator's answer was to the Bumpers question, then that would be OK, that would be exempt. But clearly that is not the way the amendment reads, nor is it the way the definition reads either.

Mr. NICKLES. I appreciate my colleague's comments, and I will further check the reading. I think the reading is very clear. If you have an overall commander that is under the United Nations chain of command, what we are really trying to do is make sure the President does not delegate his chain of command to the United Nations and foreign commander, to be basically out of the loop when we are talking about committing U.S. combat troops.

In response to the Senator from Arkansas, the President did not do that in the case of the rangers who were under fire. Those are clearly under U.S. operations, U.S. command and control, as well as the 5,000 or 6,000 additional troops that the President sent in just recently, or are in the process of being sent in.

Mr. NUNN. Could I ask my friend from Oklahoma a further question?

Mr. BUMPERS. Mr. President, I yield the floor. They can proceed with this colloquy. Please go ahead.

Mr. NUNN. I would just like to ask my friend from Oklahoma, along the same line that the Senator from Arkansas was pursuing, if the Nickles amendment, as it is now drafted, had been in effect before October 3, if it had been in law then, is there anything in the Nickles amendment that would have, in any way, precluded the operation in Somalia that led to the catastrophe, the disaster we had there?

Mr. NICKLES. No, and I mentioned that before. This amendment would not have restricted the operations in Somalia. I believe it would go further. This amendment would not have restricted the ability of the President to send in police instructors, whatever you call the troops for that mission into Haiti, because that was not defined as a combat mission.

This amendment is not as broad as some people have indicated. It only would restrict when you are talking about sending combat troops under U.N. control under a foreign commander and we are out of the command loop. So it is much more narrow than some.

No, it would not restrict the operation, nor the President's response to the catastrophe in Somalia.

Mr. NUNN. I thank the Senator. I would agree with him on that reading of the amendment, as I read it. If I could ask the Senator a couple of other questions—and I applaud what the Senator, I think, is getting to, and that is we have to be very careful and selective about who we place American forces under, whether it is the United Nations, whether it is NATO, or whether it is a bilateral arrangement.

Let me ask the Senator about this situation: If the President decided that he was going to embark on a bilateral kind of multinational force with Malaysia, Thailand, and Nigeria, but it was not under the United Nations, is there anything in the Nickles amendment that would preclude that?

Mr. NICKLES. The Senator is correct. It would not. The President would still have the authority to do anything unilaterally that he so desires, as he would keep control over our forces. And nothing would prohibit the President under this amendment from entering into a bilateral or multi-national-type effort or cooperative effort.

Mr. NUNN. So under the Nickles amendment, if it is agreed to, the President could get together with Malaysia, Thailand, India, Pakistan, and Indonesia and say, "I have this problem, folks. I have this law here which says I have to get authority from Congress if I act under the United Nations. But you are the people who are going to send forces over there anyway, so let us just all get together and have this multinational arrangement. But the United Nations is not involved, so I do not have to come to the Congress of the United States for authority."

Mr. NICKLES. If the Senator will yield further, the President could do that. I would think that the President would not want to do that unless he kept operational control of the troops. But, clearly, he could do it. This amendment does not restrict a bilateral multinational effort. What it does do—and I say to my friend, he might say, "Why are you offering this amendment?"

Mr. NUNN. That was going to be my question eventually.

Mr. NICKLES. Let me just explain to my colleague and maybe I could help him be aware of the very, I am going to say, adventuresome efforts by this administration to expand U.N. roles beyond peacekeeping. I tell my friend, for whom I have great respect, from the State of Georgia—he has worked on the Armed Services Committee and the Armed Forces Observer Group and I have been involved with him over the years—there is a very strong effort by this administration to expand U.S. peacekeeping forces and to expand their role. I can show my friend and colleague quotes from the United Nations Ambassador, from the President of the United States, from leaked reports about Presidential directive 13 which was reported in the papers, talking about a very significant expansion of U.S. peacekeeping roles into peacemaking and peace enforcing which really you are talking about making commitments of U.S. forces into combat situations under, I am going to say, a bureaucracy almost under the United Nations in lots of hot spots around the world.

We now have a very actively engaged U.N. peacekeeping force that has grown dramatically. Three or four years ago it was 10,000 troops. Today, it is 80,000

troops and yet we still only have about 80 supervisors involved in the United Nations.

I will be happy to read a quote from the commander of the U.N. forces in Sarajevo, Canadian Maj. Gen. Lewis Mackenzie. He said, "Do not get into trouble in the field after 5 p.m. New York time or Saturday or Sunday. No one answers the phone."

My concern is this rapidly expanding multinational effort to not only commit the United States to combat-type situations through the United Nations but also the second part of that amendment is saying, wait a minute. We should not be involved in having U.S. combat forces committed to an international armed force, and that is also a proposal that the U.N. Secretary General has been very outspoken on, of which some people in this administration have been supportive.

Mr. NUNN. I say to my friend from Oklahoma, I believe I know what he is shooting at. What I am trying to ascertain in this series of questions is really what he is hitting. I think I agree with the target. I believe we have to slow down on this U.N. peacekeeping effort, not because we do not want the United Nations involved, not because the United States can do it alone.

I know the Senator from Oklahoma does not want his amendment to be read by all the other nations in the world as saying, well, the United States will not let us put any of their troops under any of our people, and therefore we are not going to let any of our people be put under the United States.

The result of that, inadvertently, if that is the psychology that spreads here, is that the United States would see a country go down the tubes without doing anything because multinational action of the United Nations would not be possible unless somebody lets somebody else have control of their troops.

By definition, you cannot have a multinational force unless some foreigner viewed from the perspective of some country has control of somebody else's troops.

So what we would not want the Nickles amendment to be known as, inadvertently, 3 years from now, 5 years from now—and it is permanent law—is an amendment that made the United States the policeman of the world.

I know that is the opposite of what the Senator intends, but there is a psychology here, there is a psychology when you say to Malaysia or to Thailand or to Indonesia or to Singapore or any of those countries that you do not have a commander worthy of us serving under.

Mr. NICKLES. If the Senator will yield——

Mr. NUNN. They would turn right around and say, well, if that is the case, then we do not want any of our forces serving under a U.S. commander.

I have to say to the Senator from Oklahoma, I share his apprehension about the United Nations ability now because I think they are spread thin. They do not have logistics support. They do not have command and control, the kind of command and control that is necessary in modern warfare. They do not have intelligence. They do not have a lot of things. They are spread thin all over the world. But we have to be careful about how we shape this.

I would like to see if we could work with the Senator from Oklahoma in shaping an amendment which would express these very legitimate concerns but do so in a fashion where we know what the target is and we tell the President what we think but we do not injure the ability of this country to participate in international organization activities so that we do not have to do it alone and so that we have help from other countries.

I also say to my friend from Oklahoma—and I know he has thought about this long and hard, and my friend from Mississippi—I think it is very important in reacting to the immediate we not forget the long term. This is permanent law. We have all been through the War Powers Act. I voted for it, and I wish I had not because it will not work. It has never worked. It is not going to ever work. It just will not work.

The reason it will not work—there are probably several reasons but the main one—is it has in it a feature whereby if the President sends up a notice under the War Powers Act that hostile activities are about to occur, then that sets up a trigger. The trigger is a number of days. If Congress fails to act within a certain number of days—I do not know whether it is 45 or 60; I forget at the moment—then that inactivity by the Congress—the Congress sits on its hands. All of a sudden the President has to pull the troops out. It is no coincidence that no President, Republican or Democrat, has ever given notice under that War Powers Act, and they never will. Two hundred years from now somebody will be debating, and I assure you no President will ever have given notice.

If this amendment is agreed to, what the President will do, if he really wants to participate in a U.N. operation, particularly if he thinks it is urgent and in our national security interest—just as the War Powers Act was drawn with a lot more care than this amendment, months and months and months of very bright people like the Senator from Mississippi, Senator Stennis; the Senator from New York, Senator Javits; and others, this amendment has some of the same features of the War Powers Act.

The failure under this amendment, as I read it, the failure of Congress to act within 30 days once the President sends up a notice under a waiver and an emergency saying he has to assign U.S. forces to the United Nations under a foreign commander, once that happens, if he sends that up, if Congress sits on its hands for 30 days, under the Nickles amendment, then the President by implication—it does not say it explicitly but I assume that is the meaning; otherwise, it would have no teeth at all—the President then has to do away with that command, no matter what the circumstances. The inactivity by the Congress of the United States, whether by filibuster, whether by recess, whether by other important items, is going to trigger the President of the United States having to change the command arrangements.

Mr. President, I hope that we would find a way not to have to choose between a bureaucratic organization called the United Nations which now is spread thin and a Congress of the United States that has a lot of priorities and simply is not able to make these command decisions.

There are a lot of things Congress should do and there are a lot of things Congress cannot do. We cannot have 435 people in the House and 100 people in the Senate trying to detail the command decisions of the U.S. forces in participation abroad. If we want to be consulted, I think that is absolutely appropriate. I think the President ought to be given not just a warning light but sort of a red light for the next few months, a red light that says do not put any more U.S. forces under the United Nations until the United Nations gets its own act sorted out.

But that is not what the amendment of the Senator from Oklahoma does. This is permanent law. It will apply to Republican Presidents in the future as well as the Democrat President now. It will apply to every President. It is a change in the balance of power between the Congress of the United States and the President of the United States.

I am not saying I am against that in all cases. I am just saying we ought to have a caution light ourselves before we make that kind of choice, and we ought to make sure that while we are worrying about the United Nations and its abilities now, while we are concerned that the President and his people may have had some lofty, dreamy notion about the United Nations and all of the things it could accomplish, we ought to say to the President, "Mr. President, slow down. We do not think you have thought through this."

We should say to ourselves, the Senate, "Slow down. You are about to alter the balance of power between the President and the Congress"—assuming this is constitutional, and whether it is or not, the courts will have to decide. I do not know that a long constitutional debate is worthwhile.

Mr. President, let me just ask the Senator from Oklahoma and the Senator from Mississippi, while they are

here, a couple of other questions I think are very important.

Mr. NICKLES. If I could respond, if the Senator would be kind enough to let me.

Mr. NUNN. Yes, I yield.

Mr. NICKLES. I believe the Senator mentioned in his remarks that this would alter the balance of power. Frankly, this would strengthen the Commander in Chief's power. It is telling the Commander in Chief not to delegate command and control over U.S. combat forces to the United Nations. If the situation that was described was a scenario of problems, the President can assert control over U.S. combat forces. That is what President Clinton did in Somalia. I think that was the correct thing to do. I do not see that as congressional intrusiveness into Presidential power. I see it as more or less reaffirming that the President not delegate that power to the United Nations or to the Secretary General of the United Nations.

Mr. NUNN. I thank my friend. I would wager any kind of bet that if you take any President of the United States that is still living, Republican or Democrat—and that includes several—and pose the question, "Is this an addition to the powers of the Presidency or a diminution?" I would give whatever odds the Senator desires that every President would say this diminishes the President's power and shifts the balance to the Congress on these issues.

I do not mind shifting the balance to the Congress on some things. I do not mind that. But for the Congress of the United States which, from the time President Bush committed those troops in Somalia last year in December, never passed a congressional resolution by the Senate and the House—we passed one, and they passed one several months later. We never acted on that at all. We never had time for it. It was not important enough on our radar scope for us after 8 months, until the Senator from West Virginia took the floor and made a big point of this. Then we had the tragedy which gave it momentum, and all of a sudden, it is the most important thing on the agenda. But we ignored it for 8 months, and now we are saying we have been ignoring that situation for 8 months. And now we want the President to get approval from us before making a command arrangement wherever you are in the world operating with anything other than Americans. I think that is very questionable.

I also say that I have watched the Presidents be able to get around the War Powers Act. If the President wants to get around this, all he has to do is avoid the U.N. commander label. All he has to do is have the United Nations pass a resolution under the auspices of the United Nations and have it done by whatever countries were going to participate in any way—and it is bilateral. You could have a Malaysian in charge of overall command, or a Thai, or Indonesian. Every soldier in the forces could be under a foreign commander, and as long as it did not have U.N. stamped on it, the Nickles amendment would not apply. I think we need to think long and hard.

Let me say to my friend that, again, I want to agree with him on the underlying point he has made about the caution light to the executive branch and a caution light to the United Nations. President Clinton himself put up a caution light when he made his U.N. speech. I think we have to realize that the United Nations has no logistics, no military intelligence capability; it has no command and control, no way to coordinate land forces, air forces, and naval forces. So it is time for us to say that when the U.N. Security Council does something these days, we better start listening. Guess who is going to have to carry it out? The United States.

If the Nickles amendment passes, we will not have anybody helping us because, I am afraid, countries around the world are going to say: Those Americans. Sure they are big, strong, and powerful, and sure they have better training than we do, but when our folks die, it hurts just as much back here as it does in America. And Americans cannot tell us that none of our generals, not even the best general anywhere we have in our military forces, is capable of commanding United States forces.

That is going to be the reaction. I am afraid that we are getting a little xenophobic, if that is the right word, in looking at just the United States. The Pakistanis that got killed, I am sure their families had the same kind of deep feeling of tragedy that we did when our forces got killed. I think we all ought to remember that when our forces got in trouble and we did not have equipment over there, adequate equipment—and that was a mistake, no doubt about that—who did we have to call on? We had to call on the Malaysians. We had to call on the Pakistanis. Those were the people who came to our rescue at considerable risk.

I want to point out a couple of other questions I have, and I will welcome response from my friends from Oklahoma or Mississippi.

One of the exceptions provided for in the Nickles amendment is that exception that is for temporary observer or liaison activities. I have three questions on that.

The first question: Would that apply to the deployment of United States forces which occurred in June of this year in Macedonia? They are performing observer duties as part of the U.N. protection force, and they are under the control of the Danish commander. Is June to September temporary? When does it move from temporary to permanent?

Question two: The United Nations has a mission in Iraq, the Iraq-Kuwait Observer Mission, known as UNIKOM, in which United States military personnel have been participating under foreign command. That has been in place since 1991. Question: Is that temporary? Is that temporary, or does 2 years make it permanent? Would we have to pass a specific resolution to continue that operation?

The third question: Does the U.N. Truce Supervision Organization, called UNTSO for the Middle East, in which U.S. personnel have been participating under foreign command—and that has been in place since 1948. I guess everybody will stipulate since 1948 is not temporary. So are we going to pass a resolution on that?

Does the Congress of the United States really want to pass resolutions on every one of these? I will ask further questions. The United States military force is in Somalia now, and that has been the case that brought this to our attention. They are performing logistics, communications, and other support under a Turkish general, General Bir.

As I understand the Senator's amendment, that would be an exception. That would fall under the exception and would not require specific congressional approval. But we also have intelligence forces that are serving under that same Turkish general. Do those come under the Nickles amendment? Are those forces part of the exception, or would they have to be specifically authorized for intelligence to flow to the Turkish general, who, as I understand, from all our commanders happens to be a very superb general?

I also ask about the United States quick reaction forces. Perhaps this has already been covered. But if the United States quick reaction forces have to go to the rescue of any of our allies in Somalia, there could be a tactical situation where they are under the control of a foreign commander.

We covered that a minute ago. Admiral Howe is not a foreigner. He is a U.N. person, but he really is not in control of the forces. He is in control of the operation overall. Perhaps, if our quick reaction forces went to the rescue of some allies there, they could be assigned to that allied foreign command. I am not sure how that question would be answered.

I say, finally, to my friend from Oklahoma, there is a longstanding provision in the law that covers what I think may be at the heart of what many people are apprehensive about—and I must say I am one of them—and that is, if the United States decides to participate with the United Nations force, if we have any kind of American presence, whether this President or another one who assigns U.S. forces to

the United Nations on a standing basis—and I believe there have been some alarm bells go out on that and properly so—whether that would require the approval of the Congress of the United States. I think it should. I think it should. But that is already the law. That law has been on the books for years and years and years. It was part of the United Nations Participation Act of 1945, and it basically says that any President can negotiate a special treatment with the U.N. Security Council as envisioned by article 43 of the U.N. Charter to make U.S. forces available on call to the United Nations.

I have seen some discussion on that, and I would throw up a red light on that one, also, saying to the President, "Let us think through this long and hard." The United Nations has more than it can do now. Why should we get into this at this point in time? Maybe 10 years from now, maybe 15 years from now, but not now.

I say to my friend, if that is what his amendment is aimed toward, the same provision of law that set that up in 1945, that calls for approval of Congress for that. It could not be done. That is already the law. That kind of assignment of U.S. forces on a permanent basis to the United Nations for contingencies who knows where has to be approved by the Congress of the United States. I think that is proper.

Mr. NICKLES. Mr. President, will the Senator yield on that point?

Mr. NUNN. I know I posed a lot of questions here, but I wanted my friend from Oklahoma to know that I share his concerns, but I think his amendment, and many people think his amendment, is shooting at what happened in Somalia on October 3 and October 4. I know it does not, because he made that very clear, and I think he explained it clearly. That is what the public sentiment out there wants. They want something that will prevent that kind of episode from happening again. So do we.

But we have to tell our people truly these were U.S. forces; they were under the command of General Howe, whose headquarters are in Tampa, FL, under the tactical command of an American general. They were carrying out American orders, and America itself participated in the Security Council resolution that set up this overall mission. It was a mistake, but these forces were not under foreign commanders.

I hope that everyone listening to this debate will recognize that. The Senator from Oklahoma has made it abundantly clear that if his amendment had been in effect on October 2 or October 1, nothing would have changed. It would not have covered that situation.

So I posed a lot of questions, and I would certainly yield to my colleague, the Senator from Mississippi.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am going to object. I am certainly going to object. I know the Senator from Georgia has the floor, and I know that these questions are going back and forth. My job is to manage this appropriations bill. Very soon now I am going to object unless we have some order in terms of presentation statements and an end to this. If nothing else, although I would hate to do it, I tell my friend from Oklahoma, I am going to move to table this amendment myself. Until we start getting around to the business of appropriations—this is not appropriations. I have great love for all three Members here right now, but they are not helping us get to this bill.

I do not object now. I just want all to know that it is not long until I am going to be forced to do so.

Mr. NUNN. I say to my friend from Alaska I have managed a bill before, and I understand his feeling fully. But, of course, I say this is the first time I have spoken on this amendment, and I am not going to take an undue amount of Senate time. This is an important amendment, and it goes to American foreign policy, and it goes to really the delicate balance that also has ambiguities and gray areas between the Congress and the President. It also, as I view it, is going to give the Congress of the United States a lot of decisionmaking that we really are not capable of making.

The truth of it is, what we really want the Joint Chiefs to do, if we are going to ever contemplate putting U.S. forces under any kind of foreign commander—and that would include NATO, although we have a lot of confidence in NATO—we want the Joint Chiefs to say to the President, "Mr. President, we think this is a good, solid commander. We think this a good, solid command arrangement. We believe this commander can communicate with our troops. We believe there can be clarity of command. We believe that the rules of engagement are sufficient." We want that to happen on every assignment of American troops to a foreign commander. In fact, we want it to happen to our own commanders, too.

But those are ad hoc judgments. We do not want incompetent, in effect, inefficient commanders commanding American troops, whether they are United States or whether they are Indonesian or British or French. Those are the questions that have to be asked.

I just have a hard time visualizing hearings in the Senate Foreign Relations Committee or Armed Services Committee where we go into that and we have a hearing in full public view of whether a certain commander we are thinking about assigning troops to is worthy of commanding our force. Those questions have to be asked. They should be asked. They must be asked.

But the question is, Do we in the Congress really believe we have time to ask them? I do not believe we do. I do not believe we have the inclination or the time to take micromanagement control of command decisions of that nature. If we do, we certainly should have had time to debate Somalia before September of this year, and we have not. I think we have got to take care of our big job and turn it over to the Executive under certain guidelines. We are the board of directors; we need to give him the guideline for making these decisions, but I do not think we really want all of these decisions to come back to the Congress for our approval.

I yield to my friend from Mississippi.

Mr. COCHRAN. Mr. President, I thank my friend for yielding for the purpose of one response to the point the Senator makes.

As chairman of the Armed Services Committee, he mentioned the importance of having hearings to look into certain questions that would be raised if this amendment were adopted. It seems to me that hearings are going to be required anyway because there obviously is confusion about what the administration's intentions are with respect to allocating U.S. forces to a U.N. standing army or rapid reaction force, as has been discussed quite openly on a number of occasions by the President and others in the administration.

Mr. NUNN. I will agree completely with the Senator from Mississippi on that. If talking about the micro issue of whether to assign U.S. forces to the unit, I agree completely.

Mr. COCHRAN. That is this amendment. This amendment says, "No funds appropriated by this bill shall be used by the Department of Defense" for that purpose. It seems to me that is a limited approach by this amendment. It does not spell out a policy for all time. It is not permanent law. It says none of the funds in this bill should be used for that purpose, and it seems to me that that is consistent with what the distinguished Senator from Georgia is saying as well. Is that not a correct reading of his reaction to the language?

Mr. NUNN. If I could say to my friend from Mississippi, I think he makes a very good observation here. Absolutely, we ought to be looking into the question of any U.S. plans to assign U.S. forces to any kind of U.N. command on a permanent basis or even on an on-call basis. I think that would be something we would have to do. To the extent his amendment hits that, I agree with it.

I also say, though, that that is already the law since 1945. It has been the law, and it would be required now for congressional approval, unless I am misreading the law. Our experts here can look that up. Maybe we need to update that law. Maybe we need to enlarge it. But I think that is an entirely different matter than having to have congressional approval every time the

Commander in Chief, or the President, makes a decision that this tactical unit is going to be assigned 2 days or 30 days or 60 days to this foreign command. Those are two different decisions. I think we have to be able to distinguished between the two.

What I believe the Senator's amendment starts off doing is exactly what the Senator from Mississippi said. When you look at all the circumstances, when you look at all the things this could cover—for instance, we could have a hostage-taking, we could have a situation where the United Nations was called in because there was an American airliner or any other airliner that goes down in a Third World country, and they do not want the United States in there, but they are willing to have some U.N. commands in there to deal with the terrorists, to deal with the whole situation and try to get the passengers back safely. That could be under U.N. command. We might want to send in the Delta Force, but they would have to report to the U.N. commander there.

In that circumstance, we really do not want a debate up here. We do not want to have a detailed debate about sending the Delta Force in, and with what commander. We want the President to be able to make those judgments, whether it is President Bush or whether it is President Reagan or whether it is President Carter or whether it is President Clinton.

There are all sorts of things I do not think have been thought through here, because the United Nations, obviously, is involved in a lot of places in the world. If we had a situation where the United Nations is involved, like in Somalia, and we do not have any combat forces under the United Nations there, but let us assume some of our logistical forces get taken captive and we want to have some kind of rescue mission there that is under a Turkish general.

All of the sudden we are going to have to coordinate, maybe not shift the whole command, but we are going to have to coordinate very carefully with that Turkish general in order to have that kind of hostage rescue mission.

All I am saying is, let us take another look at this amendment. Let us sit down and say what were the authors looking at? Let us take a look at the scope of what is being hit here. Because I think, as I read the amendment, it is much broader than what the authors have expressed here on the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, while the Senator from Georgia is here, I want to say, I meant no offense to the Senator from Georgia with my comments previously. He and I had a very interesting discussion at lunch yesterday. I know that we share some of the feelings of the Senator from Oklahoma about the evolving problem of U.S. intervention overseas now that the cold war is over.

But, having said that, I would also remark that one of our colleagues just walked up to me and told me I ought to stay out of this debate, because it is a little bit above the pay grade of an appropriator to get involved in a discussion of such weight and that it should be left to the authorizing committee.

Mr. NUNN. I say to my friend from Alaska, no such thought ever crossed the mind of the Senator from Georgia.

Mr. STEVENS. I understand it might. I do confess, we deal with some 30,000 different items of money in this bill. But we have been on this amendment now since Friday morning, and we have not gotten back to the money amendments.

After we dispose of this, we have another Somalia amendment, a Bosnia amendment, a Haiti amendment and probably a couple of others. As a matter of fact, we have seven language amendments coming.

I really find that we are under criticism for add-ons and changes in the appropriations process from the authorizing committee or the President's budget or what the House has done. There are legitimate complaints about what we do.

We constantly complain about the time we have on the floor being taken by matters that are very weighty—and I agree with the Senator from Georgia, they are very weighty. And I do believe that we have an issue that must be determined by Congress and the extent to which Congress ought to be involved in determining whether a dispute overseas involves our national interests sufficient to commit combat forces. Now, how that is to be done and who will resolve it, who will bring it to the floor is, obviously, I think, within the control of either the Armed Services Committee or the Foreign Relations Committee or both. It certainly is not within the jurisdiction of our committee to initiate that, but here we are.

All I ask is that somehow or other we try to resolve these issues. My good friend from Hawaii is temporarily absent. I would urge that we find some way to get some time limit on this amendment, to find some way to have the Senate express its will.

I will tell the Senator from Georgia—although I wish the Senator from Oklahoma did not have the phrase in this amendment "or any other law," I wish it were just a limitation on funds for this year only—I think it would send a message downtown. I do not view this as being anti-President Clinton. I would hope that it is not viewed that way.

I remember, to my regret, as I said on the floor here, that I opposed the amendment of the Senator from West Virginia on Lebanon. I really wish now that I had not done that. I think a lot of us do. I know that at the time the Senator from Arizona presented his amendment in the House as a young Congressman and, as I pointed out the other night, he was opposing a Republican President at the time in connection with Lebanon.

I hope politics does not come into this. I think we have to find a way to bridge the gap that was discussed here on the floor for a long time.

I remember Senator Eagleton of Missouri from the other side of the aisle. I sat on the floor for days listening to him, in terms of his opposition to the War Powers Act. And I did vote against the War Powers Act because I thought he proved conclusively that it would not work, and it has not worked.

But the problem is, we need something. We need something to define the time at which Congress ought to become involved, to determine whether it has a constitutional role in planning for involvement in disputes overseas that might involve combat troops.

I agree with my friend who said that is not within my job description. I would like to get around to talking about appropriations. Could we do that? Could we find some way to decide when we are going to vote on this amendment? Is the Senator from Oklahoma about ready to have a vote on this amendment?

Mr. NICKLES. Mr. President, in response to my colleague from Alaska, I have been ready to vote on this amendment since Friday. I was happy to vote on it yesterday. As a matter of fact, I think I told both the Senator from Alaska and the Senator from Hawaii I was expecting that we would vote on this yesterday, because we had extensive debate. I was here this morning at 10:30 to begin debate and I have been ready to vote any time.

Most of the debate, I think, has been helpful. My friend and colleague from Georgia said that he agreed with a lot of the stated goals. I am very receptive if he has some language suggestions or something in trying to sort some of those out.

I would also like to respond to a couple of the questions that he had.

Mr. STEVENS. I yield the floor for that purpose.

Let me say this before I yield the floor. If no one else does, by about 5:30, I am going to move to table this amendment, although I will vote against that motion, because I do believe we ought to determine if it is the will of the body to continue this debate. I would like to vote for the amendment. But I do think we ought to find out procedurally whether we should go ahead with this debate and, if the Senate is not going to approve this amendment, we ought to get on to Somalia, Bosnia and Haiti sometime before we finish tonight, because we have a whole series of about 52 amendments dealing with this bill to go.

Mr. NICKLES addressed the Chair.

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

Mr. NICKLES. Mr. President, I appreciate the comments made by my friend from Alaska, and I hope that we do vote. I would like to have an up and down vote on the amendment. But if that is not possible, if the only way we can get a vote on the amendment is a motion to table, I am willing to do that. I hope that we would do it soon.

I would like to respond to a couple comments and questions raised by my friend and colleague from Georgia.

He mentioned, I think, four specific areas where we have the United Nations forces involved in peacekeeping operations. I will just submit for the record all 27 cases. This goes all the way back to 1945. I have already stated on the floor that none of those would be adversely impacted by this amendment. So the amendment is not as far-reaching as some people have mentioned.

Mr. NUNN. Will the Senator yield on that?

Mr. NICKLES. Yes.

Mr. NUNN. How can something that has been going on since 1945 come under the exception?

Mr. NICKLES. I might tell my colleague that we had written those definitions to exclude the use of the word of force or of combat. And combat is not engaged in those. Those are peacekeeping. They include medical, logistics, communications, humanitarian, training, temporary observer or liaison activities.

I think there is enough flexibility. The one word we did not say there was "combat." Clearly, we are trying to restrict the opportunity of committing U.S. combat forces under United Nations or under foreign commands where we do not have any direct link in the chain of command.

And so that is the reason why we went the exclusion route, instead of putting in the combat route. Frankly, we did that as a result, I think, of consultation with members of the Armed Services Committee and others that thought if we used the word "combat," it would be more intrusive and I did not want to get into that. Some people have combat missions or roles defined by their activities, even though they are not in combat situations, and that is the reason why we defined it as such.

I have a couple of other responses to my friend and colleague, more or less on the line of why we are doing this.

No other President has even considered placing our combat troops under United Nations control and foreign command. And that is what is different here.

We now have, both by the President, by his statements—and I read these; I do not want to be too redundant, but the President's statements—President Clinton made comments both as a candidate and as recently as his speech before the United Nations on September 27 talking about a very expanded peacekeeping role, including in that statements by the Ambassador of United Nations and others, including articles talking about Presidential Decision Directive 13. And I would encourage my friend and colleague from the Armed Services Commitee to take a close look at that.

It is a document that maybe has changed. My guess is it has changed a lot in the last 2 weeks. That talked about a wider role in U.S. peacekeeping. I will give my colleague copies of the articles, if he is interested. But that is the reason, why this amendment.

Also, my colleague mentioned one other question. He said, would this not end up in a situation where we would have our allies deciding that they would not want to participate because the United States would say no, we are going to be the leader? I do not think that is the case. I think we have proven, under U.S. leadership, that we can coalesce multinational forces to achieve an objective, a mission, including a combat mission. Certainly, that was done quite well in the Persian Gulf. It was done successfully. That would not be prohibited under this amendment.

So the President, as the Senator pointed out in earlier questions, could enter into bilateral or multilateral, or he could do things under the United Nations. But he would do it under United Nations with U.S. control. So the President would be engaged, as Commander in Chief; he would be in the chain of command and not delegate that to the United Nations, which is clearly involved in lots of operations worldwide and spread very thin.

The PRESIDING OFFICER. Senator from Georgia is recognized.

Mr. NUNN. I would say to my friend the one thing in here that seems to be contradictory is, as I understood the Senator from Oklahoma, he said this was just funds in this act. But clearly the amendment I have—maybe it has been changed—says, "None of the funds appropriated or otherwise made available by this Act or any other Act, may be used * * *." This is permanent law, as I read it.

Mr. NICKLES. If the Senator will yield, I do not think that is correct. The Senator read it correctly. "None of the funds appropriated or otherwise made available by this Act or any other act," you are talking about appropriations. The reason it says "any other Act" is, as the Senator knows, for a long time U.N. peacekeeping operations were originally funded out of the foreign operations bill.

Now they are funded out of the defense bill. That is the reason why it is inclusive. You would not want to have the situation where we agree to the amendment and find out they had some leftover funds in foreign ops and got around this restriction and fund it out of the other appropriations bill. But it is on this appropriations bill; it is limited to this fiscal year. It is not extensive.

Mr. NUNN. Where is the limit to this fiscal year?

Mr. NICKLES. Because this is fiscal year 1994 and it says "funds appropriated." It is not talking about amending statutory law. I heard my colleague say this has a long-term impact or something—that is not the case.

Mr. NUNN. I would say to my friend, when you say "any other act," that includes any past act. If it is permanent law it includes any future act.

Mr. NICKLES. I differ with my colleague, with all due respect. "None of the funds appropriated." We are talking about appropriated accounts. We are not talking about authorization. We are talking about appropriations.

Mr. NUNN. But authorizations do not get spent unless they are entitlements, unless they are appropriated, so appropriations are necessary for all military activities.

Mr. NICKLES. The only thing, we do have the power of the purse and we do have the right to place some restrictions. Again, that is exactly what this is. It says, "None."

"Funds appropriated in this Act or any other Act," we are talking about appropriations, and that is what we would limit it to.

Mr. LEVIN. Will my friend from Oklahoma yield on just that narrow point?

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

Mr. NUNN. I will yield to the Senator for a question.

Mr. LEVIN. If the Senator from Georgia will yield on that point, this morning I made a parliamentary inquiry on exactly this issue: Whether or not that language, "or any other Act," meant that this was legislation on an appropriations bill. The ruling of the Chair was that it was, in fact, because of that language, legislation on an appropriations bill. It is not limited to appropriations. It is "or any other Act." It is not limited to this bill because it says "or any other Act." But without getting to that argument I would—and I thank my friend from Georgia for yielding the floor—remind the body that we have a ruling of the Chair on this point, that because of that language "or any other Act," we have legislation on an appropriations bill.

Mr. NUNN. Mr. President, I know other Senators will want to be heard on this. I just say to my friend from Oklahoma and my friend from Mississippi, I appreciate the dialog and the openness of the debate. I think this has

helped me have a better grasp of their intentions here. I hope they would not foreclose the possibility of working something out that would express those intentions in a narrower way.

Several Senators addressed the Chair.

Mr. NICKLES. As I mentioned to my friend and colleague, if I may just respond, as I mentioned earlier, I would be happy to receive any suggestions he has. I think we made some constructive dialog in the debate. I will just leave it at that. I will be happy to work with the Senator.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, I do not believe that a letter from the Acting Chairman of the Joint Chiefs of Staff has yet been entered into the RECORD. If it has not been entered into the RECORD, I ask unanimous consent it be printed at this point.

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

JOINT CHIEFS OF STAFF,
Washington, DC, October 18, 1993.

Hon. GEORGE J. MITCHELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MITCHELL: As the debate on the revised Cochran-Nickles Amendment to the FY 1994 Department of Defense Appropriations Bill (H.R. 3116) continues, some military operational consolidations should be emphasized.

My fundamental concern remains: the amendment precludes our effective involvement in multi-national coalition's (other than NATO) under U.N. command or pursuant to a Security Council mandate, except when the United States commands the effort.

By precluding even basic tactical control by a foreign commander in any situation, the proposed legislation would prevent effective assistance from the U.S. to any foreign element in a coalition operating under a U.N. mandate (DESERT STORM) or U.N. command. As an example, during the Persian Gulf ground war, two U.S. Marine Corps artillery battalions were placed under the operational control of a British and French commander to ensure those forces had sufficient firepower to breach Iraqi lines at the same pace as U.S. forces. The amendment's limitation would apply even if we had overall command of the operation. Logically, other nations also could be expected to adopt similar conditions on their U.N. military participation.

This amendment's failure to indicate parameters of its excepted categories will embroil our leaders in controversy. For example, the term "humanitarian" has a broad spectrum of meaning and whether a given situation is included in the definition will present many policy and operational uncertainties.

I trust these additional comments will prove useful to Congressional discussion on this important matter.

Sincerely,

DAVID E. JEREMIAH,
Acting Chairman, of the
Joint Chiefs of Staff.

Mr. LEVIN. Mr. President, this letter from the Acting Chairman, Admiral Jeremiah, says the following. It is brief and I will read it because I think it its important as to how our top military people interpret the amendment pending before us.

As the debate on the revised Cochran-Nickles Amendment to the FY 1994 Department of Defense Appropriations Bill (H.R. 3116) continues, some military operational considerations should be emphasized.

My fundamental concern remains: the amendment precludes our effective involvement in multi-national coalitions (other than NATO) under U.N. command or pursuant to a Security Council mandate, except when the United States commands the effort.

By precluding even basic tactical control by a foreign commander in any situation, the proposed legislation would prevent effective assistance from the U.S. to any foreign element in a coalition operating under a U.N. mandate (DESERT STORM) or U.N. command. As an example, during the Persian Gulf ground war, two U.S. Marine Corps artillery battalions were placed under the operational control of a British and French commander to ensure those forces had sufficient firepower to breach Iraqi lines at the same pace as U.S. forces. The amendment's limitation would apply even if we had overall command of the operation. Logically, other nations also could be expected to adopt similar conditions on their U.N. military participation.

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I trust these additional comments will prove useful to Congressional discussion on this important matter.

Sincerely,

DAVID E. JEREMIAH,
Acting Chairman, of the
Joint Chiefs of Staff.

Mr. President, our top military official has read the amendment before us in the same way Senator NUNN and others have read it, which is that this would preclude a tactical commander being a U.N. commander who is a foreigner.

What he has described for us are all the operational difficulties—operational difficulties that this would create for the United States. This is our top military person, reading the pending amendment. I do not think there is any other way to read it but that, because the pending amendment specifically prohibits U.N. operational or tactical control. It says, "or tactical," not "and tactical." It says, "if such forces would be under the command, operational control or tactical control"—not "and tactical control"—"or tactical control of foreign officers."

There are numerous situations where the tactical control of American soldiers is given to a U.N. commander who is a foreigner for the sake of the protection of American forces. These are American soldiers who are at risk, and there are times when there is a foreign commander, a U.N. commander, who is given tactical control to save our forces.

Mr. LEAHY. Will the Senator yield?

Mr. LEVIN. I will be happy to yield for a question.

Mr. LEAHY. Mr. President, does this not, as I ask my friend from Michigan—does this not basically, this amendment, say—if you read the amendment and read Admiral Jeremiah's interpretation of it—does it not basically say to the rest of the world you are free to come here and help us? We will tell you what to do and how to do it. But anywhere else, whether our national interests are involved or not, we are simply going to go it alone. We will do it without help or cooperation. We either go it alone in regional conflicts or expect other countries, having seen us take this attitude that we will only go it alone, expect them to suddenly volunteer to come and join us, under our command?

My question is, Does that not defy our whole historical experience, especially since World War II?

Mr. LEVIN. I think it does. I think it creates major problems in that regard, and Jeremiah is right. In a more narrow sense, it creates dangers for our men in combat. The situations given by the Senator from Georgia—let me give you another one.

Let us assume that we had a quick reaction force which is made up of two companies, one is an American company, with an American colonel, and the other one is a British company with a British colonel. The American colonel is in command, and that is OK under the amendment. They are out there in combat and the American colonel has this British colonel as a deputy. I think that is all right under this amendment because the British colonel is the deputy to the American colonel. But the American colonel is killed.

Are they supposed to come back to the Congress to see if it is OK if the British colonel can take command? Is that what we are saying to ourselves? Men in combat, an American company and a British company under the command of an American colonel, tactical command of an American colonel, it is the mission that they are on, the American is killed, his deputy should take over. That is the structure. But, no, not under this amendment because tactical command cannot go to a foreigner unless Congress approves.

We have problems at the United Nations I think these problems have to be addressed. I agree with my friend from Oklahoma trying to point out some of these problems. I happen to feel strongly that both Foreign Relations and Armed Services should address a number of issues which my friend from Oklahoma has raised. But we cannot plunge into this kind of amendment which is binding on a Commander in Chief without great care because of the

danger that we will be placing our own combat forces in.

There are many scenarios like the ones that I have just given, and we cannot unwittingly—of course it is unwittingly, this is not the intent of the amendment—but the words of this amendment—tactical control not "and and and." It is "or or or," and to prohibit tactical control in these kind of circumstances will endanger the very people whose safety we are sworn to uphold, the men and women in the United States military.

So, Mr. President, I do hope if something cannot be worked out which will get our committees to really address these issues—and, by the way, a number of our committees already are, both the Armed Services and Foreign Relations and a number of our subcommittees are addressing these issues, but we should do it with greater urgency, I believe, because of the events in Somalia and other parts of the world. But if we cannot work out a resolution which will give some impetus to a common goal of all of us in this body to address these multinational issues, I then hope that this amendment would be tabled or would be defeated.

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

Mr. LEVIN. I will be happy to yield to my friend from Nebraska.

Mr. EXON. Before I pose a question to my friend and colleague from Michigan, I would simply like to say, 24 hours ago, about right now, I was on the floor debating this amendment with the Senator from Oklahoma. Some of the things that have been said today just drive home the point that I was making in debate yesterday on this. We seem to be spinning our wheels a great deal.

Clearly, what is being attempted by the amendment I think offered in good faith by my colleague from Oklahoma, but I told him yesterday I thought this was a very mischievous amendment, and I cited some examples not significantly different in their thrust that have just been enunciated by my colleague from Michigan. Clearly this is, among other things, legislation on an appropriations bill. I think we have had a ruling of the Chair on that. Now we have a letter from the acting Chairman of the Joint Chiefs of Staff indicating some serious problems with this, in addition to the ones this Senator addressed yesterday. We discussed this in the Democratic caucus today at some length. I assume the Republican caucus did likewise.

I will simply say to the Senate that we seem to be spinning our wheels.

I ask this question of my colleague from Michigan: Since undoubtedly there are people on both sides of the aisle who feel very strongly about the situation that confronts America right now, but that does not mean I believe we should adopt a mischievous amendment regardless of how well-intentioned that amendment is.

I am wondering if to save some time and maybe accomplish what many people, including this Senator, would like to do, to bundle up in some fashion after some compromise and move ahead instead of continuing debate, get the parties together with the amendment offered by the Senator from Oklahoma, with the amendment offered or intended to be offered by the minority leader on the situation in Haiti, and one or two other amendments, could we not accomplish what most of us would like to do; and that is, a statement of fact; could we not wrap all of these up, in the opinion of the Senator from Michigan, in some sort of a sense-of-the-Senate resolution that I think might satisfy the large number of Senators on both sides of the aisle, a sense-of-the-Senate resolution then would not be legislation on an appropriations bill? It would not be challenged with regard to its constitutionality, which some of these issues will.

I am wondering, in the interest of comity and moving this ahead, if the Senator from Michigan might think it a good idea for several of us to get together and see if we could not come up with a sense-of-the-Senate resolution that embodies the concerns expressed by the Senator from Oklahoma, and others, and maybe bring this matter to a head in that fashion.

Mr. LEVIN. In answer to my friend from Nebraska, I hope something like that would be possible. I share what he has just said about the concerns of our friend from Oklahoma as being legitimate concerns. I must tell you, I visited the United Nations command center. As chairman of my subcommittee of the Armed Services Committee, I went there to see it, and I have studied this issue at some length. I have a great deal of difficulty with the lack of clarity, for instance, of U.N. command structure.

What the Senator from Oklahoma, I think, is driving at is something which probably troubles most of the Members of this body. It is important we address them and address them carefully, and I have a hunch he will agree with that thought as well.

I will yield the floor with just a plea to all of us that we try to find a way——

Mr. LEAHY. I wonder if the Senator will yield for a question first.

Mr. LEVIN. The way the Senator from Nebraska talks about seems to me is a useful possibility I hope will be explored to try to come up with a sense-of-the-Senate resolution addressing these issues.

My plea would be we do try to achieve a bipartisan approach to these issues. They are very important, whether the President is a Democrat or Republican. All of us, I think, are troubled by a number of aspects of the events that are going on in the world, and I would hope that some time would be taken, and I know my friend from Alaska wants to move the bill, but I do think it important to take the hours necessary to try to achieve a bipartisan approach to the kind of situations and circumstances which my friend from Oklahoma has identified.

Mr. LEAHY. If you will yield on that point, just for a question on that point, because I find much of what my friend from Nebraska said appealing. But part of my opposition to this amendment, which I find an ill-founded amendment—not the author of it—I think he seems to approach it with a great deal of care, but I ask the Senator from Michigan basically this question:

Are we prepared to put together a sense-of-the-Senate resolution on this issue today?

Let me give you some basis for that question.

First, the situation in Somalia we all watched on the evening news. Everybody was down here the next morning and, by golly, we are going to rearrange the way we are going. We saw the ships off to Haiti in what was a policy based more on hope than on any sense of history.

These two things were a wake-up call and the policy, to the President's and the administration's credit, has changed both in Somalia and Haiti from what it was a few weeks ago. It is reflecting the concerns expressed by the Congress and by the American people.

But can we make foreign policy in this post-cold-war period by having a resolution today and having an amendment today for Haiti or Somalia and tomorrow for Bosnia and the next day, if something happens in Pakistan or India or anywhere else in the world, in the Caribbean, in the Mediterranean, in the South Pacific? Where do we respond?

Suppose in some of the places where we support somebody, they have been elected and suddenly the ruling junta says, "No, we think we are going to think this through and do it again." Do we step in? Do we move into Cambodia? Where do we go?

But there is another aspect. I am as frustrated as anybody about the command and control problems in the United Nations, and I am also concerned about personalities that become far more involved than the overall sense of what is best.

But if we come in here with an amendment today that basically trashes the United Nations, basically tells the United Nations it is useless, it is beneath our consideration, what are we going to do? Are we going to put ourselves in the situation where we become the policeman of the world, and if somebody calls, we either go it alone or there is nobody left to do it?

We do not have a bipolar world anymore. We can no longer say to the Soviets you keep your hands on this one; we will keep our hands on that one. We cannot do that.

Do we really want to be in a position whereby if our interests, our security interests, our humanitarian interests, or whatever interests are affected somewhere, it is either we go it alone or it does not get done at all?

Basically, we are saying that. We are saying we are prepared to do this alone because we are not going to do it with you. And if we say we are not going to do it with you, can we be so arrogant as a country that we can assume every other country in the world is going to say, well, OK, we understand we are so inferior to you you cannot operate with us, but we will immediately come and do what you tell us to do? If we assume that, we have not been reading history. We do not understand what is going on.

Now, there is frustration, and a justifiable frustration, in some of the things that have been happening. But let us not kill any ability for the United Nations to carry out a peacekeeping role. Let us not kill any ability for the President of the United States, this President or the next President or the President after that, to carry out our foreign policy. Let us not abrogate the responsibility we have as the only superpower in the world today.

If we are responding to the poll of the moment, we are ignoring the history book of tomorrow. If Harry Truman had reacted with the Marshall plan when the polls showed only 7 or 8 percent of the people agreed with it, if he said "OK. Whoops. Yank that sucker off the table," where would we be today? Do you think the history books would record there was a poll that showed 90 percent were against the Marshall plan? Of course not. History books report on the Marshall plan and the fact it worked and the fact that it helped keep peace and stability in the Western World.

So my question basically to the Senator from Michigan—and he and I have been friends from the moment we met. He has indulged me in going along with probably an overlong premise, certainly more than we in New England use.

Mr. LEVIN. It gives me a lot of time to figure out the answer.

Mr. LEAHY. But is it not a case, I say to my good friend from Michigan, that this reflects the frustrations of the moment, legitimate concerns, as to the United Nations and what our policies are going to be in this post-cold-war period? But having said that, it is something that requires study and effort of Republicans and Democrats alike, on the appropriate committees, and a real debate on the issue itself, not as the amendment of the moment on an appropriations bill where we are going to have to vote to do something that may affect our Nation for good or ill for the rest of our lives.

Mr. LEVIN. Very briefly, I will try to answer. I think there are three advantages to a bipartisan sense-of-the-Senate resolution to address some of these concerns.

First of all, it will be a way for us to address some concerns which we legitimately have on both sides of the aisle about a number of these operations. It is a way of expressing some of our unease. That is No. 1.

Second, if it is a bipartisan approach, it will be in the great tradition of this body. Right now I see Senators on this floor on both sides of the aisle who have participated in great bipartisan efforts frequently in this body. I happen to have as the ranking member on my Armed Services subcommittee Senator WARNER from Virginia, who consistently addresses problems on a bipartisan basis. I have seen it year after year after year.

The second advantage of a sense-of-the-Senate resolution is that it would be bipartisan, which sends a very powerful signal.

The third advantage now gets to my friend from Vermont. If it is a sense-of-the-Senate resolution addressing these concerns, it is not written in statute. If we make a mistake in a sense-of-the-Senate resolution, it is not a mistake which cannot be easily remedied because it is not binding on the executive branch.

So it has all three advantages: having some flexibility, you can correct your mistakes; it is bipartisan; and it does express some legitimate concerns which many of us have.

So I hope that if this effort is undertaken—and I think many are already trying to move in this direction—my friend from Vermont might be willing to participate in that effort.

I yield the floor.

Mr. LEAHY. Mr. President, I strongly oppose the amendment offered by the Senator from Oklahoma. It is untimely, ill-advised, poorly drawn, and highly partisan in its attack on the President.

This amendment would prohibit the commitment of U.S. combat forces to U.N. command where such command is exercised by foreign officers. As I read the amendment, U.S. military personnel in noncombat functions could be committed to U.N. command. There is an exception to permit the President to commit U.S. combat forces to such command arrangements in emergency situations as long as specific conditions are met, although Congress would have to vote to approve such action within 30 days. There is a total prohibition on any U.S. forces being committed to any prospective standing U.N. international armed force.

If the Senator from Oklahoma were seeking to prevent the President from doing, through the United Nations, what many of us believe he cannot do unilaterally—that is, commit American forces to hostilities without the authorization of Congress—that might be a different matter. But that is not in fact what this amendment does. It is only U.N. military formations or units, whether engaged in hostilities or not, under foreign command that are off limits to American combat forces; if such formations or units are put under U.S. command, then U.S. forces can be engaged without any prior authorization by Congress. It is not U.S. forces being engaged in hostilities through U.N. action without the approval of Congress that is the issue—it is whether such U.N. forces are, or are not, under American command.

Mr. President, I yield to no one in this body in my defense of the right and duty of Congress to vote whether to authorize the President to make war. I stood for that principle when President Reagan committed American marines to Lebanon without the authorization of Congress, and 240 of them died. During the period preceding the gulf war, I was one of those who demanded that the President seek the authorization of Congress before initiating offensive combat operations. Recently, I voted to cut off funding for operations in Somalia by March 31 of next year unless Congress, by a new vote, authorizes a continuation of United States forces in Somalia. I am prepared to use the power of the purse to assert Congress' constitutional responsibility to authorize the commitment of U.S. Armed Forces to hostilities. I am a strong supporter of the War Powers Act.

But this amendment goes far beyond the exercise of the constitutional powers and responsibilities of Congress, or the constraints of the War Powers Act. It blatantly infringes on the President's constitutional powers as Commander in Chief to direct U.S. forces, including making such command and control arrangements as best suit the goals and objectives of the United States and its allies. It would prevent the President from committing U.S. combat forces to U.N. peacekeeping or other operations without prior approval of Congress—or unless he exercised a national security waiver, subject to being overturned by Congress within 30 days. This potentially severely limits the ability of the President to take emergency actions to protect U.S. military forces or American citizens or property through U.N. military operations. It could expose U.S. forces to attacks while they are engaged in noncombat activities as part of U.N. peacekeeping or observer operations—activities clearly permitted by this amendment—by preventing any U.S. forces from coming under U.N. operational command where foreign military officers would be exercising such command.

Mr. President, there are half a dozen or more situations right now, today, where such an emergency could arise. United States military personnel are involved in U.N. peacekeeping or observer operations in: UNTSO—Middle East, UNIKOM—Iraq-Kuwait, MINURSO—Western Sahara, UNTAC—Cambodia, UNPROFOR—former Yugoslavia, UNMIH—Haiti, and UNOSOM II—Somalia. In any one of those places there could be attacks on U.S. military personnel engaged in U.N. activities, with relief and rescue operations being carried out by U.N. forces under U.N. command. As I understand this amendment, any U.S. military operations aimed at rescue or relief would have to be carried out independently of any U.N. military operations, even though U.S. and U.N. troops would be carrying out the same missions, operating side by side, and assisting each other, unless the President chose to exercise the waiver authority. And, the waiver authority is itself subject to being overturned by Congress. Before agreeing on any such limitation on the President's powers as Commander in Chief, we must remember that such U.N. operations would not be aimed solely at rescuing Americans; many nations commit military personnel to these missions, and they would have a right to expect, and to demand, that the United Nations take immediate and effective military action to protect and defend their nationals. If U.S. forces remain aloof from U.N. relief operations, how could we expect U.N. forces to give the same priority to rescuing Americans as they would to their own nationals?

This is surely not the intent of the Senator from Oklahoma. No one would deliberately endanger U.S. forces, whether combat or support troops. But I am afraid that is exactly the effect of this amendment. It could inadvertently expose several hundred young American men and women now engaged in U.N. peacekeeping or observer missions to a danger that the President could not act immediately to commit U.S. combat forces to a U.N. rescue or relief operation. I can imagine a situation in which U.S. forces immediately available in a given situation are insufficient, and where U.N. forces represent the strongest relief force at hand. Yet, under this amendment, American forces could not join the U.N. relief or rescue operation if it meant accepting even the tactical command of the foreign military officer.

The amendment raises major policy long-term problems aside from the emergency situations I just described. It would prevent the President from permitting U.S. combat forces from being committed to U.N. command when such command is exercised by foreign military officers. Put less politely, this means whenever U.N. military operations are under U.S. command, it is fine to commit U.S. forces, and for other nations to commit their forces to U.S. command. But when it comes to any U.N. operation being under the command of non-American military officers, U.S. military participation is off limits. This is a wonderful argument for employing the United Nations as an instrument for conflict resolution and peacekeeping around the world. Why not just say we will participate only when the United Nations takes orders from us, and otherwise, count us out?

During the debate on the Somalia amendment a week ago, I called attention to a dilemma we are heading into with all these criticisms of the United States as a peacekeeper, and these outcries to prohibit any U.S. forces from participating under foreign command in peacekeeping operations. The American people do not want, nor will they allow, their sons and daughters to be the police officers of the world. Unilateral American military interventions are going to be rare indeed in the post-cold-war world. But we already have ample evidence that this world is not going to be a peaceful, stable world. If we keep on trashing the United Nations, having debates on ill-considered amendments like the one today, refusing to play our leadership role, just who do we think we are going to turn to for order and stability in the world?

This amendment has gotten ahead of serious debate, discussion, and analysis of how the United States is to exercise leadership in the post-cold-war world. It is being offered in the heat and emotion of the recent events in Somalia and Haiti. And let us be candid. It is being offered to try to embarrass the President on foreign policy.

Mr. President, we need to think through this whole question of peacemaking and peacekeeping before we start limiting the role of American military forces or tying the President's hands. Unilateral military interventions by great powers, such as the United States intervention in Santo Domingo in 1965 or the Soviet intervention in Afghanistan in 1979, are largely things of the past. At least, I certainly hope so. Only in the direst situation involving immediate and vital American interests can I envision unilateral U.S. military intervention. Rather, it is now going to be through multilateral institutions such as the United Nations, the Organization of American States, NATO, and other international bodies, that we, as the world's one remaining superpower, lead the community of nations in working together to maintain peace and resolve conflicts.

This amendment says the United States will go it alone, without help and without cooperating with others. It says we will leave it to others to deal with regional conflicts and international instability, while we grandly give orders and ask others to sacrifice where we will not. It fails to understand what has happened in the last 5 to 10 years, the realities of the international arena, and the mood of the American people. As so often with spur-of-the-moment amendments driven by television reporting and opinion polls, it has no sense of history.

Mr. President, I urge all Senators to join in opposing the Nickles amendment. Let us send a signal to the world that the United States is still capable of exercising global leadership, that we are still a superpower, that we are prepared to do our part in building a better, more stable world for our children and our grandchildren. Let us give the President the tools he needs to protect American interests abroad.

Mr. MCCONNELL addressed the Chair.

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

Mr. MCCONNELL. Mr. President, I thank the Chair.

I think it was that great American Yogi Berra who said, when noticing the similarity to an event that occurred in the great American pastime of baseball, "This is deja vu all over again."

I recall arguing as forcefully as I could during the Reagan and Bush administrations that Congress ought not to micromanage American foreign policy.

Mr. President, I am persuaded that just because there is a new President of a different party that argument is still valid. It is still valid.

I think there is a good deal to recommend certain portions of the Nickles amendment. I wish to congratulate Senator NICKLES and Senator COCHRAN for kicking off this very important debate.

The one new initiative of this administration in the foreign policy area was this growing reliance on multilateralism. That was going to be the great new initiative of the Clinton administration, which is to place more faith, particularly in the United Nations, to carry out missions that we were either incapable or unwilling to carry out on our own. That was going to be the new idea of the Clinton administration.

Mr. President, I think it is perfectly clear that creeping multilateralism is not going to work in the post-cold-war period, and I think that is a subject worth discussing. The Nickles amendment has certainly kicked off that debate once again as well as the debate we had last week on Somalia.

So in looking at the details of the Nickles amendment—and I followed the debate rather carefully both yesterday and today—there are some parts of it that are clearly, it seems to me, worthy of commendation.

If, Mr. President, we were to take this opportunity—and my own view is we should probably not do it at this point, but if we should take this opportunity to start crafting some measure

for congressional approval of the deployment of American troops to the United Nations, this 30-day period as it is currently crafted in this amendment would present the opportunity for one single Senator to filibuster a Presidential initiative.

So, if we were to go that far, at the very least it would seem to this Senator, there ought to be expedited procedures, and it ought to be a resolution of disapproval to give the President some chance of overcoming the temptation that many of us have around here under Presidents of both parties to try to micromanage every detail of one of these initiatives.

Mr. President, I am not yet ready to support that micromanagement proposal. Again, I say Senator NICKLES has provided an opportunity for a much needed debate. He has given a lot of thoughtful attention to this issue. I wish to commend him for raising it.

But, in addition, Mr. President, he raises another issue of the amendment that I would be prepared to vote on today, another idea that has been kicked around by Members of this body and others, and that is the question of whether the United Nations ought to have a standing army made up in part, presumably, of American troops.

The Nickles amendment on page 2 of the version I have appears to prohibit the U.S. participation in a U.N. standing army. I would say to the Senator from Oklahoma and the Senator from Mississippi that is something I would be prepared to vote on today because I think a U.N. standing army is a terrible idea.

It is an atrocious idea. And that is one subject upon which this Senator does not need any additional hearings. Senator NICKLES has raised that issue in the course of crafting this amendment. If we were to have a vote on some portion of the Nickles amendment either today or tomorrow or whenever it would be, my suggestion to the Senator from Oklahoma is that we try to carve out of the Nickles amendment that portion of it upon which there might be pretty widespread agreement.

My suspicion is—I could be wrong—that a majority of the Members of this body would think that a U.N. standing army, which might or might not be able to function at the behest of the Secretary General with or without approval of the Security Council, is a pretty bad idea.

I can think of one hypothetical, for example, where a U.N. standing army might decide it wants to isolate Israel, for example. If it had the authority to do that, based upon some action conferred on the part of the Israelis that it did not approve of and could do that without the support of the Security Council, they would be in there, I say to my friend from Oklahoma, they would be right in there.

(Mrs. MURRAY assumed the chair.)

Mr. MCCONNELL. So I think that is a very, very important issue that the Senator from Oklahoma does raise in his amendment, very appropriately so, one that I think a lot of us have given some thought to over a period of time. I would say as far as this Senator is concerned, no more hearings are needed on that part of the Nickles amendment.

With regard to the whole Nickles amendment, I must reluctantly say to my friend from Oklahoma I could not at this particular point support it. I think it does set up a procedure that is a little bit troubling to me, a procedure that I suspect I would have been arguing against had we had a Republican President in office right now.

I know consistency may be the hobgoblin of little minds, but this Senator is going to try to at least be somewhat consistent in these foreign policy determinations because I think it is extremely important that we try to diminish the level of partisanship when we get beyond the shores of our country. I cannot think of a single domestic initiative of the Clinton administration that I would vote for today or that I am likely to vote for in the future. I do not like what the President is trying to do to this country. But in the area of foreign policy, it seems to me we ought to be trying to work together to craft bipartisan support, where possible, to make it possible for the President to move forward.

I must say there is no way to get around making a case-by-case assessment of our foreign policy initiatives. Somalia is not Haiti, and Haiti is not Bosnia, and sooner or later we have to make some judgment on individual countries.

From my point of view, we have no national interest of any kind in Somalia—none. As I said last week, I think we should have left in May when the humanitarian mission officially came to an end. Some would argue hindsight is always 20/20, why did we not have the debate then, and we were derelict, we should have had the debate then.

I have a hard time finding American interest in Bosnia. I have a hard time finding ourselves having an interest, but I could see a European interest there.

When it comes to Haiti 800 miles off our shores with dissatisfied Haitians coming to the United States any way they can, with increased drug trafficking, I am told, through Haiti as a result of the conditions there locally, I think it is pretty hard to argue that the United States does not have a direct, vital interest, maybe even a national security interest in Haiti. I hope the President is going to take a great deal of interest in Haiti. I think this country has a great deal of interest in what happens there.

I do not want this current situation of a flap in Somalia, action in Haiti, proposed action in Bosnia to cause us to rush to pass a set of requirements for any President to meet prior to taking any unilateral action that we later would regret.

So I say to my friend from Oklahoma, I think he has done a terrific service here. I think this is an excellent amendment in some respects. I hope the Senator might at some point choose to carve out that portion of the amendment that deals directly with the question of the U.N. standing army. Let the Senate speak on that. As far as this Senator is concerned, it would not have to be a sense-of-the-Senate resolution. A lot of us have given a lot of thought to that issue, whether or not that would be a good idea. It is a terrible idea, a terrible idea, Madam President. One of the very useful things that would come out of this debate is we could scotch that once and for all, right now. The notion that the United States was going to support a regular U.N. army to run around the world, presumably with some American troops as part of that, intervening willy-nilly wherever it chose to do so is a terrible idea.

So I hope the Senator from Oklahoma might consider offering a modified version of his amendment and give us a chance to express ourselves on the question of a U.N. standing army.

Madam President, that basically concludes my observations. I really regret that I will not be able to support the Nickles amendment in its current form. I would like to see it resurrected with some modifications along the lines that I have suggested.

Again, I want to commend the Senator from Oklahoma for a good piece of work and really kicking off a much-needed debate about this whole business of multilateralism. I hope the President and the administration will get the idea that there are a lot of people here in the Senate who do not think these kinds of multilateral initiatives, particularly to the extent that they appear to be molded and led by the United Nations, are something that is going to get much support around here.

I am not a U.N. basher. I think the United Nations can do some things well. I am extremely skeptical as to whether or not the United Nations can engage successfully in nation building, and I am certainly not interested in seeing them do it with American troops without congressional approval.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Madam President, I hoped I could get the attention of the Senator from Oklahoma if he is on or about the floor. I would very much like to pose a question to him.

Mr. STEVENS. Madam President, may I say in answer to the question

that I just spoke to the Senator from Oklahoma. He was called from the floor and is not present at this time.

Mr. EXON. Could I possibly pose the question to the Senator from Alaska, then, and he might consult with the Senator from Oklahoma?

Given the many statements that have been made, last night at this time the Senator from Rhode Island, Senator CHAFEE, was on the floor. I just heard the Senator from Kentucky elaborate on his views on this. I think we all appreciate the fact that the Senator from Oklahoma has been trying to address something that I think, to one degree or another, concerns a great many of us.

However, in my question of Senator LEVIN during the time that he had the floor, I raised a question as to whether or not, given the circumstances that have been gone over and over again with the amendment offered by the Senator from Oklahoma, my question is, does the Senator from Alaska believe the Senator from Oklahoma might be inclined, in cooperation with the minority leader and others that intend to offer amendments in this general area, if we might not be able to move this matter along under the guidance of the two managers of the bill, the Senator from Alaska and the Senator from Hawaii, to have maybe an agreement on a sense-of-the-Senate resolution, which I think might be the most speedy fashion in which to solve the matter that currently confronts the Senate.

Mr. STEVENS. Madam President, I might say to my good friend from Nebraska that it is my understanding this is a second-degree amendment.

It is not subject to amendment. It has been pending now since Friday morning. The Senator from Oklahoma indicated to me that he does desire a vote on his amendment. He prefers an up-or-down vote. But I have indicated that I might make a motion to table. In the event that could not be done soon—and I have had a request here that I not do that immediately, but I do intend to pursue that sometime this evening if there is not an alternative arrangement made.

I suggest to the Senator from Nebraska, and others who might wish to have him change his mind, they should consult with him. I have no information to the contrary, other than the Senator from Oklahoma has talked with me within the last 45 minutes and asked me to assist in getting a vote on his amendment.

Mr. EXON. I will yield the floor in a moment. I just appeal once again.

Let me ask this question of the Chair:

The amendment offered by the Senator from Oklahoma is a second-degree amendment, as I understand it; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. EXON. Have the yeas and nays been requested on the second-degree amendment offered by the Senator from Oklahoma?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. EXON. Then we are in a parliamentary situation where we are either going to have an up-and-down vote, we are going to have to have a tabling motion, or the Senator could withdraw his amendment, pending some kind of an arrangement for a sense-of-the-Senate resolution, as I have suggested.

I see the Senator from Hawaii is on his feet. I was going to ask him a question as to whether or not he thought through his good offices and those of the Senator from Alaska, if it might not be possible in his judgment, if the Senator from Oklahoma would agree, to compromise on some kind of a sense-of-the-Senate resolution that I think most of us will support?

Mr. INOUYE. Madam President, if I may respond to my friend from Nebraska, in my conversations with the Senator from Oklahoma, I am convinced that he wishes to have a vote on his amendment. But I wish to advise my colleague from Nebraska that at this moment, the Senator from Georgia, the chairman of the Armed Services Committee, is working on a draft of a sense-of-the-Senate resolution that I believe covers all those points that the Senator from Nebraska has indicated in his debate. That resolution should be ready for presentation, I have been advised, sometime within the hour. I would suppose that sometime before 7 o'clock, an up-or-down vote, with or without a motion to table, will be made on the Nickles amendment. Soon thereafter, possibly back to back, will be the Nunn sense-of-the-Senate resolution.

Mr. EXON. I thank my friend from Hawaii.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. I just wanted to take a minute, Madam President, to give sort of an update. A couple other amendments are floating around—one on Haiti and one on Bosnia. I know they were discussed today at the Democratic policy luncheon and at our leadership meeting.

I have had a couple of meetings with Senator MITCHELL on these specific amendments. I thought I might let my colleagues know that we continue to work with the White House, and I assume they are working with State, Defense, and the National Security Council people in an effort to try to reach some balance between the Congress and the President in this very difficult area, on what power do we have as Members of the Congress under the Constitution, and what powers the President has to commit forces under the Constitution. I received a four-page letter from the American Civil Liberties Union supporting my amendment stating a number of arguments that we thought were pertinent.

In any event, we are trying to resolve the differences that we have with the White House because, as I said the other evening, in nearly every case I want to give the President the benefit of the doubt, particularly in foreign policy. So if we can come to closure on some agreement, that may save the managers some time. If not, we will just have the debate and have a vote up or down on the amendments as they are presently drafted.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Madam President, let me just say to the distinguished minority leader that, hopefully, the course he has laid out is one that can be adopted, and that will provide us with an opportunity to have some sort of meeting of the minds. I think that the Senator from Kansas, the Republican leader, well knows from defending the Presidency, through both Presidents Reagan and President Bush, and in his own quest for the Presidency, which may or may not continue, there is certainly a strong need to have bipartisanship. We are stronger as a country when we are bipartisan in our policies.

So, I certainly hope we can find an agreement, because I think this process is hurtful to all of us.

Madam President, in building on what the distinguished minority leader has said, if you review the history of our foreign policy and our diplomatic history, no one, in my view, will contest the notion that there are two ingredients that are critical to a successful policy. First is bipartisanship. Second is consensus—consensus in the country at large, and consensus in the U.S. Congress.

Efforts that detract from consensus undermine our ability to pursue our policy. In Vietnam we did not have consensus. After a while, bipartisanship broke down. You can look at lots of other examples—Grenada, Panama, Iraq—where we developed the consensus and people came to support the policy. The United States is strong when that happens.

This is a particularly dangerous time in the world, because no framework has yet been defined or built for our policy or that of other nations post-cold-war period. We all knew how to behave for years. Ever since the Truman doctrine was laid down, we understood with a certain clarity that certain parts of the world—indeed, most of the world—was consumed by the East-West dynamic. Sometimes we strayed from that, and when we did, we usually put it in the context of the East-West dynamic. Domino theories, whether applied to Southeast Asia or Central America or

Latin America, were all rooted in the context of that pervading hegemony, that unilateral marching entity called communism.

During all of the period that we were struggling with communism, we tried to build the institution of the United Nations. If you look back, historically, most people viewed the effort to make the United Nations work and be a success as an outgrowth of the failure to make the League of Nations work. At the end of World War I, the world had this extraordinary opportunity to try to create a new world order, and we blew it in a lot of different contexts.

Ultimately, we wound up expending enormous treasure of this country because of the events that led to World War II and ultimately World War II itself. Our leaders were wiser after that. Churchill and Roosevelt laid the groundwork for what we had to stand for and how the world should seek a peaceful resolution of disputes.

It seems that suddenly there is a panic; there is a disorder right here within this institution and within our country. We seem to be resorting to the kind of isolationist, America-first attitude that dominated the interwar period and challenged us until we finally entered World War II.

I am not suggesting that very legitimate questions about implementation of policy or the military command structure or choices that were made should not be raised in the debate that we are having here today. But it seems to me that there is an effort now to curb Presidential choices at a stage far earlier than any intrusions that I can remember by Congress into Foreign policy.

Some of these amendments that are floating around here, potentially place restraints on the choices of the President of the United States such as we have never discussed previously. Most of the people who are floating these suggested restraints, or supporting them are people who would never have contemplated placing these restraints, on the prior Presidents of recent time and would have used constitutional arguments to resist them. People contemplating these choices would have been the first on the floor defending the prerogative of President Reagan, President Bush, President Ford, or President Nixon to make the choices they made, and indeed the CONGRESSIONAL RECORD is absolutely filled with those arguments.

So something is going on here. I hope that it is not partisanship. I hope these are just legitimate concerns that are being expressed. If these are just legitimate concerns that are being expressed, then we ought to examine the substance of what people are offering. However, the substance of what is being offered in this amendment is, frankly, way off the mark and even dangerous in the context of protecting American troops or protecting American interests.

I am not going to deal now with the other amendments that are floating around. Nor will I deal at this moment with the full measure of what is at stake right now vis-a-vis the United Nations or other peacekeeping efforts that we put such stake in. But I might just mention that you can find countless successful United Nations operations, such as those in Cyprus, Cambodia, Iraq and Kuwait, the Golan Heights and the Middle East.

Now, after the United States has spent a lot of its good will encouraging other nations to lose their young men defending the notion of democracy and multilateralism and after we have lost many of our own, suddenly we are questioning the viability of an institution—the United Nations, that we have taken years building, that represents an alternative to the expenditure of $300 billion a year for a unilateral defense structure.

Anyone who wants to suggest that instability in nations across the world is better than stability or that having civil war break out all across the world does not affect our interests is portraying a world that responsible leaders have never tried to offer the citizens of their countries.

Let us look at Cambodia. The United States bears enormous responsibility for the events that led up to the breakdown of Cambodia as a nation. It was, after all, our decision to invade Cambodia and our decision to bomb Cambodia for a long period of time. That created a nation of refugees and a lack of government. In fact, we bear some responsibility for the advent even of the Khmer Rouge. Recently the United Nations had an operation in Cambodia, a country that is filled with land mines and ambushes. Everybody said you can never get an election there; it will never work. What are you doing, nation building, all you crazy people?

What happened? They had an election, and now they have a government and perhaps they have an opportunity to make something out of the chaos that has been their lives for the last quarter-century or more. I would note that during that operation, some Japanese peacekeepers were killed. But Japan did not leave. They stayed in the operation. I am not suggesting that we ought to be involved everywhere. I am not suggesting that we can be the policeman of the world. But I am suggesting that what we have built over these years in the United Nations needs to be improved, nurtured, and advanced, not just stopped cold, destroyed, and undercut.

That is precisely what the Nickles amendment would do—undercut, stop cold, and send an incredibly damaging, dangerous, message to other nations that have been part of all of these U.N. efforts over the years.

What kind of message is it for the United States of America, the world's only superpower, in which we take such pride, to send to the world: that when the going gets tough in the first instance, we are not going to cope, to make changes to make the institution work; instead we are just going to go, that is it. You folks, stay there and defend all these lofty principles that we fought for all these years.

When you look hard at the Nickles amendment, it is clear that it does not deal with the problem before us, but it is probably unconstitutional on its face, since it purports to take away the power of the Commander in Chief as a commander in chief who has the right to order troops to fight in certain ways at certain times with certain people.

Since when does the Congress get involved in that kind of decision? Yes, we have the right to say we are not going to spend money, but I do not know where it says in the Constitution we have a right to be the Commander in Chief prospectively.

So, there is an enormous constitutional question involved here. But beyond that, I think, the amendment is flawed. The amendment is obviously a reaction to events in Somalia.

There is not one of us, and we have all said this on the floor, who was not horrified and angered by the sights that we saw. There is not one of us, I might add, who does not have serious concerns about the choices that the military made. But, Madam President, our military made those choices. Those troops were not under direct tactical command of a foreign commander.

There is not one thing in this amendment that would change what happened in that incident in Somalia. Our combat forces were operating in support of a U.N. operation but under U.S. command. The overall commander of the U.N. operation, Admiral Howe, is an American. The Deputy Commander of the military component of the U.N. operation is an American general. The fact of the matter is that the operation that went awry was conceived by American military commanders, under the operational control of a military commander of the United States, and whatever errors were made we cannot attribute to the problem of a foreign command.

Mr. STEVENS. Madam President, will the Senator yield just for one moment?

Mr. KERRY. I will yield without losing my right to the floor.

Mr. STEVENS. Madam President, I made a comment, and I said to the Senator from Massachusetts that I would make a motion to table the amendment at 5:30. I was requested by the leadership to defer that at least until 7 o'clock. I want the Members to know that.

I appreciate the Senator's yielding and I thank him.

Mr. KERRY. I thank the distinguished Senator from Alaska.

Madam President, as I said, had the amendment of the distinguished Senator from Oklahoma been on the books earlier this month, it would have had no impact on the operation in Somalia. It would not have changed the outcome. Our combat forces were operating in support of the United Nations but under U.S. command. So let us understand that, as we approach this kind of flighty, quick, hasty, unexamined response to emotions that are in the streets of our country.

The real issue that we debated for the last 2 weeks is not the issue, I think, of foreign command. The real issue that people are grappling with and frustrated about, and rightfully so, is the deployment of American troops in harm's way and whether or not Congress is going to have an adequate say in that deployment.

I would respectfully suggest—and I suggested this on a couple of television shows over the course of the weekend—that we need a fundamental examination within the U.S. Congress and a definition of the new international context and our role in it. I think we ought to think very hard about—and I would advocate embrace—the notion of a volunteer force within our volunteer army. Some may say that is kind of an oxymoron. I do not think it is. The volunteer army that we have today is an army that is made up of folks who, notwithstanding the fact that it is a volunteer effort, are not signing on to every policy effort America is signing onto. There is a sort of limitation, if you will, to the kinds of risks they believe they are going to undertake by joining the service. Those risks, basically, are viewed by most people as the kind of risks we expected them to take in defense of this Nation through the cold war. If there is some major kind of conflict, maybe we will get sent off and have to defend our Nation, and possibly there will be the kind of thing that took place in Panama or Grenada, and that sort of is OK as long as it turns out OK.

I think that we need to draw from that volunteer force of our country a specialized group of people who know that they are putting themselves on the line for something that is not quite as well defined, who know that they may be called on to go and fight somewhere for this concept of peacekeeping or peacemaking in the world.

I would suspect that you will find many, many young Americans anxious to embrace these principals, but anxious also to gain the experience that they would be afforded by virtue of being on those front lines, and that you would have an extraordinary outpouring of volunteers who are willing to commit themselves to this larger effort.

If we did that, when the Congress of the United States, together with the President—and I emphasize, the Congress, together with the President—suggests that there is some well-defined interest that we ought to stand for in the context of peacekeeping and stability and a clear mission that we should undertake, then I think you would eliminate much of the concern of people being sent without justification, without legitimacy, against their will. You would eliminate parents and others in this country feeling that somehow their loved ones might be in some wasted effort rather than in an effort that they chose out of their feelings of gut and heart and head that led them to make that kind of commitment.

I would insist, however, that we must still have congressional input so that we do not have some sort of supermercenary force or some kind of effort outside of the traditional restraints that we have, so that this Nation is not sucked into something inadvertently. I would think our efforts would be greatly helped by that.

Mr. President, the pending Nickles amendment really does not address these larger concerns that are, frankly, at the center of people's reservations, confusion, or questions about current policy.

There is no way to eliminate risk when you send soldiers, whatever basis they go on, into harm's way. However, we can be more certain than we have been that the mission is well conceived and defined, that we understand the chances of success, that we know it is in our interests as a nation and that those interests and the mission have been clearly defined to the American people.

The Nickles amendment, if it were adopted in its current form, would frankly make it difficult, if not even impossible, for the United States to participate in the legitimate efforts that we are already a part of or that we might contemplate being a part of as a member of the United Nations. As one of the creators of the United Nations, it seems to me that we envisioned an institution through which nations broadly would be able to resolve disputes. Now that that institution is no longer restrained by cold war politics, it seems to me that we should not be adopting an amendment which is not fully thought through, that has the effect, as Senator LEAHY, Senator EXON, Senator LEVIN, and others have said of totally tying up, hamstringing, our forces.

Admiral Jeremiah's letter has been talked about already in the course of this debate. I do not think it needs a great deal more discussion, except to say that I do not think we should lightly dismiss his opinion and the substance of what he put in his letter, particularly his comments on restraints on tactical command.

You simply would have a more dangerous situation with the adoption of the Nickles amendment, by virtue of the fact that you would have time lags in your capacity to make choices about reaction, or who serves where, and also because you would restrict our ability to be able to engage in rescue missions, mercy missions, or in emergency choices that might arise in the field.

Madam President, the U.S. participation in peacekeeping operations is not something new, as I mentioned earlier. And it seems to me that this issue of command is also not new and should not, in the wake of all of the events that have taken place in the last few days, become a central issue.

Besides the operation in Somalia, American military personnel have participated in five other U.N. peacekeeping operations—most recently in the Middle East, the western Sahara, Cambodia, the former Yugoslavia, and on the Iraq-Kuwait border—and they have worked on peacekeeping at U.N. headquarters. We did not raise the issue of foreign command then. We did not raise the issue under Presidents Bush or Reagan.

With the exception of many of our forces in Somalia, these Americans, obviously, were serving in a noncombatant capacity. But whatever they were there for, the Nickles amendment is a statement that if you are in a noncombat status but still under a foreign command, your life is not worth as much or we are not going to care as much about the control over the kind of activities you might be subjected to or the kind of danger you might be put in.

Obviously, we all know that plenty of logistical people can be put in enormous danger. The Nickles amendment makes this distinction between combat and noncombat, which I believe is unfair and inappropriate and which the Senate should not ratify.

Not only does the amendment erode the capacity of the United States to participate in U.N. peace operations, but the amendment obviously weakens the President's ability to be able to respond in the event that an emergency should arise.

History does not support the position that is being taken by the Senator from Oklahoma on the foreign command issue. And I think that is an important point for all of us in the Senate to focus on.

There are numerous examples of American forces operating under foreign command. In World War I, we had about 2 million Americans who served with French and British armies under the overall coordination of a Frenchman. And in World War II, United States and British command and staffs were interlayered throughout the military on many different levels. United States units were under the command of British commanders a number of times, for example, in Italy, Normandy, Arnhem, and the China-Burma-

India theater. The United States-Republic of Korea Combined Forces Command, which consists of 1 American division and 22 Republic of Korea divisions, has been under the command of a South Korean general since 1992. This is a U.N. command.

It seems to me we should understand also that in the Desert Storm operation, despite the fact that the United States had overall command, U.S. brigade from the 82d Airborne Division was placed under operational control of the French 6th Light Armored Division.

So all of that would have been, and would be, prohibited and would send an incredible message about U.S. willingness to participate and share and lead.

Now I am not suggesting for an instant that there are not legitimate questions about command and control. There are. And we certainly never want to cede the command of certain kinds of delicate operations, or certain kinds of missions, where we have any doubts at all about the capacity of those missions to be carried out.

Madam President, I think on its face this amendment is so wanting on constitutional levels, so wanting in terms of the effort to build bipartisanship, so wanting in terms of what it does to the United Nations' capacity to effect its mission, so wanting in the capacity to properly protect military people in the field, so wanting in terms of the diplomatic message that it sends to our fellow participants in peacekeeping, that the Senate ought to defeat it resoundingly. We ought to move onto a far more sensible debate about where and how the United States is going to serve its interests and what is the proper post-cold-war framework, how we implement it, how we regain our strength for bipartisanship and for consensus building. If we will do that, then we will live up to our obligations and to our aspirations as a superpower.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I take it, from my colleague and friend's comments, he is leaning slightly against this amendment. I would just have to say I caught part of my colleague's comments. I did not catch all of his comments. But some of them I would just like to point out, I believe, are factually incorrect.

My colleague mentioned that we have had United States troops serve successfully in World War I, World War II, in the Persian Gulf effort, under foreign commands. That is correct. And they would not be prohibited under this amendment.

My colleague mentioned several successful U.N. peacekeeping efforts. They would not be prohibited under this amendment. My colleague, I think, mentioned that we would undermine U.S. or make it difficult to participate in U.S. peacekeeping operations. That is not the case. This amendment exempts noncombat operations. So, if we were involved in humanitarian, medical, and other types of operations, border control, we could do that.

What this amendment does address is putting U.S. combat forces under U.N. command, under a foreign commander, so you do not have Presidential involvement. That has never happened in the 48 years under United Nations. We have never had a President willing to assign U.S. combat troops to the United Nations. Maybe my colleague would like to do that. I do not.

Let me make a couple of other quick comments. It was implied that, under my amendment, you could not have a situation such as we had in the Persian Gulf where you had an overall U.S. command and that he could not delegate command in lower groups or units to a foreign commander. That is not the case. We did that in the Persian Gulf and that worked and worked effectively. But you had overall U.S. control of the operations.

My colleague mentioned that the United States bears some responsibility for the Khmer Rouge. I am not even going to comment on that.

My colleague mentions that U.N. peacekeeping forces might be a significant alternative to $300 billion defense budgets. Maybe some people do have the idea——

Mr. KERRY. Will my colleague yield for just a question on that?

Mr. NICKLES. Yes.

Mr. KERRY. I know he does not want to comment on the question of the Khmer Rouge, but the fact is—I was there at the time. I was even involved in some operations which took them weapons and traded weapons for information.

Why we were arming them is beyond me. The Senator may not want to comment on it, but it is a historical fact. I would be happy to respond to the other issues the Senator has raised if he wants to discuss them.

Mr. NICKLES. No, I just want to respond to some of the comments my colleague from Massachusetts made.

Mr. KERRY. Madam President, I wonder if he would enjoy a good dialog or just prefers to comment in a vacuum.

Mr. NICKLES. The Senator made significant statements against my amendment. I would like to respond to just the few of these I made notes on.

My colleague mentioned it undermined U.N. peacekeeping efforts. That is not the case. As a matter of fact, I think I have done this two or three times. I went through the 27 operations that we have had in the United Nations since its inception—going back to 1945. This amendment would not eliminate or make those missions impossible.

My colleague mentioned it would not impact Somalia. I stated that several times on the floor. The Somalia operation—I might mention a couple of things. My colleague mentioned that Somalia went awry and it went awry for a lot of different reasons. Part of those reasons was U.N. control. And some of the reasons were U.N. support of resolutions which have greatly expanded their role away from the humanitarian role into nation building. That resolution supported it. It passed. Unfortunately, it was supported by the United States.

In addition to that, in June the role was expanded again beyond nation building into the capture of General Aideed. So we moved from a peacekeeping effort, basically, into nation building, and into a military operation. At the same time, we significantly reduced our military forces from 20,000-some troops to about 4,000 troops. I think that was a mistake.

As my colleague pointed out, this amendment does not address Somalia. My colleague may or may not be aware of it, but this amendment was drafted well before the events or the tragedy that happened in Somalia, and it was a tragedy. This amendment was drafted because this Senator kept reading things about Presidential Decision Directive 13, which was going to greatly expand our role in the U.N. peacekeeping operations—greatly expand it—that was talking not about just peacekeeping but peacemaking, peace enforcement.

We have seen an increase in U.N. peacekeeping forces, increase in the last few years, from 10,000 to 80,000. That is not an insignificant amount. Then, I am going to say with 80 individuals working full time out of U.N. headquarters, they are certainly spread thin. They are now involved in 14 operations.

I might mention, since my colleague went back to some of the history and some of the successful U.N. operations, I would agree. But in the United Nations between the year 1945 and the year 1987, I believe, we had 13 U.N. peacekeeping operations. Since 1987 we have had 14. So we have had a greatly expanding role.

Now we have an administration that wants to expand it even more rapidly. We have a U.N. Ambassador who has made very strong statements about expanding it more rapidly. So that is my concern.

I would just say again, in response to the thrust of my colleague's statement that we would undermine the United Nations, no President in the past since the creation of the United Nations has committed U.S. combat troops to the United Nations without maintaining control, command of those troops. That is what I would like to protect. This is not a change in policy, not gutting the United Nations, but trying to preserve and protect the existing policy that we have had since its inception.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I would just ask my friend from Oklahoma—and I do not do this contentiously at all—but reading this amendment, I, at least, come to a different conclusion, as other colleagues have.

My friend has just suggested all the things it would not do. But that is his word versus the language that is in the amendment itself. I am reading from a paragraph on the first page—unless it has changed. What I have says that you cannot have any funds appropriated to support Armed Forces personnel, other than those engaged in medical, logistics, communications, humanitarian, and training.

First of all, we have people out there who are Americans who are not in combat notes. And we distinguish their lives from those of the combatants. You can get into a lot of trouble having to protect your citizens, who are there for logistical reasons, just as you might in protecting those in combat. But that is a distinction we are not going to worry about here. I think that is problematical. The relevant phrase of his own amendment is as follows.

You cannot deploy U.S. forces as part of U.N. operations if such forces would be under the command of foreign officers.

That does not say at what level. It just says, "under the command." You could have these forces at a battalion level or at a company level operating in some joint operation. Even though your supreme commander might be American, they might be under a foreign command. This prohibits that.

I would like my colleague to show me how that is not prohibited by this language.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, it does not prohibit that. If my colleague will look at the definition, "under United Nations operational or tactical control."

Let me just back up for a second.

In the first place, the only restriction we place is on combat troops. So the President would be allowed to participate in the U.N. peacekeeping effort as Presidents have going all the way back to 1945 for humanitarian and other reasons. That is the reason for that distinction.

Mr. KERRY. That is what I am getting at, the combat troops.

Mr. NICKLES. Madam President, I have the floor. I would like to finish responding. I have not quite finished responding. My colleague made a couple of comments.

"Why have the distinction?" The reason we made the distinction is because when we are talking about placing combat troops, then we ought to be involved in the decision. The President ought to be involved in the decision and we should not put U.S. combat troops under an international organization without any link to the U.S. chain of command. We need that chain of command to have responsibility, to have not only authority but also responsibility. I think that is very important.

We made an exception for NATO because that is another area which has worked quite well. So has Korea. We made an exception for that.

I want to address the second part of my colleague's question when he said, What about the power of command?

"The power of command under United Nations operational or tactical control," as defined on page 3, "* * * the power of command usually given to a leader of the military force, such as the authority to coordinate and direct the mission-related activities of the units comprising such force."

The commander can delegate to other commanders of lesser rank, I would suppose, to control those units. We did that in the Persian Gulf. We had a supreme commander. We have done it in NATO. The United States had a supreme commander in NATO. We did it in World War II where you had General Eisenhower as the Supreme Allied Commander, but he designated power or authority to other commanders. That is clearly allowed under this amendment. I wanted to make sure that my colleagues were aware that that is the correct interpretation.

Mr. KERRY. Madam President, I have just read this section, and it really does nothing, I must say to my friend, to change my observation. It says U.N. operational or tactical control. It says "with the exception of NATO, of the power of command usually given to the leader of a military force."

"A military force" does not say the principal military force or the U.N. force. It says "a military force." You have tactical command of a military force if you are a patrol or if you are a combat division or battalion, or whatever. I still read it to say that if they are in a tactical situation or operational, which is what it says, then you cannot have them under a foreign commander.

I do not think that changes anything. I think the observations of the Senator from Georgia, Senator NUNN, stand.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I am surprised I was not successful in convincing my colleague from Massachusetts. I will finish reading the definition: "* * * the power of command usually given to the leader of a military force * * *." The second part of that says: "* * * such as the authority to coordinate and direct the mission-related activities of the units comprising such force."

Clearly, that is the overall supreme commander of whatever units it is to comprise that force.

I yield the floor.

Mr. KERRY. Madam President, again, I know he is not surprised that he did not persuade me. I am surprised I have not pointed out the discrepancy adequately. But the fact is, the leader of a military force is still a military force. It is the leader of a military force, not "the military force," not "the U.N. force," not "the principal U.N. force," not "the U.N. mission," not "the U.N.-sanctioned, Security Council-sanctioned force." It is "the leader of a military force," and a military force is any unit you send out on a mission.

I just think this is an example why we should not rush to this. It is precisely why we ought to spend some time drafting an amendment that is far more clear when it has the kind of significant impact that this amendment purports—not purports—would have. As a consequence, I think it is critical to be much clearer as to what we mean by "tactical," what we mean by "operational" and who and what has control.

Let me say to my friend, I am chauvinistic enough about our own forces in this country that in most instances, I personally would be a lot happier if I knew we had a command and control structure that was either American or sufficient for the situation. I think that is one of the issues that we are going to have to work out as we approach these missions.

Clearly, the U.N. Ambassador should not sign off at the United Nations and we should not vote for a particular operation in the future until these kinds of issues are much more clear. But for us to step up and usurp the power from the President, I think, is a very dangerous precedent prospectively.

I thank my friend.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I understand my friend from Hawaii wants to make a suggestion on how we manage the rest of this amendment, and possibly the bill, this evening.

Let me just restate that it is this Senator's intention not to take away any power from the President. He is trying to make sure the President does not give away power to the United Nations or to a foreign officer and make a commitment of U.S. combat troops. I want to make sure the President will keep his power, his authority as Commander in Chief and, likewise, keep congressional involvement as well. That is the purpose of the amendment.

I yield the floor.

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COHEN. Mr. President, I would like to take this opportunity to express a few thoughts about the nature of the debate that has been taking place for the past several days. I have received a number of press inquiries about motivations, such as what has prompted Senator NICKLES to offer his amendment to this bill?

And what about Senator DOLE, who just last week was such a staunch supporter of the powers of the President, arguing against measure that might undermine his position or the credibility of the United States. Yet, today or tomorrow he might very well be in a position of supporting and sponsoring an amendment that would place restrictions upon the ability of the President to commit troops into foreign lands, without prior congressional consent or approval. Is there some hidden motivation? Is this something that is inconsistent, to be supportive on the one hand, and on the other hand be less supportive and perhaps even antagonistic?

I think it is very clear—to me at least—without even having a discussion with Senator DOLE, that once our troops have been committed to a region and are under fire or are in danger, he has always made it a position to rally behind the President of the United States and express his support on behalf of the President.

What he is doing on this occasion, however, is to try to gain the attention of the White House and to say that prior to committing our forces to foreign lands, there must be congressional participation. Do not put us in the position of having to ratify what may be viewed as an unwise act on the basis that to do otherwise would mean that we are endangering the security of our forces and contributing to the loss of faith of our allies in our mission or ability to carry that mission out.

Mr. President, I think, despite the fact that the President acted from the best of motives to, as he said, focus like a laser on domestic issues, he found that someone—the gods or whomever—has held a mirror up to that laser beam that now reflects in his eyes, in fact blinding him with critics and cries of weakness and incompetence that is being displayed by the White House. Congress and the American people are now questioning whether the lives of our men and women in uniform can be entrusted to this administration.

That is what is at the heart right of this debate that has been taking place and will continue into tonight and tomorrow. I think the President and his advisers are responsible for the situation, which I think has been damaging his Presidency and the Nation, and only he and his administration can truly correct it. But so long as they express befuddlement, as they did in recent meetings with the Congress, or assert unilateral authority over warmaking powers, as the President did yesterday, I think Congress is going to feel compelled to craft its own solution, as inadequate as that might be.

I think the primary issue is the administration's confusion over when and how to use military force. A recent series of speeches by the President and his senior officials have failed to adequately clarify its policy or to repudiate earlier pronouncements that were as clear as they were wrong.

To give you an example, during the 1992 campaign, Governor Clinton embraced the concept of a new multilateralism, the cornerstone of which would be a standing United Nations army, ready to intervene around the globe to reverse aggression and to keep the peace. A few weeks before he was chosen to be Secretary of Defense, Congressman Les Aspin rejected the criteria articulated by Gen. Colin Powell for when and how to use force and proposed an alternative approach that would lead American troops into combat on a much more frequent basis.

I would like to take a few moments to review the Aspin doctrine, because I think it helps to explain congressional anxiety over yielding to this administration the ultimate decisionmaking authority on when to spill American blood and treasure.

In a highly touted speech last September, Congressman Aspin summarized the Powell criteria in the following terms:

First, force should only be used as a last resort. Diplomatic and economic measures should be tried first.

Second, force should be used the only when there is a clear military objective, not to achieve vague political goals.

Third, force should be used only when we can measure that the objective has been achieved, that is, we need to know when we can bring the troops home.

Fourth, force should only be used in a decisive fashion to get the job done as quickly as possible and with as little loss of life as possible.

While he acknowledged that "these criteria have served us extraordinarily well," Congressman Aspin summarily rejected them as being obsolete in "this brandnew world of ours * * * a world of agitation and turmoil."

He, I think, falsely criticized those who endorse these sensible criteria as the all-or-nothing school. And he declared that those in a competing limited objectives school were "unwilling to accept the notion that military force can't be used prudently short of all-out war."

Congressman Aspin lamented that "under the all-or-nothing school, the U.S. military is likely to be used very, very rarely," undercutting public support for even very modest defense budgets.

To me, it struck me as a variation of the theme that we must use it or lose it. I think that is a very dangerous philosophy as it applies to our military.

He proposed that "a signal should be sent to deter" ethnic and nationalist conflict in many parts of the world and identified the conflict in Bosnia as a good opportunity to send such a signal.

He went on to criticize the then-Secretary of State Lawrence Eagleburger's advice that we should think more than one step ahead before intervening in the former Yugoslavia, and Eagleburger's warning that Vietnam was the result of such incrementalism. Chairman Aspin declared,

> In Vietnam, American policymakers kept escalating our involvement because they were afraid of what our allies and adversaries would think—and do—if we withdrew. If we failed to keep our commitment, we would embolden our adversaries and cause our allies to question our commitment to them. During the cold war, you could not just walk away.

Those are Congressman Aspin's words.

Well, here we are in the post-cold-war world, and Secretary Aspin has concluded that we could not just walk away from Mogadishu because to do so could damage our credibility, embolden our adversaries, and cause our allies to question our commitment.

In fact, the debate has not been between the all-or-nothing and limited objectives schools but, I would submit to you, between a clear objectives-decisive force school and what I would call an opaque objectives-marginal force school.

General Powell and Secretary Weinberger before him never ruled out the use of force to pursue limited objectives, so long as the objectives are clear and defined such that we will know when they are achieved and decisive force is used to achieve them. Decisive force does not mean all-out war, but force that is more than adequate to achieve the task. As Weinberger made clear in his well-known 1984 speech, if the objectives are limited, the force used might well be small in an absolute sense, yet still be decisive.

Under the clear objectives-decisive force school, we would not have allowed our military mission in Mogadishu to grow after our forces were reduced and the chain of command rendered ambiguous. The U.S.S. *Harlan County* would not have set sail for Haiti with 200 lightly armed troops while the State and Defense Departments were still debating what their mission would be—only to sail away, in the face of a hostile reception the Pentagon had warned of but the State Department dismissed as the cries of Chicken Little.

These are the actions of the opaque objectives-marginal force school, which

is responsible for the resulting policy debacles that we are witnessing.

Foreseeing in his 1984 speech a more chaotic world in which "the line between peace and war is less clearly drawn than at any time in our history," Secretary Weinberger also presciently warned against the opaque objectives-marginal force school's response to this not-so-brand-new world:

> Some theorists argue that military force can be brought to bear at any crisis. Some of these proponents of force are eager to advocate its use in even limited amounts simply because they believe if there are American forces of any size present, they will somehow solve the problem.

I guess I have to ask how else can we explain the administration's insistence, over the objections of U.N. officials, on sending a meager United States force to Haiti as part of what one diplomat called a psychological gambit to take advantage of Haitians' supposed awe of foreigners?

The administration is learning that theory must yield to reality. Yet veiled threats of an American invasion of Haiti, apparently without any consultations with congressional leaders regarding such an option, suggest it really has not learned enough from the events of the past few weeks. Until it does, it should not expect a very long leash from Congress.

As Air Force magazine warned in January,

> These people are not dealing in abstract concepts. They are tinkering with deadly force. If their notions become policy, we may learn all over again that it is much easier to get into a fight than it is to get out of one.

I think it is worth remembering that we slid into the Vietnam quagmire not because of a lack of intelligence, but an excess of arrogance—regarding America's ability to impose its will, even where our interests were limited, and the Executive's primacy over the Congress. And many of the best and the brightest are now in power.

Mr. President, arrogance and power is a dangerous brew. We must resist the temptation to drink this hemlock that is offered to us as the nectar of the gods or, at least, of the all knowing.

Mr. President, I suggest the absence of a quorum.

Mr. SIMON. Mr. President, will the Senator from Maine withhold the request?

Mr. COHEN. I will withdraw the request.

The PRESIDING OFFICER (Mr. EXON). The Senator from Illinois.

Mr. SIMON. Mr. President, I shall speak briefly.

I oppose the amendment offered by the Senator from Oklahoma, and I favor the sense of Congress that will be offered by Senator NUNN.

We have to ask ourselves the very fundamental question: What if other countries do the same thing we do in passing the Nickles amendment and say we will not permit people from other countries to be in charge of our Armed Forces? You cannot pass this and assume no other country is going to do it. If we did that and if other countries did the same, we would have chaos wherever the United Nations takes responsibility.

What we are saying—because we do not want other countries to do the same thing—is that we want to follow one rule in these combat situations, we want all of you to follow another rule. That just is unworkable. So, I hope we will do the right thing, the rational thing, and reject the amendment of Senator NICKLES, well motivated as it is.

If you ask the same question of the proposal that will be made by Senator NUNN, what if other countries do this, have the same sense of their parliamentary body, and follow the procedures that are outlined here, would that cause chaos? And the answer is no. That is workable.

What the sense-of-Congress resolution says is let us be careful, let us be cautious as we move ahead.

So I rise in opposition to the Nickles amendment. I rise in support of the amendment, the sense of Congress, that will be offered by Senator NUNN.

Mr. President, if no one else seeks the floor, I 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. KERREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. KERREY. Mr. President, I rise to discuss the amendment offered by the distinguished Senator from Oklahoma.

I must say that earlier I had intended to come and speak in support of the Senator's amendment. However, having listened to the distinguished senior Senator from Nebraska, the current occupant of the chair, and the chairman of the Armed Services Committee discuss the preferred course of hearings and a more reasoned approach, as well as a resolution indicating that we need to do things differently, I now think it would be unwise for us to amend the appropriation bill in this fashion.

Mr. President, I believe, as I know the distinguished occupant of the chair does because I have heard him speak of it, that this amendment does raise legitimate concerns about placing U.S. Armed Forces under foreign command in U.N. combat operations. The question, it seems to me—and it is a difficult one for us to answer—is how do we make these multinational forces work? How do we take a multilateral force that we have in the United Nations and make it work?

Obviously, or it seems to me that it is obvious, the United States cannot be the world's policeman. We cannot move in a unilateral fashion every single time we see even our own interests at risk. It seems to be clear to the majority here that we are going to increasingly be using the U.N. forces to carry out these kinds of operations. Thus, I believe that the questions raised by the Senator from Oklahoma are legitimate questions that need to be addressed.

Mr. President, there have been many other speakers who have come here and talked about United States forces having served in the past under foreign commanders in Europe in World War I. One of the largest armies we ever deployed was under the strategic direction of Marshal Foch of France. During World War II, U.S. units were occasionally detailed to serve under British commanders. And we are all familiar with the more recent example of NATO. Although that is a peacetime example, our ground forces in Europe served for many years, and still today serve under a German four-star general.

But the authors of this amendment properly point out that the U.N. operations are different. And I would add that U.S. forces are different, as well. That is why I support the conclusion of this amendment which is that U.S. forces should be deployed only under a U.S. chain of command.

Now, the distinguished Senator from Nebraska and the distinguished Senator from Georgia have pointed out repeatedly that that was the case and is the case in Somalia; that, in fact, there is a United States chain of command in that particular operation.

We have been distracted, unfortunately, by a debate that centers on what is going on in Somalia, and far too often the conclusions that have been reached have been based on inaccurate assumptions.

U.S. combat forces are different. And I think it is very important for us to begin with that analysis. I have heard many people come down and say, "Well, other forces are just like us." It is not true, Mr. President. They are not just like us. We are the only superpower left on Earth. Perhaps we wish that that burden fell upon someone else. Perhaps we wish it would fall to someone else. But it falls to us, Mr. President. We are the only superpower on Earth and, thus, the very presence of our forces raises the ante of any U.N. operation.

Our forces transform the operation into a duel with a superpower. As in Somalia, the local thugs seek to prove their machismo by attacking the superpower's soldiers, the soldiers and marines with the unexcelled global reputation. Tension rises wherever we deploy. Sometimes the U.N. may want to risk that rising tension and ask for U.S. troops anyway because they need our skills. And our President may decide that our interests in the success of

the mission requires the commitment of our forces.

But everyone should know and understand going in, that the price of U.S. combat unit participation is a U.S. chain of command. I do not think that very many foreign professional soldiers would object to this. They know how good our commanders are.

As to an international army, our soldiers, the soldiers of the superpower, do not belong in it. Again, because of our power and size and military capability, we are just not another member country of the United Nations when it comes to participation in these operations. It is simply not accurate to come to the floor and say, "Well, what about the feelings of soldiers in Malaysia or the Army of Pakistan?

Yes, we ought to be just as concerned for those soldiers. And it was a mistake on the 5th of June, when 24 Pakistanis were killed, for us to say, "Well, that is not that big of a problem." We should have regarded them as casualties of a multilateral operation that we were participating in. We should have regarded them as our own, Mr. President. As a consequence of not doing that, we took our eye, clearly took our eye, off the ball.

Sometimes the requirements of foreign command can be just plain silly. In Macedonia, for example, we have contributed a unit of the Army's Berlin Brigade, which is one of the top units of our Army, and we have contributed that unit to the peacekeeping force. But the commander of that unit is a foreign officer. He may be very knowledgeable and I assume he is very competent and skilled, but I doubt that he is equal to his American subordinates in either combat experience or knowledge. Nonetheless, this particular officer is an example of the sort of situation we can get in.

Reportedly, he directed that our troops stack their arms and receive extensive retraining before they could take up their post.

Mr. President, I find that objectionable, an example of why it is important for us to assess and make it clear that, if U.S. troops are going to be involved in combat operations, there indeed needs to be a U.S. chain of command.

But after we set conditions and say what we will not do, we should also say what we will do, because we have unique capabilities that can make U.N. operations more successful.

The United Nations does not blow it everywhere. I have heard lots of criticism of the peacekeeping efforts. I think it is terribly important at this particular time not to lose confidence in our capacity, with these efforts, to do good. We had tremendous success in El Salvador. A tremendous success as well in Cambodia. Indeed, the Cambodia operation serves as a good example of how to do it. There, in Cambodia, peacekeepers also came under attack and were killed under the forces of Pol Pot, the Khmer Rouge. But instead of going to the Security Council, insisting on a resolution giving the U.N. Forces the authority to go after Pol Pot, U.N. Forces kept their cool and we did not get any such direction, which obviously would have been foolish. Obviously, it would have resulted in the United States being drawn, and the U.N. Forces being drawn, into a worsening conflict. Thus we ended up with a successful election.

Furthermore, in Cambodia we can see the value of saying, "At this time certain we leave." It is one of the things we did not do when the Bush administration made the decision to go to Somalia. They were constantly asked, "When are our troops coming home?" The answer was always, "We think it is only going to be a month or 2 months or 3 months. We think they will be out of there relatively quickly."

It does not work for us to send a U.N. peacekeeping operation in without a solid political agreement going in and without some sense of when those soldiers are going to be able to come out.

I think we can help a great deal with U.N. peacekeeping operations. We have some unique strengths that can, in fact, strengthen this operation. We have unparalleled military airlift, for example, and our intelligence and data transmission are the world's best, as is our military medicine and our military engineering. No one can touch us as logisticians. With all these talents we should be helping the United Nations get its act together at its headquarters in New York and in specific peacekeeping operations.

We can also train foreign forces who have volunteered for U.N. operations. We can even help equip them out of our excess, or by loan. For example, in the Cambodia operation, Bangladesh contributed an engineering unit to help clear mines. But I understand they arrived in Cambodia ill-equipped and in need of some training. In another case we could have given that unit some refresher training at the Engineer Center at Fort Leonard Wood, MO, and then loaned them the equipment they trained with for use in Cambodia.

It is that kind of innovative approach we should be taking to increase the likelihood of success for United Nations operations, because we have a powerful interest in the world's finding a way to manage regional crises without calling for U.S. combat troops.

So I believe the amendment offered by the distinguished Senator from Oklahoma and the distinguished Senator from Mississippi has allowed us, in fact, to focus on the very important question of how do we make these U.N. peacekeeping operations work? And not only to try to learn from our failures, but to be guided as well by our successes.

I do not think the people of the United States of America ought to look to Somalia and be say, "this is a failure." I believe the soldiers, sailors, and marines who participated in this operation can take pride in the fact that they have saved lives, that they have engineered the possibility of peace in Somalia.

But, we here in America clearly took our eye off the ball. We here in America were distracted at a time when our forces were at risk. As a consequence, we suffered this great tragedy two Sundays ago, that was the largest combat loss since Vietnam.

I would also say an awful lot of people have wept and come to speak very movingly about the loss of life—18 soldiers killed, 75 wounded out of a force of 100. But I think Americans also need to hear how brave this 100-man Ranger company was. I have heard it said by people who know, that you will never find a braver unit; you will never find a unit that did more in the face of great adversity; you will never find a unit that faced that kind of adversity and survived the way this Ranger company did.

So, in addition to grief, in addition to anger that we took our eye off the ball and put them at risk, the people of the United States of America should feel real pride. This was one of our best fighting forces that went to Mogadishu and, in spite of overwhelming odds, acquitted themselves above and beyond the call of duty. I think it is terribly important for us not to simply wallow around trying to figure out who is and who is not at fault. There are far too many important things at stake for us to do that.

I believe, as I said, that the questions raised and the concerns raised by the distinguished Senators from Oklahoma and Mississippi are legitimate. I intend to support the efforts of the distinguished Senator from Georgia, the chairman of the Armed Services Committee, to come to the Senate with a resolution in the alternative because I think it is a much more appropriate action at this time.

I yield the floor.

The PRESIDING OFFICER (Mrs. FEINSTEIN). The Senator from North Dakota.

Mr. PRESSLER. Madam President, what we are debating here is not really the constitutionality. It is not really arguing the fine points of war powers. Rather, what is happening in this Chamber is a manifestation of the feeling that the Nation's foreign policy is a mess, it's formulation has fallen into a state of disarray.

There is a distinct feeling that there is no coherent or defined foreign policy, nor that what the administration does have is properly staffed. There is a feeling that our military is not being listened to. There is a feeling that a we/they mentality exists in the Pentagon, between the civilians and the military. There is a feeling that no one

knows who is reporting to whom at the top levels of our State Department.

This morning in the Foreign Relations Committee, I asked a series of questions about the formulation of our foreign policy under this administration and how the decisionmaking process works. I received very vague answers about a deputies meeting, that is a meeting at the Deputy Under Secretary level, of the CIA, State, Joint Chiefs, Defense, and National Security Council. These deputies report to a so-called principals committee. But no one knew if this principals committee had actually met on Somalia before it became controversial. The principals are supposedly at the Cabinet level, and no one knows for sure who reports the principals' decisions to the President.

Thus, we find ourselves in a position where we do not have a coherent, defined foreign policy, and the Congress has lost confidence in the decisionmaking process, knowing that decisions are not properly staffed through.

We have an elaborate group of agencies that work for the President of the United States and provide him with advice. I have mentioned a few of them. But there is a process, an organizational process, that has to be followed between the State Department, the CIA, the Defense Department, the Joint Chiefs of Staff, the National Security Council, and others. That process seems to have broken down in the administration's assessment of Somalia and Haiti.

What is taking place in the Senate tonight is not so much a vote on this amendment or that amendment, but, rather, it is a manifestation, it is a cry for definition in our foreign policy process, the administration's decisionmaking process. We need coherent, well-defined foreign policy where decisions are properly staffed through a distinct chain of command.

As has already been pointed out, some mistakes have been made in Somalia. The top Pentagon civilians have said, "Well, we are learning from these mistakes." But the military already knew and already had lived through these same types of mistakes before, and had corrected them. Indeed, I served as a lieutenant a long time ago in the Army in Vietnam. Some of those lessons were learned by the military then, and at a cost. But the military was not listened to this time. Their advice should not necessarily always be taken, that is why we have civilian control of the military in America. But there is no evidence, in these so-called deputies meetings and principals' meetings that were held to formulate such policy, that the military was consulted or that their advice was even considered.

Let us take, for example, our support for former President Aristide. Our Government seems to have unquestionable support for President Aristide. On the surface of it, he was democratically elected. But we have read in the newspapers that he has great mental problems, that he is not a democrat—with a small d, and that he too encouraged murder, mayhem, and necklacing during his presidency. As soon as he came to power he went to the courthouse steps and incited mobs to riot in order to threaten a judge who, as a consequence of the violent mob outside, imposed a life sentence upon a man who was only supposed to get 15 years.

He led other mobs against his political opponents urging they practice necklacing, that is when a tire is put around the neck of the victim, filled with gasoline and lit. He had a terrible human rights record by our own State Department's human rights reports. This is not a democrat. This is not a democracy. Yet we are blindly supporting President Aristide.

Has that decision been properly staffed through the agencies? Has there been a coherent set of meetings leading to a recommendation to the President of the United States? No. There has not. They cannot point to any such meetings. The way the foreign policy and military policy of this country is supposed to be formulated is through a series of meetings at the Deputy Secretary of State level, Deputy Secretary of Defense, the Deputy Director of the CIA, and the Deputy National Security Advisor.

They then make their recommendation to the principal's meeting—the Secretary of State, Secretary of Defense, and so forth. Were such meetings actually held? No, they were not. If they were, nobody has a record.

It appears to be a helter-skelter thing where somebody in Defense has an idea and calls the President and someone in CIA has an idea—and I might say, the CIA is better run administratively and organizationally under Director Woolsey than the other agencies. People knowledgeable about foreign policy in both parties are very concerned.

Tonight, we are not really debating the Nickles amendment, or the Nunn-Warner amendment. In the Senate, there is a strong manifestation that our foreign policy is a mess, that the formulation of it is a mess, that the various meetings supposed to be held between the various agencies are not taking place. There needs to be some serious attention given to public administration by the President and his top people in order to decide how these decisions are to be made.

Madam President, in conclusion, let me say that we in Congress may also be responsible. Some of us have been trying to get the Secretary of State and the Secretary of Defense to testify before the Foreign Relations Committee. They have said that they want to wait. We have not had that type of top level testimony from this administration, and the majority party in the Senate has not seen fit to join us in trying to force them to testify. That is bad for the country because we are supposed to be doing our part here in the Senate, we have a responsibility to the American people, but if we cannot receive testimony from the Secretary of State, the Secretary of Defense, and others, we cannot know how foreign policy is being formulated. We are flying blind.

In conclusion, the Congress and the President need to get their act together in terms of the staffing and the organization of this decisionmaking process so the American people can be confident that our decisionmaking in foreign policy is not helter-skelter.

The reason the Senate is here tonight, the reason we have the Nickles amendment, the Nunn-Warner amendment, and this debate on constitutionality, really is not to address the finer points of law, it is a manifestation of our discontent. This is the only way this body has to express its dissatisfaction and cry out for improvement in the way we formulate our foreign policy.

Many of the points I have made were recently touched upon in an article found in the Economist. I ask unanimous consent that these remarks be printed in the RECORD.

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

[From the Economist, Oct. 16, 1993]

FOGGY BOTTOM FUMBLING—WHY BILL CLINTON NEEDS TO OVERHAUL HIS FOREIGN-POLICY TEAM

"We want to keep it a little vague," said a senior administration official; "we want to keep him off balance." He meant policy towards General Muhammed Farrah Aideed in Somalia; but he might as well have been talking about American policy towards everyone, enemy and friend alike. Faced (see page 45) with treat or-heat confusion in Somalia, a dizzying set of u-turns on Bosnia, foot-shuffling over North Korea's nuclear plans and a mission to restore democracy in Haiti that is blocked before it reaches dock, America's allies are entitled to feel anxious. If America cannot get a grip on the world's impending disasters, nobody can.

Americans themselves are just as worried. Congressmen are furious; they cannot work out what the administration wants, or what it thinks it is up to. Even the man in the street, his head jerked up from Michael Jordan's basketball career to see. American bodies being dragged through Mogadishu, is beginning to ask whether Bill Clinton's team could do better.

It could. To make America's top foreign-policy people the scapegoats for a single horror would be unfair; but a pattern of incompetence suggests that the problem is more serious. Attempts to "evolve" a foreign policy have been frequent; but they stay on a plan so lofty and unspecific that the bad old world soon makes a nonsense of them. This need not happen. The mess the world is in, though considerable, is not so awful that it could not be improved by sharpness and consistency. The international scene has often

been a shambles but the great powers have managed to make sense of it through the analysis, and the voices, of strong men. If the world's greatest power is found habitually mumbling behind its sleeve, it is not good enough to blame the chaotic state of the maps. It is time to ask whether the men in charge are up to their jobs.

As it turns out, resolve and strong voices are not to be found in the offices in Washington where foreign policy is made, or should be made. Bill Clinton himself, who has begun to show encouraging signs of punctuality, commitment and "prioritising" in domestic policy, still seems to regard foreign affairs with as much pleasure as a skier regards an avalanche. Scrambling, panting and clarifying, he deals with the world when it hits him. And his advisers do not help. At the National Security Council, Anthony Lake is a quiet, unforceful soul to whom the brutal ways of the world seem to come as a surprise. At the Pentagon, Les Aspin, jovial and intelligent, looks more suited to the backslapping anterooms of Congress than to the serious and rather solitary role of secretary of defense.

It is Mr. Aspin who is taking the flak for Somalia, where he refused to send in armoured reinforcements to protect American troops. Yet he is not the weakest link in Mr. Clinton's trio of foreign-policy advisers. That title belongs to Warren Christopher, the secretary of state. Mr. Christopher has brought to foreign policy all the instincts, for good and bad, of the corporate lawyer he used to be. He is discreet to the point of invisibility; non-committal, cautious; wedded to dogged negotiation and to keeping open the option of changing his mind whenever it suits his client. His performance in the Middle East peace talks was typical; laudable in its perseverance, but overtaken in the end by the forcefulness of the clever Norwegian who brought the two parties to a handshake. Mr. Christopher likes to proceed by consensus, but as he showed on Bosnia, consensus of a crippling sort; America asks its allies their opinions first, and tries to make up its own mind later.

In this grey-tinted world, any sense of America's world role, or even of its policy case by case, seems hard to discern. Flashes of resolution are soon blacked out, or obscured with conditions and deadlines. This tactic of caution is less diplomatic than political. Mr. Christopher understands that part of his job is to protect his President back at home; he must not get him into traps abroad. That is fair enough; Jim Baker did the same for George Bush. But Mr. Baker and Mr. Bush also shared a genuine enthusiasm for foreign affairs which could, if necessary, override concern for polls at home. In Mr. Christopher's and Mr. Clinton's case, the dull discretion of the courtier feeds the disinterest of his prince. Domestic "political viability" is the chief indicator the two men seem to be watching.

WANTED: CONVICTION

America cannot change its president for another three years. But that president, if he cared to, could change his team. It is not too late to bring in a genuine enthusiast for foreign policy and one who understands, in the most hard-headed way, how the world works. The ideal candidate would be prepared to work out and articulate, not occasionally but regularly and forcefully, how America's principles apply to a given problem, where its interests in the matter lie, and how far it will go to defend them. He (or she) would also know who, or what, America's enemies are and how they should be countered. Some all-purpose set of principles would provide an important rudder; but even if the issues were taken case by case, a strong and unwavering voice on each would be an improvement.

That voice need not belong to a paid-up Democrat. Foreign policy no longer divides Americans in partisan ways; it tends to unite them either in sulky fretfulness, as on Bosnia, or, as on Somalia, in outrage. Mr. Clinton might do well to recruit an independent or even a Republican to help him. If he cannot bring himself to have a secretary of state who is a power in his own right—a Dean Acheson or a Henry Kissinger—he could still benefit from someone unreservedly outspoken and forceful, along the lines of a George Shultz, giving him his ten-minute briefing every day. Who knows: he might even find the outside world interesting and, in every sense, engaging. Applications, please.

Mr. PRESSLER. Madam President, I yield the floor.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Madam President, I ask unanimous consent that the Nickles amendment No. 1051 and the committee amendments be temporarily laid aside and that Senator NUNN be recognized to offer an amendment in his behalf and that of Senator WARNER relating to U.S. forces; that there be a total time limitation of 40 minutes for debate on the Nunn-Warner and the Nickles amendments, with the time running concurrently; that the time be equally divided and controlled between Senators NUNN and NICKLES, or their designee; that no intervening amendments or motions be in order prior to disposition of these amendments; that when the time is used or yielded back, without intervening action or debate, the Senate proceed to vote on the Nickles amendment, to be immediately followed, without intervening action or debate, by a vote on the Nunn-Warner amendment.

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

Mr. MITCHELL. Madam President, Senators, therefore, should be on notice that two votes will occur this evening, if all time is used and not yield back, at approximately 7:45. If any time is yielded back, the vote will occur, of course, prior to 7:45, to the extent that time is yielded back.

Madam President, I thank my colleagues for their cooperation. This agreement is the result of discussions of several Senators over some period of time. I now yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 1069

Mr. NUNN. Madam President, I will just take a few moments to explain the sense-of-the-Congress resolution Senator WARNER and I will be propounding and, as the unanimous-consent agreement has set forth, we will be asking our colleagues to vote on this whether or not the Nickles amendment is defeated. I will certainly urge that that amendment be defeated.

We have had considerable debate on that amendment over the last couple of days. I made my views known this afternoon in a rather lengthy dialog and debate with the Senator from Oklahoma. I commend the Senator from Oklahoma and the Senator from Mississippi for bringing this matter to the attention of the Senate, but I do believe that there is a much better choice than having to choose between the United Nations, which is now not really effective in conducting what we call peacemaking operations, on the one hand, and, on the other hand, saying the Congress of the United States is going to be involved in micro- managing the assignment of military personnel under command operations, which has historically been an operational decision of the Commander in Chief and his advisers. So I think there is a third and better way, and I will take just a moment to explain what the Nunn-Warner resolution would do.

First, Madam President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for himself and Mr. WARNER, proposes an amendment numbered 1069.

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

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SENSE OF THE CONGRESS REGARDING OPERATIONAL CONTROL OF UNITED STATES ARMED FORCES

SEC. 9001. Congress makes the following findings:

(1) The Armed Forces of the United States have conducted combat operations under the operational control of foreign commanders on numerous occasions, including during two World Wars.

(2) Regional security organizations, such as the North Atlantic Treaty Organization, are premised on military operations by the forces of a number of nations under an integrated chain of command consisting of officers from member nations.

(3) The end of the Cold War has seen a substantial increase in the conduct of international "peacekeeping" and "peace enforcement" operations pursuant to decisions of the United Nations Security Council under Chapters VI and VII of the United Nations Charter.

(4) The United Nations has conducted traditional "peacekeeping" operations successfully over the years, but the number and size of such operations has stretched the Organization's management and oversight capabilities thin.

(5) The United Nations has not yet acquired the expertise or infrastructure to enable it to effectively manage "peace enforcement" operations.

(6) Any special agreement negotiated by the President with the United Nations Security Council to make units of the United States Armed Forces available on call to the United Nations must be approved by the Congress pursuant to the United Nations Participation Act, enacted into law in 1945.

(7) Any decision by the President to place combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, has significant consequences for such forces, the Congress, and the American people.

SEC. 9002. It is the Sense of the Congress that—

(1) the Armed Forces of the United States must be under the operational control of qualified commanders; and must have clear and effective command and control arrangements; appropriate rules of engagement; and clear and unambiguous mission statements;

(2) the President should consult with Congress before placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act; and

(3) the President should submit a report to Congress within 48 hours after placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, setting forth—

(A) the mission of such forces and a clear explanation of the difference, if any, between the mission of such forces and the mission of the forces of other nations participating in the same military operations;

(B) in a case in which the operation is conducted under the auspices of the United Nations, an assessment of the United Nations capability to effectively manage the operation;

(C) an explanation of the United States interest that would be served by and the justification for placing such forces under the operational control of a foreign commander in this instance;

(D) the command and control arrangements for the operation of which the forces of the Armed Forces of the United States are a part;

(E) the number, type and general description of equipment of such forces;

(F) the estimated cost to the United States of the participation of such forces;

(G) the anticipated duration of the participation of such forces;

(H) a general description of the rules of engagement for such forces; and

(I) the foreign commander or commanders involved.

Mr. NUNN. Madam President, the Congress will make the following findings under the Nunn-Warner resolution: First, the Armed Forces of the United States have conducted combat operations under the operational control of foreign commanders on numerous occasions, including two World Wars.

Second, we cite the experience we have had in the North Atlantic Treaty Organization.

Third, we cite the end of the cold war which has seen an increase in both peacekeeping and peace enforcement operations pursuant to chapters VI and VII of the United Nations Charter.

Fourth, we state clearly that the United Nations has, over the years, conducted peacekeeping operations very successfully, but the number and size of such operations has stretched the organization's management and oversight capabilities very thin.

Then we cite, which I think is unfortunate, the fact that the United Nations has not yet acquired the expertise or infrastructure to enable it to effectively manage peace enforcement operations.

Then we go forth, Madam President, in this resolution to express the sense of the Congress that any decision by the United States to place combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements that are already in effect at the enactment of this act, has significant consequence for such forces, for the Congress, and for the American people.

We set forth the sense of the Congress that the Armed Forces of the United States must be under the operational control of qualified commanders, must have clear and effective command and control arrangements, appropriate rules of engagement, and clear and unambiguous mission statements.

Then we say clearly the President should consult with the Congress before placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, again other than the existing arrangements that are already in effect with the North Atlantic Treaty Organization and other similar arrangements.

We go on to say the President should submit a report to the Congress within 48 hours after placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, again other than existing arrangements and existing alliances.

Madam President, we make it plain by the report that the President would have to file that these are the things we expect the Commander in Chief to focus on:

We expect him to focus on the mission of such forces with a clear explanation of the difference, if any, between the mission of the U.S. forces and the mission of the other nations' forces.

We expect him to focus on, in the case of United Nations involvement, an assessment of the United Nations capability to effectively manage the operation.

We expect the Commander in Chief to focus on and to report to the Congress an explanation of the United States interests that would be served by, and the jurisdiction for placing such forces under the operational control of a foreign commander.

And we expect him to, most importantly, tell us and to focus on himself, before making this commitment, the command and control arrangements for the operation of which the Armed Forces of the United States are a part.

Madam President, on that part, even though we do not spell it out, implicit in that is we want an examination of the qualifications of the military commanders. That is something that the Joint Chiefs must advise the President on. It is a detailed but crucial Executive deliberation that we expect to occur.

We also would want to know other details, but that is something the Commander in Chief and his advisers need to focus on. It is not something the Congress of the United States can effectively manage. That is the difference between this and the Nickles amendment.

Then we also ask for the number, type, and general description of this equipment of such forces in such operations; the cost to the United States; the anticipated duration of the participation of such forces; as well as a description of the rules of engagement, and certainly the commanders that are involved.

Madam President, this is a description of the Nunn-Warner resolution. I will address further the reason this is preferable to the Nickles amendment at a later point, but I would first yield to the Senator from Maryland 3 minutes, and then I wish to yield certainly all the time the Senator from Virginia, who is a cosponsor of this resolution, would need.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 3 minutes.

Ms. MIKULSKI. I thank the Senator from Georgia for yielding me 3 minutes.

Madam President, I rise in support of the Nunn-Warner resolution. In doing so, I first wish to pay my respects and express my appreciation to all of the troops serving under the United Nations flag in Somalia, a particular thanks to the Pakistani and Malaysian troops who gallantly and forcefully led an effort to come to the aid of the American Rangers who were under siege for 9 hours, and my real sympathy to the Pakistani people for the number of men who serve under the United Nations flag from their nation who have suffered great loss.

Madam President, know that I also support the principle of burdensharing, not only of money but also burdensharing of risk and danger. We need an approach for peacekeeping that does share the risk financially and risk of danger in this new world order, yet know I was drawn to the Nickles amendment.

The reason the Nickles amendment had such magnetism for me is because I do not feel we have had a clearly enunciated policy on the issue of peacekeeping. We have lacked clarity. We have lacked consistency. We have lacked firm criteria for our involvement in peacekeeping, the deployment of combat military, and under whose command American forces would serve. We need that; the American people need that and the American military needs that.

The American troops, the wonderful men and women of the United States military, signed up to fight and die for the United States of America. They did not sign up to fight and die for the United Nations. But they will fight, they will serve if they have a commander that they trust and believe in, a Commander in Chief who has given a clear policy as to why they need to be where they are called to duty, and a Congress that supports the Commander in Chief and supports those troops in the field.

I believe the Nickles amendment went too far. Its reach, by cutting off all funds should American troops serve under a foreign commander, went too far. And I believe also his rush to offer an amendment confused operational control with tactical control.

This amendment had serious questions from the joint chiefs and other military experts. The Nunn sense-of-the-Senate amendment, I believe, strikes the right balance. It expresses a sense of the Senate regarding operational control, and the criteria in the resolution has my support.

I believe the wake-up call Congress is sounding around peacekeeping will be best served by voting for the Nunn sense-of-the-Senate resolution.

I yield the floor.

Mr. NUNN. I thank the Senator from Maryland.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Georgia.

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

The PRESIDING OFFICER. The Senator has 11 minutes 39 seconds.

Mr. NUNN. Madam President, I yield 5 minutes to the Senator from Virginia, the cosponsor, and thank him for his stalwart support of this resolution.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I thank the distinguished chairman of the Armed Services Committee, and I also express my special appreciation to the Senator from Oklahoma [Mr. NICKLES] and Senator COCHRAN, because they have patiently espoused their views for 2 days, and their views are not far removed from the thrust of this amendment.

Their views are held by, in my judgment, many Members of this body. We commend them for bringing this to a vote at this time.

Where I depart—and for 2 days I have entered into colloquies with my good friend from Oklahoma—where I depart is the micromanaging of the chain of command and the raising of an inference that foreign commanders are not professionally qualified to exercise operational control or tactical control of our Armed Forces. Therefore, I encourage Senators to look very carefully at the Nunn-Warner amendment, which is in the nature of a substitute for the Nickles-Cochran amendment.

We are going to have a series of amendments proposed dealing with similar issues. I have worked with the distinguished Republican leader on an amendment on Haiti and an amendment on Bosnia. I view the constitutional responsibility of the President very clearly, to order the Armed Forces into those areas of the world where, in his judgment, this Nation has a security interest and where, in his judgment, our Armed Forces could make a difference, a difference which would be in our national security interests.

Also, it is very clear that the Congress, the Senate has the constitutional power to stop, at any time, that Presidential decision through our power over the purse.

But, Madam President, there has to be a middle ground where there are shared powers, shared powers not specifically given to only one branch of our government but shared by the executive and legislative branches for the common good for this Nation. We must find a way to speak with one voice, the President and the Congress, in these situations.

That is what I view these amendments as trying to do, establish that ground where there is shared power and how this Nation can speak with one voice, especially when that voice means the difference between life and death for the men and women of our Armed Forces.

This amendment, which of course is a sense-of-the-Congress, provides that the President should consult with Congress before placing combat forces of the Armed Forces under the operational control of foreign commanders. I repeat, that is operational control. At no time under this amendment, or any amendment, or any piece of legislation should we indicate to the President that he has the right to give up the command—command as distinguished from operational tactical control—of the U.S. Armed Forces. Command of the U.S. Armed Forces can never be given to an officer who is not subject to the command of our President, that is, a foreign officer, because to do so would in effect remove those forces from the command of the President of the United States, the constitutional officer who has, and who must maintain, the authority as Commander in Chief, command over our troops at all times. But this amendment simply says that he should consult with the Congress if he proposes to assign our forces to the operational control of a foreign officer.

But the operative words in my judgment are "before placing combat forces of the Armed Forces of the United States under the operational control of a foreign commander." And likewise he should submit a report to the Congress within 48 hours after placing combat forces under foreign command, a very timely period given those circumstances.

Do I understand from the Presiding Officer that the time has expired?

The PRESIDING OFFICER. The Senator has 25 seconds remaining.

Mr. WARNER. I just simply conclude that this amendment, in my judgment, reaches in and tries to establish an approach in an area of shared powers of the Congress and executive branch, so we can speak with one voice when the men and women of the Armed Forces, their lives and their safety are at risk.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. NUNN. Madam President, I do not want to take all the time on this side. If the Senator from Oklahoma desires to be heard, I do want to yield 3 minutes to the Senator from Rhode Island. If it is all right with the Senator from Oklahoma, I will be glad to do that.

I yield 3 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 3 minutes.

Mr. PELL. I thank the Senator from Georgia.

Mr. President, I rise to speak to the Nunn-Warner amendment restricting the use of U.S. Armed Forces in United Nations peacekeeping operations. I agree with the sponsoring Senators of the Nickles-Cochran amendment that the U.S. Congress has a responsibility to ask questions and be satisfied with the replies it receives from our President.

However, I believe now—when passions are enflamed by tradegy in Somalia or the hatred in Haiti—is not the time to attempt to limit the President's constitutional rights as Commander in Chief.

May I add that the United States has a long history of attaching U.S. military forces to units under foreign command. We did it in 1900 in connection with the Boxer Rebellion, in World War I, in World War II, in NATO since 1950, and during Desert Storm in 1991. And not once did the Congress demand to second guess the decisions of the Presidents that made those decisions.

Mr. President, during World War II, I served in the U.S. Coast Guard on convoy duty in the North Atlantic. Such convoys were often under British or

Canadian commodores. At that early stage in my career, the nationality of our commodore was a matter of interest only to those well above my pay grade.

Later, on duty with the allied military government in Italy, we often served interchangeably with and under British officers. It worked just fine, as it should in a truly effective military alliance.

The question should not be framed in terms of the nationality of a commander or of the organizational framework in which U.S. forces are operating but rather the competence of the commander and the soundness of the overall mission to which a U.S. President contemplates assigning U.S. forces. In this connection, it is bizarre that the Nickles-Cochran amendment would permit United States forces to serve under a British general in a NATO context, but would prohibit such service under that same general in a U.N. operation. That does not make sense.

Moreover, implicit in this amendment is an assumption that it will never be possible for the United Nations to get its act together on peacekeeping. I do not accept that. There are deficiencies in the United Nation's current organization for peacekeeping, and the Clinton administration is playing a leading role in correcting those deficiencies, which, I might add, have only become apparent as demands for peacekeeping operations have overwhelmed the United Nations. I would agree, that under current circumstances, we should be very wary about placing U.S. forces under foreign command in a U.N. operation, but that should not mean that it could never even be contemplated as would be the case under the Nickles-Cochran amendment.

It appears that this amendment arose as a result of the disastrous operation mounted by U.S. forces on October 3 in Mogadishu to capture leaders of Aideed's militia. Yet, because that operation was a totally U.S. decision and was carried out by U.S. commanders, the Nickles-Cochran amendment would not have applied if it had been in effect prior to October 3. Contrary to some public perceptions, United States combat forces in Somalia are not under U.N. command, they are under United States command.

Second, the sponsors of this amendment have expressed concern about the possibility of the creation of a standing U.N. military force, including U.S. units, that could be dispatched at a moment's notice by the U.N. Secretary General to put out fires anyplace in the world without U.S. approval. That is an unfounded concern.

It is true that under article 43 of the U.N. Charter, it is contemplated that U.N. members should make available armed forces to the U.N. Security Council. But these forces would be made available only in accordance with a special agreement that would be subject to ratification by the States providing forces. Thus, there will be a role for the Senate in shaping the terms and conditions for the command and control of U.S. forces. In addition, as a permanent member of the U.N. Security Council, the United States can veto any peacekeeping operation involving U.S. forces which the President considers inappropriate. So I believe that there would be sufficient safeguards associated with U.S. participation in a standing U.N. force. But it is clear that a lot of work must be done on U.N. peacekeeping arrangements before we are ready to contemplate the creation of a standing force under article 43.

It is ironic that this amendment comes from the other side of the aisle. During the 12 years of Republican control of the White House, Members on the other side of the aisle stoutly opposed congressional micromanagement and defended the President's prerogatives as Commander in Chief. Yet, here we have a Republican amendment that would tell the President in an unprecedented manner that he could not deploy U.S. forces under certain conditions, even if the President, acting on professional military advice, believes that those conditions are optional for the furtherance of U.S. national interests. That simply does not make any sense and reflects an unhealthy distrust of this President's, or any future President's, capacity to make sound military decisions.

Before taking an action which would unduly constrain the President, I believe it is our responsibility to consider fully the implications of that action. Hearings should be held, legislation thoughtfully considered and fully debated before we attempt any step that might be construed as unwisely limiting the President's exercise of his constitutional authority. In addition, when the President is in the midst of evaluating our policy toward U.N. peacekeeping operations and is supporting reforms of the United Nations, it is again not the time to attempt to tie his hands through legislative action as this amendment would do.

Today, the Foreign Relations Committee held a hearing at which senior State and Defense Department officials testified concerning our policy toward Somalia. Tomorrow, our Ambassador to the United Nations, Madeleine Albright, will testify concerning Somalia and United Nations peacekeeping. Other hearings will follow.

The issue of the role of the President and the Congress in making war is too central to our system to be tampered with after a few brief hours of debate. I urge my colleagues to defeat the Nickles-Cochran amendment.

Mr. NUNN. Madam President, I thank the Senator from Rhode Island.

I reserve the remainder of my time.

Mr. NICKLES. Madam President, before the Senator from Georgia sits down, I know that one of the sections of the amendment that I offered on behalf of myself and Senator COCHRAN and others prohibited participation of the United States in the United Nations standing Armed Forces. Does his sense of the Senate also state opposition to the United States participating in the standing United Nations force?

Mr. NUNN. I would say to my friend from Oklahoma, I think he makes a very good point on that. We incorporated in this Nunn-Warner resolution a finding, a congressional finding. I will not take the Senator's time to read it, but it is No. 6 which basically recites the existing law that was passed in 1945 saying that if there is any assignment of U.S. forces by the President to a United Nations standing force, U.S. forces committed to the U.N. on a standing basis, it can only be done pursuant to the statutory requirement, legal requirement; that Congress itself approve that. So it is a provision of the law.

The Senator is entirely correct in pointing out that this has to be done with approval of Congress.

Mr. NICKLES. Madam President, I appreciate my colleague's response. I also have read the section 6 where it talks about U.N. forces available on any special agreement negotiated by the President and the U.N. Security Council, that making units of the U.S. Armed Forces available on call to the United Nations must be approved by Congress pursuant to the United Nations participation which was enacted into law in 1945. That is not nearly as strong as the language that I have that says no funds to be used to fund the United States participation in the United Nations standing army, looking for some mission to solve or some fire to put out.

I appreciate the Senator's statement that he believes that it means that they would have to come back to Congress. I am looking at the U.N. Charter, article 43, and it does state that the agreement shall be negotiated as soon as possible and with the initiative of the Security Council, they shall be concluded between the members of the Security Council and groups of members and shall be subject to ratification by the signatory states in accordance with the respective constitutional press.

That is a little less than clear. I might mention that our language is very clear. It says the United States shall not participate in a standing United Nations armed force. I like the clarity of our language, and I am pleased that my colleague from Georgia believes—I am not sure that others would take that same result.

Mr. NUNN. Madam President, will the Senator yield for 10 seconds for further clarification?

Mr. NICKLES. Yes.

Mr. NUNN. I wonder if the Senator also would take a look at section 287(d) of title 22 of the United States Code which says the President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate act or joint resolution.

That is what I was referring to. So that is I think, in addition to the paragraph that the Senator read. It makes it very clear.

Mr. NICKLES. I appreciate my colleague's comments.

Madam President, I am looking at the sense-of-the-Congress resolution proposed by my good friend from Georgia and my good friend from Virginia. I read through it. I see that it does not do much. I do not know any reason to vote against it. But I am not excited about voting for it.

It says the President should consult with Congress before placing combat forces, Armed Forces of the United States, under operational control of foreign commanders other than NATO. That is logical.

It also says the President should submit a report to Congress within 48 hours, I might mention, which is after placing U.S. combat forces of the Armed Forces of the United States under operational control of foreign commanders; even tighter than the language that I have, but it is a should report; it is a sense of the Congress.

Most of us are aware of the fact that the sense of Congress has no legal or binding impact.

I know for some of our colleagues this is good cover. I know that they will say that they voted for this sense of the Congress and because they wanted to restrict the United States or have some limitation on the United States from participation in United Nations operations under foreign control, this amendment does not do it. This joint sense of Congress does not do it. It says the Congress needs to report, or the President needs to report to Congress, but it does not prohibit. No President of the United States going all the way back to 1945, has placed U.S. troops under the command of the United Nations, under foreign command. That has not happened. We did not do it in Korea; we did not do it in the Persian Gulf.

We had successful participation in U.N. peacekeeping operations, and those are allowed under our amendment. For some people to say that our amendment is a draconian exercise and radically undermines the United Nations, they have not read our amendment. Our amendment allows logistics, our amendment allows humanitarian, our amendment allows medical, and, it allows United States participation in peacekeeping forces.

Where our amendment draws the line is it says the United States should not participate in combat role under the auspices or control of the United Nations and in foreign command because that leaves the President of the United States out. Some people stated, well, the amendment offered by myself, Senator COCHRAN, and others undermines the President. It reasserts the President's constitutional responsibility as Commander in Chief just as it reconfirms the Congress responsibility.

If you read the Constitution and the authority granted to Congress to make and declare war, and to support the armies and the navy, that is congressional authority. That should not be delegated to the United Nations, and we should not delegate to the United Nations Secretary General command of our troops combat situations.

The United Nations Secretary General stated concerning Bosnia that he would set the targets. If there is going to be bombing, he would set the targets. The United Nations would set the targets, not the NATO commanders.

I might just mention that the nominee for NATO commander, General Joulwan, mentioned for military matters I think the United Nations can make the political decisions and has the political authority. But for the operational part of it, the military part of it, that needs to be under a very clear chain of command, and that should be NATO.

I agree with the general's statement.

Under my amendment, we allow for NATO operations. We allow for joint operation operations. We allow for bilateral operations. What we would place some restriction on would be the fact of, basically, advocating responsibility and authority to the United Nations under foreign command, leaving U.S. forces and commanders out of the chain of command. I think that would be a serious mistake.

I ask unanimous consent that the Senator from Mississippi be delegated control of time on this side.

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

Mr. COCHRAN. May I inquire how much time remains for the proponents?

The PRESIDING OFFICER. There are 12 minutes 12 seconds remaining.

Mr. COCHRAN. I yield myself such time as I may consume.

Let me just elaborate on the point, so eloquently made by the distinguished Senator from Oklahoma, that we are not just talking about the Presidential powers here and how to define those in a way that protects his responsibilities and reinforces them as the Commander in Chief of the U.S. Armed Forces. We are also acknowledging and reaffirming that Congress has a very important constitutional role. The Senator mentioned the powers enumerated in article I of the Constitution. Let me just recite a few of those to illustrate how important a role the Congress has in the view of the Framers of the Constitution:

> To declare war; to raise and support Armies; to provide and maintain a Navy; to make Rules for the Government and Regulation of the land and naval Forces; to provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrection and repel invasions; to provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States.

The point is that the Congress has a very important constitutional role and responsibility when it relates to the commitment of U.S. Armed Forces to combat and to the supervision of rules and regulations regarding our Armed Forces. And to simply say that it is going to be too much trouble, or it might be cumbersome for us to undertake to review executive decisions in this area, is wrong. It is our constitutional responsibility, and the Senate, this year, has led the way for the Congress in respect of certain rules and regulations governing the armed services, under the leadership of the distinguished chairman of the Armed Services Committee, to help ensure that the role of Congress is acknowledged and is taken into account and the views of Members of Congress are made a part of the decisionmaking process. That is all this amendment suggests. As to the Commander in Chief, before the President makes a unilateral decision to send troops of the United States to a standing army of the United Nations, he must seek and obtain congressional approval. That is what the law said back in 1945, and all this amendment says is that no funds appropriated in this bill should be used for that purpose. It is a limitation on the use of appropriated dollars in this bill for this fiscal year. It is a statement that the Congress has to be consulted, and that the Congress has a role to play in this decisionmaking process; it is a reaffirmation of legislative powers and responsibility.

It seems to me that the Senate ought to go on record as saying we agree with this amendment, we agree with the limitation on the use of these funds. I am very happy that the members of the Armed Services Committee, who are cosponsoring the alternative that will be offered, I am advised, have come to the floor and debated this issue, because it illustrates how important it is to all of us here in the Senate, not just to Appropriations Committee members, who worry about the possibility of a change in policy without proper consultation and involvement of the Congress in making these decisions. That is what we should insist upon. That is what this amendment says will be the case, and I hope the Senate will approve it.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. NUNN. Madam President, I believe we just have 4 minutes left. I

would be glad to yield. Does the Senator from Mississippi want to conclude this earlier?

Mr. COCHRAN. I am happy to proceed to a vote. I do not know what the arrangements are with the leadership. The managers of the bill may wish to be heard on the subject. I know of no other Senators who have not spoken who wish to speak. We have debated this for about 3 days now, so we have said about all that could be said.

Mr. NUNN. I have been told that they prefer that we use all of the time. So somebody may have to repeat something said previously.

I yield 2 minutes to the Senator from Virginia.

Mr. WARNER. Let me pose a question to my good friend from Mississippi. We have had a colloquy on this now for some 2 days.

Let us say it is December, the Congress is home, and suddenly a call comes from the United Nations that we need some United States troops to go into a combat situation; the Congress is at home and the President says, all right, I can send them. But then the United Nations says, France, send yours and Great Britain, send yours, Pakistan, send yours, and others; and suddenly a force comes in, and there is in this amendment the power for the Congress to jerk out those forces in 30 days, assuming we would come back sometime—usually we are not here until late January. So my point is, how can a successful coalition of the United Nations be put together, possibly under the leadership of a U.S. President, with this sort of Damocles hanging over the head of the whole operation with a period of such short duration that the Congress couldn't return and assemble and vote an authorization of U.S. participation? I ask that of my good friend from Mississippi.

Mr. COCHRAN. Madam President, we have discussed all of the possible ramifications of this amendment over a 2-day period. This amendment is not a prohibition against the use of any constitutional powers that the President may have. It is a limitation on the use of funds appropriated in this bill, so that he cannot delegate to the United Nations authority over U.S. troops or assign U.S. troops to a permanent standing army of the United Nations without the authorization of the Congress. That is all the amendment does.

To ask questions about all these speculative and possible situations on the 30 days and all of the rest absolutely misses the point of the amendment and distorts the true intent of the authors of the amendment.

The PRESIDING OFFICER. The Senator from Virginia was given 2 minutes and that has expired.

Mr. NUNN. I reserve the remainder of my time.

Mr. BIDEN. Will the Senator from Mississippi, notwithstanding the fact that I oppose his amendment, be the southern gentleman he always is and yield me 2 minutes?

Mr. COCHRAN. I will yield to the Senator.

Mr. BIDEN. Madam President, I congratulate the Senator from Oklahoma and the Senator from Mississippi for raising a serious issue of principle regarding the deployment of U.S. combat forces.

For 12 years, I and others have been trying to get my Republican colleagues to recognize that the Constitution grants Congress exclusive power to authorize the use of force.

It is unfortunate that it has taken this long—but I am not one to look a gift horse in the mouth.

The amendment offered by the Senator from Oklahoma—in principle—is on the mark. Congress should be in on any decision to deploy U.S. forces in an area where they may face hostilities.

But the amendment offered by the Senator from Oklahoma is flawed in at least two respects.

First, as judges might say, the amendment is underinclusive, because it addresses only the discrete question of placing U.S. forces under U.N. command.

If the Senator from Oklahoma is indeed concerned about a congressional voice in decisions about the use of force—and I share his concern—then we ought to address such a fundamental question in a more comprehensive manner.

And that would not be with a hastily drafted, ad hoc amendment to an appropriations bill, but with a thorough review and revision of the war powers resolution.

Such a review was undertaken in 1988 in the Foreign Relations Committee, when I chaired a special subcommittee on war powers.

At that time, I drafted a bill—entitled the "Use of Force Act"—to provide a new framework for executive-legislative decisions on the use of force.

I am now reviewing that draft, and will soon introduce it in the Senate.

Second, the amendment by the Senator from Oklahoma fails—again using the lexicon of judges—insofar as it is overinclusive. That is, it sweeps far too broadly—limiting the President's power even to deploy combat forces, even in situations where hostilities may not be imminent.

Even those of us who are strong defenders of the congressional war power are not willing to circumscribe the President's powers in such a drastic manner.

So, I welcome the initiative by the Senator from Oklahoma. But I would respectfully suggest that he is going about it in the wrong way.

A thorough and comprehensive national debate is required about the most solemn decision a Nation can make—the decision to place forces in harm's way.

Congress should move promptly to consider a revision of the war powers resolution.

I thank the Senator from Mississippi for yielding me the time. I hope I was not too strenuous in my opposition, but I sincerely hope that this body gets about the business about which we have been trying to attract attention for the past 5 years. The Senators got the administration's attention now, and Republicans are focused on it as well as Democrats. We should craft a new structural framework for the use of force in this post-cold-war era. It is doable. Everybody seems ready, and I think we can get under way in doing that in committees.

The PRESIDING OFFICER. Who yields time?

The Senator from Mississippi.

Mr. COCHRAN. Madam President, let me inquire about the time.

The PRESIDING OFFICER. The time of the Senator from Mississippi is 4 minutes 44 seconds.

Mr. COCHRAN. Madam President, I thank the distinguished Senator from Delaware, who made a strong and persuasive argument.

In response further to the Senator from Virginia, who inquired about what if the time of 30 days expires and Congress has not acted on a resolution as contemplated in the Nickles-Cochran amendment, would the commanding officers of the U.S. troops be required to withdraw forces?

The answer is, no, they would not be required to withdraw forces.

The hypothetical question is another example of the confusion that has resulted in comparing this amendment with the war powers resolution. Under the war powers resolution, there is a specific responsibility of the President to withdraw forces if permission has not been granted to deploy those forces under the circumstances contemplated in the resolution within a 60-day period. Thirty additional days can be granted under some circumstances, but unless the Congress acts, the Executive has to withdraw forces.

That is not the case in this amendment. None of the constitutional powers of the President are restricted or impinged by the language of this amendment. The intent of the authors is to limit the use of the funds appropriated in this bill to deploy troops as a part of a standing army of the United Nations or to deploy troops to a United Nations command without the prior authorization of the Congress if it is a combat force and it is contemplated that military action and combat activity will be involved.

The people of the United States elect a President of the United States, and they understand that under the Constitution the President is the Commander in Chief of the armed services. They do not contemplate that U.S. armed services can be deployed to a

United Nations command where the Secretary General of the United Nations exercises the same power and is responsible for the lives and well-being of U.S. armed forces just as is the Commander in Chief of the United States.

It would be a clear disappointment and fly in the face of constitutional principles if we did not assert this fact now, since this alternative is being discussed by the administration and it is not consistent with the established policy of the United States. The policy contemplated by the administration would be inconsistent with the clear language of this amendment on the use of funds appropriated in this bill.

Madam President, I yield the time that is remaining to the distinguished Senator from Oklahoma, Senator NICKLES.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NICKLES. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute 17 seconds.

Mr. NICKLES. How much time is remaining on the other side?

The PRESIDING OFFICER. One minute eighteen seconds.

Mr. NICKLES. Madam President, one, I wish to thank the colleague from Mississippi for his leadership in this amendment as well as the other dozen or more Senators who cosponsored it.

I remember not too long ago Senator BYRD raised an amendment dealing with Somalia. He raised several concerns about the Somali operation, and his amendment was legislative language on the authorization bill.

I also remember the leadership working hard to dissuade him from offering that amendment, and ultimately he ended up with a sense-of-the-Senate resolution.

Madam President, I have regretted that we did not vote on Senator BYRD's original language. It might have saved some lives.

The language that we are offering today by myself and others is language that says we will not commit U.S. combat troops under foreign command. We should retain that command. No U.S. President has ever committed U.S. troops to the United Nations operation under foreign command. That has never happened, and for good reason—so we would maintain a chain of command, so we would maintain control, so we would maintain accountability and responsibility.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Georgia.

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

The PRESIDING OFFICER. The Senator has 1 minute 14 seconds.

Mr. NUNN. Madam President, this has been a good debate. I commend the Senator from Oklahoma and the Senator from Mississippi. I believe out of this is going to come a clear understanding by the executive branch of the expectations of the Congress of the United States and, I think, the expectations of the American people.

I urge defeat of the Nickles amendment because it contains a confusion between tactical and operational control and because it gets Congress into the business of micromanaging command structure.

I would have to add, I think, the administration has been given a flashing warning light as to the commitment of U.S. forces, particularly commitment of U.S. forces under foreign command.

Madam President, I hope the President and all in the executive branch will take due note of this debate.

I would like to close by relating a little history. I will not go back as far as the Senator from West Virginia to Roman times, that he knows so well.

In the battle of Yorktown, that had a lot to do with the beginning of this country, Gen. George Washington was in operational control of American troops. He was battling General Cornwallis, the British commander. The British commander was under a great siege. Washington felt Cornwallis was about to break out of that siege with cavalry. He called on a general by the name of General Rochambeau, the French commander, to help him keep Cornwallis from breaking out. George Washington assigned U.S. troops to General Rochambeau's tactical control. He assigned U.S. troops to General Rochambeau. General Cornwallis was defeated, and this country was started.

Madam President, 200 years later in the Persian Gulf war the United States assigned certain forces from the 82d Airborne under the tactical control of the French 11th Light Infantry, and their objective in that war was called Objective Rochambeau. As a matter of fact, the 14th Street Bridge here is named the Rochambeau Bridge.

So I think that little bit of history tells us about the importance of working with allies as well as the caution that has already been expressed.

Mr. President, the United Nations has undertaken many successful peacekeeping operations. The United Nations is not, however, politically, organizationally, and technically suited to conduct combat operations. Neither is the U.S. Congress. The Nickles amendment would have us choose between an understaffed, overloaded international bureaucracy and congressional micromanagement of command and control decisions. Mr. President, there has to be a better choice.

We should recognize that the United States has a long history of placing its troops under foreign command—and for good political and operational reasons. And parenthetically I might add that there have been many occasions when foreign forces have been placed under U.S. command.

Mr. President, during the past century there have been many cases of U.S. forces serving under foreign command. During the Boxer Rebellion of 1900, 2,000 American soldiers and marines served under a British, and later, a German commander. During World War I's critical last 6 months all 2,000 United States troops in France were placed under the command of French Field Marshal Ferdinand Foch. During World War II, United States forces in Italy, the Mediterranean, and the China-Burma-India theater served under British field marshals, one of whom also commanded United States ground forces during the Normandy invasion. In NATO, United States forces have for decades served routinely under German, British, and other European command. And since last year a Korean general has commanded United States forces in South Korea.

Mr. President, I recognize there is a difference between alliance commands where training and planning have been coordinated, and instances where this type of advanced work has not been done. These differences have to be taken into account before U.S. forces can be placed under any foreign commander.

During General Shalikashvilli's confirmation hearing to be the Chairman of the Joint Chiefs of Staff before the Armed Services Committee last month, he addressed the issue of foreign command of U.S. troops. After declaring that the United States must work with allies and that means sometimes placing U.S. forces under foreign command, General Shalikashvili went on to say that:

> I think the issue for the United States is not so much * * * whether we should or should not have Americans serving under foreign commanders. It is rather that we should reserve the right, it seems to me, on a case-by-case basis to decide whether we should get involved in any particular operations. And one of those considerations should be just how robust the command and control arrangement is, and even who the commander is, whether we in fact consider that commander to be competent to lead our soldiers in that particular operation.

Mr. President, I believe that General Shalikashvili has got it just right. He is focused on the real issues, namely, the effectiveness of command relationships—be they United Nations, NATO, or otherwise, and the competency of a particular foreign commander to lead our soldiers in a specific operation—be that commander United Nations, NATO, or otherwise. This is a judgment for the President and his military advisors to make—not the Congress.

Members of Congress are justly concerned about this issue because of recent events in Somalia. The issue of

foreign command, however, had nothing to do with the decimation of a United States Army Ranger company in Somalia last October 3; indeed, but for the assistance of foreign forces, our losses would have been greater. Most people don't realize that on October 3, all United States forces involved in the events of that day where under the combatant command of General Hoar, the Commander in Chief, United States Central Command, in Tampa, Florida, and under the operational and tactical control of United States commanders on the ground in Somalia. Mr. President, had the Nickles amendment been in force, it would not have made one iota's difference with respect to the events of October 3.

Moreover, I don't think we should derogate non-American officers serving under U.N. auspices by passing an amendment that implicitly presumes that they might not be militarily competent. As a nation we have had our own fair share of military commanders who have performed poorly. On that fateful day at the Little Bighorn, I'm sure the men of the 7th Cavalry had wished they had been led by a foreigner—or even a friendly native American. I'm also sure that Lincoln would have welcomed a Prussian almost any Prussian general to command the Army of the Potomac for the first 3 years of the Civil War.

Mr. President, I am not a constitutional expert, and I am sure that there would be differences among the experts as to the constitutionality of the Nickles amendment. I do believe, however, that the President, when acting as Commander in Chief, should be able to make the decision as to the best command arrangements for U.S. forces. And I believe that the Congress should have the affirmative responsibility to overturn the President's decision if they believe that he is acting irresponsibly. I do not believe that the Congress should be able to overturn the President's decision in this case by inaction. That is the situation that we have under the war powers resolution and that is why all U.S. Presidents of both parties have found a way to avoid actuating the war powers resolution.

Additionally, and to compound the problem, the Nickles amendment not only would lead to a reversal of the President's decision on this matter by congressional inaction, but it also has no expedited procedures for consideration of an authorizing resolution. That means that a small minority of Senators could block consideration of an authorizing resolution by a filibuster. The Nickles amendment also would result in overturning a Presidential decision if the Congress was not in session and thus unable to address this issue within 30 days.

Finally, I want to make a point similar to that I made during the floor debate last week on the Somalia amendments. The United States must work closely with its allies, both those with whom we have multilateral or bilateral security agreements and those with whom we routinely cooperate. The United States can not and should not always have the preponderance of forces in a military operation. In those instances when we do, I believe we should insist on a U.S. commander. But when we do not have the preponderance of forces, I believe that we should carefully consider on a case-by-case basis, taking into account all of the factors, including, as General Shalikashvili has noted, how robust the command and control arrangements are and the competence of a foreign commander to lead U.S. forces in a particular operation.

Mr. President, we may be the only world's superpower. But surely we don't want to be the world's only policeman. We still need allies and we can not afford to tell our allies that the Congress of the United States starts with the assumption that their commanders can not lead our forces. Moreover, if we start down the road of refusing to place our forces under foreign command—and I believe that the Nickles amendment is but the first step in a broader agenda, then we can expect allies in the future to refuse to place their forces under American command. This, in turn, could torpedo effective multinational military operations involving the United States. Our calls for military partners will be ignored, and we will have to go it alone—assuming more and more the burden of policeman.

NO U.S. TROOPS UNDER U.N. COMMAND

Mr. ROTH. Mr. President, I rise to speak in favor of the Amendment offered by the Senator from Oklahoma [Mr. NICKLES].

Traditionally, this Nation has sent troops into harm's way overseas only when two situations pertained: first, when direct U.S. interests were under threat and, second, when those troops could be placed under fully qualified commanders. I believe that this Nation would be well advised to abide by those two conditions and this belief has impelled me to cosponsor the Nickles amendment.

If U.S. troops are to be sent abroad at the behest of the U.N., how are we to guarantee that those troops are being called upon to defend U.S. interests? The United Nations is, by its own description, a universalist institution—the entire world lies within its sphere of interest. Conflict, political dislocation, starvation anywhere in the world comes under the aegis of the United Nations. Now the United States has interests around the world, interests relating to our security and our economic well-being but those interests are by no means universal. Some areas of the globe are vital for our national security; other regions are of virtually no relevance to us at all. In short, the interests of the United Nations cannot and should not be directly equated with the interests of the United States.

The question which faces us today is—are we going to allow U.S. troops to be sent abroad to defend U.N. interests or are we going to maintain our traditional policy and use our forces only for the defense of U.S. interests? Or, to put it more directly and brutally, how many of us are willing to pick up the telephone and commiserate the parents of a dead U.S. serviceman knowing that we cannot tell them that their son died in defense of vital interests of the United States?

This is not to say that the United Nations has no role to play in establishing security in the post-cold-wa world. To the contrary, the United Nations must continue to function as the crucial international forum in which coalitions can be formed to confront regional aggression, just as the Bush administration used the United Nations to bring together the coalition of nations which liberated Kuwait. That coalition went into battle under the aegis of the United Nations and I hope that future coalitions will similarly repel future aggression under U.N. auspices.

However, the United Nations now desires to move beyond the Desert Storm model. It no longer wishes to serve as the forum in which multilateral security policy is formulated. Now the organization aspires to have actual operational control over military operations which take place under its auspices and it is against this background that the Clinton administration has agreed to make United States troops available to the U.N. passage of the Nickles amendment will not preclude the establishment of future coalitions like the one which liberated Kuwait. It will, however, assert that U.S. troops which take part in those operations will be under the operational and tactical control of qualified military officers, not of civilian U.N. officers.

Mr. President, if this Government decides to expose the lives of its servicemen overseas it owes them the best commanders who have trained and exercised with them over extended periods of time, commanders who are thoroughly familiar with their operational procedures. This Government also owes our servicemen a convincing explanation as to why the national interest requires that they take the supreme risk. If this body fails to adopt the Nickles amendment today, there is every possibility that soon we will see U.S. troops being called upon to fight in conflicts which are of little or no importance to the national security of this Nation. We have, in my opinion, no choice but to vote for this amendment and to insist upon its retention in conference.

Mr. KOHL. Mr. President I come to the floor today to speak in opposition to the Nickles amendment. While I feel

the intentions of the gentlemen from Oklahoma are good, I am concerned that we are considering a policy that is so broad, it will undermine the powers of the President as our Commander in Chief.

I too share Senator NICKLES concern that we not put our men and women of the armed services at unnecessary risk. But we as a nation, and we as members of the United Nations, must be prepared to stand shoulder to shoulder with other members in the community of nations. I believe this sends the wrong message to other members of the United Nations when the U.S. President is forced to say, "Well I'd like to help out, but I have to run it by Congress first."

The Constitution says the President is Commander in Chief, and so I believe that gives the President the latitude and discretion to act. But that is not to say that Congress has no role. Quite the contrary. As we did in the Somalia issue last week, Congress has the power to cut off funds and bring our troops home if the original mission is accomplished, or the mission has run too far afield from what was originally intended.

In my opinion, the Nickles amendment is too broad, because each potential international crisis has its own unique set of problems, and the President must have the discretion to decide based on those unique circumstances. What our intentions might be in Somalia, may be far different than our intentions in Bosnia. The actions we might need to take in Haiti may be far different than actions warranted elsewhere. Ultimately, what we need is Presidential discretion and leeway to act on a case-by-case basis, not a blanket and rigid foreign policy dictated by Congress. Again, Congress still has its power to check the President when our mission is over, or runs off course.

This debate is not just about the constitutional or foreign policy questions either. As we all witnessed during live television coverage of Operation Desert Storm, things in a volatile military situation can change dramatically. A President needs the ability to act quickly and decisively, often with little notice. As prescribed in the Constitution, the President has the power to act as Commander in Chief, but he must also have the power to react.

I know the Nickles amendment includes provisions where the President can act without congressional authorization, such as in the case of humanitarian concerns, or if national interest is at stake. I agree with those provisions, but I do not agree that we put any conditions on how the President might act under other circumstances. The President needs flexibility, the President needs discretion, and the President needs the power to act. To do otherwise not only undermines his constitutional authority, but it undermines his ability to provide leadership in the world community.

Let us keep in mind, we are not giving the President unchecked authority, nor is Congress surrendering its role in foreign policy. I urge my colleagues to vote against the Nickles amendment, and preserve the flexibility our President needs as Commander in Chief.

The PRESIDING OFFICER. All time has expired.

VOTE ON AMENDMENT NO. 1051

The question is on agreeing to amendment No. 1051 offered by the Senator from Oklahoma. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arizona [Mr. DECONCINI] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Pennsylvania [Mr. SPECTER] is necessarily absent.

The PRESIDING OFFICER (Mr. DASCHLE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 65, as follows:

[Rollcall Vote No. 317 Leg.]

YEAS—33

Bennett	Domenici	Lugar
Bond	Faircloth	Mack
Brown	Gorton	Murkowski
Burns	Grassley	Nickles
Coats	Gregg	Pressler
Cochran	Hatfield	Roth
Cohen	Helms	Simpson
Coverdell	Hollings	Smith
Craig	Hutchison	Stevens
D'Amato	Kempthorne	Thurmond
Dole	Lott	Wallop

NAYS—65

Akaka	Ford	Metzenbaum
Baucus	Glenn	Mikulski
Biden	Graham	Mitchell
Bingaman	Gramm	Moseley-Braun
Boren	Harkin	Moynihan
Boxer	Hatch	Murray
Bradley	Heflin	Nunn
Breaux	Inouye	Packwood
Bryan	Jeffords	Pell
Bumpers	Johnston	Pryor
Byrd	Kassebaum	Reid
Campbell	Kennedy	Riegle
Chafee	Kerrey	Robb
Conrad	Kerry	Rockefeller
Danforth	Kohl	Sarbanes
Daschle	Lautenberg	Sasser
Dodd	Leahy	Shelby
Dorgan	Levin	Simon
Durenberger	Lieberman	Warner
Exon	Mathews	Wellstone
Feingold	McCain	Wofford
Feinstein	McConnell	

NOT VOTING—2

DeConcini	Specter

So the amendment (No. 1051) was rejected.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MITCHELL. Mr. President, I ask for the yeas and nays on the Nunn-Warner amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 1069

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arizona [Mr. DECONCINI] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Pennsylvania [Mr. SPECTER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 96, nays 2, as follows:

[Rollcall Vote No. 318 Leg.]

YEAS—96

Akaka	Faircloth	Mathews
Baucus	Feingold	McCain
Bennett	Feinstein	McConnell
Biden	Ford	Metzenbaum
Bingaman	Glenn	Mikulski
Bond	Gorton	Mitchell
Boren	Graham	Moseley-Braun
Boxer	Gramm	Moynihan
Bradley	Gregg	Murkowski
Breaux	Harkin	Murray
Brown	Hatch	Nickles
Bryan	Hatfield	Nunn
Bumpers	Heflin	Packwood
Burns	Helms	Pell
Byrd	Hollings	Pressler
Campbell	Hutchison	Pryor
Chafee	Inouye	Reid
Coats	Jeffords	Riegle
Cochran	Johnston	Robb
Cohen	Kassebaum	Rockefeller
Conrad	Kempthorne	Roth
Coverdell	Kennedy	Sarbanes
Craig	Kerrey	Sasser
D'Amato	Kerry	Shelby
Danforth	Kohl	Simon
Daschle	Lautenberg	Simpson
Dodd	Leahy	Smith
Dole	Levin	Stevens
Domenici	Lieberman	Thurmond
Dorgan	Lott	Warner
Durenberger	Lugar	Wellstone
Exon	Mack	Wofford

NAYS—2

Grassley	Wallop

NOT VOTING—2

DeConcini	Specter

So, the amendment (No. 1069) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. GREGG. If I might inquire of the distinguished ranking minority member of the Defense Appropriations Subcommittee, it is my understanding that the bill under consideration, H.R. 3116, terminates the Nonacoustic Antisubmarine Warfare Program known as ATD-111, and as a result, this has become an issue for the committee of conference. Am I correct?

Mr. STEVENS. The distinguished Senator from New Hampshire is correct.

Mr. GREGG. It is also my understanding that, in light of the Senate's

position, the Navy has appealed the termination of the program, citing the absence of other technologies which are more promising or advanced than ATD–111 and arguing that the continuation of this program is necessary for adequate fleet testing of these critical technologies. Is this also the understanding of the senior Senator from Alaska?

Mr. STEVENS. It is, and if I might state for the record, I am aware of the importance of this project to the Navy, whose support has become evident since the subcommittee completed its work on this bill. In light of this support, and in the interest of seeing the best, most affordable technology supplied for our naval forces, I can assure the Senator that this matter will be addressed in conference, at which time it will be my intent to seek ways to ensure the continuation of ATD–111.

Mr. INOUYE. Mr. President, I join the Senator from Alaska in assuring my colleague from New Hampshire that this matter will receive careful attention during the conference, and we will try to address the concerns raised by the Navy regarding this program.

Mr. GREGG. I am well aware of the daunting task of the subcommittee to fund our defense forces in these times of shrinking budget resources, and for this reason I appreciate the consideration of the distinguished ranking member. I yield the floor.

AN/BQG–5 WIDE APERATURE ARRAY

Mr. D'AMATO. Mr. President, one of the many ways that the Defense Appropriations Subcommittee sought to preserve the negotiating leverage of our authorizing colleagues in their own conference was by respecting the decision of the Senate Armed Services Committee not to fund the AN/BQG–5 wide aperture array [WAA].

The BQG–5, a conformal hull sonar array developed for the *Seawolf*, is being considered for backfit on *Los Angeles*-class attack submarines and is a likely candidate for *Centurion*. The WAA provides rapid range and bearing on a target, an essential advantage in shallow coastal waters where sonar clutter, shipping, and ocean conditions limit surveillance ranges and increase the likelihood of chance encounters.

The House Armed Services Committee provided $50 million in their mark for the BQG–5, and I am confident that the House position will carry in the Defense authorization conference. Should the WAA be authorized, I will seek to include in our own conference report the funds necessary to procure two BQG–5 shipsets with full search capability. As always, I will be guided by the advice of the chairman and vice chairman on the best means of achieving my goal, one I believe is shared by members of the House Appropriations Committee.

Mr. INOUYE. I am aware of the strong interest of the Senator from New York in the BQG–5. As he knows, there are currently no funds in the appropriations bill for the Wide Aperture Array Program. However, I would encourage the Senator to raise the WAA during our conference deliberations assuming that funds are authorized for this program.

Mr. STEVENS. I, too, am aware of the enthusiasm of the Senator from New York for the BQG–5. I am equally prepared to listen should the WAA be raised during the Defense appropriations conference.

T–45 FUNDING

Mr. DECONCINI. Mr. President, in lieu of offering an amendment, I would like to engage the chairman for a moment in a brief discussion of the T–45 engine competition program.

Mr. INOUYE. I would be glad to yield for a discussion with the distinguished Senator from Arizona.

Mr. DECONCINI. I thank my good friend and distinguished chairman.

Since the subcommittee marked up the bill before us today, I have had the opportunity to speak with John Dalton, the new Secretary of the Navy. One of the issues we discussed was the T–45 engine competition program which the committee has supported, correctly in this Senator's opinion, for the past 2 years.

As the chairman will recall, $15 million in fiscal year 1992 T–45 procurement funds were made available to support an engine competition as long as that competition was determined by the Navy to be cost effective. Last year, additional funds were provided in the Navy R&D account to further support such a competition.

I understand that the initial contract award for this program is imminent. Since full committee action on the bill, I have learned that the fiscal year 1992 procurement funds need to be transferred to the R&D account to properly execute the program. The Secretary of the Navy also raised this issue in general terms with me. The transferred funds would be used to execute the competition exactly as proposed originally.

It is my understanding that such a transfer could be accommodated in a manner which would have no net impact on outlays and could, possibly, be addressed during conference.

Rather than offering an amendment to this bill, may I ask the distinguished chairman to watch for an opportunity to realign the fiscal year 1992 T–45 procurement funds to the T–45 R&D account during conference with the House?

Mr. INOUYE. I thank the senior Senator from Arizona for raising the issue in the manner he has. I believe that what the Senator has requested may indeed be possible. I will be glad to accommodate his request when and if possible.

Mr. DECONCINI. I thank my good friend for his willingness to assist this competition which should save money for the taxpayers.

DISPOSAL OF ZINC FROM THE NATIONAL DEFENSE STOCKPILE

Mr. BINGAMAN. Mr. President, I would like to raise an issue with the distinguished manager of the bill, the chairman of the Defense Subcommittee of the Committee on Appropriations, Senator INOUYE.

In the committee report, the committee raises certain concerns about the proposed disposal of zinc from the national defense stockpile. These concerns include the possible impact of continued disposals of zinc from the national defense stockpile on domestic producers and on the world market price, and whether the zinc in the national defense stockpile could be used by the U.S. Treasury in the minting of U.S. coinage.

Mr. President, these are valid concerns and important issues. I have no problem with the committee asking the Secretary of Defense to report to Congress on these issues.

Last year when the Armed Services Committee authorized the disposal of zinc from the stockpile, and again this year when we reviewed the annual materials plan for the stockpile, the Armed Services Committee looked at the issues involved in the disposal of zinc.

Currently, the Stock Piling Act requires the stockpile manager to dispose of materials from the stockpile in a way that avoids undue disruption of the usual markets of producers, processors, and consumers of such materials, and protects the United States against avoidable loss. Last year we established in law a Market Impact Committee in the executive branch to advise the stockpile manager on the potential market impacts of stockpile acquisitions and disposals. We received a report from this Market Impact Committee earlier this year that they had reviewed and approved the stockpile manager's plan for the disposals of materials from the stockpile in fiscal year 1994, including the disposal of zinc.

As far as using the excess zinc in the stockpile for U.S. coinage programs, I am all for that. However, according to the manager of the national defense stockpile, only about 7 percent of the zinc holdings in the stockpile are the special high-grade zinc which is suitable for Treasury coinage operations.

Mr. President, I have no problem with the Appropriations Committee's direction that the Secretary of Defense should report to the Congress on issues relating to the disposal of zinc from the stockpile. My only concern is with the committee's direction that zinc disposals from the stockpile should be suspended until 60 days after the report is received by the Congress.

According to the last two annual reports to Congress on national defense stockpile requirements, we no longer

need to keep zinc in the national defense stockpile. In light of this, Mr. President, we should allow the stockpile manager to proceed with the orderly disposal of all of the excess materials in the stockpile in accordance with the procedures set forth in the Stock Piling Act.

I wonder if the chairman of the subcommittee would be willing in conference to reconsider the committee's position that disposals of zinc from the stockpile should be suspended until 60 days after Congress receives the report from the Secretary of Defense? Perhaps the conferees could direct that the report be submitted within 60 days after enactment of the bill, and still allow disposals of zinc from the stockpile as appropriate under the annual materials plan at the discretion of the stockpile manager during the preparation of this report.

Mr. INOUYE. The Senator from New Mexico makes some valid points. I am informed that, according to the current American Society for Testing Materials' standards, the zinc in the national defense stockpile is acceptable for Treasury coinage operations. If in fact this is the case, then I believe the Treasury should consider purchasing zinc from the national defense stockpile.

I appreciate the Senator's concerns and I assure him that we will certainly give his suggestion careful consideration in conference.

MINUTEMAN MISSILE UPGRADES

Mr. BURNS. I would like to express my deep concern over the cuts made to the Air Force's Minuteman Squadrons Program for the Propulsion Replacement Program for Minuteman III missiles.

I believe that keeping the Minuteman III reliable and capable of service is an important goal. Given that the Air Force would like to extend the weapon system deployment through the year 2020, and given that the motors in some of these missiles are over 25 years old, the Defense Department requested $49.94 million for the Propulsion Replacement Program for fiscal year 1994. Both the House and the Senate authorized that amount. Unfortunately, no funding was appropriated in the House version of the Defense Appropriations Act. The Senate bill contains $4.7 million only for studies and analyses of the Propulsion Replacement Program.

I feel that a 1-year gap in the modernization program could have negative effects on our missile forces. In addition, there are costs to delaying this program—not all of them monetary. This delay will mean that one-third of our intercontinental ballistic missile [ICBM] fleet will be too old to be reliable by the time the first replacement motor is installed in the year 2005.

Would my colleague from Hawaii be willing to consider new information concerning the need for the Minuteman III Propulsion Replacement Program, and to help address these concerns during the conference on this bill?

Mr. INOUYE. I can say to my colleague from Montana that the subcommittee always is willing to consider new information concerning any of its recommendations. I look forward to the Air Force providing sufficient, additional information to address the subcommittee's questions about this project.

I would say to my colleague, and to other members of the Senate who have asked about the Minuteman III Propulsion Replacement Program, that House and Senate appropriators face a much more limited fiscal environment than do the authorization committees which initially approved this program. The Congress has limited the defense appropriations subcommittees to a military spending total for fiscal year 1994 which is billions below that recommended by the authorization committees. Defense appropriators must make much more difficult choices about military priorities.

Within this context, I can assure my colleague that we will do our best in conference with respect to this program.

Mr. EXON. I want to thank my good friend from Hawaii for bringing his usual insight to this important matter of the Minuteman III Propulsion Replacement Program. My understanding is that the committee's action was based on the concern that, given the tight budgetary environment, the Air Force has not provided adequate justification for proceeding with the program at this time.

Mr. INOUYE. My colleague from Nebraska, who is a leader in the Senate on strategic nuclear issue, is correct.

Mr. EXON. Therefore, am I correct in stating that the Appropriations Committee does not disagree with the Defense Department as to whether the Minuteman III Propulsion Replacement Program should be performed, but, instead, disagrees as to when the program should begin in earnest?

Mr. INOUYE. Let me try to respond to my colleague from Nebraska by saying that, so far, the Air Force has been unable to provide sufficient information to demonstrate the urgency of beginning this program in fiscal year 1994.

Mr. EXON. As the distinguished chairman of the Defense Appropriations Subcommittee is aware, the Air Force is concerned that the reduction recommended for the Minuteman III Propulsion Replacement Program will result in serious programmatic delays and cost growth. I share these concerns and respectfully ask that the chairman consider the correspondence from the Air Force about the need to fully fund this program and to revisit the issue when he and his colleagues are in conference.

Mr. DORGAN. I wish to associate myself with the remarks of Senator EXON, chairman of the Armed Services Subcommittee on Nuclear Deterrence, in support of the Minuteman III Propulsion Replacement Program. I would underscore that the Air Force has advocated funding of $49.94 million and a fiscal year 1994 start as the preferred way to reduce program costs and to ensure the reliability of the land-based leg of our nuclear deterrent Triad. I, too, would urge Chairman INOUYE to give serious consideration to the Air Force position during the conference on the fiscal year 1994 defense spending bill.

Mr. INOUYE. I am happy to consider the Air Force's correspondence and to do my best on this issue in conference.

MORNING BUSINESS

TRIBUTE TO THE HONOREES OF THE WASHINGTON CHAPEL CHRISTIAN METHODIST EPISCOPAL CHURCH'S 1993 POSITIVE IMAGE AWARDS BANQUET

Mr. SASSER. Mr. President, today I rise to pay tribute to the Washington Chapel Christian Methodist Episcopal Church and the honorees of the church's 1993 Positive Image Awards Banquet to be held on Saturday, October 23, 1993. This year, the church has chosen 14 outstanding men and women who have served their communities and have made a difference in improving the quality of life for the citizens of Memphis, TN. This honor is a reflection of the civic, academic, and professional achievements the following Memphians have attained.

Judge Bernice Donald, Federal Bankruptcy Court judge.

A.C. Wharton, Memphis/Shelby County public defender.

Dr. Gerry House, superintendent, Memphis City Schools.

James B. Payton, director, Martin Luther King Center.

Dr. N. Charles Thomas, general secretary of personnel services, the CME Church.

Dr. Scott Morris, director, the Church Health Center.

Michael Hawkins, principal, Hamilton Elementary School.

Sandra Burke, executive director, Inroads Memphis.

Melvin Burgess, director, Memphis Police Department.

Lucy Shaw, CEO, the Regional Medical Center.

TaJuan Stout-Mitchell, commissioner, Memphis City School Board.

Adele Hines, student, Whitehaven High School, NAACP Act-So Award winner.

Bessie Smith, member, Washington Chapel CME Church.

Ruth Odell, member, Washington Chapel CME Church.

I also want to take this opportunity to applaud the staff and members of the Washington Chapel CME Church. Through innovative community service programs, Washington Chapel has set a worthy example for other churches and community organizations to follow.

I salute the Washington Chapel Christian Methodist Episcopal Church and each honoree and wish them much success in their future endeavors.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, as of the close of business yesterday, October 18, the Federal debt stood at $4,401,988,615,772.60, meaning that on a per capita basis, every man, woman, and child in America owes $17,137.76 as his or her share of that debt.

IN HONOR OF DR. PHILLIP ALLEN SHARP

Mr. FORD. Mr. President, I doubt there are many previous winners of the Nobel Prize for Medicine who can say they got their start from a cow. But when Dr. Phillip Allen Sharp received his first calf at the age of 5, it helped start a college fund and put Sharp on the road to winning this year's prize.

Kentucky has always been proud of its rich agricultural heritage, both because of the traditions it upholds and for the futures it makes possible. While we know we can't take credit for Sharp winning the Nobel Prize, there are a whole lot of farm families in Kentucky who are proud of their native son and his farm roots.

Sharp was named a co-recipient of this year's prize for his discovery of split genes and for advancing research on cancer and hereditary diseases. He is credited with changing the scientific community's understanding about DNA makeup and helped launch the field of biotechnology.

Sharp is from Falmouth, KY, and attended Union College in Barbourville, KY, where he majored in chemistry and mathematics. Although he received a Ph.D in chemistry from the University of Illinois, he eventually shifted his focus to biology in postdoctoral studies at the California Institute of Technology and at Cold Spring Harbor Laboratory in New York.

Already considered one of this Nation's premier cancer research specialists, Sharp's honor apparently didn't come as a complete surprise to those closest to him. According to news accounts, his secretary has kept a bottle of champagne in the refrigerator for the past 15 years for the day her boss won the prize. And Sharp's family, who still reside in Kentucky, say they knew from the time he was "little", he was going to college and do something.

He certainly has done "something".

We in Kentucky add our congratulations and our thanks for contributions that have changed the face of medical research and the future of cancer treatment.

Mr. MITCHELL. Mr. President, as previously indicated, there will be no further rollcall votes this evening. I believe the managers are preparing a proposal to deal with the consideration of this measure tomorrow, and as we await that, I 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. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate resumes consideration of H.R. 3116, the Department of Defense appropriations bill at 9:30 a.m. on Wednesday, October 20, the committee amendments be laid aside and Senator BRADLEY be recognized to offer one of his listed amendments relating to the Army National Guard, with a time limitation of 1 hour for debate on the amendment, with no intervening amendment in order prior to the disposition of the Bradley amendment, with the time equally divided and controlled in the usual form; that when the time is used or yielded back, the Senate, without intervening action or debate, vote on or in relation to the Bradley amendment; that upon disposition of the Bradley amendment, Senator MCCAIN be recognized to offer an amendment on behalf of himself and Senator BINGAMAN relating to defense earmarks, with a time limitation of 1 hour for debate, with the time equally divided and controlled in the usual form, with no intervening amendment in order prior to the disposition of the McCain-Bingaman amendment; that when all time is used or yielded back, the Senate, without intervening action or debate, vote on or in relation to the McCain-Bingaman amendment.

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

Mr. MITCHELL. Mr. President, for the information of Senators then, with respect to their schedules, the Senate will proceed to consider a Bradley amendment at 9:30, with 1 hour for debate. If all time is used, the vote on or in relation to that amendment will occur at 10:30 tomorrow morning. It is possible that all time will not be used and some will be yielded back. Therefore, Senators are on notice that a vote could occur at any time between 9:30 and 10:30 tomorrow, depending on how much time is used or yielded back.

That vote will be followed by a maximum 1 hour of debate on the McCain-Bingaman amendment, so there will undoubtedly be at least two votes tomorrow morning. Senators should be on notice in that regard.

REMOVAL OF INJUNCTION OF SECRECY

Mr. MITCHELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Second Protocol Amending the Tax Convention with Israel, Treaty Document No. 103-16, transmitted to the Senate by the President today; and ask that the treaty be considered as having been read the first time; that it be referred with accompanying papers to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

Mr. STEVENS. There is no objection, Mr. President.

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

The President's message is as follows:

To the Senate of the United States:

I transmit herewith for the advice and consent of the Senate to ratification the Second Protocol Amending the Convention Between the Government of the United States of America and the Government of the State of Israel with Respect to Taxes on Income, signed at Washington on November 20, 1975, as amended by the Protocol signed May 30, 1980. The Second Protocol was signed at Jerusalem on January 26, 1993. Also transmitted for the information of the Senate is an exchange of notes and the report of the Department of State with respect to the Protocol.

The Second Protocol further amends the 1975 Convention, as amended by the 1980 Protocol, in large measure to accommodate certain post-1980 provisions of U.S. tax law and treaty policy. The new Protocol also reflects changes in Israeli law and makes certain technical corrections to the Convention that are necessary because of the passage of time. It will modernize tax relations between the two countries and will facilitate greater private sector United States investment in Israel.

I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

200TH ANNIVERSARY OF THE LAYING OF THE CORNERSTONE OF THE CAPITOL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 146, a concurrent resolution permitting the use of the Capitol building and grounds for events to commemorate

the 200th anniversary of the laying of the cornerstone of the Capitol, just received from the House; that the concurrent resolution be agreed to and the motion to reconsider laid upon the table.

The PRESIDING OFFICER. Is there an objection?

Mr. STEVENS. There is no objection.

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

So the concurrent resolution, House Concurrent Resolution 146, was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Edwin R. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON HIGHWAY SAFETY FOR CALENDAR YEAR 1992—MESSAGE FROM THE PRESIDENT—PM 56

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science and Transportation:

To the Congress of the United States:

I transmit herewith the 1992 calendar year reports as prepared by the Department of Transportation on activities under the Highway Safety Act and the National Traffic and Motor Vehicle Safety Act of 1966, as amended (23 U.S.C. 401 note and 15 U.S.C. 1408).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

REPORT OF THE FEDERAL PREVAILING RATE ADVISORY COMMITTEE FOR CALENDAR YEAR 1992—MESSAGE FROM THE PRESIDENT—PM 57

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Governmental Affairs:

To the Congress of the United States:

In accordance with section 5347(e) of title 5 of the United States Code, I transmit herewith the 1992 annual report of the Federal Prevailing Rate Advisory Committee.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 19, 1993.*

MESSAGE FROM THE HOUSE

At 2:55 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 78. Joint resolution designating the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, which lies in the Northeast Bay of Unalaska, Alaska as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 47. Concurrent resolution to recognize the International Rescue Committee for its great humanitarian endeavors.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 146. Concurrent resolution authorizing the use of the Capitol building and grounds for events to commemorate the 200th anniversary of the laying of the cornerstone of the Capitol.

The message also announced that pursuant to the provisions of section 491 of the Higher Education Act, as amended by section 407 of Public Law 99-498, the Speaker appoints Mr. Thomas A. Butts of Ann Arbor, MI, from private life, to the Advisory Committee on Student Financial Assistance to fill the existing vacancy thereon, on the part of the House.

The message further announced that pursuant to the provisions of section 4(a) of Public Law 98-399, as amended by Public Law 101-30, the Speaker reappoints as members of the Martin Luther King, Jr. Federal Holiday Commission the following Members on the part of the House: Mr. WHEAT, Mr. SAWYER, Mr. REGULA, and Mr. FRANKS of Connecticut.

The message also announced that pursuant to the provisions of section 9355(a) of title 10, United States Code, the Speaker appoints as members of the Board of Visitors to the United States Air Force Academy the following Members on the part of the House: Mr. DICKS, Mr. HOAGLAND, Mr. HEFLEY, and Mr. YOUNG of Florida.

The message further announced that pursuant to the provisions of section 2702 of title 44, United States Code, as amended by Public Law 101-509, the Speaker appoints Mr. Richard F. Fenno, Jr., of Rochester, NY, from private life, to the Advisory Committee on the Records of Congress on the part of the House.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

At 6:25 p.m., a message from the House of Representatives, announced that the Speaker has signed the following enrolled bills and joint resolutions:

S. 1487. An act entitled the "Middle East Peace Facilitation Act of 1993."

S. 1548. An act to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes.

H.R. 2446. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2518. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 3123. An act to improve the electric and telephone loan programs carried out under the Rural Electrification Act of 1936, and for other purposes.

S.J. Res. 21. Joint resolution designating the week beginning September 19, 1994, as "National Historically Black Colleges and Universities Week."

S.J. Res. 78. Joint resolution designating the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, which lies in the Northeast Bay of Unalaska, Alaska as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942.

H.J. Res. 111. Joint resolution designating October 21, 1993, as "National Biomedical Research Day."

The enrolled bills and joint resolutions were subsequently signed by the President pro tempore [Mr. BYRD].

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1656. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation within five days of enactment; to the Committee on the Budget.

REPORTS OF COMMITTEE

The following report of committee was submitted:

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals From the Concurrent Resolution for Fiscal Year 1994" (Rept. No. 103-160).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. RIEGLE, from the Committee on Banking, Housing and Urban Affairs:

John Despres, of the District of Columbia, to be an Assistant Secretary of Commerce.

Jeffrey E. Garten, of New York, to be Under Secretary of Commerce for International Trade.

Lauri Fitz-Pegado, of Maryland, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

William J. Gilmartin, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. BUMPERS, from the Committee on Small Business:

Cassandra M. Pulley, of the District of Columbia, to be Deputy Administrator of the Small Business Administration.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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. WOFFORD:

S. 1565. A bill to delay the effective date of regulations issued by the Secretary of Housing and Urban Development governing the admission of single persons into public and assisted housing for the elderly; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. METZENBAUM (for himself and Mr. DURENBERGER):

S. 1566. A bill to establish requirements applicable to rent-to-own transactions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SIMON:

S. 1567. A bill to amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair labor practice cases, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON (for himself and Mr. WELLSTONE):

S. 1568. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Labor and Human Resources.

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

S. 1569. A bill to amend the Public Health Service Act to establish, reauthorize and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. HATCH:

S.J. Res. 145. A joint resolution to designate the period commencing on November 21, 1993, and ending on November 27, 1993, and the period commencing on November 20, 1994, and ending on November 26, 1994, each as "National Adoption Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WOFFORD:

S. 1565. A bill to delay the effective date of regulations issued by the Secretary of Housing and Urban Development governing the admission of single persons into public and assisted housing for the elderly; to the Committee on Banking, Housing, and Urban Affairs.

OLDER AMERICANS' HOUSING PRESERVATION ACT

• Mr. WOFFORD. Mr. President, I have heard from many older people in the Pittsburgh area who want, and need, to preserve their homes. They have emphasized to me that their housing is more than just an apartment building. It also serves as a safe, comfortable social center. Our communities have long recognized the special housing needs of older Americans. The U.S. Department of Housing and Urban Development should move forward to implement a law passed by Congress last year which is intended to meet that need.

The concern arises from HUD's recent implementation of section 573(a) of the National Affordable Housing Act of 1990—known as NAHA. Before NAHA, the number of single people eligible for assisted housing, who were not 62 years old or older, disabled, handicapped, displaced, or the remaining member of a tenant family, was limited to 15 percent of an area's units. NAHA eliminated the 15 percent limitation. HUD's rule implementing this change became effective on August 25, 1993.

But in 1992, Congress acted to prevent the situation which is now permitted by HUD's rule. Section 622 of the Housing and Community Development Act of 1992, permits public housing projects for the elderly. The purpose of this change was to maintain occupancy in assisted projects designed for the elderly and clearly restricts the scope of the changes adopted in NAHA. However, HUD has yet to even propose regulations implementing the 1992 law.

The legislation I am introducing today would suspend HUD's rule, which permits admissions of all single people into public and assisted housing that has traditionally been for older Americans. The suspension would last until HUD implements the 1992 law.

Mr. President, we need to ensure that every American—especially the homeless and the handicapped—has access to safe and affordable housing. But we must continue to honor the unique housing needs of older Americans, by allowing them to live with each other, where they can receive the special services they have earned.

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

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

S. 1565

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

SECTION 1. TITLE.

This Act may be cited as the "Older Americans' Housing Preservation Act."

SEC. 2. LIMITED MORATORIUM.

(a) DELAYED EFFECTIVE DATE.—Notwithstanding any other provision of law, effective on the date of enactment of this Act, parts 812, 905, 912, and 960 of title 24, Code of Federal Regulations, as amended to implement section 573(a) of the National Affordable Housing Act of 1990, shall not apply to public and assisted housing developed as an elderly housing project with the approval of the Department of Housing and Urban Development (hereafter in this section referred to as the "Department") before the date on which the Secretary of Housing and Urban Development (hereafter in this section referred to as the "Secretary") issues final regulations implementing section 621 of the Housing and Community Development Act of 1992.

(b) APPLICABLE REGULATIONS.—During the period beginning on the date of enactment of this Act and ending on the date on which the Secretary issues final regulations implementing section 621 of the Housing and Community Development Act of 1992, parts 812, 905, 912, and 960 of title 24, Code of Federal Regulations, as such parts existed prior to the effective date of the regulations issued to implement section 573(a) of the National Affordable Housing Act of 1990, shall apply to public and assisted housing developed as an elderly project with the approval of the Department.•

By Mr. METZENBAUM (for himself and Mr. DURENBERGER):

S. 1566. A bill to establish requirements applicable to rent-to-own transactions; to the Committee on Banking, Housing, and Urban Affairs.

RENT-TO-OWN CONSUMER CREDIT PROTECTION ACT OF 1993

Mr. METZENBAUM. Mr. President, today, on behalf of myself and Senator DURENBERGER, I introduce the Rent-to-Own Consumer Protection Act of 1993, a bill that would regulate the rent-to-own industry and protect consumers from being gouged and ripped off by unscrupulous rent-to-own dealers. Rent-to-own is a relatively new sales phenomenon. In a rent-to-own transaction a low-income consumer acquires a television, stereo, VCR, refrigerator, or other household items for a small weekly, biweekly, or monthly payment. At the end of a specific number

of payments, the consumer may become the owner of the item, but usually at a considerable, and most of the time at an exorbitant cost. The consumer can pay as much as three to four times the actual retail value of the items purchased.

For example:

At Rent-A-Center in Gainesville, FL, a 19-inch Zenith color television rents for $11.99 a week, excluding insurance and taxes. The set can be bought in 78 weeks for $935.22. At Sears, Roebuck, and Co., in that area, a 19-inch Zenith television sells for $279, less than a third of the figure that the consumer is being required to pay on this rent-to-lease.

Similarly, a 20-cubic-foot Whirlpool refrigerator rents for $98.95 a month for 18 months at Buddy Bi-Rite Rental Purchase Centers in Ocala, FL. The cost to purchase, $1,781.10. That same 20-cubic-foot Whirlpool refrigerator at Sears cost less than about half of that, $899.99. Rent-to-own companies aim their often deceptive advertisements and unscrupulous sales practices at low-income women, racial and ethnic minorities, the elderly, public assistance recipients, and uneducated consumers who do not have a lot of credit options. These are people who would like to have one of these facilities in their home, their credit is not good enough to go in and buy it, so they go in and rent. It is this whole idea of rent-to-own. The fact is that those who own these companies focus particularly in minority areas inhabited by single mothers where ready credit is hard to obtain.

According to the October 1993 issue of the Washington Monthly, research done by Rent-A-Center, one or our Nation's largest rent-to-own dealers, reveals that nearly 60 percent of Rent-A-Center's customers earn less than $20,000 a year, while just 4 percent earn $45,000 or more. Only about 7 percent are college graduates. The average customer of Rent-A-Center represents a family of four with a combined income of $30,000. These unsuspecting victims are lured into onerous sales agreements by the promise of no credit requirements, low payments, quick delivery and no cancellation penalties. In the words of Irene Muldrow of Minneapolis who still does not own the furniture, which retailed for 1,000, she paid more than $2,500 on the rent-to-own basis. To quote her:

> I didn't understand I was paying so much money. * * * They take advantage of people who don't read that good.

According to Attorney General Ernie Preate, Jr., of Pennsylvania:

> Rent-to-own transactions are one of the biggest consumer ripoffs in my State and across the Nation * * * Low-income people * * * turn to the rent-to-own industry because they mistakenly believe it's an inexpensive way to obtain major appliances, furniture, and other products without credit. Nothing could be further from the truth.

Although installment payments are low—usually less than $20 a week—the interest rates these stores charge on rent-to-own transactions are far higher than those of banks, credit cards, or local retail merchants. According to a survey conducted by the U.S. Public Interest Research Group, rent-to-own companies have collected as much as 323 percent interest from consumers doling out $12 a week for up to 91 weeks to buy TV's and refrigerators. Some of those TV's and refrigerators are worth as little as $125 new.

Take, for example, the experience of Charlene Mathis, who lives in a public housing project in Jersey City. Ms. Mathis agreed to pay one rent-to-own store $21 a week for 87 weeks to buy a television and a VCR. The total cost of these items, which at retail would have cost about $250 each, came to more than $1,800.

In addition to high interest rates, rent-to-own consumers build no equity in their rent-to-own goods. If payments are missed, merchandise can be repossessed, even though the consumer is close to fully paying for the item. Ms. Green of Pennsylvania made payments totaling $964.35, excluding fees, which can be substantial, for living room furniture costing $1,157.22 under a rent-to-own contract. This same furniture had a listed cash price of $499. When Ms. Green was hospitalized and became unable to make the few remaining payments, her living room furniture was repossessed and she lost all the money she heretofore paid.

The Wall Street Journal, on September 22, 1993, reported the case of Nancy Thornley of Ogden, UT. Nancy Thornley:

> * * * was diligently handing over about $261 a month in rental payments to Rent-A-Center [a rent-to-own dealer] in 1991 when she lost a leg to diabetes. Faced with a $1,000 bill for a prosthetic limb, she arranged to defer part of her rental tab, she says. But shortly after she returned home from the hospital she was shocked when two store employees showed up without notice on a Saturday afternoon, accused her of being 3 months behind in payments and carted away all the goods, primarily basics such as a refrigerator and a couch.

That is from the Wall Street Journal story. In order to reclaim their goods, rent-to-own dealers engage in a variety of abusive repossession tactics. Some rent-to-own firms not only threaten, but also seek criminal prosecutions against consumers under State larceny statutes in order to collect rent-to-own arrearages or repossess rent-to-own goods. In fact, many rent-to-own contracts expressly provide—and most others imply—that the rent-to-own merchant may enter the customer's home to repossess the merchandise. Other rent-to-own companies even use the deceptive repossession tactic called a switch-out in order to repossess their goods. In a switch-out a company representative tells the customer that the appliance is being picked up for necessary repairs or maintenance when in fact it is being repossessed. Still other rent-to-own companies pay policemen $50–$100 to repossess rent-to-own merchandise.

And, the list of abusive repossession tactics go on and on. The Wall Street Journal reports that:

> Employees handling repossessions have been known to bring along members of a feared motorcycle gang as well as to vandalize customer's homes, extract sexual favors from strapped customers and even, in one instance, force a late payer to do involuntary labor.

The article cites the following example:

> Some store employees have boasted that they have gone out to the customers' homes, had sex with them, and then repo-ed the merchandise. * * *

Rent-to-own companies earn considerably more by renting, repossessing and the re-renting the same goods than it does if the first customer makes all payments. It was reported that in one instance, a Philco VCR which retailed for about $119 brought in more than $5,000 in a 5 year period.

While rent-to-own dealers are capitalizing on their ability to rent and then re-rent their goods, many consumers are left holding defective goods. Consumers have complained that they were not only delivered used goods but also received defective goods and rent-to-own dealers have failed to promptly repair defects.

The rent-to-own industry says it provides a valuable service by making a wide range of goods available for short-term rentals to low-income consumers who do not have credit and would not have access to such items any other way. Dealers say providing repairs for the life of a contract is expensive, as are collection and repossession efforts on items rented weekly or monthly.

Rent-to-own sales, if properly regulated, could provide a service to low-income consumers. However, as an unregulated industry, rent-to-own dealers prey on the unsophisticated poor through exorbitant pricing. With over 7,500 rental stores nationally, the $3.6 billion rent-to-own industry is an industry that tends to exploit low-income consumers rather than help them.

I would guess most of my colleagues in the Senate, including myself, know very little about the rent-to-own business. We probably do not. When we buy a VCR or want a TV set or washing machine or refrigerator we go out and buy it. But there are millions in America who are not in a position to do that, and unfortunately those are the ones who are being preyed upon by the rent-to-own industry. Rent-to-own dealers evade usury and consumer protection laws by structuring their contracts as short-term leases, which fall outside of most regulation. Thus, State regulation of the industry has been ineffective and court decisions inconclusive.

Indeed, legislation endorsed by the rent-to-own industry is currently on the books of 32 States, and the industry is scurrying to pass similar laws in the remaining States. The principal effect of these State laws, however, is to insulate rent-to-own dealers from potential lawsuits from dissatisfied customers. None of these State laws provide any real or significant consumer protection. For the most part, they require only minimal disclosures and insignificant consumer rights. Meanwhile, the abuses continue. Federal legislation is the only effective way with which to deal with this problem.

The Rent-to-Own Consumer Credit Protection Act of 1993, which I will introduce very shortly on behalf of myself and Senator DURENBERGER, makes it clear that rent-to-own transactions are subject to State and Federal consumer protection laws. By defining a rent-to-own transaction as a credit sale, these transactions will now have to comply with Federal statutes that protect consumers from unfair lending practices, abusive debt collection techniques, and onerous credit terms. Under the bill, the Truth in Lending Act, the Federal Debt Collection Practices Act, the Equal Credit Opportunity Act, and the Fair Credit Reporting Act would specifically apply to rent-to-own transactions.

In addition, significant disclosure requirements will now be mandated. Each item available for purchase under a rent-to-own transaction must disclose, among other things, whether the item is new or used, the cash price of the item, the annual interest rate to be charged to finance the purchase of the item, and the total payments required to be paid to acquire ownership of the item. A seller under a rent-to-own contract is specifically prohibited from threatening, coercing, engaging in conduct to oppress, harass or abuse, making fraudulent deceptive or misleading representation, or using any unconscionable means to collect amounts owed by a rent-to-own customer. Violations of these provisions and others provisions contained in the bill are subject to Federal fines ranging from $500 to $5,000.

This legislation will go a long way in stopping consumer gouging and curbing the abuses that have been identified with rent-to-own transactions. I hope all of my colleagues will join us in supporting this important consumer protection bill.

I ask unanimous consent that the September 22, 1993, article appearing in the Wall Street Journal, entitled "A Marketing Giant Uses Its Sales Prowess To Profit on Poverty" and the October 1993 article appearing in the Washington Monthly entitled "Renter Beware," and a section-by-section analysis of the bill be printed in the RECORD.

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

[From the Wall Street Journal, Sept. 22, 1993]

PEDDLING DREAMS: A MARKETING GIANT USES ITS SALES PROWESS TO PROFIT ON POVERTY

(By Alix M. Freedman)

Recording stars Tina Turner, Frank Sinatra and the Beatles have made Thorn EMI PLC famous in entertainment circles. But a very different group of people is now making Thorn rich.

Though it doesn't advertise the fact. Thorn's most profitable subsidiary has nothing to do with the superstars who record under its various music labels. Instead, the largest single contributor to Thorn's operating profit is its most obscure and by far its least genteel, unit: Rent-A-Center a chain that thrives by renting refrigerators, furniture, diamond pinkie rings and assorted other merchandise to America's urban and rural poor.

Since buying Rent-A-Center in 1987. London-based Thorn has expanded it briskly using both acquisitions and aggressive marketing tactics introduced by the unit's top executive a former Pizza Hut marketing whiz. Thorn now thoroughly dominates the industry which is known as rent-to-own because renters who make every weekly payment usually for 78 weeks. become owners. Rent-A-Center USA controls 25% of the $2.8 billion U.S. market, the chain has more outlets than its four biggest competitors combined.

HIGH-PRESSURE SALES

Along the way though its high-pressure methods have sometimes turned coercive and abusive according to accounts by about 50 former store employees and company executives who have left within the past 18 months. Scrambling to meet ambitious sales targets set under Thorn. Rent-A-Center employees routinely encourage unsophisticated customers to rent more goods than they can afford, these people say. Then, when customers fall behind in payments, Rent-A-Center repossesses the goods and re-rents them.

Customers who manage to make every installment may end up paying several times the item's retail value—at an effective annual interest rate, if the transaction is viewed as a credit sale, that can top 200%.

While the rent-to-own business has always been gritty. Thorn has made it even tougher, many of those interviewed believe. Employees handling repossessions have been known to bring along members of a feared motorcycle gang as well as to vandalize customers' homes, extract sexual favors from strapped customers, and even in one instance force a late payer to do involuntary labor.

Says Brian Baker, a former store manager in Cambridge, Md. This is one of those jobs where if you have any kind of conscience you won't sleep well at night.

Now, a federal crackdown may be in the offing. House Banking committee Chairman Henry Gonzalez, a Democrat from Texas is expected next week to introduce a bill that would classify rent-to-own transactions as credit sales. Since some 30 States cap credit-sale interest rates at 21% or less, the bill would slash what Rent-A-Center and its rivals can charge. In addition, two class-action suits filed in Minnesota federal courts allege that Rent-A-Center charges usurious interest rates; one suit is pending and Rent-A-Center won the first round of the second suit, which has been appealed.

Rent-A-Center denies that its transactions are credit sales, because most customers don't end up buying the product and they can cancel at any time. Thus, it argues, it doesn't charge interest at all.

Rent-A-Center officials do concede that abuses occur and that the rent-to-own business has in the past, been sleazier than most. But they say the company sees itself as part of the solution rather than as part of the problem. Rent-A-Center Chief Executive Walter E. "Bud" Gates points to his efforts to improve employee training, to spiff up stores and to enforce a "Respect All Customers" program that is trumpeted on wall posters in outlets. He says he is cracking down on dicey collection and repossession practices.

"The carnival industry was a down and dirty, nasty industry and along came Disney who rewrote the standard, and over time the whole industry came up," he says "We're trying to do the same thing."

But former store manager Randy Richards, like many others interviewed, contends that the cleanup is in name only. "On paper, this company purified itself by introducing the new respect concept," he says. But in reality, "nothing changed." He says that in 1991—a full four years after Thorn took over—he himself picked an apartment lock with a credit card in order to retrieve a late payer's living room furniture.

A number of the former employees interviewed were fired, some for allegedly serious wrongdoing. But their accounts of working conditions, and customer treatment at Rent-A-Center were remarkably uniform. Their accounts were also consistent with those of employees who quit and those of customers, even though the people interviewed came from many different parts of the country.

THE $5,000 VCR

For low-income customers, Rent-A-Center has tremendous appeal. The chain gives them immediate use of brand-name merchandise, and the weekly payments are usually less than $20. But while in theory customers can eventually own the goods outright, the company says three out of every four are unable to meet all their payments.

Their failure is partially responsible for Thorn's success. The company earns considerably more by renting, repossessing and then re-renting the same goods than it does if the first customer makes all the payments. Derrick Myers, who was fired as manager of the Rent-A-Center store in Victorville, Calif., recalls one particular Philco VCR, for example, that he says retailed for about $419, but that brought in more than $5,000 in a five year period.

That means the most profitable customers are people like Minneapolis welfare mother Angel Adams, who says Rent-A-Center salespeople fooled her into renting more than a dozen items at a monthly cost that reached about $325. Though the salespeople knew how little she earned, "they pushed it on me, she says. When she fell behind in her payments in late 1991. Rent-A-Center sued her and repossessed the goods, ranging from a bedroom set to two VCRs. Ms. Adams is now the plaintiff in one of the two class-action suits plus one pending in federal court in Minneapolis. Rent-A-Center declines comment.

Even if a customer can't afford it and we know it and they know it, we'll rent to them anyway, says Rod Comeaux, a former store manager from Onley, Va., who was fired a year ago for unrelated reasons. "We can always get it back," and rent it to others, he says.

Rent-A-Center's Mr. Gates denies that salespeople put excessive pressure on customers or intentionally overload them with

goods. On average, customers rent 2.85 items a month, at a total monthly cost of $99.07, and they are able to cancel rentals at any time without a penalty, he pointed out. Store managers—who are required to obtain income and other financial information from customers, ideally should act as "financial planners for customers, he says, adding that the worst thing employees can do is to rent to customers whose eyes are bigger than their stomachs.

Rent-A-Center says its customer base is 25% to 30% black and 10% to 15% Hispanic, and just 15% are on welfare or government subsidies. But former store managers consistently maintain that the total on government assistance is more than 25%, with some claiming up to 70%. Indeed, they unanimously report that sales always spiked on "Mother's Day," as they call the day when welfare mothers get their checks.

How did Thorn come to enter such a harsh business? A predecessor company Thorn Electronics, planted the seeds when it opened a rental store outside London in 1931 and then expanded the chain throughout Europe. Half a century later, after the 1979 merger that created Thorn EMI, the conglomerate was struggling with poor results from its hodgepodge of disparate businesses, and decided to try its luck in the rental market in the U.S.

To get a foot in the door, Sir Cohn Southgate, Thorn's chief executive, contacted Goldman, Sachs & Co. in 1987. As it happened, Tom Devlin, the biggest player in the fragmented U.S. rent-to-own market, was looking for a buyer for Rent-A-Center, the 495-store chain he founded in 1973, and he too had approached Goldman Sachs. A deal was struck almost overnight, with Sir Cohn paying a lavish $594 million, or 42 times earnings.

Mr. Devlin stepped aside and Mr. Gates—already at Rent-A-Center—became its new chief executive. He quickly began buying up small competitors. Rentals now account for almost a third of Thorn EMI's total revenue, while music—including Thorn's EMI, Chrysalis and Capitol labels—accounts for just a hair more.

A former senior vice president of marketing at Pizza Hut, Mr. Gates had migrated to Rent-A-Center in 1986, after failing to land the top job at the pizza chain. Despite his rookie status in rent-to-own, Mr. Gates had a marketing man's feel for demographics, psychographics and New Age notions of customer empowerment. Inspired by some company research indicating that his renters craved good treatment even more than low prices, he began to merchandise respect.

Defying industry wisdom that poor customers would be intimidated by snazzy stores, for example, Mr. Gates has spent $40 million to make each Rent-A-Center outlet seem an idealized version of home and hearth. "Happy family" lifestyle posters (in a store's choice of black, Hispanic or Caucasian) adorn the outlets' walls. Prop kits dispatched from the home office in Wichita, Kan., provide cozy touches like plants and print bedspreads.

Employees under Mr. Gates are required to greet customers, preferably by name, within 10 seconds of their entrance and to conduct payment disputes out of earshot of other renters. Stores are also encouraged to keep fresh coffee brewing. "The customer should feel like this is home, a place where I feel comfortable and that cares about me," he explains.

THE HARD SELL

Those soft touches are coupled with hard-core salesmanship. According to a thick training manual, salespeople are supposed to quote the weekly and monthly rental rates. The manual doesn't instruct employees to quote the total cost, and former store managers say they made sure they never did. In fact, in 40 states, the total isn't even on the price tag. (Ten states require that it be listed on price tags, a rule Rent-A-Center says it will honor in all 50 states by next month.) Instead, the manual instructs employees to focus on "features and benefits," such as Rent-A-Center's free delivery and repair, and most of all, the low weekly price.

But the advertised weekly price is designed to yield each store about 3½ times its cost of purchasing the merchandise from Rent-A-Center headquarters. The total is jacked up further by a one-time processing fee (typically $7.50) and late fees (typically $5). The total price is usually revealed only in the rental agreement that customers sign at the end of the sales process, former store managers say.

To boost Rent-A-Center's profits, employees also push a "customer protection" plan that offers minimal benefits but that 95% of customers end up subscribing to. "It's better than insurance," saleswoman Laura Daupino of the Bloomfield, N.J. store was overheard telling an unemployed welfare mother recently. Yet unlike insurance, it doesn't replace stolen or destroyed items or reimburse customers for their loss. It offers customers basically one benefit. It prevent Rent-A-Center from suing customers if goods are stolen or destroyed.

For Rent-A-Center, however, the benefit is considerably larger. The protection plan is a $29 million annual revenue booster, much of which drops to the bottom line, as does most of the $27 million racked up from the other fees, according to internal company financial documents.

Rent-A-Center has long justified its high prices by citing customers defaults and the costs associated with its free repairs. But part of Rent-A-Center's secret of success is that those costs are minimal. Internal documents show its service expenses ran 3.3% of rental revenue in fiscal 1993, though Rent-A-Center says the actual figure is closer to 10%. And its total inventory losses—from junked merchandise and "skips and stolens" (as in customers who skip town)—run a bit over 2% of revenue.

Indeed, says Granville Quinton, Rent-A-Center's former director of budgets, forecasts and financial systems, "they have no higher skip or stolen rate than a conventional retailer." Rent-A-Center concedes that this is "technically true," but says the low rate is "misleading" because each lost item means the far greater loss of future rental income.

In part to beef up sales further, Rent-A-Center urges customers to pay their rental fees in person each week. That gives employees a chance, according to the training manual, to pitch added products. Employees are also supposed to try to "upsell," or trade up, renters to more expensive versions of the same product.

In some markets, employees are expected to hang fliers on hundreds of housing-project doors each week, in a drill known as blanket brochuring. You would brochure the projects one week before the [welfare] checks came out so you already had that seed planted in their mind," recalls Gerald Defiore, who was fired as the store manager in Spartanburg, S.C. "Then the day the checks came out, you'd go back and knock on doors and fill out the work forms there. Corporate was in on it, the stores were in on it. These people didn't stand a chance." (Rent-A-Center says that blanket brochuring is optional and that targeting a project would be "logical" if it was in a store's territory.)

Complementing those tactics are an array of less savory techniques not sanctioned from above. Mr. Defiore says he scanned the obituary page, for instance, and sent cheap flower arrangements signed from your friends at Rent-A-Center" to the bereaved. "At a funeral, everybody looks at who the flowers are from," he explains, "and when they drop by the store to thank you, you can hook them."

Rent-A-Center's Wichita headquarters staff jacks up those efforts with an $18.5 million direct-mail program so sophisticated that it can tailor brochures to a single block. Much of the blitz focuses on new prospects, primarily the six references that customers must list on an application form. (Former employees say they typically called only two references, using the rest simply for marketing purposes.) A sample letter opens like this: Wouldn't you rather watch a big screen TV than the one you have now?"

Other targets include former customers who had failed to make all their payments, even those who have had goods forcibly repossessed receive coupons blaring in bold type, "We Want You Back." Additional letters and coupons are aimed at customers who are on the verge of paying off a product they have been renting. Some get plastic paid cards, which look like credit cards and encourage additional rentals with perks like $1 to $2 in weekly rental charges.

If Rent-A-Center salespeople are unusually aggressive, they have good reason. Their jobs depend on it. Mr. Gates has honed a tough sales quota system known internally simply as "the plan," which calls for every store to meet weekly and monthly targets that rivals say are far more ambitious than their own. The stores' results are monitored daily by zone managers, in charge of roughly 10 stores each.

As with many other companies that use sales targets, if Rent-A-Center managers and employees exceed their quotas, they are eligible for cars, promotions and bonuses. But at Rent-A-Center, if they fail to "make plan," they are fired with extraordinary speed. In Utah's six-outlet market of 28 employees, for example, more than a dozen people were fired, including seven store managers, during the 18 months ended in July, according to two of the former managers. They say falling short of the plan was the major reason, though Rent-A-Center says there were numerous factors and that some departures were voluntary.

"Rent-A-Center's employee philosophy is burn and turn," contends former Las Vegas store manager Mr. Richards, who says he quit in May 1992 because his zone manager insisted he work 80 to 100 hours a week, something the zone manager denies. "It's bring them in and work them until they can't take it any more and send them on their way," Mr. Richards says.

Mr. Gates acknowledges that the company's "total turnover should be less than half" its current annual level of 56% companywide (excluding headquarters) and 25% at the store-manager level. The company is now working to retain its people by beefing up its training programs and by evaluating employees based on customer service and other factors rather than simply on numbers, he says.

In any case, Rent-A-Center's sales and marketing strategies have produced a huge payoff. For the fiscal year ended March 31, 1993, the 1,200 store unit racked up operating

profit of about $90 million on revenue of $560.3 million—a 16% margin that is eye-popping by retail standards. For the first time, Rent-A-Center was also Thorn's single most profitable subsidiary, contributing 14% of Thorn EMI's operating profit. Where store-level profit margins average 15% to 20% when smaller operators run such stores. Thorn's outlets show profit margins of 20% to 30%. Conventional retailers' store profit margins run at about 2.5% according to Management Horizons, Inc.

No wonder Sir Colin recently told a Las Vegas meeting of store managers that their unit was "the closest company to my heart in Thorn EMI" and that "most businessmen would give an arm, a leg, and probably half their body for its performance."

Thorn executives say there is nothing insidious about Rent-A-Center's strategy of courting customers who are of limited means, and of treating them well. Customers receive "fantastic" service, says Sir Colin, who professes to be "always puzzled" why the rent-to-own industry is "badly regarded." Rent-A-Center, he adds, "treats them like kings and queens.

Customers like Carol Baker, a waitress at a resort hotel in Bolton Landing, NY, are appreciative. "The prices could be cheaper," says Ms. Baker, whose home is almost completely furnished by Rent-A-Center, "but they treat me like I'm a somebody."

Former employees and other customers see things differently. "The Rent-A-Center philosophy," says Mr. Comeaux, the former store manager in Virginia, "is that if you treat the customer like they're royalty, you can bleed them through the nose."

REPO MAN

In the end, it isn't unusual for flattered customers to sign up for three or more rental agreements at a time. And some rent far more. For instance, Robert Ball, an unemployed Hunt-Wesson factory worker in Toledo, Ohio, says he is currently handing over all of his unemployment checks to pay for 13 different agreements totaling almost $900 a month.

Inevitably, some customers take on more than they can handle. So it is that behind every Rent-A-Center salesman lurks his doppelganger. Repo man.

Repossessions are never pretty, and the pre Thorn era was no exception. But because of the ambitious targets, people who have worked under both regimes say, employees now push harder than ever. Customers typically make their payments every Saturday and, throughout the morning, store employees work the phones exacting promises from the tardy. In these conversations, former customers say, they have been harassed, intimidated and even threatened with violence. Robert Keehn a former manager in Gasden, Ala., who was fired in March in part for carrying a gun, says that a favorite ploy is falsely informing customers or the relatives that a warrant for arrest has been issued for the theft of rental property.

The telephone onslaught resumes on Monday mornings, when 30 percent of customers are generally past due. If employees haven't reached a customer by Tuesday, they hit the road. Although it is against company rules, they often make a "mad run"—picking up payments from customers personally. Or they leave a message on the door instructing the customer to contact them. this process is repeated all week long. If they still don't get results, it's repo time.

In the company's vans, employees comb neighborhoods looking for slightly past-due customers and the more elusive "skips." In theory, Rent-A-Center employees new to the Fair Debt Collection Practices Act, a federal law that doesn't apply to Rent-A-Center (it covers only third-party debt collectors), but that Rent-A-Center says it voluntarily complies with. Under these rules, debt collectors can't harass customers, for example, or engage in violent or criminal acts.

Mr. Gates cites such measures as proof that he is doing his utmost to make Rent-A-Center collection operation squeaky-clean. The CEO says his quest to transform Rent-A-Center's "profit-driven entrepreneurial culture into a service-driven, entrepreneurial culture" is "the hardest thing I have ever done * * * I haven't gotten everyone drinking the Kool Aid yet."

But former employees contend that Mr. Gates' strict enforcement of payment collections has in some cases actually stymied reform. Before Thorn, Rent-A-Center focused solely on the number of accounts past due, not the amount of "delinquent dollars"—or uncollected revenue. Early on Mr. Gates decreed that only 5.7 percent (and currently 5.5 percent) of a store's total monthly rental payments can go uncollected—and zone managers have tended to set even more ambitious goals. In contrast, smaller rent-to-own businesses generally leave 8 percent to 10 percent of bills uncollected each month.

Failure to control delinquent debts "will be your downfall, so you do as much as your conscience permits," says Gary Schiefer, a former store manager in Columbus, Ohio, who was abruptly fired in May 1992 when his delinquent dollars topped 9 percent. (His former zone manager says he was fired for other reasons.) Mr. Baker, the former store manager in Maryland, characterizes repossessions as "the dirtiest part of the whole business."

It is unquestionably the most creative * * * dressed as Cookie Monster, a gorilla and an alien life form and then knocked on a customer's door. Once inside, they successfully repossessed a home entertainment system on which payments hadn't been made in almost three months. Gary Gerhardt, the store manager who blessed this plan, calls the ruse "a last-ditch effort," adding, "it was the only way we could think to get someone in the door."

At the crack of dawn one Sunday, Mr. Myers, the store manager in Victorville, Calif., until March 1992, pulled off a particularly tough repossession by enlisting three burly Hell's Angels. He adds that in other instances he vented his spleen on delinquent customers who wouldn't come to the door by slathering superglue all over their deadbolts and doorknobs (Messrs. Gerhardt and Myers both were fired, but over unrelated matters).

The grueling routine grates on some Rent-A-Center employees. Mr. Baker, the former Maryland store manager quit in disgust in 1991 after one of his employees repossessed a refrigerator from a welfare mother with an infant, plunking her meat and milk on the kitchen table.

Yet abuses continue. Anthony Chapman, a Tyson Foods worker in Gasden, Ala. says that when he fell behind paying for a gold herringbone necklace, Rent-A-Center employee John Horton repeatedly showed up on his doorstep, brandishing two guns. The harassment climaxed. Mr. Chapman maintains, after he confessed that he had pawned the necklace. Mr. Horton promptly took Mr. Chapman's company issue thermal uniform and a gold ring, forced him into the back of his van, and left him there during Mr. Horton's leisurely lunch break, Mr. Chapman says. He says he was then presented, in tears, to Mr. Keeling, the Rent-A-Center store manager at the time.

On several occasions after that, Mr. Chapman says, Mr. Horton ordered him to ride in the back of his van to deliver heavy items to customers. Feeling he had "done wrong and didn't want to make a fuss, Mr. Chapman complied. The intimidation stopped after Mr. Chapman managed to pay up, he says adding. "This was the worst thing that ever happened to me in my life, period."One postscript. His god ring, he says, was never returned.

Mr. Horton, who was fired from Rent-A-Center in July for unrelated reasons, declines comment. Mr. Keeling, the former store manager, confirms the account and says such harrowing scenarios are commonplace. Around Christmas in 1990, he says he carted away the refrigerator of a diabetic customer after dumping her insulin on the floor.

"COUCH PAYMENTS"

Yet another tactic in Rent-A-Center's repo repertoire is the "couch payment"—sexual favors exacted by employees in lieu of cash. Of 28 former store managers interviewed, six said the practice has occurred in their areas.

Some store employees have boasted that they "have gone out to the customers' homes, had sex with them, and then repo-ed the merchandise any way," says Ken Dube, who spent time at a number of outlets as a field auditor. He later became an accountant at headquarters until he was fired in December for reasons Rent-A-Center declines to divulge.

Mr. Gates acknowledges that abuses such as couch payments occurred in the past and "are probably going on today." There are simply "more control problems" in a business where much of the activity takes place out of the store, he says. But the company stresses that such abuses are "few and far between" and not "in any way condoned by Rent-A-Center."

Rent-A-Center says it is doing its best to clean up remaining problems. It set up a customer hot line that in July received some 2,300 calls, of which only 300 were complaints, the company says. In a given month, 99% of those complaints are resolved in the customer's favor, according to company officials. Some late payers say they have been allowed to skip payments. Rent-A-Center also sometimes rewrites rental agreements, stretching out the payment term to stave off a repossession.

But Rent-A-Center employees are sometimes willing to take the risk of getting caught, since the stakes are so high. In May at the annual meeting held at Bally's in Las Vegas, scores of managers clambered on stage to collect bonus checks at a festive final gala. As the champagne flowed, the store manager of the year was awarded a year's use of a new red Corvette, a trip to the Ritz Carlton in Maui and a bonus of $24,200. Rent-A-Center estimates that the average store manager currently earns a salary of $30,000, and more than 80% received bonuses last year.

As for Rent-A-Center's future, chances are it won't be quite so freewheeling. Aside from the lawsuits and the House bill, the Senate is drafting legislation. The Internal Revenue Service is also examining the rent-to-own industry. And Pennsylvania's attorney general has concluded that Rent-A-Center is violating a state law capping annual interest rates at 18%, it is asking the firm to give refunds. The state also is examining reports that Rent-A-Center engages in illegal collection practices, including threatening to break into late payers' homes.

Despite the proliferating challenges, Mr. Gates remains optimistic. He is hard at work on his latest per project. "Rent-A-Center 2000." This store of the future, being tested in Kansas City, Kan., features a play area for children, a "wall of fame" with photos of star customers and a "troubled times" program that enables renters to skip or defer payments temporarily.

Rent-A-Center is also branching out into new rental areas. One of its most successful has been jewelry. Rent-A-Center is now among the largest customers of Harry Winston Inc., the famed jeweler to such clients as Imelda Marcos and the late Duchess of Windsor, which supplies lower-end baubles to the chain.

In its new ventures, Rent-A-Center will surely be able to count on its current customers, a loyal lot: Most feel they can't get quality goods any other way.

Nancy Thornley, an Ogden, Utah housewife, for example, was diligently handing over about $261 a month in rental payments to Rent-A-Center in 1991 when she lost a leg to diabetes. Faced with a $4,000 bill for a prosthetic limb, she arranged to defer part of her rental tab, she says. But shortly after she returned home from the hospital, she was shocked when two store employees showed up without notice on a Saturday afternoon, accused her of being three months behind in payments and carted away all the goods, primarily basics such as a refrigerator and a couch.

"It was a total humiliation," she says. "All my neighbors were watching."

A year later, though, Ms. Thornley was back, having been inundated by Rent-A-Center letters and "We Want You Back" coupons. She was reluctant to return, she says. But "I needed the item," a microwave oven, and couldn't afford to buy it. Says Ms. Thornley, "I felt like there was nowhere else to go."

[From the Wall Street Journal, Sept. 22, 1993]

PITCHING BY THE SCRIPT

(Excerpts from Rent-A-Center's Sales and Service Manual dated February 1993)

CLOSING

Closing is helping the customer to make up his/her mind. Many customers will be prepared to rent immediately after looking at merchandise. Attempt to close early in the sales track if you sense the customer wants to rent. Make at least 5 attempts to close with every customer. Closing methods include:

Payment Close. "Will you be paying monthly, or is weekly more convenient?"

Assumptive Close. "Let's get the order started."

Delivery Close. "You can have that delivered by 4:00 p.m. today, or will 5:00 be more convenient?"

Choice Close. "This comes in beige or brown. Which would you prefer?"

Last Chance Close. "The sale ends tomorrow and I can't guarantee there will be any left if you wait. Shall we start the order?"

Summary Close. "Well you agree it's an excellent price, you like the fabric, and we can deliver by 3:00 p.m. today. Do you want to fill out an order?"

UPSELLING

While using the sales track, be aware of and take opportunities to upsell the customer. Upselling means becoming aware of a customer need and satisfying it. Many times, a customer might not even be aware of his/her own needs. Opportunities to upsell include

7 piece suites instead of 5 piece furniture suites

An electronic tune TV instead of a standard tune

A remote control TV instead of one with standard or electronic tuning only

A higher wattage stereo

A large capacity refrigerator freezer or washer/dryer

Whenever attempting to upsell explain to the customer why the upscale merchandise is a better value and how it will satisfy their needs.

[From the Washington Monthly, October 1993]

RENTER BEWARE

(By Mike Hudson)

Just $14.99 a week for a color television sounds pretty good to a $6-an-hour factory worker or a mother on welfare. For people without the cash or the squeaky-clean credit history to buy it at Sears, "renting to own" offers an alluring alternative: easy payments, no credit check, and no hassles. But your mother should have told you this: When you hear phrases like "no credit check and no hassles," keep your hand on your wallet. Someone's trying to pick your pocket.

The rent-to-own equation is simple. When a rent-to-own store brings in a new piece of merchandise, it multiplies the wholesale price by a set percentage—usually 350 percent to 450 percent—to come up with the total sales price. Then the store divides that total by a number of weeks or months—typically 78 weeks or 18 months—to determine what the installment payments will be. Throw in fees for insurance, later charges, and other submerged costs, and eventually customers pay three, four, or five times what they'd spend on the same item at a retail store. That's why a 20-inch TV that costs $329.99 at Sears will cost as much as $1,200, at Rent-A-Center, the nation's largest chain on rent-to-own outlets.

With these exorbitant prices come a set of rules that grossly favor the retailer over the customer. Iris Green, a public housing resident in Paterson, N.J., paid nearly $4,000 to Continental Rentals toward a stereo, washer, freezer, and other items that had a cash value of less than $2,800. Then she got sick and the paychecks from her job as a nursing home aide stopped coming. Continental came and took everything. Sandra James signed a $2,485, rent-to-own contract for bedroom furniture from a Rent-A-Center in Chicago. She fell behind in her payments and the store swore out a theft charge against her. She says the manager told her the warrant would be dropped if she paid $177.50. She paid but then was hauled off her job by police officers accompanied by the manager. She spent the night in jail.

Rent-to-own got its start back in the sixties, when state and federal governments were passing laws to control ghetto merchants who used retail installment contracts to fleece the poor. The industry's trade group, the Association of Progressive Rental Organizations (APRO), says the rent-to-own industry was born during this time "as a result of the tightening of consumer credit and burgeoning federal consumer protection legislation."

Rent-to-own stores have managed to avoid tough consumer laws by tinkering with the traditional credit contract. Mainly, it's a matter of changing the terminology. An interest charge becomes a "rental fee." A late charge becomes a "reinstatement fee." Merchandise that is repossessed is "returned by the customer." Buying an item is "exercising a purchase option."

For customers, the only advantage to this system is that if they can't afford to keep paying, the item can be brought back to the store with no further obligation for the rest of the payments. That's a nice option for anyone whose income is unreliable. But it's not much of a consolation for somebody like Iris Green, who's already invested thousands of dollars in the merchandise. It's been enough in most states, however, to get rent-to-own exempted from retail-credit laws which generally limit store owners to interest rates of 20 to 30 percent a year. By avoiding such regulation, rent-to-own dealers can charge the equivalent of interest rates of 100, 200, even 300 percent a year.

In the past three decades, rent-to-own has grown from a handful of inner-city operators one step ahead of the law to a powerful nationwide industry with 7,500 stores and revenues over $3.5 billion annually. It's dominated by a few conglomerate-owned, upscale-looking chains that have changed the look, if not the reality, of selling to the poor.

In spite of the industry's new image, it continues to spend a lot of money defending itself against lawsuits from attorneys for the poor. (At a legal issues seminar for rent-to-own dealers last year, the first question from the audience was: "What can we do to abolish Legal Aid?") The litigation has occasionally taught the industry something about the consequences of heavy-handed collection tactics. But the lawsuits have had less success in changing the pricing equation that makes every customer a victim. The industry has beaten back almost all challenges with a two-pronged strategy. First, overwhelm understaffed Legal Aid offices with private bar talent (or buy off destitute customers with modest confidential settlements). Then, work to change the laws.

In most states, industry lobbyists have prevailed by combining free-market rhetoric and hard-ball politicking. Back in 1983, Jeanne Fenner, a North Carolina state legislator, introduced a bill that would have limited finance charges on rent-to-own contracts. Pro-business lawmakers gutted the bill and then the industry took revenge on Fenner. During the next two campaigns, rent-to-own dealers from as far away as Texas poured more than $20,000 into their opponents' campaigns. Fenner, who spent a fraction of that, lost both times. Since then, rent-to-own opponents in North Carolina have gotten nowhere.

In many other states, the industry has headed off such nasty fights by using an effective strategy of preemptive regulation. It works like this: Dealers approach a legislator with a reputation as a consumer advocate and say, "We want to be regulated so we can protect our customers from a handful of bad apples out there. We've written a law that will do the trick."

The industry's model statute sounds good. And no doubt it does help run off some of the most outrageous scam artists because it includes some protections for consumers, like requiring that stores be honest about their prices and state whether an item is new or used. But the law also exempts rent-to-own deals from state retail credit laws and the interest limits that go along with them. "Disclose and Anything Goes," Legal Aid attorneys call this strategy. Since 1984, at least 35 states have passed such rent-to-own friendly statutes.

The industry—which by the late 1980s was spending half a million dollars a year on legislative efforts—has even persuaded the Council of State Governments to endorse its model bill. And it seemed ready to palm off

the same statute on Congress until Texas Rep. Henry Gonzalez was joined on his House Banking, Finance, and Urban Affairs committee by a number of newly-elected urban liberals.

What explains this history of legislative successes? Good public relations is much of it. The industry has convinced more than a few powerful people of what might generously be called half-truths:

"We're just a bunch of family-owned stores. Too much regulation would put us out of business.

In written testimony submitted to Gonzalez's committee this spring, the executive director of the industry's trade association declared that "Eighty percent of the industry is made up of 'mom and pop' operators with fewer than five stores each." Later, during his oral testimony, he changed that figure to "over two-thirds."

Even that's wrong. Rent-A-Center, the Wichita-based chain owned by Thorn EMI, a global conglomerate whose other assets include country-music star Garth Brooks, controls 1,200 of the industry's 7,500 or so stores. That's nearly 20 percent of the market all by itself. In fact, in written answers to questions from the House committee, the trade association's own figures indicate that 40 percent of rent-to-own stores are owned or franchised by chains with 25 or more outlets. David Ramp, a Minneapolis Legal Aid attorney who has been fighting the industry for years, says his research shows that 60 percent of the market is controlled by fewer than 20 large corporations. And the industry trend is toward more and more consolidation.

"We don't prey on the poor. Our customers come from all walks of life."

Anecdotal evidence aside, it's clear that the vast bulk of rent-to-own's customer base comes from the poor or near-poor. For example, Rent-A-Center's own market research has shown that nearly 60 percent of its customers earn less than $20,000 a year, while just 4 percent earn $45,000 or more. Only about 7 percent are college graduates.

"We're in the rental business, not retail. Just 25 percent of our customers end up owning. Most bring back their merchandise after a few weeks."

This is the industry's big lie. "We're in the retail merchandising business when you get right down to it," Larry Sutton, an owner in a Florida rent-to-own chain, told fellow dealers at a 1991 seminar. "We don't want to say that in court. [But] let's face it: We're in the retail business. We sell." Indeed, in a national survey, 70 percent of Rent-A-Center customers said they intended to own the merchandise. Just 11 percent said they only wanted a short-term lease. In fact, 48 percent believed they already owned the goods even before the "lease" was completed.

To test what they do tell consumers, I visited 15 rent-to-own stores in Georgia, New Jersey, Pennsylvania, and Virginia. I asked questions just like any customer off the street. Among them: What percentage of customers end up owning? Not one of them gave the 25 percent figure that's cited in official settings. Seven estimated 80 percent or more. Six others gave estimates ranging from 45 percent to 70 percent. At another store, a salesman said simply: "Almost all of them."

"We charge more because of the high costs of theft and because we offer free repairs."

In congressional testimony this spring, the industry's trade group said that 12 percent of rent-to-own merchandise is stolen. However, the industry association's chief attorney wrote in an 1989 trade journal article that rent-to-own stores' losses from stolen merchandise consistently averages about 2 percent of revenues—considerably less than what credit-card companies are forced to write off in unpaid debts.

As for free repairs and replacement, a lot of the stuff—such as furniture—requires little maintenance, and much of it is covered by manufacturer's warranties. A Rent-A-Center study found that less than five percent of their merchandise needed repairs.

But the spectre of damaged goods is actually a cash cow for the industry. Most stores require customers to pay "damage and theft waiver fees"—essentially credit insurance that covers the store if something happens to the merchandise. In return for the fee, you won't owe anything to the store if the merchandise is damaged or stolen during the contract period. The downside, of course, is that you're also out all the payments you've already made and can't keep what you've been paying for.

Typically, a rent-to-own store will charge you $1 a week in "waiver" fees for insurance—so that a $330 TV from Rent-A-Center (for which you're paying $1,200) costs another $74 to insure. For roughly that sum you could buy enough renter's insurance to cover $10,000 or even $20,000 worth of personal belongings. Rent-A-Center, meanwhile, makes a bundle on the extra fee: Ramp's research has shown that Rent-A-Center has to write off only about a nickel in claims for each dollar it takes in "waiver fees." (Another big money maker is fees to forgive late payments. Rent-A-Center customers in Minnesota paid $1.3 million in "reinstatement" charges over one four-year period).

Even where lawmakers haven't been snookered into buying this industry propaganda, rent-to-own dealers have found ways to get around the law. When Pennsylvania passed a statute in 1989 that defined rent-to-own as a retail sale and sets an annual interest limit of 18 percent, the state's rent-to-own dealers claimed the law would put them out of business. It didn't. Instead, most ignored it or found ways to skirt it. Some, for example, now offer straight rentals ("rent-to-rent") with the promise of a "rebate" that the customer can use to purchase the item at the end of the contract. An undercover investigation by the Pennsylvania attorney general's office found rent-to-own stores were still charging annual interest rates from 82 to 265 percent.

This end run shows the problem with trying to regulate away price-gouging: As long as there's a consumer demand and a market that is locked out of mainstream credit, some businesses will find a way to take advantage. "If you want nice things—where are you gonna go if you can't get credit?" asks Tonya Cross, a rent-to-own customer in Roanoke, Va. "If you want it, you're gonna have to get it from somewhere."

Which is where consumer advocates come in. Many customers are illiterate or financially unsophisticated and have little idea that they are paying double or triple retail, or more. Few know that—as the industry has sworn in court and in Congress—you have only a one-in-four chance of ultimately keeping the stuff when you rent-to-own. A consumer protection campaign pushing these themes would be a good start.

Other customers, like Cross, know that they're paying more, but go the rent-to-own route because they believe they have no other choices. That's why government and consumer activists should provide them with some alternatives by putting more resources into credit unions and other non-profit institutions that offer savings accounts and small loans to poor and working people.

In the meantime, there are some cheaper (though not inexpensive) alternatives: Buying things on time from retail stores or with credit cards is almost always cheaper than renting to own. Paying 20 percent interest a year or more to a retail store isn't cheap, but it's less than rent-to-own and the chances you'll actually keep the goods are better. Taking the plunge with Sears simply has to be better than paying $1,200 for a $300 TV.

RENT-TO-OWN CONSUMER CREDIT PROTECTION ACT OF 1993— SECTION-BY-SECTION ANALYSIS

Section 1. Short Title. This Act may be cited as the "Rent-To-Own Consumer Credit Protection Act of 1993.

Section 2. Rent-to-Own Protection Act. The Consumer Protection Act is amended to include a new title, "Title X—Rent-To-Own Transactions."

Findings and purposes: The Congress finds: that the rent-to-own industry targets its products primarily to low-income and minority neighborhoods; the majority of rent-to-own customers enter into rent-to-own contracts with the intention of owning the goods for which they are contracting; rent-to-own dealers often fail to disclose key terms of rent-to-own contracts, and engage in unfair debt collection practices; and rent-to-own dealers do not provide customers with the protections afforded purchasers in retail installment sales under state and Federal laws, and often charge excessive fees and interest rates.

The purposes of this title are: to provide consumers in rent-to-own transactions the range of protections provided under state and Federal laws to individuals who acquire goods in other consumer credit sales; to require rent-to-own contracts, and tags affixed to items available for acquisition in rent-to-own transactions, to disclose the material terms of those transactions; and to prohibit rent-to-own dealers and collection agents hired by such dealers from engaging in abusive collection practices.

Definitions: The Act defines such terms as "cash price", "consumer", "credit", and "seller". A "rent-to-own contract means a contract in the form of a terminable lease or bailment of an item of consumer goods, under which the consumer has the right of possession and use of the item, has the option to renew the contract periodically by making payments specified in the contract, and the seller agrees in writing or orally to transfer ownership of the item to the consumer upon the fulfillment of all obligations of the consumer under the contract for that transfer. The term "rent-to-own transaction" means the lease or bailment of an item of consumer goods under the a rent-to-own contract.

State Law: Fees, Charges, Guarantees, and Warranties: All interest, finance charges or other fees charged by a seller in a rent-to-own transaction shall be of a type and in an amount allowed under state law. A termination fee, where permitted, shall not exceed 5% of the cash price disclosed under the contract, shall be disclosed in the contract, may be paid at the time the contract is entered into or over the life of the contract, and shall be calculated as part of the finance charge. The termination of a rent-to-own contract by a consumer under this title shall satisfy the consumer's obligation for all payments due under the contract except those payments due prior to the termination of the

rent-to-own transaction. All guarantees and warranties required under state law for goods sold pursuant to a consumer credit sale or retail installment sale shall apply to goods that are the subject of a rent-to-own transaction.

Application of Federal Law: The following Federal laws shall apply to rent-to-own transactions: "The Truth in Lending Act", the "Equal Credit Opportunity Act", the "Fair Debt Collection Practices Act", and the "Fair Credit Reporting Act".

Disclosures on Goods: Each item available for purchase pursuant to a rent-to-own transaction shall disclose: (1) the cash price of the item; (2) an itemization of services offered under a rent-to-own contract for the item, and the cash price of each service; (3) the annual percentage rate of the item as determined under the "Truth in Lending Act"; (4) the incremental payment schedule applicable under the rent-to-own contract and the number of payments required; (5) the total of payments required to be paid to acquire ownership of the item as determined under regulations under the "Truth in Lending Act"; and (6) specification of whether the item is new or used.

Prohibitions; Enforcement: A seller under a rent-to-own contract shall not threaten, coerce, engage in conduct to oppress, harass or abuse, make fraudulent, deceptive or misleading representation, or use any unconscionable means to collect amounts owed by the consumer. The Federal Trade Commission shall enforce these prohibitions.

Civil Liability: Any seller who fails to comply with the disclosure requirements of this title shall be liable to the consumer for actual damages sustained as a result of the failure, $500 for each failure, and all costs of the action and reasonable attorney fees. Any seller who fails to comply with any other requirements of this title shall be liable to the consumer for actual damages sustained by the consumer as a result of the violation, $5,000 for each violation and all costs of the action and reasonable attorney fees. Any action brought under this title must be commence in any United States district court or any other court of competent jurisdiction not later than 2 years after the date of the violation or failure. Nothing in this title shall be construed to limit any remedy otherwise available under state or Federal law.

Regulations: The Federal Trade Commission shall, within 6 months after enactment of this title, issue regulations as may be necessary to implement this title.

Relationship to other laws: This title does not annul, alter, affect or, exempt any person subject to the provisions of this title from complying with the laws of any State with respect to rent-to-own transactions, except to the extent that such laws are inconsistent with any provision of this title, and then only to the extent of the inconsistency. In addition, Chapter 5 of the "Truth in Lending Act", concerning consumer leases, shall not apply to a rent-to-own transaction to the extent application of that Act to the transaction is inconsistent with this title.

Section 3: Not later than two years after the enactment of this Act, the Federal Trade Commission shall report to Congress regarding issues relating to the Federal regulation of the rent-to-own industry, and where appropriate, make recommendations for further legislation.

Section 4: The provisions of this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

By Mr. SIMON:

S. 1567. A bill to amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair labor practice cases, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON (for himself and Mr. WELLSTONE):

S. 1568. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Labor and Human Resources.

LABOR LEGISLATION

• Mr. SIMON. Mr. President, today I am introducing two bills to add to the series of labor law reform bills I introduced October 7, 1993.

The first bill, the Labor Relations Remedies Act of 1993, awards employees who have been unfairly discharged for union activities back pay equal to three times the employee's wage at the time of discharge. Further, employee's will have the right to sue for compensatory and punitive damages in district or State court.

In addition, on behalf of myself and Senator WELLSTONE, I am introducing the Labor Relations First Contract Negotiations Act of 1993. This will facilitate the consummation of the first contract between an employer and the certified bargaining representative. Briefly, this bill requires selection of a mediator when a new labor representative and an employer are unable to settle first contract disputes within 60 days after the representative has been certified. If the employer and representative have still not reached an agreement 30 days after a mediator has been chosen, either side may transfer matters for binding arbitration.

There has been a drastic decline in labor union membership during the past 20 years. I believe that the main reason for this decline is public policy which has frustrated efforts by employees to organize. The two bills I am introducing today along with the five bills I introduced last week are an attempt to remedy the inequities which plague current labor laws. We need to level the playing field. Employers and employees must have equal footing when negotiating and these bills go a long way toward ensuring fairness in the workplace.

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

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 1567

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 "Labor Relations Remedies Act of 1993".

SEC. 2. BOARD REMEDIES.

Section 10(c) of the National Labor Relations Act (29 U.S.C. 160(c)) is amended by inserting after the fourth sentence the following new sentence: "If the Board finds that an employee was discharged in violation of this Act, the Board in such order shall (1) award back pay in an amount equal to three times the employee's wage rate at the time of the unfair labor practice and (2) notify such employee of the employee's right to sue for punitive damages and damages with respect to a wrongful discharge under section 303 of the Labor Management Relations Act, 1947 (29 U.S.C. 187), as amended by the Labor Relations Remedies Act of 1993.".

SEC. 3. COURT REMEDIES.

Section 303 of the Labor Management Relations Act, 1947 (29 U.S.C. 187), is amended by adding at the end the following new subsections:

"(c) It shall be unlawful, for purposes of this section, for an employer to discharge an employee for exercising rights protected under the National Labor Relations Act (29 U.S.C. 158)."

"(d) An employee whose discharge is determined by the National Labor Relations Board under section 10(c) to be a violation of this Act may sue therefore in any district court of the United States without respect to the amount in controversy, or in any other court having jurisdiction over the parties to recover compensatory and punitive damages in addition to the back pay ordered by the Board."

"(e) Nothing contained in Section 8 or Section 10 of the National Labor Relations Act (19 U.S.C. 158), or in this section shall limit the rights and remedies under any State or Federal law or before any court or other tribunal of an employee discharged by an employer."

S. 1568

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 "Labor Relations First Contract Negotiations Act of 1993".

SEC. 2. INITIAL CONTRACT DISPUTES.

Section of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

(h)(1) If not later than 60 days after the certification of a new representative for the purpose of collective bargaining, the employer and the representative have not reached a collective bargaining agreement with respect to the terms and conditions of employment, the employer and representative shall jointly select a mediator to mediate those issues on which they cannot agree.

(2) If the parties are unable to agree upon a mediator, either party may request the Federal Mediation and Conciliation Service to name one and the Federal Mediation and Conciliation Service shall thereupon appoint a person to serve as mediator.

(3) If not later than 30 days after the date of the selection of a mediator under paragraphs (1) or (2), the employer and the representative have still not reached agreement, the employer or the representative may transfer the matters remaining in controversy to the Federal Mediation and Conciliation Service for binding arbitration".•

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

S. 1569. A bill to amend the Public Health Service Act to establish, reauthorize, and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes; to the Committee on Labor and Human Resources.

THE DISADVANTAGED MINORITY HEALTHACT OF 1993

Mr. KENNEDY. Mr. President, today I am introducing the Disadvantaged Minority Health Improvement Act of 1993. This legislation reauthorizes several vital health programs and establishes new initiatives for improving the health status of racial and ethnic minorities.

Despite impressive gains in scientific knowledge and increased ability to diagnose, prevent, and cure disease, many minority citizens in America do not benefit from these advances. Over $800 billion a year is spent on health care in this country, yet the health status of racial and ethnic minorities lags far behind the rest of the Nation. Today, African-Americans, Hispanics, native Americans, and Asian-Pacific Islanders as a whole are often in poorer health than typical citizens of Third World countries.

Because minorities are less likely to receive health care services, their children are at risk for being born prematurely or with physical disabilities or not being vaccinated against preventable diseases. Minority adults have a higher likelihood of dying from diseases that most physicians consider preventable.

"Health, United States, 1992" the latest annual report card on the Nation's health shows that a number of serious health problems disproportionately affecting people of color have not improved or have become worse.

The statistics on infant mortality are shocking. An African-American child is twice as likely to die in the first year of life as a white child, and the gap is increasing. African-American mothers are twice as likely to receive little or no prenatal health care. In addition, African-Americans die as a result of heart disease twice as often as whites, and life expectancy of black males is 8 years less. Survival rates for cancer are shorter and the incidence of AIDS is 4 times higher in black men than white men—and 15 times higher in black women than white women.

According to the U.S. Census Current Population Survey, 21 percent of blacks and 32 percent of Hispanics were uninsured in 1991, compared with 11 percent of non-Hispanic whites.

The way to eliminate these disparities is to eliminate the barriers that create them. One of the major obstacles is inadequate access to quality health care, which often results from the lack of health insurance, the scarcity of minority health providers, the lack of community-based services, inadequate support for institutions that serve minorities and the lack of relevant health information.

In 1990, Congress enacted the Disadvantaged Minority Health Improvement Act to reduce these barriers and the unnecessary diseases and deaths that disproportionately affect minorities. The act established an office of minority health in the Department of Health and Human Services to coordinate activities relating to health promotion, disease prevention, service delivery, and research involving racial and ethnic minorities. The act also established a loan and scholarship program to provide financial assistance to minority students pursuing careers as health professionals. In addition, the act strengthened and revised health service delivery programs for disadvantaged racial and ethnic minorities.

The Committee on Labor and Human Resources recently conducted hearings on the act. These hearings demonstrated the need for more research on minority health issues, better racial and ethnic minority health data collection, programs to improve access to health care, and the need for more minority health professionals.

The legislation I am introducing today reauthorizes and revises activities of the Office of Minority Health. It supports the National Minority Health Resource Center that disseminates information on health promotion, disease prevention, and preventive health services to racial and ethnic minorities.

This legislation also establishes a national center to address the problems facing individuals with limited English skills when seeking health care services. The legislation also revises and extends the Health Careers Opportunity Program, the Faculty Development Loan Repayment Program, the Centers of Excellence Program and scholarship and loan programs for disadvantaged students. These programs will help increase the number of minority students pursuing careers in medicine, dentistry, and clinical psychology by providing financial aid to students and grants to schools committed to training minority students.

In addition, the legislation creates new offices of minority health in four agencies—the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Substance Abuse and Mental Health Services Administration, and the Agency for Health Care Policy and Research. These offices will help ensure that disadvantaged minority groups have access to health promotion and disease prevention services provided by the Public Health Service.

In addition, the bill authorizes $3 million in grants to States to establish their own offices of minority health. These offices will act as clearinghouses to collect and disseminate information, develop innovative methods of delivering health care and social services to minority communities, and coordinate State activities relating to health promotion and disease prevention.

Finally, the bill establishes an advisory committee on research on minority health at the National Institutes of Health, to be composed of scientists, physicians, and health care provides with expertise in minority health research and in eliminating barriers to health care. The committee will analyze current research and design new research projects on all aspects of the relationships between disease and race and ethnicity, such as the onset of disease, and responses to pharmaceutical drugs and other treatments.

We have begun to make progress in this area in recent years, but much more remains to be done. I look forward to working with Congress and the administration to enact this legislation.

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

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

S. 1569

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

SECTION 1. SHORT TITLE; REFERENCE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Preventive Health Services and Health Professions Amendments Act of 1993".

(b) REFERENCE.—Except as otherwise expressly provided, whenever in this Act an amendment or a repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(c) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; reference; table of contents.
Sec. 2. Findings.

TITLE I—HEALTH POLICY

Sec. 101. Office of Minority Health.
Sec. 102. Agency Offices of Minority Health.
Sec. 103. State Offices of Minority Health.
Sec. 104. Assistant Secretary of Health and Human Services for Civil Rights.

TITLE II—HEALTH SERVICES

Sec. 201. Community scholarship programs.
Sec. 202. Health services for residents of public housing.
Sec. 203. Issuance of regulations regarding language as impediment to receipt of services.
Sec. 204. Health services for Pacific Islanders.

TITLE III—HEALTH PROFESSIONS

Sec. 301. Loans for disadvantaged students.
Sec. 302. Cesar Chavez scholarship program.
Sec. 303. Thurgood Marshall scholarship program.
Sec. 304. Loan repayments and fellowships regarding faculty positions at health professions schools.
Sec. 305. Centers of excellence.
Sec. 306. Educational assistance regarding undergraduates.
Sec. 307. Area health education centers.

TITLE IV—RESEARCH AND DATA COLLECTION
Sec. 401. Office of Research on Minority Health.
Sec. 402. National Center for Health Statistics.
Sec. 403. Activities of Agency for Health Care Policy and Research.
TITLE V—MISCELLANEOUS
Sec. 501. Revision and extension of program for State Offices of Rural Health.
Sec. 502. Technical corrections relating to health professions.
Sec. 503. Clinical traineeships.
Sec. 504. Demonstration project grants to States for alzheimer's disease.
Sec. 505. Medically underserved area study.
Sec. 506. Programs regarding birth defects.
TITLE VI—GENERAL PROVISIONS
Sec. 601. Effective date.

SEC. 2. FINDINGS.

Section 1(b) of the Disadvantaged Minority Health Improvement Act of 1990 (42 U.S.C. 300u-6 note) is amended to read as follows—

"(b) FINDINGS.—Congress finds that—

"(1) the health status of individuals from racial and ethnic minorities in the United States is significantly lower than the health status of the general population and has not improved significantly since the issuance of the 1985 report entitled "Report of the Secretary's Task Force on Black and Minority Health";

"(2) racial and ethnic minorities are disproportionately represented among the poor;

"(3) racial and ethnic minorities suffer disproportionately high rates of cancer, heart disease, diabetes, substance abuse, acquired immune deficiency syndrome, and other diseases and disorders;

"(4) the incidence of infant mortality among African Americans is almost double that for the general population;

"(5) Mexican-American and Puerto Rican adults have diabetes rates twice that of non-Hispanic whites;

"(6) a third of American Indian deaths occur before the age of 45;

"(7) according to the 1990 Census, African Americans, Hispanics, American Indians, and Asian/Pacific Islanders constitute approximately 12.1 percent, 9 percent, 0.08 percent, and 2.9 percent, respectively, of the population of the United States;

"(8) minority health professionals have historically tended to practice in low-income areas, medically underserved areas, and to serve racial and ethnic minorities;

"(9) minority health professionals have historically tended to engage in the general practice of medicine and specialties providing primary care;

"(10) reports published in leading medical journals indicate that access to health care among minorities can be substantially improved by increasing the number of minority professionals;

"(11) diversity in the faculty and student body of health professions schools enhances the quality of education for all students attending the schools; and

"(12) health professionals need greater access to continuing medical education programs to enable such professionals to upgrade their skills (including linguistic and cultural competence skills) and improve the quality of medical care rendered in minority communities.".

TITLE I—HEALTH POLICY

SEC. 101. OFFICE OF MINORITY HEALTH.

Section 1707 (42 U.S.C. 300u-6) is amended by striking subsection (b) and all that follows and inserting the following:

"(b) DUTIES.—With respect to improving the health of racial and ethnic minorities, the Secretary, acting through the Deputy Assistant Secretary for Minority Health, shall carry out the following:

"(1) Establish short-range and long-range goals and objectives and coordinate all other activities within the Department of Health and Human Services that relate to disease prevention, health promotion, service delivery, and research concerning such individuals. The heads of the operating divisions of the Department of Health and Human Services and the heads of Public Health Service agencies shall consult with the Deputy Assistant Secretary for Minority Health to assist in the coordination of all activities within the Department as they relate to disease prevention, health promotion, service delivery, and research concerning such individuals.

"(2) Carry out the following types of activities by entering into interagency agreements with other agencies of the public health service:

"(A) Support research, demonstrations and evaluations to test new and innovative models.

"(B) Increase knowledge and understanding of health risk factors.

"(C) Develop mechanisms that support better information dissemination, education, prevention, and service delivery to individuals from disadvantaged backgrounds, including racial and ethnic minorities.

"(3) Establish a national minority health resource center to carry out the following:

"(A) Facilitate the exchange of information regarding matters relating to health information and health promotion, preventive health services, and education in the appropriate use of health care.

"(B) Facilitate access to such information.

"(C) Assist in the analysis of issues and problems relating to such matters.

"(D) Provide technical assistance with respect to the exchange of such information (including facilitating the development of materials for such technical assistance).

"(4) Establish a national center that shall carry out programs to improve access to health care services for individuals with limited English proficiency by facilitating the removal of impediments to the receipt of health care that result from such limitation.

"(5) With respect to awards of grants and contracts that are available under certain minority health programs, establish a program—

"(A) to inform entities, as appropriate, that the entities may be eligible for the awards;

"(B) to provide technical assistance to such entities in the process of preparing and submitting applications for the awards in accordance with the policies of the Secretary regarding such application; and

"(C) to inform populations, as appropriate, that members of the populations may be eligible to receive services or otherwise participate in the activities carried out with such awards.

"(c) ADVISORY COMMITTEE.—

"(1) IN GENERAL.—The Secretary shall establish an advisory committee to be known as the Advisory Committee on Minority Health (in this subsection referred to as the 'Committee').

"(2) DUTIES.—The Committee shall provide advice to the Secretary on carrying out this section, including advice on the development of goals and specific program activities under subsection (b)(1) for each racial and ethnic group.

"(3) CHAIRPERSON.—The Deputy Assistant Secretary for Minority Health shall serve as the Chairperson of the Committee.

"(4) COMPOSITION.—The Committee shall be composed of no fewer than 12, and not more than 18 individuals, who are not officers or employees of the Federal Government. The Secretary shall appoint the members of the Committee from among individuals with expertise regarding issues of minority health. The membership of the Committee shall be equitably representative of the various racial and ethnic groups. The Secretary may appoint representatives from selected Federal agencies to serve as ex officio, non-voting members of the Committee.

"(5) TERMS.—Each member of the Committee shall serve for a term of 4 years, except that the Secretary shall initially appoint a portion of the members to terms of 1 year, 2 years, and 3 years.

"(6) VACANCIES.—If a vacancy occurs on the Committee, a new member shall be appointed by the Secretary within 90 days from the date that the vacancy occurs, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Committee.

"(7) COMPENSATION.—Members of the Committee who are officers or employees of the United States shall serve without compensation. Members of the Committee who are not officers or employees of the United States shall receive, for each day (including travel time) they are engaged in the performance of the functions of the Committee, compensation at rates that do not exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule under title 5, United States Code.

"(d) CERTAIN REQUIREMENTS REGARDING DUTIES.—

"(1) RECOMMENDATIONS REGARDING LANGUAGE AS IMPEDIMENT TO HEALTH CARE.—The Secretary, acting through the Director of the Office of Refugee Health, the Director of the Office of Civil Rights, and the Director of the Office of Minority Health of the Health Resources and Services Administration, shall make recommendations regarding activities under subsection (b)(4).

"(2) EQUITABLE ALLOCATION REGARDING ACTIVITIES.—In awarding grants or contracts under section 340A, 724, 737, 738, or 1707, the Secretary shall ensure that such awards are equitably allocated with respect to the various racial and ethnic populations.

"(3) CULTURAL COMPETENCY OF SERVICES.—The Secretary shall ensure that information and services provided pursuant to subsection (b) are provided in the language and cultural context that is most appropriate for the individuals for whom the information and services are intended.

"(4) PEER REVIEW.—The Secretary shall ensure that each application for a grant, contract or cooperative agreement under section 340A, 724, 737, or 1707 undergoes appropriate peer review.

"(e) REPORTS.—Not later than January 31 of fiscal year 1995 and of each second year thereafter, the Secretary shall submit to the Congress a report describing the activities carried out under this section during the preceding 2 fiscal years and evaluating the extent to which such activities have been effective in improving the health of racial and ethnic minorities.

"(f) GRANTS AND CONTRACTS REGARDING DUTIES.—

"(1) AUTHORITY.—In carrying out subsection (b), the Secretary may enter into

contracts with public and nonprofit private entities for activities described in paragraphs (3) and (4) of subsection (b).

"(2) EVALUATION AND DISSEMINATION.—The Secretary shall, directly or through contracts with public and private entities, provide for evaluations of projects carried out with financial assistance provided under paragraph (1) during the preceding 2 fiscal years. The report shall be included in the report required under subsection (e) for the fiscal year involved.

"(g) DEFINITION.—As used in this section, the term 'racial and ethnic minority group' means Hispanics, Blacks, Asian Americans, Pacific Islanders, Native Americans, and Alaskan Natives. The term 'Hispanic' means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country, including Spain or the Caribbean Islands, and individuals identifying themselves as Hispanic, Latino, Spanish, or Spanish-American.

"(h) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $20,500,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(2) ALLOCATION OF FUNDS BY SECRETARY.—Of the amounts appropriated under paragraph (1) for a fiscal year in excess of $15,000,000, the Secretary shall make available not less than $3,000,000 for activities to improve access to health care services for individuals with limited English proficiency, including activities identified in subsection (b)(4).".

SEC. 102. AGENCY OFFICES OF MINORITY HEALTH.

Title XVII (42 U.S.C. 300u et seq.) is amended by adding at the end the following new section:

"SEC. 1709. AGENCY OFFICES OF MINORITY HEALTH.

"(a) IN GENERAL.—The Secretary, acting through the Deputy Assistant Secretary for Minority Health, shall ensure that an Office of Minority Health is established and operating at the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Substance Abuse and Mental Health Administration, and the Agency for Health Care Policy and Research. Such Offices shall be established to ensure that services and programs carried out within each such respective agency or office—

"(1) are equitably delivered with respect to racial and ethnic groups;

"(2) provide culturally competent services; and

"(3) utilize racial and ethnic minority community-based organizations to deliver services.

"(b) REPORTS.—Each Office of Minority Health within the Department of Health and Human Services shall submit a report, not later than May 1 of each year, to the Deputy Assistant Secretary for Minority Health (as provided for in section 1707(a)) describing the accomplishments or programs of the plan, the budget allocation and expenditures for, and the development and implementation of, such health programs targeting racial and ethnic minority populations. The Secretary shall ensure the participation and cooperation of each Agency in the development of the annual report.".

SEC. 103. STATE OFFICES OF MINORITY HEALTH.

Title XVII (42 U.S.C. 300u et seq.), as amended by section 102, is further amended by adding at the end the following new section:

"SEC. 1710. GRANTS TO STATES FOR OPERATION OF OFFICES OF MINORITY HEALTH.

"(a) IN GENERAL.—The Secretary, acting through the Deputy Assistant Secretary for Minority Health (as provided for in section 1707), may make grants to States for the purpose of improving the health status in minority communities, through the operation of State offices of minority health established to monitor and facilitate the achievement of the Health Objectives for the Year 2000 as they affect minority populations.

"(b) ADMINISTRATION OF PROGRAM.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that the program carried out by the State with amounts received under the grant will be administered directly by a single State agency.

"(c) CERTAIN REQUIRED ACTIVITIES.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that activities carried out by an office operated under the grant received pursuant to such subsection will—

"(1) establish and maintain within the State a clearinghouse for collecting and disseminating information on—

"(A) minority health care issues;

"(B) research findings relating to minority health care; and

"(C) innovative approaches to the delivery of health care and social services in minority communities;

"(2) coordinate the activities carried out in the State that relate to minority health care, including providing coordination for the purpose of avoiding redundancy in such activities;

"(3) identify Federal and State programs regarding minority health, and providing technical assistance to public and nonprofit entities regarding participation in such program; and

"(4) develop additional Health People 2000 objectives for the State that are necessary to address the most prevalent morbidity and mortality concerns for racial and ethnic minority groups in the State.

"(d) REQUIREMENT REGARDING ANNUAL BUDGET OFFICE.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that, for any fiscal year for which the State receives such a grant, the office operated under such grant will be provided with an annual budget of not less than $75,000.

"(e) CERTAIN USES OF FUNDS.—

"(1) RESTRICTIONS.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that—

"(A) if research with respect to minority health is conducted pursuant to the grant, not more than 10 percent of the amount received under the grant will be expended for such research; and

"(B) amounts provided under the grant will not be expended—

"(i) to provide health care (including providing cash payments regarding such care);

"(ii) to conduct activities for which Federal funds are expended—

"(I) within the State to provide technical and other nonfinancial assistance under subsection (m) of section 340A;

"(II) under a memorandum of agreement entered into with the State under subsection (h) of such section; or

"(III) under a grant under section 388I;

"(iii) to purchase medical equipment, to purchase ambulances, aircraft, or other vehicles, or to purchase major communications equipment;

"(iv) to purchase or improve real property; or

"(v) to carry out any activity regarding a certificate of need.

"(2) AUTHORITIES.—Activities for which a State may expend amounts received under a grant under subsection (a) include—

"(A) paying the costs of establishing an office of minority health for purposes of subsection (a);

"(B) subject to paragraph (1)(B)(ii)(III), paying the costs of any activity carried out with respect to recruiting and retaining health professionals to serve in minority communities or underserved areas in the State; and

"(C) providing grants and contracts to public and nonprofit entities to carry out activities authorized in this section.

"(f) REPORTS.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees—

"(1) to submit to the Secretary reports containing such information as the Secretary may require regarding activities carried out under this section by the State; and

"(2) to submit a report not later than January 10 of each fiscal year immediately following any fiscal year for which the State has received such a grant.

"(g) REIMBURSEMENT OF APPLICATION.—The Secretary may not make a grant to a State under subsection (a) unless an application for the grant is submitted to the Secretary and the application in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out such subsection.

"(h) NONCOMPLIANCE.—The Secretary may not make payments under subsection (a) to a State for any fiscal year subsequent to the first fiscal year of such payments unless the Secretary determines that, for the immediately preceding fiscal year, the State has complied with each of the agreements made by the State under this section.

"(i) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—For purposes of making grants under subsection (a) there are authorized to be appropriated $3,000,000 for fiscal year 1995, $4,000,000 for fiscal year 1996, and $3,000,000 for fiscal year 1997.

"(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

"(j) TERMINATION OF PROGRAM.—No grant may be made under this section after the aggregate amounts appropriated under subsection (i)(1) are equal to $10,000,000.".

SEC. 104. ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES FOR CIVIL RIGHTS.

(a) IN GENERAL.—Part A of title II (42 U.S.C. 202 et seq.), as amended by section 2010 of Public Law 103-43, is amended by adding at the end the following new section:

"SEC. 229. ASSISTANT SECRETARY FOR CIVIL RIGHTS.

"(a) ESTABLISHMENT OF POSITION.—There shall be in the Department of Health and Human Services an Assistant Secretary for Civil Rights, who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) RESPONSIBILITIES.—The Assistant Secretary shall perform such functions relating to civil rights as the Secretary may assign.".

(b) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended, in the item relating to Assistant Secretaries of Health and Human Services, by striking "(5)" and inserting "(6)".

TITLE II—HEALTH SERVICES

SEC. 201. COMMUNITY SCHOLARSHIP PROGRAMS.

Section 338L (42 U.S.C. 254t) is amended—

(1) in subsection (a), by striking "health manpower shortage areas" and inserting "a Federally-designated health professional shortage areas";

(2) in subsection (c)—

(A) by striking "health manpower shortage areas" and inserting "a Federally-designated health professional shortage areas" in the matter preceding paragraph (1); and

(B) by striking "in the health manpower shortage areas in which the community organizations are located," and inserting "in a Federally-designated health professional shortage area that is served by the community organization awarding the scholarship," in paragraph (2);

(3) in subsection (e)(1)—

(A) by striking "health manpower shortage area" and inserting "a Federally-designated health professional shortage area"; and

(B) by striking "in which the community" and all that follows through "located";

(4) in subsection (k)(2), by striking "internal medicine" and all that follows through the end thereof and inserting "general internal medicine, general pediatrics, obstetrics and gynecology, dentistry, or mental health, that are provided by physicians or other health professionals."; and

(5) in subsection (l)(1), by striking "$5,000,000" and all that follows through "1993" and inserting "$1,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 202. HEALTH SERVICES FOR RESIDENTS OF PUBLIC HOUSING.

Section 340A(p)(1) (42 U.S.C. 256a(p)(1)) is amended—

(1) by striking "$35,000,000 for fiscal year 1991" and inserting "$12,000,000 for fiscal year 1994"; and

(2) by striking "1992 and 1993" and inserting "1995 and 1996".

SEC. 203. ISSUANCE OF REGULATIONS REGARDING LANGUAGE AS IMPEDIMENT TO RECEIPT OF SERVICES.

(a) PROPOSED RULE.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall issue a proposed rule regarding policies to reduce the extent to which having limited English proficiency constitutes a significant impediment to individuals in establishing the eligibility of the individuals for participation in health programs under the Public Health Service Act or in receiving services under such programs.

(b) FINAL RULE.—

(1) IN GENERAL.—Not later than the expiration of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall issue a final rule regarding the policies described in subsection (a).

(2) FAILURE TO ISSUE BY DATE CERTAIN.—If the Secretary fails to issue a final rule under paragraph (1) before the expiration of the period specified in such paragraph, the proposed rule issued under subsection (a) is upon such expiration deemed to be the final rule under paragraph (1) (and shall remain in effect until the Secretary issues a final rule under such paragraph).

SEC. 204. HEALTH SERVICES FOR PACIFIC ISLANDERS.

Section 10 of the Disadvantaged Minority Health Improvement Act of 1990 (42 U.S.C. 254c-1) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting ", substance abuse" after "availability of health"; and

(ii) by striking ", including improved health data systems";

(B) in paragraph (3)—

(i) by striking "manpower" and inserting "care providers"; and

(ii) by striking "by—" and all that follows through the end thereof and inserting a semicolon;

(C) by striking paragraphs (5) and (6);

(D) by redesignating paragraphs (7), and (8) as paragraphs (5) and (6), respectively;

(E) in paragraph (5) (as so redesignated), by striking "and" at the end thereof;

(F) in paragraph (6) (as so redesignated), by striking the period and inserting a semicolon; and

(G) by inserting after paragraph (6) (as so redesignated), the following new paragraphs:

"(7) to provide primary health care, preventive health care, and related training to American Samoan health care professionals; and

"(8) to improve access to health promotion and disease prevention services for rural American Samoa;

(2) in subsection (f)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$10,000,000" and all that follows through "1993" and inserting "$3,000,000 for each of the fiscal years 1994 through 1996"; and

(3) by adding at the end thereof the following new subsection:

"(g) STUDY AND REPORT.—

"(1) STUDY.—Not later than 180 days after the date of enactment of this subsection, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall enter into a contract with a public or nonprofit private entity for the conduct of a study to determine the effectiveness of projects funded under this section.

"(2) REPORT.—Not later than July 1, 1995, the Secretary shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the findings made with respect to the study conducted under paragraph (1).".

TITLE III—HEALTH PROFESSIONS

SEC. 301. LOANS FOR DISADVANTAGED STUDENTS.

Section 724(f)(1) (42 U.S.C. 292t(f)(1)) is amended—

(1) by striking "there is" and inserting "there are"; and

(2) by striking "$15,000,000 for fiscal year 1993" and inserting "$8,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 302. CESAR CHAVEZ SCHOLARSHIP PROGRAM.

Section 736 (42 U.S.C. 293) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 736. CESAR CHAVEZ SCHOLARSHIP PROGRAM.

(2) in subsection (c)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$11,000,000 for fiscal year 1993" and inserting "$10,500,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 303. THURGOOD MARSHALL SCHOLARSHIP PROGRAM.

Section 737 (42 U.S.C. 293a) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 737. THURGOOD MARSHALL SCHOLARSHIP PROGRAM.";

(2) in subsection (a)—

(A) in paragraph (1), by inserting "(to be known as Thurgood Marshall Scholars)" after "providing scholarships to individuals"; and

(B) in paragraph (3), by inserting after "public health," "schools offering programs for the training of physician assistants,".

(3) in subsection (h), by striking paragraph (1) and inserting the following new paragraph:

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $17,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.".

SEC. 304. LOAN REPAYMENTS AND FELLOWSHIPS REGARDING FACULTY POSITIONS AT HEALTH PROFESSIONS SCHOOLS.

Section 738 (42 U.S.C. 293b) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "disadvantaged backgrounds who—" and inserting "racial or ethnic groups that are underrepresented in the health professions who—"

(B) in paragraph (5)—

(i) by striking "; and" in subparagraph (A) and inserting a period;

(ii) by striking "unless—" and all that follows through "the individual involved" in subparagraph (A) and inserting "unless the individual involved"; and

(iii) striking subparagraph (B);

(C) by striking paragraph (6); and

(D) by redesignating paragraph (7) as paragraph (6); and

(2) in subsection (b)(2)(B), by striking "$30,000" and inserting "$50,000";

(3) in subsection (c)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$4,000,000 for fiscal year 1993" and inserting "$1,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 305. CENTERS OF EXCELLENCE.

Section 739 (42 U.S.C. 293c) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon the following: "through collaboration with public and nonprofit private entities to carry out community-based programs to prepare students in secondary schools and institutions of higher education for attendance at the health professions school";

(B) in paragraph (4), by striking "and" at the end thereof;

(C) in paragraph (5), by striking the period and inserting "; and"; and

(D) by adding at the end thereof the following new paragraph:

"(6) to carry out a program to provide training to the students of the school to enable such students to provide health services to minority individuals at community-based health facilities that provide such services to a significant number of minority individuals and that are located at a site remote from the main site of the teaching facilities of the school.";

(2) in subsection (e)—

(A) by striking the subsection heading and inserting "AUTHORITY REGARDING CONSORTIA.—";

(B) by striking paragraph (1) and inserting the following new paragraph:

"(1) IN GENERAL.—The Secretary may make a grant under subsection (a) to any school of medicine, osteopathic medicine, dentistry, clinical psychology, or pharmacy that has in accordance with paragraph (2) formed a consortium of schools.";

(C) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following new subparagraphs:

"(A) the consortium consists of—

"(i) the health professions school seeking the grant under subsection (a); and

"(ii) one or more schools of medicine, osteopathic medicine, dentistry, pharmacy, nursing, allied health, public health, clinical psychology, or graduate programs in mental health practice;

"(B) the schools of the consortium have entered into an agreement for the allocation of such grant among the schools; and

"(C) each of the schools agrees to expend the grant in accordance with this section."; and

(D) by adding at the end the following paragraph:

"(3) AUTHORITY FOR COLLECTIVELY MEETING RELEVANT REQUIREMENTS IN CERTAIN CASES.—With respect to meeting the conditions specified in subsection (c)(4) for Native American Centers of Excellence, the Secretary may make a grant to any school that has in accordance with paragraphs (1) and (2) formed a consortium of schools that meets such conditions (without regard to whether the schools of the consortium individually meet such conditions)."; and

(3) in subsection (i)—

(A) in paragraph (1), by striking "such sums as may be necessary for fiscal year 1993" and inserting "$25,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996"; and

(B) in paragraph (2)(C) by adding at the end the following: "Health professions schools described in subsection (c)(2)(A) shall be eligible for grants under this subparagraph in a fiscal year if the amount appropriated for the fiscal year under paragraph (1) is greater than $23,500,000. Such schools shall be eligible to apply only for grants made from the portion of such amount that exceeds $23,500,000.".

SEC. 306. EDUCATIONAL ASSISTANCE REGARDING UNDERGRADUATES.

Section 740 (42 U.S.C. 293d) is amended—

(1) in subsection (a)(1), by adding at the end the following new sentence: "To be eligible for such a grant, a school shall have in place a program to assist individuals from disadvantaged backgrounds in gaining entry into a health professions school or completing the course of study at such a school.";

(2) in subsection (d)(1)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "1993" and inserting "1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

(3) in subsection (d)(2)(B), by adding at the end thereof the following new sentence: "Scholarship recipients under this section shall be known as 'Cesar Chavez Primary Care Scholars.'".

SEC. 307. AREA HEALTH EDUCATION CENTERS.

Section 746(d)(2)(D) (42 U.S.C. 293j(d)(2)(D)) is amended by inserting "and minority health" after "disease prevention".

TITLE IV—RESEARCH AND DATA COLLECTION

SEC. 401. OFFICE OF RESEARCH ON MINORITY HEALTH.

Section 404 (42 U.S.C. 283b), as added by section 151 of Public Law 103-43, is amended by adding at the end the following subsections:

"(c) PLAN.—The Director of the Office, shall collaborate with the Deputy Assistant Secretary for Minority Health (as provided for in section 1707), to develop and implement a plan for carrying out the duties required by subsection (b). The Director, in consultation with the Deputy Assistant Secretary for Minority Health, shall review the plan not less often than annually, and revise the plan as appropriate.

"(d) EQUITY REGARDING VARIOUS GROUPS.—The Director of the Office shall ensure that activities under subsection (b) address equitably all minority groups.

"(e) ADVISORY COMMITTEE.—

"(1) ESTABLISHMENT.—In carrying out subsection (b), the Secretary shall establish an advisory committee to be known as the Advisory Committee on Research on Minority Health (in this subsection referred to as the 'Advisory Committee').

"(2) COMPOSITION.—

"(A) VOTING AND NONVOTING MEMBERS.—The Advisory Committee shall be composed of voting members appointed in accordance with subparagraph (B) and the ex officio nonvoting members described in subparagraph (C).

"(B) VOTING MEMBERS.—The Advisory Committee shall include not fewer than 12, and not more than 18, voting members who are not officers or employees of the Federal Government. The Director of the Office shall appoint such members to the Advisory Committee from among physicians, practitioners, scientists, consumers and other health professionals, whose clinical practices, research specialization, or professional expertise includes a significant focus on research on minority health or on the barriers that minorities must overcome to participate in clinical trials. The membership of the Advisory Committee shall be equitably representative of the minority groups served by the Office.

"(C) EX OFFICIO NONVOTING MEMBERS.—The Deputy Assistant Secretary for Minority Health and the Directors of each of the national research entities shall serve as ex officio nonvoting members of the Advisory Committee (except that any of such Directors may designate an official of the institute involved to serve as such member of the Committee in lieu of the Director).

"(3) CHAIRPERSON.—The Director of the Office shall serve as the chairperson of the Advisory Committee.

"(4) DUTIES.—The Advisory Committee shall—

"(A) advise the Director of the Office on appropriate research activities to be undertaken by the national research institutes with respect to—

"(i) research on minority health;

"(ii) research on racial and ethnic differences in clinical drug trials, including responses to pharmacological drugs;

"(iii) research on racial and ethnic differences in disease etiology, course, and treatment; and

"(iv) research on minority health conditions which require a multidisciplinary approach;

"(B) report to the Director of the Office on such research;

"(C) provide recommendations to such Director regarding activities of the Office (including recommendations on priorities in carrying out research described in subparagraph (A)); and

"(D) assist in monitoring compliance with section 492B regarding the inclusion of minorities in clinical research.

"(5) BIENNIAL REPORT.—

"(A) PREPARATION.—The Advisory Committee shall prepare a biennial report describing the activities of the Committee, including findings made by the Committee regarding—

"(i) compliance with section 492B;

"(ii) the extent of expenditures made for research on minority health by the agencies of the National Institutes of Health; and

"(iii) the level of funding needed for such research.

"(B) SUBMISSION.—The report required in subparagraph (A) shall be submitted to the Director of the National Institutes of Health for inclusion in the report required in section 403.

"(f) REPRESENTATIVES OF MINORITIES AMONG RESEARCHERS.—The Secretary, acting through the Assistant Secretary for Personnel Administration and in collaboration with the Director of the Office, shall determine the extent to which minorities are represented among senior physicians and scientists of the national research institutes and among physicians and scientists conducting research with funds provided by such institutes, and as appropriate, carry out activities to increase the extent of such representation.

"(g) DEFINITIONS.—For purposes of this part:

"(1) MINORITY HEALTH CONDITIONS.—The term 'minority health conditions', with respect to individuals who are members of minority groups, means all diseases, disorders, and conditions (including with respect to mental health)—

"(A) unique to, more serious, or more prevalent in such individuals;

"(B) for which the factors of medical risk or types of medical intervention are different for such individuals, or for which it is unknown whether such factors or types are different for such individuals; or

"(C) with respect to which there has been insufficient research involving such individuals as subjects or insufficient data on such individuals.

"(2) RESEARCH ON MINORITY HEALTH.—The term 'research on minority health' means research on minority health conditions, including research on preventing such conditions.

"(3) MINORITY GROUPS.—The term 'minority groups' means Blacks, American Indians, Alaskan Natives, Asian/Pacific Islanders, and Hispanics, including subpopulations of such groups.".

SEC. 402. NATIONAL CENTER FOR HEALTH STATISTICS.

(a) IN GENERAL.—Section 306 (42 U.S.C. 242k) is amended—

(1) in subsection (c), by striking "Committee on Human Resources" and inserting "Committee on Labor and Human Resources";

(2) in subsection (g), by striking "data which shall be published" and all that follows and inserting "data.";

(3) in subsection (k)(2)—

(A) in subparagraph (A)—

(i) by striking the subparagraph designation; and

(ii) by striking "Except as provided in subparagraph (B), members" and inserting "Members"; and

(B) by striking subparagraph (B);

(4) in subsection (l)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (4) as paragraph (3); and

(C) in paragraph (3) (as so redesignated), by striking "paragraphs (1), (2), and (3)," and inserting "paragraphs (1) and (2),"; and

(5) in subsection (o)—

(A) in paragraph (1), by striking "1991 through 1993" and inserting "1994 through 1997"; and

(B) in paragraph (2), by striking "$5,000,000" and all that follows through

"1993" and inserting "$1,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1997".

(b) GENERAL AUTHORITY RESPECTING RESEARCH, EVALUATIONS, AND DEMONSTRATIONS.—Section 304 (42 U.S.C. 242b) is amended by striking subsection (d).

(c) GENERAL PROVISIONS RESPECTING EFFECTIVENESS, EFFICIENCY, AND QUALITY OF HEALTH SERVICES.—Section 308 (42 U.S.C. 242m) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(B) in paragraph (2), by striking "reports required by subparagraphs" and all that follows through "Center" and inserting the following: "reports required in paragraph (1) shall be prepared through the National Center";

(2)(A) by striking subsection (c);

(B) by transferring paragraph (2) of subsection (g) from the current location of the paragraph;

(C) by redesignating such paragraph as subsection (c);

(D) by inserting subsection (c) (as so redesignated) after subsection (b); and

(E) by striking the remainder of subsection (g);

(3) in subsection (c) (as so redesignated)—

(A) by striking "shall (A) take" and inserting "shall take"; and

(B) by striking "and (B) publish" and inserting "and shall publish";

(4) in subsection (f), by striking "sections 3648" and all that follows and inserting "section 3324 of title 31, United States Code, and section 3709 of the Revised Statutes (41 U.S.C. 5)."; and

(5) by striking subsection (h).

SEC. 403. ACTIVITIES OF AGENCY FOR HEALTH CARE POLICY AND RESEARCH.

Section 902(b) (42 U.S.C. 299a(b)) is amended to read as follows:

"(b) REQUIREMENTS WITH RESPECT TO CERTAIN POPULATIONS.—In carrying out subsection (a), the Administrator shall undertake and support research, demonstration projects, and evaluations with respect to the health status of, and the delivery of health care to—

"(1) the populations of medically underserved urban or rural areas (including frontier areas); and

"(2) low-income groups, minority groups, and the elderly.".

TITLE V—MISCELLANEOUS

SEC. 501. REVISION AND EXTENSION OF PROGRAM FOR STATE OFFICES OF RURAL HEALTH.

(a) MATCHING FUNDS.—Section 338J(b) (42 U.S.C. 254r(b)) is amended to read as follows:

"(b) REQUIREMENT OF MATCHING FUNDS.—

"(1) IN GENERAL.—With respect to the costs to be incurred by a State in carrying out the purpose described in subsection (a), the Secretary may not make a grant under such subsection unless the State agrees to provide non-Federal contributions toward such costs, in cash, in an amount that is not less than $1 for each $1 of Federal funds provided in the grant.

"(2) DETERMINATION OF AMOUNT CONTRIBUTED.—In determining the amount of non-Federal contributions in cash that a State has provided pursuant to paragraph (1), the Secretary may not include any amounts provided to the State by the Federal Government.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 338J(j)(1) (42 U.S.C. 254r(j)(1)) is amended—

(1) by striking "and" after "1992,"; and

(2) by inserting before the period the following: ", and $5,000,000 for each of the fiscal years 1994 through 1996".

(c) TERMINATION OF PROGRAM.—Section 338J(k) (42 U.S.C. 254r(k)) is amended by striking $10,000,000" and inserting "$20,000,000".

SEC. 502. TECHNICAL CORRECTIONS RELATING TO HEALTH PROFESSIONS.

(a) HEALTH EDUCATION ASSISTANCE LOAN DEFERMENT FOR BORROWERS PROVIDING HEALTH SERVICES TO INDIANS.—

(1) IN GENERAL.—Section 705(a)(2)(C) is amended by striking "and (x)" and inserting "(x) not in excess of three years, during which the borrower is providing health care services to Indians through an Indian health program (as defined in section 108(a)(2)(A) of the Indian Health Care Improvement Act (25 U.S.C. 1616a(a)(2)(A)); and (xi)".

(2) CONFORMING AMENDMENTS.—Section 705(a)(2)(C) is further amended—

(A) in clause (xi) (as so redesignated) by striking "(ix)" and inserting "(x)"; and

(B) in the matter following such clause (xi), by striking "(x)" and inserting "(xi)".

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to services provided on or after the first day of the third month that begins after the date of enactment of this Act.

(b) MAXIMUM STUDENT LOAN PROVISION.—Section 722(a)(1) (42 U.S.C. 292r(a)(1)), as amended by section 2014(b)(1) of Public Law 103-43, is amended by striking "the sum of" and all that follows through the end thereof and inserting "the cost of attendance (including tuition, other reasonable educational expenses, and reasonable living costs) for that year at the educational institution attended by the student (as determined by such educational institution).".

(c) REQUIREMENT FOR SCHOOLS.—Section 723(b)(1) (42 U.S.C. 292s(b)(1)), as amended by section 2014(c)(2)(A)(ii) of Public Law 103-43 (107 Stat. 216), is amended by striking "3 years before" and inserting "4 years before".

(d) SERVICE REQUIREMENT FOR PRIMARY CARE LOAN BORROWERS.—Section 723(a) (42 U.S.C. 292s(a)) is amended in subparagraph (B) of paragraph (1), by striking "through the date on which the loan is repaid in full" and inserting "for 5 years after completing the residency program".

(e) PREFERENCE AND REQUIRED INFORMATION IN CERTAIN PROGRAMS.—Section 791 (42 U.S.C. 295j) is amended by adding at the end thereof the following subsection:

"(d) EXCEPTIONS.—

"(1) IN GENERAL.—To permit new programs to compete equitably for funding under this section, those new programs that meet the criteria described in paragraph (3) shall qualify for a funding preference under this section.

"(2) DEFINITION.—As used in this subsection, the term 'new program' means any program that has graduated less than three classes. Upon graduating at least three classes, a program shall have the capability to provide the information necessary to qualify the program for the general funding preferences described in subsection (a).

"(3) CRITERIA.—The criteria referred to in paragraph (1) are the following:

"(A) The mission statement of the program identifies a specific purpose of the program as being the preparation of health professionals to serve underserved populations.

"(B) The curriculum of the program includes content which will help to prepare practitioners to serve underserved populations.

"(C) Substantial clinical training experience is required under the program in medically underserved communities.

"(D) A minimum of 20 percent of the faculty of the program spend at least 50 percent of their time providing or supervising care in medically underserved communities.

"(E) The entire program or a substantial portion of the program is physically located in a medically underserved community.

"(F) Student assistance, which is linked to service in medically underserved communities following graduation, is available to the students in the program.

"(G) The program provides a placement mechanism for deploying graduates to medically underserved communities.".

(f) PREFERENCES IN MAKING AWARDS.—

(1) TITLE VII.—Section 791(a)(1)(A) (42 U.S.C. 295j(a)(1)(A)) is amended by striking "communities; or" and inserting "communities including—

"(i) ambulatory practice sites designated by State Governors as shortage areas or medically underserved communities for purposes of State scholarships or loan repayment or related programs; and

"(ii) practices or facilities in which not less than 50 percent of the patients are recipients of aid under title XIX of the Social Security Act or eligible and uninsured; or".

(2) TITLE VIII.—Section 860(e)(1)(A)(i) (42 U.S.C. 298b-7(e)(1)(A)(i)) is amended by striking "communities; or" and inserting "communities including—

"(i) ambulatory practice sites designated by State Governors as shortage areas or medically underserved communities for purposes of State scholarships or loan repayment or related programs; and

"(ii) practices or facilities in which not less than 50 percent of the patients are recipients of aid under title XIX of the Social Security Act or eligible and uninsured; or".

(g) GENERALLY APPLICABLE MODIFICATIONS REGARDING OBLIGATED SERVICE.—

(1) IN GENERAL.—Section 795 (42 U.S.C. 295n), is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking "speciality in" and inserting "field of"; and

(ii) in subparagraph (B), by striking "speciality" and inserting "field"; and

(B) in subsection (b)(1), in each of subparagraphs (A) and (B), by striking "interest on such amount at the maximum legal prevailing rate" and inserting "interest on such amount at the rate of 12 percent per year (compounded annually)".

(2) EFFECTIVE DATE.—Each amendment made by paragraph (1) shall take effect as if such subsection had been enacted immediately after the enactment of the Health Professions Education Extension Amendments of 1992.

(h) RECOVERY.—Part G of title VII (42 U.S.C. 295j et seq.) is amended by inserting after section 795, the following new section:

"SEC. 796. RECOVERY.

"(a) IN GENERAL.—If at any time within 20 years (or within such shorter period as the Secretary may prescribe by regulation for an interim facility) after the completion of construction of a facility with respect to which funds have been paid under section 720(a) (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408)—

"(1)(A) in case of a facility which was an affiliated hospital or outpatient facility with respect to which funds have been paid under

such section 720(a)(1), the owner of the facility ceases to be a public or other nonprofit agency that would have been qualified to file an application under section 605;

"(B) in case of a facility which was not an affiliated hospital or outpatient facility but was a facility with respect to which funds have been paid under paragraph (1) or (3) of such section 720(a), the owner of the facility ceases to be a public or nonprofit school, or

"(C) in case of a facility which was a facility with respect to which funds have been paid under such section 720(a)(2), the owner of the facility ceases to be a public or nonprofit entity,

"(2) the facility ceases to be used for the teaching or training purposes (or other purposes permitted under section 722 (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408)) for which it was constructed, or

"(3) the facility is used for sectarian instruction or as a place for religious worship,

the United States shall be entitled to recover from the owner of the facility the base amount prescribed by subsection (c)(1) plus the interest (if any) prescribed by subsection (c)(2).

"(b) NOTICE.—The owner of a facility which ceases to be a public or nonprofit agency, school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or the owner of a facility the use of which changes as described in paragraph (2) or (3) of subsection (a), shall provide the Secretary written notice of such cessation or change of use within 10 days after the date on which such cessation or change of use occurs or within 30 days after the date of enactment of this subsection, whichever is later.

"(c) AMOUNT.—

"(1) BASE AMOUNT.—The base amount that the United States is entitled to recover under subsection (a) is the amount bearing the same ratio to the then value (as determined by the agreement of the parties or in an action brought in the district court of the United States for the district in which the facility is situated) of the facility as the amount of the Federal participation bore to the cost of construction.

"(2) INTEREST.—

"(A) IN GENERAL.—The interest that the United States is entitled to recover under subsection (a) is the interest for the period (if any) described in subparagraph (B) at a rate (determined by the Secretary) based on the average of the bond equivalent rates of ninety-one-day Treasury bills auctioned during that period.

"(B) PERIOD.—The period referred to in subparagraph (A) is the period beginning—

"(i) if notice is provided as prescribed by subsection (b), 191 days after the date on which the owner of the facility ceases to be a public or nonprofit agency, school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or 191 days after the date on which the use of the facility changes as described in paragraph (2) or (3) of subsection (a), or

"(ii) if notice is not provided as prescribed by subsection (b), 11 days after the date on which such cessation or change of use occurs,

and ending on the date the amount the United States is entitled to recover is collected.

"(d) WAIVER.—The Secretary may waive the recovery rights of the United States under subsection (a)(2) with respect to a facility (under such conditions as the Secretary may establish by regulation) if the Secretary determines that there is good cause for waiving such rights.

"(e) LIEN.—The right of recovery of the United States under subsection (a) shall not, prior to judgment, constitute a lien on any facility.".

SEC. 503. CLINICAL TRAINEESHIPS.

Section 303(d)(1) (42 U.S.C. 242a(d)(1)) is amended by inserting "counseling" after "family therapy,".

SEC. 504. DEMONSTRATION PROJECT GRANTS TO STATES FOR ALZHEIMER'S DISEASE.

(a) IN GENERAL.—Section 398(a) (42 U.S.C. 280c-3(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "not less than 5, and not more than 15,";

(2) in paragraph (2)—

(A) by inserting after "disorders" the following: "who are living in single family homes or in congregate settings"; and

(B) by striking "and" at the end;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

"(3) to improve access for individuals with Alzheimer's disease or related disorders, particularly such individuals from ethnic, cultural, or language minorities and such individuals who are living in isolated rural areas, to services that—

"(A) are home-based or community-based long-term care services; and

"(B) exist on the date of enactment of this paragraph; and".

(b) DURATION.—Section 398A (42 U.S.C. 280c-4) is amended—

(1) in the title, by striking "LIMITATION ON";

(2) in subsection (a)—

(A) in the heading, by striking "LIMITATION ON"; and

(B) by striking "may not exceed" and inserting "may exceed"; and

(3) in subsection (b), in paragraphs (1)(C) and (2)(C), by inserting ", and any subsequent year," after "third year".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 398B(e) (42 U.S.C. 280c-5(e)) is amended by striking "and 1993" and inserting "through 1998".

SEC. 505. MEDICALLY UNDERSERVED AREA STUDY.

(a) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study concerning the feasibility and desirability of, and the criteria to be used for, combining the designations of "health professional shortage area" and "medically underserved area" into a single health professional shortage area designation.

(b) REQUIREMENTS.—As part of the study conducted under subsection (a), the Secretary of Health and Human Services, in considering the statutory and regulatory requirements necessary for the creation of a single health professional shortage area designation, shall—

(1) review and report on the application of current statutory and regulatory criteria used—

(A) in designating an area as a health professional shortage area;

(B) in designating an area as a medically underserved area; and

(C) by a State in the determination of the health professional shortage area designations of such State; and

(2) review the suggestions of public health and primary care experts.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report concerning the findings of the study conducted under subsection (a) together with the recommendations of the Secretary.

(d) RECOMMENDATIONS.—In making recommendations under subsection (c), the Secretary of Health and Human Services shall give special consideration to (and describe in the report) the unique impact of designation criteria on different rural and urban populations, and ethnic and racial minorities, including—

(1) rational service areas, and their application to frontier areas and inner-city communities;

(2) indicators of high medical need, including fertility rates, infant mortality rates, pediatric population, elderly population, poverty rates, and physician to population ratios; and

(3) indicators of insufficient service capacity, including language proficiency criteria for ethnic populations, annual patient visits per physician, waiting times for appointments, waiting times in a primary care physician office, excessive use of emergency facilities, low annual office visit rate, and demand on physicians in contiguous rural or urban areas.

SEC. 506. PROGRAMS REGARDING BIRTH DEFECTS.

Section 317C of the Public Health Service Act (42 U.S.C. 247b-4), as added by section 306 of Public Law 102-531 (106 Stat. 3494), is amended to read as follows:

"PROGRAMS REGARDING BIRTH DEFECTS

"SEC. 317C. (a) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out programs—

"(1) to collect, analyze, and make available data on birth defects, including data on the causes of such defects and on the incidence and prevalence of such defects;

"(2) to provide information and education to the public on the prevention of such defects;

"(3) to operate regional centers for the conduct of epidemiologic research and study of such defects, and to improve the education, training, and clinical skills of health professionals with respect to the prevention of such defects; and

"(4) to carry out demonstration projects for the prevention of such defects.

"(b) NATIONAL CLEARINGHOUSE.—In carrying out subsection (a)(1), the Secretary shall establish and maintain a National Information Clearinghouse on Birth Defects to collect and disseminate to health professionals and the general public information on birth defects, including the prevention of such defects.

"(c) GRANTS AND CONTRACTS.—

"(1) IN GENERAL.—In carrying out subsection (a), the Secretary may make grants to and enter into contracts with public and nonprofit private entities. Recipients of assistance under this subsection shall collect and analyze demographic data utilizing appropriate sources as determined by the Secretary.

"(2) SUPPLIES AND SERVICES IN LIEU OF AWARD FUNDS.—

"(A) Upon the request of a recipient of an award of a grant or contract under paragraph (1), the Secretary may, subject to subparagraph (B), provide supplies, equipment, and services for the purpose of aiding the recipient in carrying out the purposes for which the award is made and, for such purposes, may detail to the recipient any officer or

employee of the Department of Health and Human Services.

"(B) With respect to a request described in subparagraph (A), the Secretary shall reduce the amount of payments under the award involved by an amount equal to the costs of detailing personnel and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

"(3) APPLICATION FOR AWARD.—The Secretary may make an award of a grant or contract under paragraph (1) only if an application for the award is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out the purposes for which the award is to be made.

"(d) BIENNIAL REPORT.—Not later than February 1 of fiscal year 1995 and of every second such year thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report that, with respect to the preceding 2 fiscal years—

"(1) contains information regarding the incidence and prevalence of birth defects and the extent to which birth defects have contributed to the incidence and prevalence of infant mortality;

"(2) contains information under paragraph (1) that is specific to various racial and ethnic groups; and

"(3) contains an assessment of the extent to which each approach to preventing birth defects has been effective, including a description of effectiveness in relation to cost;

"(4) describes the activities carried out under this section; and

"(5) contains any recommendations of the Secretary regarding this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1997.".

TITLE VI—GENERAL PROVISIONS

SEC. 601. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect October 1, 1993, or upon the date of the enactment of this Act, whichever occurs later.

By Mr. HATCH:

S.J. Res. 145. A joint resolution to designate the period commencing on November 21, 1993, and ending on November 27, 1993, and the period commencing on November 20, 1994, and ending on November 26, 1994, each as "National Adoption Week"; to the Committee on the Judiciary.

NATIONAL ADOPTION WEEK

Mr. HATCH. Mr. President, it is my privilege to sponsor the joint resolution requesting the President to proclaim the week of Thanksgiving as National Adoption Week in 1993 and 1994. This week has been so designated for the past 15 years, so this joint resolution would continue the traditional observance.

For many families, the Thanksgiving holidays are a time for family unity and celebration—a time to join together and reaffirm the bonds that unite our families. However, for many children, these holidays are especially difficult times because they serve as a stark reminder of the love and support missing from their lives.

Adoption is an option that can relieve some of the suffering and loneliness that too many young children face. Adoption is vitally important to millions of couples and children wanting to belong to a family of their own. In America today, an estimated 36,000 adoptable children remain in foster care of institutions, bereft of the nurturing and guidance that all children need, because of public and private barriers to adoption. A majority of these children have special physical, emotional, or mental needs; or they may have reached school age, have brothers and sisters, or be of various ethnic backgrounds. A stable home and strong role models are especially important for these at-risk youngsters.

At a time when our Nation is experiencing a tragic increase in crime, teenage pregnancies, disease, and violence, we cannot afford to let one child fall through the cracks. We must work together to bring children into a permanent, secure, and loving family. We must work together to eliminate the barriers that discourage adoption.

In recent months, our country was shocked and disturbed by the case of baby Jessica DeBoer. I know I share some of my colleagues concern that this case may dissuade some couples from adopting out of fear that the child they have come to love might be taken from them. We need to assure people that adoption is a vital option for couples with love to give.

Please join me in celebrating those families who are brought together through adoption, in commending the institutions and individuals working to find permanent homes for all adoptable children, and in heightening awareness of adoption to those who want to have a family.

I ask unanimous consent that the complete text of the joint resolution be printed in the RECORD.

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

S.J. RES. 145

Whereas Thanksgiving week has been commemorated as "National Adoption Week" for the past 15 years;

Whereas the Congress recognizes that belonging to a secure, loving, and permanent family is every child's right;

Whereas the President of the United States has actively promoted the benefits of adoption by implementing a Federal program to encourage Federal employees to consider adoption;

Whereas approximately 36,000 children who may be characterized as having special needs, such as being of school age, being members of a sibling group, being members of a minority group, or having physical, mental, or emotional disabilities are now in foster care or in institutions financed at public expense and are legally free for adoption;

Whereas public and private barriers inhibiting the placement of special needs children must be reviewed and removed where possible to assure their adoption;

Whereas the adoption of institutionalized or foster care children by capable parents into permanent homes would ensure an opportunity for their continued happiness and long-range well-being;

Whereas the public and prospective parents must be informed that there are children available for adoption;

Whereas the media, agencies, adoptive parent and advocacy groups, civic and church groups, businesses, and industries will provide publicity and information to heighten community awareness of crucial needs of children available for adoption; and

Whereas the recognition of Thanksgiving week as "National Adoption Week" is in the best interest of adoptable children and in the best interest of the public generally: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period commencing on November 21, 1993, and ending on November 27, 1993, and the period commencing on November 20, 1994, and ending on November 26, 1994, are each designated as "National Adoption Week", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe each week with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS

S. 236

At the request of Mr. MCCAIN, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 236, a bill to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

S. 340

At the request of Mr. HEFLIN, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 340, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the application of the act with respect to alternate uses of new animal drugs and new drugs intended for human use, and for other purposes.

S. 578

At the request of Mr. KENNEDY, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 578, a bill to protect the free exercise of religion.

S. 985

At the request of Mr. INOUYE, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 985, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act with respect to minor uses of pesticides, and for other purposes.

S. 1087

At the request of Mr. KOHL, the name of the Senator from Tennessee [Mr. MATHEWS] was added as a cosponsor of S. 1087, a bill to amend title 18, United States Code, to prohibit the possession

of a handgun or ammunition by, or the private transfer of a handgun or ammunition to, a juvenile.

S. 1361

At the request of Mr. SIMON, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1361, a bill to establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

S. 1425

At the request of Mr. CONRAD, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 1425, a bill to establish a National Appeals Division of the Department of Agriculture to hear appeals of adverse decisions made by certain agencies of the Department, and for other purposes.

S. 1437

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1437, a bill to amend section 1562 of title 38, United States Code, to increase the rate of pension for persons on the Medal of Honor roll.

S. 1443

At the request of Mr. EXON, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1443, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on luxury passenger vehicles.

S. 1511

At the request of Mr. DORGAN, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1511, a bill to eliminate the crediting of "good time" for violent and repeat offenders in Federal and State prisons, authorize funding for boot camps and the conversion of military facilities to regional prisons, and for other purposes.

S. 1512

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 1512, a bill to amend title 38, United States Code, to require the establishment in the Department of Veterans Affairs of mental illness research, education, and clinical centers, and for other purposes.

SENATE JOINT RESOLUTION 41

At the request of Mr. SIMON, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of Senate Joint Resolution 41, a joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget.

SENATE JOINT RESOLUTION 83

At the request of Mr. DECONCINI, the names of the Senator from Nevada [Mr. REID], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Tennessee [Mr. MATHEWS] were added as cosponsors of Senate Joint Resolution 83, a joint resolution designating the week beginning February 6, 1994, as "Lincoln Legacy Week."

SENATE JOINT RESOLUTION 98

At the request of Mr. MITCHELL, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from New York [Mr. D'AMATO], the Senator from New Mexico [Mr. DOMENICI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Tennessee [Mr. MATHEWS], the Senator from Maryland [Mr. SARBANES], the Senator from Tennessee [Mr. SASSER], the Senator from Virginia [Mr. WARNER], and the Senator from Pennsylvania [Mr. WOFFORD] were added as cosponsors of Senate Joint Resolution 98, a joint resolution to designate the week beginning October 25, 1993, as "National Child Safety Awareness Week."

SENATE JOINT RESOLUTION 134

At the request of Mr. BIDEN, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of Senate Joint Resolution 134, a joint resolution to designate October 19, 1993, as "National Mammography Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE JOINT RESOLUTION 141

At the request of Mr. SARBANES, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Hawaii [Mr. INOUYE], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Joint Resolution 141, a joint resolution designating October 29, 1993, as "National Firefighters Day."

SENATE JOINT RESOLUTION 142

At the request of Mr. ROCKEFELLER, the names of the Senator from New York [Mr. D'AMATO], the Senator from Iowa [Mr. GRASSLEY], the Senator from Missouri [Mr. DANFORTH], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of Senate Joint Resolution 142, a joint resolution designating the week beginning November 7, 1993, as "National Women Veterans Recognition Week."

AMENDMENT NO. 1051

At the request of Mrs. HUTCHISON her name was added as a cosponsor of amendment No. 1051 proposed to H.R. 3116, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

At the request of Mr. HATCH his name was withdrawn as a cosponsor of amendment No. 1051 proposed to H.R. 3116, supra.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

MCCAIN AMENDMENT NO. 1061

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. No provision of any Act making appropriations for the Department of Defense for fiscal year 1994 may be construed as requiring a contract to be awarded, or as requiring a grant to be made, to a specific non-Federal Government entity.

GRASSLEY AMENDMENT NO. 1062

(Ordered to lie on the table.)

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

On page 68, line 20, after "law," insert the following: "the Secretary of the Navy may not obligate funds after December 31, 1993, for entering into any sealift contract or charter under which the Secretary, as determined by the Secretary, is to pay, either directly or indirectly through a contractor or subcontractor, compensation (including regular rate pay, overtime rate pay, and other pay-related benefits) with respect to a seaman billet at a total cost that exceeds the total cost to the Federal Government of the compensation that is provided by the Federal Government with respect to a comparable military billet reserved for, or filled by, a member of the Armed Forces of the United States,".

DOMENICI (AND NUNN) AMENDMENT NOS. 1063–1065

(Ordered to lie on the table.)

Mr. DOMENICI (for himself and Mr. NUNN) submitted three amendments intended to be proposed by them to the bill H.R. 3116, supra; as follows:

AMENDMENT NO. 1063

At the appropriate place, insert the following:

SEC. . EXTENSION OF SPENDING LIMITS.

(a) CATEGORY.—Subparagraph (B) of section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

"(B) For fiscal years 1994 through 1998, any of the following subsets of discretionary appropriations: defense or nondefense. New accounts or activities shall be categorized in consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate.".

(b) DISCRETIONARY SPENDING.—Section 601(a)(2) of the Congressional Budget Act of 1974 is amended by striking subparagraphs (D), (E), and (F) and insert the following:

"(D) with respect to fiscal year 1994—

"(i) for the defense category: "$264,051,000,000 in new budget authority and $277,294,000,000 in outlays;

"(ii) for the nondefense category: $236,913,000,000 in new budget authority and $261,463,000,000 in outlays;

"(E) with respect to fiscal year 1995—

"(i) for the defense category: $262,624,000,000 in new budget authority and $272,744,000,000 in outlays;

"(ii) for the nondefense category: $243,663,000,000 in new budget authority and $268,528,000,000 in outlays;

"(F) with respect to fiscal year 1996—

"(i) for the defense category: $254,139,000,000 in new budget authority and $265,742,000,000 in outlays;

"(ii) for the nondefense category: $265,003,000,000 in new budget authority and $281,521,000,000 in outlays;

"(G) with respect to fiscal year 1997—

"(i) for the defense category: $248,490,000,000 in new budget authority and $249,705,000,000 in outlays;

"(ii) for the nondefense category: $279,589,000,000 in new budget authority and $297,641,000,000 in outlays;

"(H) with respect to fiscal year 1998—

"(i) for the defense category: $254,260,000,000 in new budget authority and $253,173,000,000 in outlays; and

"(ii) for the nondefense category: $276,379,000,000 in new budget authority and $294,697,000,000 in outlays."

AMENDMENT NO. 1064

At the appropriate place, insert the following:

SEC. . DEFENSE FUNDING LEVELS.

(a) The Senate finds:

(1) the Congress has already reduced fiscal year 1994 funding for the Department of Defense by nearly $130 billion in real terms as compared to fiscal year 1985;

(2) President Clinton has proposed to reduce national defense programs by a total of $244 billion in real terms over the next five years;

(3) recent world events, particularly developments in Russia, confirm the United States needs a strong national defense;

(4) the United States should engage in an orderly reduction in funding levels for national defense programs; and,

(5) reductions in defense spending should be devoted to deficit reduction.

(b) It is the is the sense of the Senate that legislation should be enacted to amend the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 to establish:

(1) individual spending limits for defense and nondefense discretionary funding levels for fiscal years 1994 through 1998;

(2) spending limits for the defense discretionary category for fiscal year 1994 through 1998 at the levels proposed by President Clinton in the fiscal year 1994 budget and adopted by Congress as part of the concurrent resolution on the budget for fiscal year 1994; and,

(3) spending limits for the nondefense discretionary category for fiscal year 1994 through 1998 at levels so that aggregate discretionary spending does not exceed the levels established by the Omnibus Budget Reconciliation Act of 1993.

AMENDMENT NO. 1065

At the appropriate place, insert the following:

SEC. . DEFENSE FUNDING LEVELS.

It is the sense of the Senate that legislation should be enacted to require the Office of Management and Budget to make across-the-board uniform reductions in defense programs or nondefense programs if aggregate appropriations for one of these categories exceed the levels proposed by the President.

NICKLES AMENDMENT NO. 1066

(Ordered to lie on the table.)

Mr. NICKLES submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

At the end of the pending Committee amendment insert the following:

PROHIBITION OF UNITED STATES ARMED FORCES AS PART OF UNITED NATIONS STANDING ARMED FORCE

PROHIBITION.—None of the funds appropriated or otherwise made available by this Act or any other appropriation Act may be used to support United States Armed Forces personnel when such forces are a part of any prospective standing United Nations international armed force.

BROWN AMENDMENT NO. 1067

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, add the following new section:

"SEC. . UNITED STATES COMBAT TROOPS IN BOSNIA.

"None of the funds appropriated under this Act shall be available for the deployment of United States combat forces in Bosnia-Hercegovina, without prior congressional approval."

DOMENICI (AND NUNN) AMENDMENT NO. 1068

(Ordered to lie on the table.)

Mr. DOMENICI (for himself and Mr. NUNN) submitted an amendment intended to be proposed by him to the bill H.R. 3116, supra; as follows:

At the appropriate place, insert the following:

"SEC. . EXTENSION OF SPENDING LIMITS.

(a) CATEGORY.—Subparagraph (A) of section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

"(A) For fiscal years 1994 and 1995, any of the following subsets of discretionary appropriations: defense or nondefense. New accounts or activities shall be categorized in consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate.".

(b) DISCRETIONARY SPENDING.—Section 601(a)(2) of the Congressional Budget Act of 1974 is amended by striking subparagraphs (D) and (E) and inserting the "(D) with respect to fiscal year 1994—

"(i) for the defense category: $264,051,000,000 in new budget authority and $277,294,000,000 in outlays;

"(ii) for the nondefense category: $236,913,000,000 in new budget authority and $261,463,000,000 in outlays;

"(E) with respect to fiscal year 1995—

"(i) for the defense category: $262,624,000,000 in new budget authority and $272,744,000,000 in outlays;

"(ii) for the nondefense category: $243,663,000,000 in new budget authority and $268,528,000,000 in outlays;"

NUNN (AND WARNER) AMENDMENT NO. 1069

Mr. NUNN (for himself and Mr. WARNER) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, insert the following:

SENSE OF THE CONGRESS REGARDING OPERATIONAL CONTROL OF UNITED STATES ARMED FORCES

SEC. 9001. Congress makes the following findings:

(1 The Armed Forces of the United States have conducted combat operations under the operational control of foreign commanders on numerous occasions, including during two World Wars.

(2 Regional security organizations, such as the North Atlantic Treaty Organization, are premised on military operations by the forces of a number of nations under an integrated chain of command consisting of officers from member nations.

(3 The end of the Cold War has seen a substantial increase in the conduct of international "peacekeeping" and "peace enforcement" operations pursuant to decisions of the United Nations Security Council under Chapters VI and VII of the United Nations Charter.

(4) The United Nations has conducted traditional "peacekeeping" operations successfully over the years, but the number and size of such operations has stretched the Organization's management and oversight capabilities thin.

(5) The United Nations has not yet acquired the expertise or infrastructure to enable it to effectively manage "peace enforcement" operations.

(6) Any special agreement negotiated by the President with the United Nations Security Council to make units of the United States Armed Forces available on call to the United Nations must be approved by the Congress pursuant to the United Nations Participation Act, enacted into law in 1945.

(7) Any decision by the President to place combat forces of the Armed Forces of the Unites States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, has significant consequences for such forces, the Congress, and the American people.

SEC. 9002. It is the Sense of the Congress that—

(1) the Armed Forces of the United States must be under the operational control of qualified commanders; and must have clear, effective, and robust command and control arrangements; appropriate rules of engagement; and clear and unambiguous mission statements;

(2) the President should consult with Congress before placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act; and

(3) the President should submit a report to Congress within 48 hours after placing combat forces of the Armed Forces of the United States under the operational control of foreign commanders, other than pursuant to the North Atlantic Treaty and other arrangements in effect at the time of the enactment of this Act, setting forth—

(A) the mission of such forces and a clear explanation of the difference, if any, between the mission of such forces and the mission of

the forces of other nations participating in the same military operations;

(B) in a case in which the operation is conducted under the auspices of the United Nations, an assessment of the United Nations capability to effectively manage the operation;

(C) an explanation of the United States interest that would be served by and the justification for placing such forces under the operational control of a foreign commander in this instance;

(D) the command and control arrangements for the operation of which the forces of the Armed Forces of the United States are a part;

(E) the number, type and general description of equipment of such forces;

(F) the estimated cost to the United States of the participation of such forces;

(G) the anticipated duration of the participation of such forces;

(H) a general unclassified description of the rules of engagement for such forces; and

(I) the foreign commander or commanders involved.

NOTICE OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will be holding an oversight hearing on Wednesday, October 20, 1993, beginning at 9:30 a.m. in 485 Russell Senate Office Building on self-governance.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate Tuesday, October 19, 1993, at 10 a.m. to mark up S. 1299, the Housing and Community Development Act of 1993; S. 423, the Investment Adviser Oversight Act; and the nominations of Jeffrey Garten, John Despres, William Gilmartin, and Lauri Fitz-Pegado.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, October 19 beginning at 2 p.m. to conduct a hearing on NAFTA and its environmental side agreements.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee for authority to meet for a hearing on Tuesday, October 19, at 9:30 a.m. on the subject: "S. 1535, the Federal Workforce Restructuring Act of 1993."

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

COMMITTEE ON SMALL BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Small Business Committee be authorized to meet during the session of the Senate on Tuesday, October 19, 1993 at 10:30 a.m. The committee will hold a full committee hearing to consider the President's nomination of Cassandra Pulley to be the Deputy Administrator of the Small Business Administration.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 19, 1993, at 9:30 a.m. on the nomination of Daniel Collins to be a member of the National Railroad Passenger Corporation and immediately following a Surface Transportation Subcommittee hearing on intelligent vehicle highway systems for commercial vehicles.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate at 9:30 a.m., October 19, 1993, to receive testimony from Corlis Moody, nominee to be Director of the Department of Energy's Office of Economic Impact and Diversity, and Richard Stallings, nominee to be the Nuclear Waste Negotiators, Office of Nuclear Waste Negotiator.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Economic Impact of the Health Security Act, during the session of the Senate on Tuesday, October 19, 1993, at 10 a.m.

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

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to hear testimony on the subject: "Social Problems and Health Care Costs."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, October 19, 1993, at 10 a.m. to hold a hearing on United States participation in Somalia peacekeeping.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, October 19, 1993, at 4:30 p.m. to receive a briefing from the administration on the situation in Somalia.

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

SUBCOMMITTEE ON LABOR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources' Subcommittee on Labor be authorized to meet for a hearing on "Single Payer Health Care Systems: Issues and Options," during the session of the Senate on Tuesday, October 19, 1993, at 2:30 p.m.

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

SUBCOMMITTEE ON PATENTS, COPYRIGHTS, AND TRADEMARKS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Patents, Copyrights, and Trademarks of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, October 19, 1993, at 10 a.m., to hold a hearing on S. 373, the Copyrights Reform Act.

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

ADDITIONAL STATEMENTS

DRUG MANUFACTURERS VOLUNTARILY IGNORING CALL FOR MEANINGFUL PRICING RESTRAINTS

• Mr. PRYOR. Mr. President, on September 15, 1993, I issued a challenge to this Nation's drug manufacturing industry to make a meaningful commitment to the American public and the Congress to restrain the increases in their pharmaceutical prices. I did this because I was concerned that the voluntary proposals that manufacturers were making to restrain prices, while a step in the right direction, were not truly meaningful to the average consumer buying prescription drugs at the local retail pharmacy.

To make up for this serious shortcoming in the manufacturers' approaches, I proposed that manufacturers sign a commitment to the Secretary of Health and Human Services that would require them to limit both the annual increase in their weighted average price to the rate of inflation and the increase in price of individual retail pharmaceutical products to the rate of inflation.

This specific price increase cap on retail pharmaceutical products is needed to protect consumers that purchase their medications out of pocket against continuing excessive price increases. That is because only a few manufacturers have put inflation caps on the actual prices that they charge for their retail-based products. This is where the prescription drug pricing problem has been most acute for older Americans, and where a solution is most urgent. My two-pronged approach to constraining drug price increases would therefore, in my opinion, be more meaningful for the average American buying medications out of pocket.

In my floor statement on that day, I told my colleagues that I would periodically update them on the number of manufacturers that say that agree to this meaningful commitment. Exactly 1 month after making that challenge, I am sorry to say that only one drug manufacturer has even so much as responded to my letter to them of September 16. One manufacturer, Genentech, has indicated in a letter to me that they are willing to "pledge for the next 3 years to maintain the list prices of each of our marketed products, so that future price increases, if any, are at or below the consumer price index."

I welcome Genentech's positive response to my challenge and congratulate them. The other drug manufacturers appear to be voluntarily ignoring my call for meaningful pharmaceutical price restraint.

Now, I know that 1 month may not be enough time for drug manufacturers to receive and review the commitment that I proposed. So, obviously, I want to give them a little bit more time. However, I wanted to let my colleagues know that the drug industry is generally very quick to respond when their best interest is at stake. When it comes to the good of the American public, and to the good of millions of older Americans, they seem to be a little bit slower in responding.

I once again encourage all manufacturers to expeditiously review the agreement that I developed. I call on them to tell us whether they are willing to provide true relief to the American public from ever-increasing medication prices. We are all eagerly waiting for an answer. In another month, I hope to have more encouraging news on this front.•

FOOD SAFETY REFORM

• Mr. GORTON. Mr. President, late Thursday of last week, a Federal judge ruled the U.S. Department of Agriculture to be in violation of the Administrative Procedures Act in its effort to mandate "safe food handling labels" on meat and poultry products. At issue in the suit brought by trade associations representing retailers, food service distributors, and wholesalers, was whether or not USDA violated the Administrative Procedures Act by issuing an interim final rule on the labels and forgoing the entire rulemaking process. In his decision, U.S. District Judge James Nowlin ruled that USDA "has not demonstrated any reason that would justify a departure from the normal rulemaking procedures."

The USDA issued an interim final rule on these labels in August as a result of an E. coli epidemic which sickened 500 people and killed 3 in my State earlier this year. An epidemic, in the mind of this Senator and the families of the victims of E. coli, represents a justifiable "departure from the normal rulemaking procedures." In fact, it is difficult to think of a better reason.

It is true, as the judge stated in his decision, that the majority of those infected with the E. coli bacteria earlier this year came into contact with the bacteria at a fast food restaurant. But what the judge failed to note was that each year hundreds of individuals contract the E. coli bacteria—not necessarily from a fast food or other restaurant.

When the Secretary issued his proposal for safe food handling labels in August, I believed that this represented an important step forward for food safety reform. I encouraged the Secretary to stick to his proposal to mandate these labels for all meat and poultry products which, if implemented, would have gone into effect on October 15. As it turns out, the final rule would have only mandated the label for ground meat and poultry on October 15 and would have required the remaining products to carry the label by April 15, 1994. Although the final rule would have contained this compromise, I continue to be supportive of the Secretary's proposal because the education of consumers is an integral part of reforming our food safety system. And in light of congressional and industry reluctance to move forward on food safety reform, consumer education is, perhaps, one of the most effective measures which the Secretary can enact.

Mr. President, I have been increasingly frustrated with the lack of action to reform our Nation's food safety system. This inaction ranges from committee chairmen who do not want to forgo their jurisdiction over USDA or the myriad of Federal departments and agencies which share conflicting jurisdiction over food safety and inspection, industry complaints that the status quo best serves their needs, and a general reluctance to consolidate and streamline our Nation's food safety system.

We saw an example of this reluctance in response to Vice President GORE's reinventing Government proposal to consolidate USDA's Food Safety and Inspection Service [FSIS] with the functions of the Food and Drug Administration. Immediately, industry and Members of Congress began to second-guess the merits of the proposed consolidation and cast doubt upon the cost savings of this proposal. Clearly we need to see the fine print of this proposal, but the Vice President's recommendation deserves to be considered closely and not merely shelved away because of turf battles and proponents of the status quo.

Earlier this year Senator DURENBERGER and I introduced legislation, S. 1349, which would consolidate the food safety and inspection functions of all departments and agencies into one, single Food Safety and Inspection Agency. This legislation shares a similar goal to that of the Vice President's proposal—consolidating and eliminating the Federal bureaucracy—and merits careful consideration as well.

Mr. President, in the opinion of this Senator, the decision made by the U.S. district judge last week was outrageous. The Secretary of Agriculture had made a well-thought-out policy decision in mandating the safe food handling labels. But, as has become custom, instead of working with USDA to address their concerns in the final rule, the groups who disagreed with the policy filed suit to stop it. And in doing so, these groups—groups which have a vested interest in food safety reform and the confidence of American consumers—took a giant step backward on food safety reform.

Over the past 10 months I have met often with the families of E. coli victims in the State of Washington and listened carefully to their concerns. And although the court decision is a setback for food safety reform, I will continue to work in cooperation with USDA to see that safe food handling labels are put into place sooner, rather than later.•

PREJUDICE IS WRONG

• Mr. DECONCINI. Mr. President, I respectfully request that the following article be printed in the CONGRESSIONAL RECORD. "Prejudice is Wrong" was written by one of my younger constituents, Bill Sambrone, age 12, and I want to share his insightful views about this issue with my colleagues.

I ask that "Prejudice is Wrong" be printed at this point in the RECORD.

The article follows:

"PREJUDICE IS WRONG"

(Bill Sambrone, Age 12)

I think that prejudice is wrong. Why would anybody hate another person just because they have a different skin color, or anything different. Prejudice is also a sign that a person has poor character.

Are black, hispanic, or any other people not human? Can't they do what we all do? If not, or even if so, there is no reason for prejudice. Put yourself in their shoes. Would you like people to discriminate against you just because you are different? Plain and simple,

prejudice is foolish. All people are created equally (not everyone's talents are equal), which means that there should not be any prejudice.

The government should contribute to the cause of stopping prejudice. There should even be a law to outlaw it (maybe that might be a bit radical). If there was no prejudice, the world would be a happier place, not to mention the elimination of white supremist gangs or groups.

You can stop prejudice. Spread the word that prejudice is wrong. Take a stand. Every person against prejudice helps. After all, if prejudice grows too big, our nation will fall apart with frequent gang activity. Do you want this to happen? Stop prejudice!•

WITHDRAWAL OF AMERICAN TROOPS FROM SOMALIA

• Mr. MCCAIN. Mr. President, last week I offered an amendment to the defense Appropriation bill to bring about the prompt withdrawal of American troops from Somalia. I had become concerned that our original mission in Somalia had changed from one of humanitarian relief to one of nation-building. The humanitarian mission was supported by the Senate and the American people. The mission of nation-building was not. Following the complete collapse of the administration's ill-defined and poorly implemented policy in Somalia, and the debacle of October 3 and 4, I believed it was time to bring our troops home.

I want to make clear that my opposition to the President's policy in Somalia was brought about by the failure of the President to thoroughly consult Congress on the direction of that policy and the eventual failure of his efforts to implement it.

I made my opposition to any change from the humanitarian mission clear from the outset of President Bush's efforts to feed the hungry in that unfortunate nation. I expressed my concern for the changing mission twice this past August, I did not, however, attempt in a preemptive fashion to prevent him from exercising his Presidential prerogatives or his powers as Commander in Chief.

Mr. President, I am concerned that the amendments offered by my friends Senators DOLE and NICKLES to require the President to seek prior authorization from Congress before committing United States forces to Haiti, Bosnia, or, in the case with Senator NICKLES, to an operation under United Nations command inappropriately preclude Presidential leadership on these foreign policy questions. I have always doubted the constitutionality of the War Powers Act, and I fear these amendments come close to invoking the spirit of that Act, although even the War Powers Act would allow the President to commit the use of American forces before Congress could reverse the decision. Accordingly, I cannot support them.

My concern is based on constitutional grounds. The President is the Commander in Chief. As such, he has the power to commit U.S. troops to meet any contingency. The Constitution grants the Congress the power of the purse. With the powers given it, the Congress may end those military operations by cutting off funding. The Constitution does not give the Congress the power to prevent the President from committing forces.

Let me stress, Mr. President, that I sympathize with Senators DOLE and NICKLES as they seek to impose some guidance for American foreign policy in an environment where little guidance, as well as little consultation with Congress on these matters, is forthcoming from the administration. There is a vacuum in foreign policy leadership in Washington at the moment, and that is a dangerous situation for this Nation to risk at such a challenging moment in history. Neither would I like to see a repeat of the administration's inattentiveness, miscalculations and vague inclinations toward assertive multilateralism that result in our recent misadventure in Somalia. Understandably, Senators DOLE and NICKLES have sought some action which would reduce the likelihood of future repetition of this kind of folly.

One would hope that with adequate consultation with Congress, the administration would avoid future blunders that needlessly put at risk the lives of our troops. If they do not avoid such mistakes, Congress has the right to refuse to fund them. However, I do not believe Congress should preclude or circumscribe the President's foreign policy leadership in advance of the policy's formulation. Congress should work closely with the administration to help keep the President from making future mistakes like the debacle in Somalia. But should he persist in making them, our legislative resources should be to terminate them as quickly as we can by denying them funds for further implementation once they have been made.

The danger in proscribing certain foreign policies until they are authorized by Congress is that we cannot foresee today all the contingencies that may arise which would necessitate such action. Senator DOLE has attempted to provide for such contingencies in the numerous exclusions he has included in his amendment on Haiti. But again, Mr. President, no one can be certain today that we have conceived all potential emergencies which may someday require the use of force to resolve or special circumstances which may on rare occasion require the temporary stationing of U.S. forces under U.N. command. I sincerely hope that such an occasion never arises, but I cannot be certain that it will not.

I share the concerns of Senators DOLE and NICKLES with regard to the administration's policies in Haiti, Bosnia and at the United Nations, although I feel their proposed corrections exceed our authority. I close by urging the President in the strongest possible terms to consult closely with Congress, to weigh heavily in his calculations the concerns he will find here. Only when a policy is understood and supported by the American people and their elected representatives in Congress will it have a chance at success. Together, we may arrive at a more effective way to safeguard American interests overseas than has heretofore been the case.•

APPLICATION OF POSTAL REGULATIONS TO WEEKLY NEWSPAPERS

• Mr. SIMON. Mr. President, I have introduced a bill which would ensure that postal regulations adopted March 19, 1989, do not have an adverse impact on certain weekly newspapers which have customarily been produced in a two-staple format.

The regulations were intended to control the inclusion of loose supplements in magazines, but they have impacted on a few bona fide newspapers which qualify for second-class postal rate.

Actually, only a few of the thousands of newspapers were affected by the regulation—as few as 50 newspapers in the Nation and 39 are papers published in the suburbs of Chicago.

All this bill does is say that if the newspapers were using two staples before March 19, 1989, they should be allowed to continue to use the two staples without changing the mail classification solely because of the two staples.

This bill will right the wrong which adversely affected the papers which were publishing in this manner prior to the regulation enacted back in March 1989.•

THE DRUG WAR, ONCE AGAIN

• Mr. D'AMATO. Mr. President, once again, I rise to speak on the subject of the war on drugs. It is increasingly clear that we are in the process of declaring victory and going home. In reality, we are snatching defeat from the jaws of, if not victory, then at least a hard-fought draw. This is a very serious defeat for America, a defeat that will threaten the safety and livelihood of every American.

I have spoken several time this year, in some detail, on various aspects of the drug war. I addressed the issue on February 16, March 25, April 20, April 22, and briefly on May 18. Since then, events and decisions that were pending have actually taken place or been made.

Tomorrow, the administration's new antidrug strategy will reportedly be released to the public when the Director of the National Drug Control Policy, Mr. Lee Brown, testifies before the Judiciary Committee. This public release

is previewed in the Tuesday, October 19, 1993 edition of the Washington Post, on page A8, in an article entitled "White House Shifts Anti-Drug Focus, but Not Funds," by Michael Isikoff.

Those events and decisions were also discussed in the Washington Post's September 19, 1993, editorial entitled "War Over the Drug War," and in a letter to the editor of the Post from Mr. Alec A. Des Roches that was published in the Friday, October 1, 1993, edition on page A24.

Mr. President, I ask that the article, the editorial, and the letter to the editor be printed in the RECORD at the conclusion of my remarks.

(See exhibit 1.)

Mr. D'AMATO. I fear that the critics are correct—that the administration and its allies in Congress are embarked on a process of ending the war on drugs. This unilateral surrender cannot be allowed to occur without protest and strong opposition.

As the vice chairman of the international narcotics control caucus, and as a Member with a long and hard-earned record of legislative achievements in fighting the war on drugs, I must speak out. I believe the consequences of the administration's mistakes in this area are already so serious that they are visible to anyone who takes the time to look.

Yesterday's Washington Post contained a front-page article by Dan Beyers and Avis Thomas-Lester entitled "Marijuana Makes a Comeback: Arrests Here Are Up by 19 Percent for Drug That Was on the Wane." While the headline says it all, I commend the entire article to those who are concerned about the fight against illegal drugs. It is clearly bad news.

Mr. President, I ask unanimous consent that the article on marijuana be printed in the RECORD at the end of my remarks.

In my remarks on the 20th of this April, I placed in the RECORD an article by Herbert D. Kleber entitled "'Benign Neglect' Means Danger." In his article, he discussed the process of making drugs "* * * 'psychologically unavailable' through denormalization and the stigmatizing of their use." That was one of the major objectives of the demand side of the war on drugs as it has been fought until now. In fact, there is good evidence that it was making significant progress and that this progress was a real factor in reducing illegal drug use.

Now, let me quote a passage from yesterday's article on marijuana:

"Cocaine and PCP scared a lot of people," said George Koch, a Maryland State Policy analyst who studies marijuana trends. "Marijuana is seen as less of a threat, more acceptable by society."

That image is being reinforced by pop culture, where favorable references to marijuana are appearing increasingly in music of all tastes—from heavy metal to rap—and at colleges, where legalization of marijuana is being debated.

Some street vendors and trendy boutiques said they did a brisk business during the summer selling T-shirts and caps adorned with a marijuana leaf or marijuana-related slogans. Some even sold hemp clothes made from marijuana plants.

Clothing with printed marijuana emblems is now turning up in high schools.

What we have here is current evidence that the implicit message the administration's new approach to the drug war is sending has already been received and is being acted upon. The cutting edge of American society—the entertainment industry, small entrepreneurs selling T-shirts, bumper stickers, and similar merchandise, and the college-age population—have decided that illegal drug use is no longer bad. And they are influencing high school and junior high school children to think the same way.

Mr. President, they've made drug use fashionable and trendy again.

This is a disaster. We are seeing created before our very eyes the next generation of illegal drug users and abusers.

Let me quote again from yesterday's marijuana article:

"For me, marijuana is just like alcohol. No worse," said another Gaithersburg youth, a 15-year-old boy who said he tried his first joint earlier this summer. "You hear about it through the music. It's part of what is happening."

Mr. President, what is happening is that, while the Clinton administration is declaring victory and going home, we are losing the war on drugs. We see here the beginning of the reversal of the gains we have fought so hard for so many years to achieve.

The Clinton administration has sent out the implicit message that "it's all right to do drugs." Instead of denormalizing drug use and stigmatizing drug users, traffickers, and advocates of illegal drug use, they've created a warming climate, a climate that sends the subtle message that hardline policies are wrong, and while they can't be rolled back directly, they can be indirectly crippled and undermined.

Who are the victims of this counterrevolution in the cultural marketplace? You and I are the victims. Our children are the victims. Our communities are the victims.

It's not just a matter of T-shirts with marijuana leaves on them. It's a matter of bringing susceptible and impressionable young people into direct contact with experienced drug-dealing criminals.

It's a matter of recruiting new drug abusers who will become addicts.

It's a matter of glamorizing the drug trade, so that ambitious young people want to join and get rich quick.

It's a matter of increasing cash flow through the local drug gangs and international cartels.

It's a matter of shaping attitudes and perceptions, and as any practicing politician can tell you, attitudes and perceptions really do count.

One of the things that will happen as this implicit message strikes home is that violent drug-related crime will begin another spiraling climb. Yet, instead of pressing the drug war against the main enemy—drug abusers and drug traffickers—the administration proposes another misleading political offensive on gun control, distracting us from this devastating retreat from the true cause of much of the crime and violence in our cities and society.

This gun control effort, however genuine its motivations may be, goes after one of the symptoms of the crisis, rather than the true cause—illegal drug trafficking and the resulting addiction. The drug trade and drug addiction are major reasons why people become violent criminals in the first place and choose to use guns in their crimes in the second place.

What in the world does the administration's new idea—making gun possession by minors illegal—have to do with solving drug abuse and stopping the drug trade? Does the President think that the Brady bill's waiting period will have any effect at all on the teenage punks dealing drugs to a new generation of addicts? How many of their guns does he think were bought through legitimate channels?

And the greatest bugaboo of all—assault weapons. We are going to reduce drug-related street crime by outlawing assault weapons? Who are we kidding?

It may have escaped his notice, but a shipload—Mr. President—a shipload—of illegal immigrants ran aground on the beaches of Long Island earlier this year. And it wasn't the only such ship to reach our shores this year. If we can't stop organized criminal gangs from bringing in shiploads of people, how do we propose to stop them from bringing in shiploads of AK-47's?

In many cases, illegal alien smuggling gangs are involved in the drug trade, too. If we haven't stopped aliens or drugs, how would we stop guns? All we do by pressing gun control is offer another false hope of urban peace to our constituents, while, in reality, the administration's implicit message of tolerance for drug use—and concurrent programmatic cuts and redirections—promise more violence in the future, not less.

But the constitutional and practical aspects of gun control are not the objects of my discussion today. What gun control is, is the politician's equivalent of the magician's gestures—we are intended to be distracted by the gestures, so that we don't notice what is really going on.

I will not be distracted. Mr. President, we cannot afford to surrender. Losing the war on drugs cannot be blamed on anything but this administration's attitude, its helter-skelter approach to drug policy, and an apparent underlying distaste for strong eradication, interdiction, and domestic enforcement measures.

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It's their watch now, they are responsible, and they are laying the foundations for a serious national disaster.

Mr. President, after the new drug strategy is in fact released to the public, I will have more to say. I want to have the opportunity to review the policy itself, not just published reports about it.

I appreciate the kind attention of my colleagues to my remarks on this very important topic. I hope that those with whom I have labored on this issue will respond with as much outrage and concern as I have over this administration's implicit message and apparent abandonment of the battle against illegal drug use.

It would be very useful if, during the course of our debate over the crime bill, we could take a detailed look at this subject and try very hard to change the administration's course. Remember, the last place we were encouraged to declare victory and go home from was South Vietnam, and no place called South Vietnam can be found on the map today.

Unlike South Vietnam, we live here. There is no place else for us to go. Either we win here, or our Nation dies.

EXHIBIT 1

[From the Washington Post, Sept. 19, 1993]

WAR OVER THE DRUG WAR

Among the many endeavors the United States government has undertaken, few have been more frustrating than the war against drugs. True, there have been some successes in transforming social attitudes toward drugs, which have in turn led to a decline in drug use among some groups. But the sickeningly regular reports about drug crimes here and in big cities throughout the country speak far more to failure. The evidence suggests that neither the street price nor the purity of drugs has been much affected by all the commotion. This is not a war the United States is winning.

The hard truth is that all the interdiction and police efforts in the world will not make a dent in this problem as long as so many Americans, many of them poor, fall into the grip of addiction. This is, and always has been, primarily a domestic problem, rooted in other social problems.

But as long as drugs remain illegal, the federal government will feel obligated to stop the criminals who sell them. That is the inspiration behind the large military expenditures for operations against drug producers in countries such as Peru, Bolivia and Guatemala. It is the reason so many Coast Guard resources are directed toward keeping drugs from reaching American shores.

Frustration over past failures is pushing both the Clinton administration and Democrats in Congress toward a reappraisal of where anti-drug money should be spent. To the frustration of the Customs Service and the Coast Guard, the administration is considering a major shift in resources away from interdiction efforts nearer our borders and toward more military aid to destroy cocaine labs and disrupt trafficking organizations in South America. Democrats in Congress have gone farther, voting sharp cuts in State Department funds that support Central and South American anti-drug activities. "We've spent over $1 billion down there and we've accomplished virtually nothing," Sen. Patrick Leahy (D-Vt.) told The Post's Michael Isikoff. "We ought to realize it's not going to work and call it quits."

The biggest difficulty in "calling it quits" involves American commitments to South American governments that have shown real courage in taking on drug traffickers. If aid is cut from the military programs, should it be transferred to economic development programs aimed at shifting farmers in drug-producing countries to other lines of work? Would this money do any more than the money that's already been spent on the military programs? There is also the fear among drug enforcement agencies that cutting back on efforts to interdict and disrupt drugs would simply make the criminal syndicates even bolder.

Yet it's impossible not to share Mr. Leahy's frustration and wonder whether all the high-tech military operations aren't finally a distraction from the real issues: weaning addicts on our streets away from drugs and keeping young people from becoming addicts in the first place. That's why it's hard to understand why Congress and the administration have agreed to cuts in education and treatment programs that President Clinton has praised so often. Unless these issues are addressed better than they have been, the war on drugs will remain a quagmire.

[From the Washington Post, Oct. 1, 1993]

WAR OVER THE DRUG WAR

The Sept. 19 editorial "War Over the Drug War" only scratched the surface of the major offensive against the war on drugs that began in January.

The first indication that there would be a war against the war on drugs was the new Clinton White House's suspension, or at least delay, of preemployment drug testing of White House employees. While it might be easy to dismiss these actions as mismanagement, preemployment drug screening had been standard procedure for years. In retrospect, the White House attitude toward preemployment drug testing was a clear indicator of the White House position on drug-control policy.

Then came the Democratic House leadership eliminating the House Select Committee on Narcotics. While eliminating the subcommittee may seem insignificant, it cleared the way for additional assaults on the drug war. The next came when the White House cut the staff of the Office of Drug Policy Control—the Drug Czar's office—from 146 people to 25 to just 15. With the House Select Committee on Narcotics gone and with the cuts coming before the new Drug Czar took office, there was no official legislative or executive branch organization to protest the cuts.

Then came the budget battle and the White House directing congressional Democrats to cut $131 million from drug-education programs and $100 million from drug-treatment programs. Making the cuts was easy because the Select Committee on Narcotics had been eliminated, the staff of the Drug Czar's office had been gutted and the position of the 'Drug Czar', which candidate Bill Clinton said he would raise to a Cabinet-level position, was still vacant.

The assault on the war on drugs is not only continuing, it is picking up speed. The White House, even before the release of Vice President Al Gore's reinventing government proposal, has been promoting the suggestion that the Drug Enforcement Administration's independent agency status be eliminated and that the DEA be absorbed by the FBI. Meanwhile, the attorney general's office is reviewing the criminal penalties for drug offenses.

Eradication efforts—the programs to eliminate coca fields and cocaine labs in South America—are also under assault. The editorial notes that "Democrats in Congress have gone farther, voting sharp cuts in State Department funds that support Central and South American anti-drug activities." Not only are the eradication programs being cut, but now, with the apparent support of Sen. Patrick Leahy and other Democratic leaders in Congress, the Clinton administration also is considering a major shift in resources away from interdiction.

There is a major war against the war on drugs, and unfortunately, those who are against the war on drugs, which includes the White House and many Democratic leaders, are winning. Those of us who want more drug-treatment programs, more and better drug-education programs in our schools and more effective international interdiction and eradication programs are losing.—Alex A. Des Roches, Burke.

[From the Washington Post, Oct. 19, 1993]

WHITE HOUSE SHIFTS ANTI-DRUG FOCUS, BUT NOT FUNDS

(By Michael Isikoff)

Warning that the country is "still in the midst of a drug epidemic," the White House is planning to release a new anti-drug policy that calls for expanded emphasis on treatment and prevention, while pledging no new resources to carry out the tasks.

The new anti-drug strategy, drafted by White House Drug Control Policy Director Lee P. Brown's office, has been billed by administration officials as a change in direction from the law enforcement-oriented approaches of the past two Republican administrations. It targets hard-core abusers as the "principal" focus of federal efforts and proposed moving treatment programs for addicts "to the forefront of our drug abuse policy," according to a draft copy of the statement obtained by The Washington Post.

But the new strategy does not propose shifting any funds in the federal government's $13 billion anti-drug budget or recommend the elimination of any particular law enforcement or interdiction programs. Instead, it emphasizes already announced initiative contained in a crime bill now before Congress. Those initiatives include a waiting period for handgun purchases, a ban on semiautomatic assault weapons and funding for new "community policing" programs that will put more officers on the streets.

Clinton administration officials acknowledged the strategy was largely rhetorical, noting that precise levels of funding for anti-drug programs will not be known until the president releases next year's budget.

But critics quickly pounced on the policy as a largely meaningless document already undermined by congressional budget cuts, accepted by administration officials, in prevention and treatment programs.

"It's shockingly vacuous," said John P. Walters, who served as deputy White House anti-drug director during the Bush administration. "There's no shift [in resources] here. It doesn't have any objectives, it doesn't have any goals. It's a waste of everybody's time."

Administration officials said yesterday that at the last minute the drug office included general language requested by the National Security Council proposing a shift away from drug interdiction in the transit zones of Central America and the Caribbean. As part of that shift, the strategy will emphasize U.S. support for counter-narcotics programs in the "source" countries of Latin

America, focusing those efforts on what it calls "democratic institution-building of law enforcement and judicial institutions."

The policy is being released at a time when the Clinton administration is coming under increasing attack for failing to pay enough attention to the nation's drug problem. Although casual drug use among the middle class has declined markedly, these critics note, recent government figures show that hospital emergency room visits for cocaine and heroin overdoses have reached all-time highs—one sign that hard-core addiction has failed to diminish.

The strategy, to be formally released when Brown testifies before the Senate Judiciary Committee on Wednesday, concludes that the Nation's drug problem is as "daunting" as ever, noting that 1.1 million abusers are unable to receive treatment because there is no room in existing programs.

The strategy proposes to "aggressively" reduce this figure and touts the president's health care package as one means of expanding treatment services. But Ellen Weber, co-director of the Legal Action Center, a public interest lobbying group that focuses on drug issues, said the administration's proposal is "very troubling" and provides no coverage for long-term residential programs that hard-core addicts need most.

Brown yesterday declined to be interviewed, saying through a spokesman he wanted to wait until the strategy is formally released.

Rep John Conyers Jr. (D-Mich.), chairman of the House Government Operations Committee, called it "a step in the right direction," but added: "The real question * * * is what the lofty goals mean in terms of anti-drug program dollars" in light of recent cuts in Brown's staff and some treatment programs.

[From the Washington Post, Oct. 18, 1993]

MARIJUANA MAKES A COMEBACK—ARRESTS HERE ARE UP BY 19 PERCENT FOR DRUG THAT WAS ON THE WANE

(By Dan Beyers and Avis Thomas-Lester)

Marijuana use in the Washington area appears to be surging after years of decline, fueled in large part by the drug's renaissance among young people, new evidence suggests.

An array of recent statistics on arrests, drug seizures, emergency room admissions and court-administered drug tests indicates that marijuana use is approaching levels not seen since the mid-1980s, when smoking marijuana laced with the hallucinogen PCP was common in several parts of the Washington area.

Last year, marijuana-related arrests in the District and Fairfax, Montgomery and Prince George's counties were up 19 percent from 1991, reaching 3,198, or an average of almost nine a day, according to police in those four jurisdictions.

The numbers are still climbing. In Prince George's County, police said they have arrested 221 people for marijuana possession and distribution in the first six months of this year, a 65 percent jump from the same period in 1992 and twice the number arrested in all of 1989. They said they also have seized $2.8 million worth of the drug during the same period, a fourfold increase over the first half of last year.

In Montgomery County, marijuana-related arrests are up 6 percent for the first eight months of this year, and about $1 million worth of the drug has been seized so far, double the value of all Montgomery seizures in 1992.

Police in Fairfax County said their 1993 arrest rate for marijuana is running at the 1992 level; last year, Fairfax reported 627 marijuana arrests, nearly twice the number made in 1988.

The District said its 1993 arrest figures were unavailable, but Phil O'Donnell, the deputy police chief who commands the narcotics and special investigations unit in the District, said city police seized twice as much marijuana through May of this year—$974,000 worth—as they did in all of 1991.

"For a while, because of all the law enforcement, cocaine got scarce. Because it was scarce, some people went back to marijuana,' O'Donnell said in an interview earlier this year.

"It is everywhere we turn right now," said Lt. Don Lenhart, who supervises vice and narcotics operations in Fairfax. "We're even finding it when we raid [suspected] crack houses."

Howard County police announced Friday that authorities had broken up a major marijuana ring operating in central Maryland that was believed to be distributing 250 pounds of the illicit drug a month. Three Anne Arundel County men have been arrested so far, and one has been charged under the state's "drug kingpin" statute.

As part of that operation, police seized 41 pounds of marijuana and $230,000 in cash and securities as they executed 28 search warrants in Baltimore and five counties.

Hospitals in the Washington area have reported a 32 percent increase in the number of marijuana users seeking emergency treatment in 1992, an average of 10 people a month. Many patients said they also were using more dangerous drugs, which specialists say probably worsened their health problems.

Drug specialists said a compelling piece of evidence that marijuana use is on the rise is coming out of the District, where drug tests given to recent arrestees are showing higher rates of marijuana use.

Juvenile use is rising the fastest, reaching its highest levels since the tests were first administered in 1986, according to the D.C. Pretrial Services Agency.

Forty-five percent of the 255 youths who voluntarily submitted to drug tests in August tested positive for marijuana; 49 percent tested positive for drug use overall. Two years ago, only 10 percent of all arrested juveniles tested positive for marijuana in the month of August.

The last statistic "is probably the most telling," said Clare Mundell, who has long tracked Washington drug trends for the University of Maryland's Center of Substance Abuse Research. "It is irrefutable evidence that marijuana use is on the rise among the juvenile criminal population."

Last week, an official of the center told a special legislative committee that a study of teenagers in two state detention centers showed young people turning away from cocaine and toward marijuana and PCP.

"There is evidence of a new epidemic in marijuana and PCP," said Eric Wish, of the center. "It's almost like people are saying, 'Thank God it's not crack anymore.'"

Marijuana long has been the most popular illegal drug with young people, and authorities have been predicting for some time that a new surge is around the corner. Marijuana also may be finding favor now because today's generation of young people came of age in a decade dominated first by the ravages of PCP and then crack cocaine, according to police, social workers and other drug specialists.

"Cocaine and PCP scared a lot of people," said George Koch, a Maryland State Police analyst who studies marijuana trends. "Marijuana is seen as less of a threat, more acceptable by society."

That image is being reinforced by pop culture, where favorable references to marijuana are appearing increasingly in music of all tastes—from heavy metal to rap—and at colleges, where the legalization of marijuana is being debated.

Some street vendors and trendy boutiques said they did a brisk business during the summer selling T-shirts and caps adorned with a marijuana leaf or marijuana-related slogans. Some even sold hemp clothes made from marijuana plants.

Clothing printed with marijuana emblems is now turning up in high schools.

"Most of the kids say they are wearing the shirts because it is part of the style these days," said Frank Stetson, principal of DuVal High School in Prince George's County. "For whatever reason, it is still a concern."

Like other principals in the area, Stetson said he usually tells the students to turn their offending T-shirts inside out or to cover the slogans with a jacket or another shirt.

"Ninety percent of the time, when you ask them what they think their parents would say, the students will immediately turn their shirts inside out," said Stephen Tarason, principal of John F. Kennedy High School in Montgomery. "But there's always the 10 percent who say their parents already know what they are wearing."

In addition to making a fashion statement, young people are using a new way to smoke marijuana—splitting open an inexpensive cigar called a Phillies Blunt and filling it with marijuana. In a May survey of 22 recent arrestees conducted by the D.C. Pretrial Services Agency, all but one of the District youths said they smoked marijuana in cigars. Sales of the Blunt brand cigars have tripled in the last year, according to one area wholesaler.

Some young users say they consider their use of marijuana to be harmless, and even preferable to the other trouble they could get into.

"I won't try crack or rock, because crack kills. You learn that from commercials and TV," said a 16-year-old girl from Gaithersburg, who said she started smoking marijuana a year ago, often in Blunts. "Marijuana gives you an inner peace. It makes you want to sit back and listen to music, or pig out with friends, instead of getting into trouble."

"For me, marijuana is just like alcohol. No worse," said another Gaithersburg youth, a 15-year-old boy who said he tried his first joint earlier this summer. "You hear about it through the music. It's part of what is happening."

The two Gaithersburg teenagers, whose names are being withheld at their parents' request, said they are currently receiving counseling for their drug use and other behavior problems. Their counselor, Vita Noble, said she is skeptical of claims that marijuana keeps young people out of more serious trouble. She said several of her young clients have become involved in scrapes and other violent encounters while high on marijuana.

"Marijuana drops all the guards," Noble said. "These kids tend to lack fear when they are high, and they are less afraid of confrontation. They seem to attract violence like a magnet."

Noble said she also is worried that the marijuana use could lead to more destructive behavior if it goes unchecked, and it

may even stir the youths to try more dangerous drugs in the future.

"I am concerned that we may see the cycle repeating itself with this generation," Noble said. "Marijuana use raises a lot of red flags."•

CANAAN BAPTIST CHURCH

• Mr. RIEGLE. Mr. President, I rise today to pay tribute to Canaan Baptist Church, in my hometown of Flint, MI, on the occasion of the 69th anniversary of the church's founding. From humble beginnings in November 1924, the church has seen tremendous growth as the result of the dedication and hard work of the pastors and congregation.

Many distinguished leaders in the Flint community are now or have been members of this great congregation and there have been many significant events in Canaan Baptist Church's history.

The church was greatly blessed by the arrival of the Rev. Willie M. Duncan in 1979. Under Reverend Duncan's guidance and vision, the size of the congregation increased, the facilities were improved, and community outreach programs were expanded.

Earlier this year, on May 28, 1993, Canaan suffered a great loss with Reverend Duncan's untimely death. While he will be greatly missed, the congregation will continue to be inspired by the memory of his leadership, commitment, and dedication.

Because of their devotion, faithfulness, and commitment, the members of Canaan Baptist Church have touched countless lives and helped numerous people; and I am honored to pay tribute to them for their commitment and effort.•

DURUM SEMOLINA WHEAT

• Mr. D'AMATO. Mr. President, an issue recently raised in the press and media affects companies and workers as well as consumers in my home State of New York. It involves the importation of Durum Semolina wheat from Canada by pasta manufacturers in New York, particularly in Buffalo. The issue was a subject of a Wall Street Journal guest article by James Bovard; a copy of which is included following my remarks. It was also the subject of a question on ABC TV's "This Week With David Brinkley" to U.S. Trade Representative Mickey Kantor by Sam Donaldson.

The effort to grant emergency quotas on wheat imports from Canada essentially is an effort to truncate the normal review process of such matters. A full review would take into consideration adverse consequences as well as potential benefits such a decision would cause. The recommendation to expedite this decision is reported to be ready by the Secretary of Agriculture as a representative of the administration.

I am concerned that the curtailing of affordable Durum Semolina wheat will have a negative effect on pasta production in the United States and put domestic producers at a price competitive disadvantage to imports from abroad. Ironically, low cost imports from abroad are made from U.S.-subsidized wheat shipped overseas and returned as low-cost pasta products to the United States. If the result of the emergency decision to limit these imports causes domestic pasta companies to pay higher prices for domestic wheat, not only will prices rise, but layoffs will occur in the face of predatory competition from abroad.

A precipitous decision seems not to serve the purposes of American consumers or American industry. Should not such a policy be reviewed by the numbers and in regular order, not be pushed through as an emergency measure.

In referring to the Wall Street Journal article, I do not ascribe to Mr. Bovard's implications or his attribution of motivation for calls for restrictions. But it is obvious that the success of bilateral agreements depends on both the enforcement and follow-through of the presumed goodwill of such agreements. This is particularly important as we approach final consideration of NAFTA and further negotiations of GATT.

A full review of the issues surrounding the Canadian wheat imports would go a great distance in clarifying the overall national interest as well as the interests of the United States producers and consumers.

There is no real reason for a quick fix; such attempts will be subject to misinterpretation. A full review would provide the opportunity for all parties to be heard and an equitable result for all parties.

I ask that a copy of the Wall Street Journal article be printed in the RECORD at the conclusion of my remarks.

The article follows:

[From The Wall Street Journal, Oct. 15, 1993]

OUR WHEAT WAR WITH CANADA

(By James Bovard)

The Clinton administration is on the brink of imposing emergency quotas on wheat imports from Canada. If Mr. Clinton succumbs to this protectionist temptation, once again pandering to congressional pressure, it could result in a Canadian rejection of Nafta and a collapse of U.S. credibility in the GATT negotiations. Restricting wheat imports could also destroy American food manufacturing jobs.

Durum wheat, the bone of this trade conflict, is used for pasta, certain cereals and some Italian breads. Imports of Canadian durum have increased in recent years and now account for roughly 20% of U.S. consumption. To add insult to supposed injury, Canadian durum wheat is often of higher quality thanks to superior Canadian grain-handling practices. Naturally, the perfidious imports have sparked outrage on Capitol Hill—and the White House appears to have jumped on the bandwagon.

Sen. Max Baucus (D., Mont.) proclaimed "Canadian [unfair trade] practices put Japan to shame." Nine farm-state senators sent a letter to Agriculture Secretary Mike Espy on Sept. 9 demanding an "immediate initiation . . . of trade action to restrict U.S. imports of Canadian wheat." Undersecretary of Agriculture, Gene Moos, told the Senate Agriculture Committee on Sept. 21 that he had formally recommended that the president "consider an emergency proclamation establishing quotas on the import of Canadian wheat," and U.S. Trade Representative Mickey Kantor declared that "we're looking at moving very quickly on the [proposal for import quotas on] wheat."

Farm-state senators have picked an unfortunate time to denounce imports, since U.S. durum wheat prices—roughly $4.50 a bushel—are far above federal target prices (prices picked by congressmen to guarantee most full-time farmers a generous profit). But the reason that politicians are clamoring now is that they smell a chance to cut a deal with Mr. Clinton. Some senators are trying to ransom their votes to open the border with Mexico via Nafta with a Clinton administration promise to close the border to Canada.

While northern Midwest senators busily denounce Canadian imports, their states actually may be hurt more by the sharp cutbacks in wheat production caused by federal acreage idling programs.

U.S. production of durum wheat has nosedived since 1981, falling from 5.8 million acres annually to just over two million acres in 1983. The Conservation Reserve Program (CRP), under which the government pays farmers to idle their land for 10 years, is the largest single set-aside program. Sen. Kent Conrad (D., N.D.) complained in 1992 that the CRP has "absolutely wiped out small town after small town as we took land out of production." North Dakota farmers may be enraged by the durum imports in part because, while Canadian farmers are planting fence-row-to-fencerow, much of the U.S. farmland that could produce durum wheat has been semi-permanently shut down by the CRP.

Even though U.S. farmers are not even growing enough durum to meet U.S. consumption, the U.S. government is still spending lavishly to dump U.S. durum wheat on world markets. The U.S. will subsidize the exports of more than 30 million bushels of durum wheat this year—roughly equal to the amount of Canadian imports. On Sept. 23, the Agriculture Department announced massive subsidies of durum wheat exports to South Africa—entitling American taxpayers to pay a subsidy of $1.75 per bushel for the export of wheat. The department will spend roughly $700 million to dump wheat on world markets this year. Wheat export subsidies have become so generous that they are undercutting unsubsidized exports of U.S. corn.

The combination of falling U.S. production of durum and artificially increased demand for durum caused by export subsidies has driven the U.S. durum price above the world price. Naturally, the high prices have been a signal to foreign producers that the U.S. market needs more durum.

If the U.S. restricts Canadian wheat imports, the U.S. price of durum will likely spike higher. This would put American pasta makers at an even greater disadvantage against imports. Foreigners can buy U.S. wheat much more cheaply than can American food manufacturers. U.S. imports of pasta and pasta products have more than doubled since 1985, when the Agriculture Department began dumping U.S. wheat on the world market at fire-sale prices. The U.S.

lavishly subsidized durum exports to Turkey, where the wheat was processed into pasta and exported back to the U.S. Industry experts predict that if Mr. Clinton restricts Canadian wheat imports, some U.S. pasta-making plants could move to Canada.

U.S. senators are loudly denouncing Canadians for exporting subsidized wheat. But in 1991, federal farm policy forced American taxpayers and consumers to pay wheat farmers subsidies equal to 78% of the total value of the wheat produced in the U.S., according to the Organization for Economic Cooperation and Development. Federal farm policy has turned wheat production—a historic American strength—into a heavy burden on the national economy.

Rather than disputing over a few bushels of Canadian imports, the debate should focus on how the U.S. government has turned wheat production into a perpetual burden on American taxpayers. Prior to the federal takeover of agriculture in the 1930s, American wheat farmers were a symbol of national pride. Nowadays, federal subsidies per full-time wheat farmer far exceed what the U.S. government is providing per household of food stamp recipients.

Unfortunately, "the wheat industry is in serious decline," as Bruce Weber of Cargill Inc., the nation's largest grain exporter, complained last year. Stephanie Patrick of Cargill observed that the decline in wheat exports is "reflected in the virtual closing of the Texas Gulf, a region once dense with wheat-export facilities and the jobs that went with them."

The U.S. would be unwise to treat Canada like some kind of lop-eared hound dog that can be kicked with impunity. Canada is the U.S.'s most important trading partner, and the Canadian government has promised to retaliate against the U.S. for any restrictions on durum imports. Support for Nafta in Canada is already anemic, and one more U.S. protectionist action against Canadian imports could spell Nafta's demise.

Mr. Clinton should not export the U.S. food manufacturing industry by restricting wheat imports. Buying votes for Nafta by imposing import quotas on Canadian wheat would be like someone pawning his automobile to pay for a tankload of gasoline.●

BETHUNE-COOKMAN COLLEGE

● Mr. MACK. Mr. President, yesterday the Senate considered and approved the conference report on the Labor, Health and Human Services, and Education appropriations bill. In this context, I would like to take a few moments to highlight an important project at Bethune-Cookman College, a historically black college in Daytona Beach, FL. I appreciate the previous comments made by the distinguished chairman of the Appropriations Subcommittee for the Departments of Labor, Health and Human Services, and Education on the merits of this project, although I am disheartened that no funds were provided to the college for this fiscal year.

Over the last 6 years, Bethune-Cookman College has undertaken a plan to construct the Mary McLeod Bethune Memorial Fine Arts Center named in honor of Mary McLeod Bethune, the founder and first president of the college. The center will house a much-needed performing arts auditorium, a conference center and training facility. The college's hotel, motel, restaurant, and club management training program, currently administered out of a portable classroom, will be permanently housed in this facility and will provide hands-on professional management training to minority students. The new center will serve 1,000 additional students, most of whom come from low-income families.

The fine arts center will also serve a national and international constituency. The student body at Bethune-Cookman represents almost all 50 States as well as many countries around the world. The new facility, with its 3,000-seat auditorium, will host national and international conferences and meetings representing varied social and academic interests.

Phase I of the fine arts center has been completed. Last year, phase II of the project—construction, maintenance, and endowment of the center—was authorized. Recognizing the important role historically black colleges and universities, such as Bethune-Cookman, play in our young people's lives, President Clinton requested $12.5 million to fund phase II in his fiscal year 1994 investment package for education. Unfortunately, because of competing priorities, the Mary McLeod Bethune Memorial Fine Arts Center was not funded this year.

I appreciate that Chairman HARKIN is prepared to revisit the issue of funding for phase II of this center in future years. I am mindful of the budget constraints the Congress currently faces, an the importance of prioritizing initiatives for Federal funding. With this in mind, I remain hopeful that the Congress will recognize the tremendous benefits this project will have for our young people, and, as a result, will fund this project as a priority item next year.●

ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:30 a.m. on Wednesday, October 20; that following the prayer the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; and that the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill.

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

RECESS UNTIL TOMORROW AT 9:30 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:27 p.m., recessed until tomorrow, Wednesday, October 20, 1993, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 19, 1993:

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

MARK L. SCHNEIDER, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JAMES HENRY MICHEL, RESIGNED.

IN THE ARMY

THE FOLLOWING U.S. ARMY RESERVE OFFICERS FOR PROMOTION TO THE GRADES INDICATED IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF SECTIONS 593(A), 3371 AND 3384, TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. DONALD F. CAMPBELL [redacted]
BRIG. GEN. PETER W. CLEGG [redacted]
BRIG. GEN. LINDSAY M. FREEMAN [redacted]
BRIG. GEN. LEONARD L. HOCH [redacted]
BRIG. GEN. THOMAS P. JONES [redacted]
BRIG. GEN. HOWARD T. MOONEY [redacted]
BRIG. GEN. THOMAS J. PLEWES [redacted]
BRIG. GEN. RICHARD F. REEDER [redacted]
BRIG. GEN. RICHARD E. STORAT [redacted]
BRIG. GEN. FRANCIS D. TERRELL [redacted]
BRIG. GEN. JOHN M. VEST [redacted]
BRIG. GEN. ROBERT H.G. WAUDBY [redacted]

To be brigadier general

COL. MICHAEL E. DUNLAVEY [redacted]
COL. JAMES L. BAUERLE [redacted]
COL. MELVIN R. JOHNSON [redacted]
COL. BRUCE B. BINGHAM [redacted]
COL. MICHAEL R. MAYO [redacted]
COL. ROBERT J. WINZINGER [redacted]
COL. JOHN G. KULHAVI [redacted]
COL. RODNEY D. RUDDOCK [redacted]
COL. ROBERT L. LENNON [redacted]
COL. JOHN J. GREEN, JR [redacted]
COL. JAMES C. LARSON [redacted]
COL. CLIFFORD L. MASSENGALE [redacted]
COL. ROBERT A. LEE [redacted]
COL. NORMAN B. BURDETT [redacted]

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, UNDER THE PROVISIONS OF SECTION 628, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be colonel

ROBERT G. WORTHINGTON [redacted]

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM DUTIES INDICATED WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A HIGHER GRADE THAN THAT INDICATED.

MEDICAL CORPS

To be colonel

SAMAR K. BHOWMICK [redacted]
DAVID A. DIORIO [redacted]
DAVID T. RIGDON [redacted]

To be lieutenant colonel

RAYMOND T. BARBERA [redacted]
JERRY M. DAVENPORT [redacted]
KENNETH R. DAVIS [redacted]
WILLIAM C. SMITH [redacted]
FORREST C. YANCEY, JR [redacted]

To be major

CHRISTIAN R. BENJAMIN [redacted]
ALAN B. BERG [redacted]

To be captain

JAMES P. BONAR [redacted]

DENTAL CORPS

To be colonel

PAUL A. EDWARDS [redacted]

To be lieutenant colonel

JOSEPH A. BARTOLONI, JR [redacted]

STEVEN B. BLANCHARD [redacted]
MICHAEL F. SHEDLOSKY [redacted]
MICHAEL W. SMITH, [redacted]

To be major

VINCENT J. TAKACS, [redacted]
ROBERT P. WOLFENDEN, [redacted]

THE FOLLOWING INDIVIDUALS FOR APPOINTMENT AS RESERVE OF THE AIR FORCE, IN GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 593, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM THE DUTIES INDICATED.

MEDICAL CORPS

To be lieutenant colonel

GERALD L. GUYER [redacted]
VICTOR H. MACINTOSH [redacted]

THE FOLLOWING AIR FORCE OFFICERS FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, IN ACCORDANCE WITH TITLE 10, UNITED STATES CODE, SECTIONS 624 AND 1552, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be colonel

DAVID F. ANTOON [redacted]

To be major

ERNEST G. WEEKS [redacted]

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE U.S. OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C. SECTIONS 593(A) AND 3385:

ARMY PROMOTION LIST

To be colonel

THOMAS N. BORDNER [redacted]
JASPER CARPENTER [redacted]
KENNETH E. COTTRILL [redacted]
THOMAS W. DALTON, JR. [redacted]
CARROLL L. EDGE [redacted]
DONALD R. FRANKLAND [redacted]
JON J. GIDDINGS [redacted]
RANDALL C. GRAHAM [redacted]
DONALD W. HRYNYSHYN [redacted]
JAMES A. KLYNSTRA [redacted]
THOMAS E. LITTLE [redacted]
MELVIN G. PFENDER [redacted]
OSCAR L. RAMOS-MELENDEZ [redacted]
TERRELL T. REDDICK [redacted]
ANDREW M. SCHUSTER [redacted]
JAMES L. SMITH [redacted]
LYNN R. STREMME [redacted]

THE JUDGE ADVOCATE GENERAL'S CORPS

To be colonel

GERALD D. GALLOWAY [redacted]

MEDICAL SERVICE CORPS

To be colonel

HARRY K. CRAFT [redacted]

ARMY NURSE CORPS

To be colonel

MAYO P. MORRIS [redacted]

ARMY PROMOTION LIST

To be lieutenant colonel

KEITH J. BOBENMOYER [redacted]
BARBARANETTE T. BOLDEN [redacted]
LEON C. BOWLIN [redacted]
WENDELL F. BRAXTON [redacted]
LARRY J. DAUGHTRY [redacted]
JOSEPH P. DEJOHN [redacted]
ROY L. DRAKE, JR. [redacted]
BRUCE N. ECKERSON [redacted]
THOMAS D. EDWARDS [redacted]
JAMES R. LAPPANA [redacted]
RHETT C. LEARY [redacted]
EUGENE C. MARTIN [redacted]
EDWARD M. MCCLURE [redacted]
PAUL D. MCKITTRICK [redacted]
RAFAEL A. MURIEL, JR. [redacted]
CASSEL J. NUTTER, JR. [redacted]
ANTHONY J. OCONNOR [redacted]
JOSEPH J. POPTIC, II [redacted]
LAWRENCE H. ROSS [redacted]
ROBERT J. STAIERT [redacted]

THE JUDGE ADVOCATE GENERAL'S CORPS

To be lieutenant colonel

FRANK M. BREZINA [redacted]
WILLIAM J. RODEN [redacted]
KENNETH S. SOLLARS [redacted]

ARMY NURSE CORPS

To be lieutenant colonel

LYNNETTE D. KENNISON [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS RESERVE FOR APPOINTMENT INTO THE REGULAR MARINE CORPS UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531:

To be captain

JEFFREY A. BAUMERT [redacted]
ERIC V. BRYANT [redacted]
THEODORE E. CALDWELL, JR. [redacted]
ELOY CAMPOS [redacted]
RICHARD E. CARRASCO [redacted]
ROBERT J. CHARETTE [redacted]
EDWIN B. COYL, III [redacted]
VINCENT S. CRUM [redacted]
MARSHALL DENNEY, II [redacted]
PATRICK D. FORD [redacted]
JOSEPH E. GEORGE [redacted]
ERIC C. HANLY [redacted]
DONALD K. HANSEN [redacted]
RICHARD G. JETHON [redacted]
ALAN D. LECLERC [redacted]
ERIC J. LEVESQUE [redacted]
BRIAN R. MCINTYRE [redacted]
MICHAEL A. OHALLORAN [redacted]
LAYTON R. PLUNKETT [redacted]
PAUL A. POND [redacted]
RICHARD R. RIDENOUR, JR. [redacted]
ROSS E. SCANIO [redacted]
WILLIAM R. SELLARS [redacted]
DOUGLAS T. STEELE [redacted]
THOMAS D. WEIDLEY [redacted]
JEFFREY R. WOODS [redacted]

To be first lieutenant

CHRISTOPHER J. CROTEAU [redacted]
DARRIN DENNY [redacted]
KENNETH E. ENNEY, JR. [redacted]
PAUL K. LITTLE, I [redacted]

THE FOLLOWING NAMED LIMITED DUTY OFFICERS OF THE REGULAR MARINE CORPS FOR APPOINTMENT AND DESIGNATION AS UNRESTRICTED OFFICERS IN THE REGULAR MARINE CORPS UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5589:

To be captain

FRANCIS E. CROUCHER [redacted]

To be first lieutenant

THOMAS W. HEASLEY [redacted]
JEFFREY A. RIPA [redacted]

IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE OFFICERS BE APPOINTED IN A GRADE HIGHER THAN CAPTAIN.

LINE OF THE AIR FORCE

ABEL, KENNETH F [redacted]
ABEL, TERRY B [redacted]
ABRAHAM, ARNOLD J [redacted]
ABRAMSON, MARK A [redacted]
ADAM, TIMOTHY A [redacted]
ADAMES, MICHAEL F [redacted]
ADAMS, JORDAN C [redacted]
ADAMS, KIMBERLY A [redacted]
ADAMSON, PAUL L [redacted]
ADDINGTON, DALE R [redacted]
ADDISON, BENJAMIN W [redacted]
ADEE, REX E [redacted]
ADELSEN, KEVIN P [redacted]
ADRIAN, ANDREW J [redacted]
AGHAJANIAN, CARA A [redacted]
AGINS, DAVID M [redacted]
AGUSTIN, KENNEDY F [redacted]
AHERN, MATTHEW J [redacted]
AHERN, MICHAEL T [redacted]
AIKEN, DERRICK A [redacted]
AKERS, LORIN F [redacted]
AKIN, THOMAS E [redacted]
ALANIZ, ARCADIO JR [redacted]
ALDRICH, GARY E [redacted]
ALEXANDER, JAMES H [redacted]
ALEXANDER, MARK A [redacted]
ALICATA, THOMAS J. III [redacted]
ALLEN, DAVID R [redacted]
ALLEN, LANNIE C [redacted]
ALLEN, LLOYD W [redacted]
ALLEN, ROBERT B [redacted]
ALSTON, RUSSELL R [redacted]
ALVARADO, LAURANCE O [redacted]
AMOS, BRIAN D [redacted]
AMOS, JOSEPH D [redacted]
ANDERSON, ALBERT J [redacted]
ANDERSON, DAVID M [redacted]
ANDERSON, JEFFREY [redacted]
ANDERSON JOHN H [redacted]
ANDERSON, JON K [redacted]
ANDERSON, LARS C [redacted]
ANDERSON, TIMOTHY A [redacted]
ANDREAS, CRAIG A [redacted]
ANDREPONT, JANET A [redacted]
ANDRY, LINDA M [redacted]
ANTRIM, JOHN E [redacted]
APOSTOLIDES, JOHN E [redacted]
APPLEYARD, JAMES H. JR [redacted]
ARBOGAST, MARK A [redacted]
ARCH, TIMOTHY J [redacted]
ARMENTROUT, CHARLES F [redacted]
ARMITSTEAD, JOHN N [redacted]
ARMSTRONG, DOUGLAS A. [redacted]
ARNOLD, DIANE M [redacted]
ARNOLD, PRESTON F [redacted]
ARQUIETTE, STEVEN J [redacted]
ARRINGTON, WILLIAM H. III [redacted]
ARTHUR, WILLIAM C [redacted]
ASHE, DAVID J [redacted]
ASHLEY, MILE [redacted]
ASHMORE, MITCHELL B [redacted]
ASTRAN, ANTONIO A [redacted]
ATCHISON, GREGORY M [redacted]
ATKINS, DALE W [redacted]
AUSTIN, KURT L [redacted]
AVERY, MARK A [redacted]
BADURA, TODD A [redacted]
BAGWELL, WALTER S [redacted]
BAILEY, PETER C [redacted]
BAILEY, THOMAS N [redacted]
BAKER, BRADLEY R. [redacted]
BAKER, SCOTT W [redacted]
BAKER, TODD G [redacted]
BALDWIN, TODD K [redacted]
BALENTINE, BRADLEY J [redacted]
BALKE, JOHN J [redacted]
BALL, JAMES A. IV [redacted]
BALTES, RICHARD L [redacted]
BANIK, NEAL L [redacted]
BANKOS, BRENDAN EDWARD [redacted]
BANKS, RONALD L [redacted]
BANNACH, BRYAN E [redacted]
BARBER, GEORGE A. JR. [redacted]
BARKDULL, DAVID R [redacted]
BARKER, PAUL N [redacted]
BARLOW, KAREN L [redacted]
BARNES, DONALD A [redacted]
BARRETT, PATRICK E [redacted]
BARTELT, MARK N [redacted]
BARTHOLOMEW, CORY C [redacted]
BARTHOLOMEW, ROBERT L [redacted]
BARTON, PHILIP J [redacted]
BASTIN, DALE L [redacted]
BATES, DANIEL P [redacted]
BATES, STEVEN P [redacted]
BATHURST, TARA L [redacted]
BAUER, KENNETH J [redacted]
BAUER, PAUL D [redacted]
BAUGH, DALLAS A. JR [redacted]
BAUM, CATHERINE A [redacted]
BAXTER, PAUL A [redacted]
BAYESA, EVELYN M [redacted]
BAYNES, JOHN T. JR [redacted]
BEAL, LONNY E [redacted]
BEAN, DEBRA F [redacted]
BEARDEN, JAMES B [redacted]
BEASLEY, DAVID M [redacted]
BEAUCHAMP, ARTHUR F [redacted]
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THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM DUTIES INDICATED WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE OFFICERS BE APPOINTED IN A GRADE HIGHER THAN CAPTAIN.

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MERCER, JANET M xxx-xx-...
MILEY, ANGELA D xxx-xx-...
MILLER, JODY D xxx-xx-...
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MILLWATER, TERESA L xxx-xx-...
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MOORE, ANNETTE xxx-xx-...
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MURPHY, LAURA C xxx-xx-...
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IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 3370:

ARMY NURSE CORPS

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AFFE, PATRICIA A. xxx-xx-xx...
ALLBRITTEN, DOROTHY xxx-xx-x...
ALLMAN, CELIA A. xxx-xx-x...
BARTLETT, JOSEPHINE xxx-xx-xx...
BOATRIGHT, CONNIE xxx-xx-x...
BOLCAR, BLINN S. xxx-xx-x...
BRASWELL, LORRAINE xxx-xx-x...
CADORETTE, SYLVIA xxx-xx-x...
CALDWELL, MATTIE I. xxx-xx-x...
CHISM, ERNESTINE R. xxx-xx-x...
CROTWELL, PATRICIA xxx-xx-x...
DIVINE, JEANETTE M. xxx-xx-x...
FOSTER, ARNEDA M. xxx-xx-x...
FUTRELL, RONALDA xxx-xx-x...
GARCIA MARY A. xxx-xx-x...
GUADETTE, LAUREN L. xxx-xx-x...
GERMAIN, MARY P. xxx-xx-x...
GRIFFIN, ROGER D. xxx-xx-x...
GUNN, OMEGA xxx-xx-x...
HALE, JANET H. xxx-xx-x...
HARRELL, JANIE D. xxx-xx-x...
HELMER, YVONNE G. xxx-xx-x...
HEMMING, BONNIE J. xxx-xx-x...
KAUTZ, NANCY J. xxx-xx-x...
LYNCH, JOAN A. xxx-xx-x...
MACH, NANCY E. xxx-xx-x...
MATTSON, MARTHA C. xxx-xx-x...
MCINTOSH, PHYLLIS xxx-xx-x...
MUNFORD, SHIRLEY A. xxx-xx-x...
O BRYANT, ANGELINE xxx-xx-x...
PELUSO, SUSAN S. xxx-xx-x...
ROCKWELL, KATHLEEN xxx-xx-x...
SALZER, JUDITH S. xxx-xx-x...
SEWARD, GEORGIA A. xxx-xx-x...
SHARPS, PHYLLIS W. xxx-xx-x...
SIMONS, CHERYL M. xxx-xx-x...
STEVENS, GERTRUDE xxx-xx-x...
STEWART, CHERYL J. xxx-xx-x...
SWEAT, RUTH E. xxx-xx-x...
TOMS, KATHLEEN M. xxx-xx-x...
VALLIERE, MELENNA xxx-xx-x...
WEVER, JOANN xxx-xx-x...
WRIGHT, MARY J. xxx-xx-x...
ZOLOCK, THERESA J. xxx-xx-x...

DENTAL CORPS

To be colonel

BODENHEIM, MARK B. xxx-xx-x...
DUFRESNE, JOSEPH V. xxx-xx-xx...
DUKE, THOMAS E. xxx-xx-x...
DUNCAN, JAMES D. xxx-xx-x...
WHITEHILL, HARRY V. xxx-xx-x...
WRIGHT, CHARLES L. xxx-xx-x...

MEDICAL CORPS

To be colonel

ALLEN, ROBERT K. xxx-xx-x...
ALVAREZ, FAUST M. xxx-xx-x...
BERGIN, DONALD J. xxx-xx-x...
BERKOWITZ, ROY E. xxx-xx-x...
BICKEL, ARTHUR S. xxx-xx-x...
BURNER, SCOTT H. xxx-xx-x...
CLARK, DANIEL G. xxx-xx-x...
COPPLE, HAL E. xxx-xx-x...
EAGAR, RONALD M. xxx-xx-x...
FENSTERER, FREDERI xxx-xx-xx...
GREENFIELD, GERALD xxx-xx-x...
HANNA, JOHN H. xxx-xx-x...
HECKER, JAMES N. xxx-xx-x...
KWA, SEW L. xxx-xx-x...
LAURIDSEN, JOHN xxx-xx-x...
LOWTHIAN, JOHN T. xxx-xx-x...
MACCAUGHELTY, THOM xxx-xx-x...
MARTIN, LLOYD D. xxx-xx-x...
MATHEWS, THOMAS G. xxx-xx-x...
MCGUIRK, DONALD L. xxx-xx-x...
NOLAN, BRIAN T. xxx-xx-x...
OLEGARIO, EDUARDO xxx-xx-x...
ONGCAPIN, EMELIE H. xxx-xx-x...
PATTERSON, HUBERT xxx-xx-x...
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REED, HOLLIS T. xxx-xx-x...
SEXTON, CURTIS C. xxx-xx-x...
SINGER, IRWIN S. xxx-xx-xx...
SLEPIAN, JACOB Z. xxx-xx-x...
STINSON, HELEN M. xxx-xx-x...
STOCKMAL, ROBERT G. xxx-xx-x...
STONE, IRVIN K. xxx-xx-x...
WILKERSON, RICKY D. xxx-xx-x...
ZEPEDA, MARIA C. xxx-xx-x...

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LIEVSAY, ALVIN L. xxx-xx-x...
MANGELSDORFF, ARTH xxx-xx-x...
PIRES, ABILIO W. xxx-xx-x...
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VETERINARY CORPS

To be colonel

BRIGHTMAN, ALAN H. xxx-xx-x...

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS RESERVE FOR PERMANENT APPOINTMENT TO THE GRADE OF COLONEL UNDER TITLE 10, UNITED STATES CODE, SECTION x...

ADAMS, STEPHEN S. xx...
ANDERSON, CHARLES A. xx...
ARGO, JAMES R., JR. xx...
ARGUEDAS, ALFREDO J. x...
ASHLEY, JAMES M. xx...
BACON, ALLAN R., JR. x...
BAUMGARTNER, CARY xx...
CARTER, LUTHER F. x...
COONEY, KATHRYN P. xx...
CUNNINGHAM, THOMAS E. xx...
DAVIS, ALAN R. xx...
EASTERDAY, STEVEN G. x...
EICHORN, ROBERT P. x...
EVANS, EDMUND E. xx...
FANNING, LARRY G. xx...
FELTENBERGER, FISHER A. xx...
FISHER, STEPHEN T. xx...
FRUCHTNICHT, HAROLD J. xx...
FUHRMANN, RONALD J. x...
GARVEY, KEVIN A. xx...
GHARST, THOMAS L. xx...
GONZALES, LAWRENCE D. xx...
GOTT, LAWRENCE D. xx...
GRABOW, CHADLEE C. x...
HALUSKA, JAMES E. xx...
HAYNIE, JAMES E. x...
HEINECKE, JOHN J. x...
HESS, JAMES R. x...
HILEMAN, ANDREW F. xx...
JACKSON, CHARLES H. x...
JAHAASKI, RAYMOND A. xx...
JAMES, DENNIS E. x...
JENDRESAK, STANLEY A. JR. xx...
JONES, BRETT A. x...
KAIRIS, JEROME D. xx...
KENNEY, ROBERT E. xx...
KERR, PHILIP A. xx...
LAVERDURE, PATRICIA F. xx...
LEE, GAINES T. x...
LEITCH, LARRY L. xx...
MAGINNIS, MICHAEL B. xx...
MATRANGA, DOMINICK x...
MCMULLEN, BRIAN G. xx...
MOORE, TOMMY L. x...
MORGA, DENNIS A. xx...
MROCZKOWSKI, DENNIS P. xx...
MURPHY, KEVIN J. x...
NEWMAN, JOHN J. xx...
OHLS, GARY J. xx...
OWEN, JACK E. JR. xx...
PAYNE, THOMAS G. xx...
PERKINS, HIRAM M. xx...
PFEIL, PATRICIA L. xx...
PHARO, STEPHEN A. xx...
RORAFF, RALPH W. x...
ROUTSON, SAMUEL J. x...
SAMUELSON, WAYNE P. xx...
SAVAGE, CHARLES D. xx...
SEAL, PETER R. xx...
SEISER, GARY C. x...
SKILES, STEPHEN C. x...
SMITH, WALTER L. x...
TARRANT, KENNETH W. JR. x...
URENOVICH, MICHAEL C. x...
VENTURE, DANIEL T. xx...
WAGNER, THOMAS C. II xx...
WILSON, GARY I. xx...
WOOD, CRAIG W. x...

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS FOR PERMANENT APPOINTMENT TO THE GRADE OF LIEUTENANT COLONEL UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

ALEXANDER, JOSEPH A. JR. xx...
ALLES, RANDOPLH D. x...
ANDERSON, MICAHEL C. xx...
ASTYK, LAWRENCE W. xx...
BARILICH, STEVEN F. xx...
BARR, DENNIS J. xx...
BEAL, DENNIS W. xx...
BEATY, ROBERTA L. x...
BECKER, CHRISTOPHER L. xx...
BLASIOL, LEONARD A. xx...
BODE, KENNETH D. xx...
BOGGS, JOHN T. JR. xx...
BOURGEOIS, GORDON C. x...
BRIGGS, WAYNE E. xx...
BROCK, GEORGE S. x...
BROIN, MARK L. x...
BROOKS, TIMOTHY E. xx...
BUCHINGER, PHILIP E. x...
BURGESS, ROLAND N. xx...
BUSH, FELIX M. x...
BYRD, ROY R. x...
CALDWELL, GEARY A. xx...
CARLTON, RANDY B. xx...
CARR, DONALD P. xx...
CASH, STEVEN J. x...
CHAMPION, ARON K. x...
CHESTER, ROBERT S. xx...
CHRISTOPHER, SAMUEL H. IV x...
CLARK, MICHAEL E. xx...
CONNER, MARK A. x...
CONNOLLY, TIMOTHY, JR. xx...
COONEY, JAMES J. xx...
CRAIG, RALPH D. xx...
DALY, MICHAEL F. xx...
DANTONIO, ERNEST C. xx...
DAWSON, RALPH D. xx...
DOUGHTY, MICHAEL J. x...
DOYLE, SCOTT A. xx...
DUBOIS, VINCENT M. JR. xx...
DUNFORD, JOSEPH F. JR. xx...
DUVA, MICHAEL x...
EDWARDS, MICHAEL T. xx...
ESPINOZA, ALFRED J. xx...
EVANS, BETHEL Q. III xx...
FEARING, ZENAS E. JR. xx...
FENLON, BRIAN T. x...
FERRIS, TIMOTHY B. x...
FLANAGAN, JOHN S. II xx...
FLYNN, COLLEEN M. xx...
FREITAS, MARK xx...
GARRISON, ROBERT G. x...
GIBSON, MARK J. x...
GRANT, FREDERICK H. xx...
GRIFFIN, OTIS, JR. xx...
GRIMES, JOHN M. x...
GURGANUS, CHARLES M. x...
HANNUM, PATRICK H. xx...
HARBIN, KENNETH S. x...
HARDWICK, JON T. xx...
HEALEY, MICHAEL J. x...
HEALY, DAVID A. xx...
HEISINGER, MICHAEL J. xx...
HEMLEBEN, JOHN F. xx...
HERNDON, CHARLES M. JR. x...
HESTIR, WILLIAM R. xx...
HILLIKER, TERRY L. xx...
HOUSE, DONALD C. JR. x...
HOWARD, JOSEPH D. x...
HUGHES, MICHAEL J. xx...
INGLES, RALPH W. x...
INMAN, KENNETH A. JR. x...
JANNELL, RICHARD E. x...
JOHNSON, DAVID C. xx...
JORGENSEN, DAVID A. x...
JOYCE, CHRISTOPHER K. x...
JULIAN, ARLOW A. xx...
KENDRICK, ROBERT M. xx...
KERRICK, DAVID T. xx...
KIMLICK, MICHAEL F. x...
KINNEAR, THOMAS M. xx...
KNAPP, ROBERT J. xx...
KNIGHT, ROSA K. xx...
KNOLL, STUART L. x...
KNUTZEN, ROBERT M. x...
KRAUS, JOHN E. x...
KRAUSS, HENRY J. JR. x...
KREJMAS, JOSEPH J. JR. xx...
KRUSE, JOHN E. xx...
LADD, PAUL L. x...
LAHASZOW, ANDREW J. xx...
LANDOLFI, DAVID J. xx...
LAVIGNE, MICHAEL W. xx...
LEBLANC, PAUL W. xx...
LEEMAN, KEVIN H. x...
LEONE, VINCENT R. JR. xx...
LEONHARDT, KENT A. xx...
LOGAN, DUANE B. x...
LYNCH, MAUREEN M. x...
MACAK, WILLIAM C. x...
MACDONALD, JOHN F. JR. xx...
MARINEY, CLARENCE xx...
MARRIOTT, MICHAEL A. x...
MCCLESKEY, HOWELL G. xx...
MCCONNELL, GARY M. xx...
MCMAINS, JAMES W. xx...
MCMEANS, STUART R. x...
MEADE, WILLIAM M. xx...
MEDINA, JOSEPH V. xx...
MEHALIC, CHARLES J. x...
MERRITT, DENNIS I. x...
MEYERS, CRAIG F. x...
MEYERS, THOMAS J. x...
MILLER, BLAISE P. xx...
MILLS, RICHARD P. xx...
MILLS, SIDNEY E. JR. xx...
MOEDER, JOSEPH E. xx...
MONTGOMERY, DOUGLAS J. xx...
MORIARTY, PATRICK R. xx...
MORIN, GREGORY S. xx...
MUGNO, CHARLES V. x...
MURRAY, BRYAN K. xx...
MUSCA, JOSEPH I. xx...
NALL, MARK A. xx...
NANS, CLAYTON F. xx...
NANS, CRYSTAL M. xx...
NAVARRE, RODERIC S. x...
NEHER, RONALD O. xx...
NEIMEYER, CHARLES P. x...

NEWMAN, PHILLIP L. [redacted]
NOLAN, MARTIN R. [redacted]
NYBERG, ERIC N. [redacted]
ODONNELL, JAMES H. [redacted]
O'NEAL, RANDY R. [redacted]
O'NEILL, GORDON C. [redacted]
OPEL, CRAIG E. [redacted]
PAPAY, JOSEPH A. JR. [redacted]
PELLEGRINI, MICHAEL D. [redacted]
PENN, DAVID T. [redacted]
PIERCE, MERRILL L. JR. [redacted]
PINO, EUGENIO G. [redacted]
PISANO, PAUL J. [redacted]
PRIEST, RAYMOND W. [redacted]
RANKIN, JOHN J. [redacted]
REAGAN, FRANKLIN V. [redacted]
RECTOR, GEORGE E. JR. [redacted]
REES, JOHN T. [redacted]
REGNER, MICAHEL R. [redacted]
REIF, CHARLES W. [redacted]
REINHOLD, GARY M. [redacted]
RICHARDSON, RODNEY C. [redacted]
RILEY, CHESTER A. III [redacted]
ROBERTS, JERRY A. [redacted]
ROBINSON, MICAHEL L. [redacted]
ROHLFS, PAMELA F. [redacted]
ROHLFS, WILLIAM G. JR. [redacted]
SALINAS, ANGELA [redacted]
SALZMAN, DAVID A. [redacted]
SANDERSON, WILLIAM A. [redacted]
SASS, ARTHUR H. [redacted]
SCEPUREK, JOHN M. [redacted]
SCHILLING, JOANNE L. [redacted]
SHAW, JUDITH C. [redacted]
SHORT, JOHN S. JR. [redacted]
SIMMONS, WALTER W. [redacted]
SMART, BRUCE S. [redacted]
SMYTHE, ANA R. [redacted]
SOVACOOL, MICHAEL A. [redacted]
SPARKS, JOHN E. JR. [redacted]
SPENCER, RICHARD W. [redacted]
SPIESE, MELVIN G. [redacted]
STICKLEY, HARRY P., III [redacted]
SUTER, JOHN R. [redacted]
TAYLOR, CAROLYN L. [redacted]
THALER, THOMAS F. [redacted]
THOMPSON, DENNIS C. [redacted]
TODSEN, PETER B. II [redacted]
TOOLAN, JOHN A. JR. [redacted]
TYRRELL, TOMMY L. JR. [redacted]
VALLANDINGHAM, CHARLES E. JR. [redacted]
VIETTI, KEVIN A. [redacted]
WAGONER, WILLIAM O. [redacted]
WALIZER, FRANK A. [redacted]
WALKER, LAWRENCE G. [redacted]
WASHABAUGH, BRADFORD G. [redacted]
WATSON, KENNETH C. [redacted]
WEITEKAMP, DANIEL F. [redacted]
WELTSCH, MICHAEL D. [redacted]
WHITLOCK, GEORGE J. [redacted]
WIECKOWSKI, WESLEY [redacted]
WILCUTT, TERRENCE W. [redacted]
WILKINSON, JEFFREY L. [redacted]
WILLS, ROBERT L. [redacted]
WINN, DAVID M. [redacted]
WINTERS, KEVIN H. [redacted]
WYATT, BENJAMIN G. [redacted]
YACKLEY, THOMAS M. [redacted]
YOFFEE, WADE [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS RESERVE FOR PERMANENT APPOINTMENT TO THE GRADE OF LIEUTENANT COLONEL UNDER TITLE 10, UNITED STATES CODE, SECTION [redacted]:

ANDRUS, JAMES C. [redacted]
APPLEGATE, DOUGLAS L. [redacted]
ARCHER, THOMAS E. II [redacted]
BALESKIE, FRANK A. [redacted]
BENES, JEFFREY P. [redacted]
BERG, RONALD M. JR. [redacted]
BERGMEISTER, FRANCIS X. [redacted]
BERKLEY, JOHN W. [redacted]
BEVERLY, BRENT J. [redacted]
BODDIE, ARVIN [redacted]
BOLES KENNETH L. [redacted]
BREWER, KEVIN B. [redacted]
BRUEN, JOHN P. [redacted]
BURGER, DOREEN M. [redacted]
BURGESS, ANITA E. [redacted]
BURKE, JAMES B. [redacted]
BULTER, STEVEN R. [redacted]
BYNUM, HORACE C. [redacted]
CAREY, JOHN A. [redacted]
CARR, MICHAEL A. [redacted]
CASSIDY, TIMOTHY J. [redacted]
COLELLA, THOMAS V. [redacted]
COMEAU, JOHN R. [redacted]
CORY, JEFFREY A. [redacted]
CRITES, JAMES M. [redacted]
DAILY, MICHAEL N. [redacted]
DAVIS, PAUL W. [redacted]
DIAZ, MIGUEL A. JR. [redacted]
DILLON, TERESA L. [redacted]
DUKE, ROGER S. [redacted]
DUNNE, JACK H. III [redacted]
EDMONDS, RICHARD L. [redacted]
ESPITIA, RICARDO J. [redacted]
FITZGIBBONS, LEONARD J. [redacted]
FORRESTER, MICHAEL F. [redacted]
FOX, WARREN E. [redacted]
FREEMAN, ANTHONY [redacted]
GALLO, WILLIAM V. [redacted]
GHIGNA, RICHARD W. [redacted]
GILBERT, JOHN T. [redacted]
GIRON, BRUCE A. [redacted]
HALLIN, ELIZABETH A. [redacted]
HANKINS, WILLIAM B. III [redacted]
HANSEL, ROBERT S. [redacted]
HASKINS, LEON J. [redacted]
HUGGINS, WALLACE J. JR. [redacted]
JOHNSON, WILLIAM F. [redacted]
KAMINSKI, TIMOTHY J. [redacted]
KELTZ, BARBARA M. [redacted]
KNOBEL, PHILIP E. [redacted]
KOVACK, GEORGE S. [redacted]
LARSON, JOHN T. [redacted]
LINDSEY, JAMES E. [redacted]
LONGLEY, JAMES B. JR. [redacted]
LOSCHIAVO, PAUL S. [redacted]
LUCENTE, DEBORAH L., [redacted]
LUNDBLAD, KAREN L. [redacted]
MCDONALD, MARK A. [redacted]
MCGUIRE, PAUL X. [redacted]
MCHALE, PAUL F. JR. [redacted]
MIJA, THEODORE L. [redacted]
MILLER, JONATHAN S. [redacted]
MIRAKOVITS, ALFRED L., JR. [redacted]
MONTAGNINO, JOSEPH R. [redacted]
MOORE, DARRELL L. [redacted]
MOORE, WILLIAM E. III [redacted]
MOY, WAY P. [redacted]
MURPHY, KEVIN T. [redacted]
MYERS, KENNETH P. [redacted]
OGORZALY FRANK D. [redacted]
PAPAK, ROBERT D. [redacted]
PEAK, STEVEN A. [redacted]
PEARL, JONATHAN D. [redacted]
PETRINO, JOHN E. [redacted]
PETTIT, DOUGLAS W. [redacted]
PHILLIPS, JERRY L. [redacted]
RADTKE, WILLIAM A. III [redacted]
REESE, STEPHEN K. [redacted]
REITER, STEVEN L. [redacted]
RENSCH, GWENDOLYN E. [redacted]
ROGERS, MARK W. [redacted]
RUTH, JOHN P. [redacted]
SANTAANA, MEGAN G. [redacted]
SANTUCCI, ROBERT C. [redacted]
SCANDALITO, DANIEL J. JR. [redacted]
SEABOLT, DENNY G. JR. [redacted]
SIGLER, RALPH J. [redacted]
SMITH, CHARLES F. [redacted]
SMITH, GREGORY L. [redacted]
SOUZA, PAUL F. [redacted]
SPARKMAN, GEORGE T. JR. [redacted]
STANCIK, GARY M. [redacted]
STANLEY, PAUL T. [redacted]
STANLEY, ROCK E. [redacted]
STEFFEY, CHARLES S. [redacted]
TURCOTT, BRIAN P. [redacted]
VINSKEY, MARGARETE A. [redacted]
VIVIANO, JOHN R. [redacted]
WAAGE, ROBERT N. [redacted]
WARD, CHARLES E. JR. [redacted]
WARD, ROBERT E. JR. [redacted]
WARSHAWSKY, BRUCE R. [redacted]
WERSEL, RAYMOND W. [redacted]
WESSELING, DAVID C. [redacted]
WILSON, PAUL T. [redacted]
WILSON, PHILIP A. [redacted]
WINN, FLOYD H. JR. [redacted]

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS OF THE MARINE CORPS FOR PERMANENT APPOINTMENT TO THE GRADE OF MAJOR UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

ABE, TIMOTHY C. [redacted]
ABRAHAM, LOUIS P. [redacted]
ALSTON, ALLEN D. [redacted]
ANDERSON, WILLIAM M. [redacted]
ANDRUS, PAUL M. [redacted]
ANGEL, ROGER D. [redacted]
ASHE, MATTHEW T. JR. [redacted]
BABBIE, RAYMOND C. [redacted]
BACHELLER, JOHN S. [redacted]
BARE, JEFFREY J. [redacted]
BARNEY, LOREN D. [redacted]
BARTON, BRIAN M. [redacted]
BATT, DANIEL C. [redacted]
BEISWANGER, JOHN W. [redacted]
BENSON, CRAIG F. [redacted]
BERGERIA, WILLIAM J. [redacted]
BERRY, JOHN C. JR. [redacted]
BOCKER, PETER E. [redacted]
BOLICK, GEORGE M. [redacted]
BORROR, PAUL J. [redacted]
BOSTON, TERRY P. [redacted]
BRADY, CHARLES P. [redacted]
BRADY, FRANCIS X. [redacted]
BRENSTUHL, THOMAS R. [redacted]
BRIEHL, PETER J. [redacted]
BROADSTONE, HERMAN C. [redacted]
BROWN, JAMES T. [redacted]
BUMGARNER, TONY L. [redacted]
BURAN, ROBERT S. [redacted]
BUTTERS, MICHAEL K. [redacted]
CAMPBELL, BOYD W. [redacted]
CANTRELL, MARK E. [redacted]
CANTY, JEREMIAH D. [redacted]
CENTER, WESLEY D. [redacted]
CHARBONEAU, DAVID P. [redacted]
CHILDS, THERESA J. [redacted]
CLARK, CHRISTOPHER E. [redacted]
CLARKSON, EDWARD M. II [redacted]
CLAYPOOL, ROBERT E. [redacted]
CLEMMER, JAMES D. [redacted]
CLINGMAN, ANGELA B. [redacted]
CLUBB, TIMOTHY L. [redacted]
COLEMAN, RICHARD D. JR. [redacted]
COLLETTE, CARL L. [redacted]
COLLINS, THOMAS N. [redacted]
CONGER, EDWARD G. [redacted]
CONKLIN, JAMES T. [redacted]
COTTRELL, SCOTT C. [redacted]
COVER, WILLIAM J. IV [redacted]
CROSS, KELLY D. [redacted]
CROUCH, MICHAEL L. [redacted]
CROUSE, KEN R. [redacted]
CROWE, WILLIAM B. [redacted]
CRUZ, VINCE E. [redacted]
CURTIN, LAWRENCE M. JR. [redacted]
CWICK, MARK J. [redacted]
DALLABETTA, MARK A. [redacted]
DAMREN, PAUL L. [redacted]
DANTONIO, PAUL A. [redacted]
DAULTON, JAMES T. JR. [redacted]
DAVIS, NORMAN C. [redacted]
DEVLIN, PETER H. [redacted]
DEVLIN, THEODORE E. [redacted]
DINDA, PAUL [redacted]
DINGER, RONALD A. [redacted]
DOBBINS, RICHARD E. JR. [redacted]
DONOVAN, MICHAEL J. [redacted]
DOOLEY, SUSAN G. [redacted]
DRAIN, PETER A. [redacted]
DUNGAN, MARK A. [redacted]
EAHEART, STEVE A. [redacted]
EDWARDS, MINERVA S. [redacted]
ELLIOTT, ANTHONY C. [redacted]
EMERSONLEE, SYLVIA [redacted]
ETTORE, MICHAEL L. [redacted]
EVANS, IRVIN E. III [redacted]
FAULKNER, WILLIAM M. [redacted]
FERRER, ROBERT N. JR. [redacted]
FITZGERALD, JOHN J. JR. [redacted]
FLEMING, CLARK R. [redacted]
FLOWERS, JAMES N. [redacted]
FOLSOM, STEVEN A. [redacted]
FOSNAUGH, CARL J. III [redacted]
FULHAM, ROBERT G. [redacted]
FUNDERBURKE, DENNIS E. [redacted]
FUNK, GARY W. [redacted]
GAGE, DARYL W. [redacted]
GAITA, JOHN T. [redacted]
GAMMELL, BRADLEY R. [redacted]
GANDEE, LINDA M. [redacted]
GARANT, PIERRE C. [redacted]
GARFIELD G. G. [redacted]
GASKINS, GERALD H. [redacted]
GEARHARD, GLENN E. [redacted]
GEORGE, GREGG L. [redacted]
GLODOSKY, JOHN P. [redacted]
GLOVER, RUSSELL E. [redacted]
GRACE, JAMES D. [redacted]
GRACZYK, DONALD A. [redacted]
GRAHAM, SCOTT A. [redacted]
GREENWOOD, PAUL E. [redacted]
GUZIK, DENNIS M. [redacted]
HABERBOSCH, CURTIS E. [redacted]
HACKETT, EDWARD G. [redacted]
HAGWOOD, DERLE G. JR. [redacted]
HALL, NICHOLAS J. [redacted]
HAMASHIN, LLOYD J. JR. [redacted]
HAMILTON, CHARLES M. [redacted]
HAMMOND, JAMES W. III [redacted]
HAMMOND, RANDALL W. [redacted]
HANSCOM, STEVEN M. [redacted]
HARMS, THOMAS G. [redacted]
HARRIS, STEPHEN G. [redacted]
HARVEY, JOHN J. JR. [redacted]
HAWLEY, JEFFREY W. [redacted]
HELLIGRATH, MICHAEL A. [redacted]
HENDRY, ROBERT L. [redacted]
HENKLE, STEVEN R. [redacted]
HEYWOOD, STEPHEN K. [redacted]
HODGES, ADELE E. [redacted]
HOFFMAN, EVERETT S. [redacted]
HOLTER, ROBERT D. JR. [redacted]
HOM, DONALD D. [redacted]
HOUSER, BRUCE M. [redacted]
HOUSTON, GORDON N. [redacted]
HUGHES, ROBERT E. [redacted]
HULBERT, BRIAN E. [redacted]
INGERSOLL, ALVAH E. III [redacted]
JACKSON, KEVIN A. [redacted]
JACKSON, KURT M. [redacted]
JACKSON, MICHAEL E. [redacted]
JACKSON, TIMOTHY J. [redacted]
JAMMAL, OSAMAH A. [redacted]
JANZEN, LESLIE N. [redacted]
JESSON, WILLIAM S. [redacted]
JONAS, TIMOTHY P. [redacted]
JOYCE, FRANIC P. III [redacted]
KANE, JOHN J. III [redacted]
KASSELMANN, JAMES R. [redacted]
KATZ, JONATHAN L. [redacted]
KELLY, DAVID [redacted]
KELLY, JOHN F. [redacted]
KENNEDY, JOHN C. [redacted]
KENNEDY, MICHAEL R. [redacted]
KERCHNER, SCOTT E. [redacted]

KERNS, ROBIN W. [redacted]
KINDER, RALPH E. [redacted]
KING, PHILIP H. [redacted]
KOENIG, JOHN A. [redacted]
KOLKMEYER, ANTHONY E. [redacted]
LAND, DENNIS R. [redacted]
LANDRUM, BRUCE D. [redacted]
LANG, WILLIAM S. [redacted]
LANHAM, ROBERT W. [redacted]
LEACH, RAYMOND J. [redacted]
LEARD, THOMAS E. [redacted]
LINGAR, JAMES D. [redacted]
LISSNER, KENNETH X. [redacted]
LONG, LAWRENCE J. JR. [redacted]
LUECK, MICHAEL E. [redacted]
MACK, DANIEL W. [redacted]
MALONEY, MARK M. [redacted]
MANUEL, STEVE G. [redacted]
MANZANO, EDWIN B. [redacted]
MATTHEWS, DAVID H. [redacted]
MCARTHUR, DORMAN O. [redacted]
MCCALLISTER, JOYCE L. [redacted]
MCCARTHY, LAURA J. [redacted]
MCCARTY, JOHN R. [redacted]
MCCOYD, KEVIN P. [redacted]
MCCUSKER, MICHAEL J. [redacted]
MCDANIEL, EDWARD R. [redacted]
MCERLEAN, MICHAEL W. [redacted]
MCGOVERN, ROBERT D. [redacted]
MCGRANE, STEPHEN J. [redacted]
MCKENNEY, LARRY B. [redacted]
MCKENZIE, ROBERT H. III [redacted]
MELTON, WILLIAM G. [redacted]
MERRITT, DALLAS III [redacted]
MESSER, RICK J. [redacted]
MILLER, MARK A. [redacted]
MILLER, TIMOTHY L. [redacted]
MINARIK, STEVEN A. [redacted]
MITCHELL, DAVID L. [redacted]
MITCHELL, JOHN E. JR. [redacted]
MOCK, FREDERICK C. [redacted]
MOLITOR, MARK L. [redacted]
MOODY, BENJAMIN W. [redacted]
MORRISON, ARCHIBALD VI [redacted]
MORTON, ULYSSES L. JR. [redacted]
MULLIGAN, MICHAEL J. [redacted]
MULLINS, KELLY B. [redacted]
NAYLOR, MICHAEL G. [redacted]
NELSON, ANDREW H. [redacted]
NELSON, EDWARD J. [redacted]
NICHOLSON, WILLIAM F. [redacted]
NOONAN, PATRICK D. [redacted]
OGERSHOK, JAMES A. [redacted]
OLDLAND, HARRY G. III [redacted]
OLEARY, PAUL J. JR. [redacted]
OLSON, ALLEN S. [redacted]
OSTERMAN, JOSEPH L. [redacted]
OWEN, MICHAEL L. [redacted]
PARKER, CARL T. [redacted]
PARRAN, JAMES V. [redacted]
PATCH, PHILIPP M. [redacted]
PEARSON, BARRY D. [redacted]
PETERS, CALVIN D. [redacted]
PIERSON, MICHAEL T. [redacted]
PINTO, MARK E. [redacted]
POLIZZI, SANTO [redacted]
POPE, DANIEL D. [redacted]
POTWIN, ALBERT E. [redacted]
PROUDFOOT, CHRISTOPHER N. [redacted]
QUAGGE, TIMOTHY E. [redacted]
RAHM, JOHN T. [redacted]
RASCHTSCHENIA, LARRY S. [redacted]
REYNOLDS, SHAUGNESSY A. [redacted]
RICE, ROBERT D. [redacted]
RICE, ROBERT K. [redacted]
RISHEL, ERIC C. [redacted]
RISO, BRIAN J. [redacted]
RITZDORF, SHIRLEY M. [redacted]
ROBERTS, DONALD F. [redacted]
ROBINSON, DAVID M. [redacted]
RODEBAUCH, RITCHIE L. [redacted]
RODENBECK, NEIL H. [redacted]
ROLAF, ERIC L. [redacted]
ROLLINGER, MARTIN G. [redacted]
RUFF, STACEY A. [redacted]
SALINAS, PHILIP L. [redacted]
SAMPLES, DAVID W. [redacted]
SAMPSON, DONALD W. [redacted]
SANNY, JAMES T. SR. [redacted]
SANSONE, RODMAN D. [redacted]
SANTACROCE, MICHAEL A. [redacted]
SANTIFORT, RODNEY [redacted]
SANTIFORT, SABRINA S. [redacted]
SATTERFIELD, JEFFERY A. [redacted]
SATTERFIELD, ROBERT C. [redacted]
SCHNEIDER, HENRY J. JR. [redacted]
SEATON, JAMES B. III [redacted]
SEGARRA, ERIC L. [redacted]
SEMPF, MARK C. [redacted]
SHEHAN, JOE M. [redacted]
SHUE, JEFFREY P. [redacted]
SHULTIS, BRADLEY N. [redacted]
SIMONEAU, PAUL D. [redacted]
SIMPSON, STEVEN S. [redacted]
SIZEMORE, GREGORY K. [redacted]
SKOPOWSKI, PAUL F. [redacted]
SMITH, DAVID A. [redacted]
SMITH, EDWARD J. [redacted]
SMITH, PHILIP E. [redacted]
SNOW, JOHN E. [redacted]
SPARTONOS, MICHAEL A. [redacted]
SPASOJEVICH, DAVID L. [redacted]
SPIDAL, DENNIS A. [redacted]
SPRUILL, GARY M. [redacted]
STARKEY, FRED O. JR. [redacted]
STEPHENS, MICHAEL K. [redacted]
STICKEL, RICHARD C. [redacted]
STRAIGHT, BOBBY G. [redacted]
STUMP, CATHERINE M. [redacted]
STUMP, JOHN P. III [redacted]
STURDEVANT, GREGG A. [redacted]
SYKES, DAVID L. [redacted]
TABAK, JAMES J. [redacted]
TATE, WILLIAM S. [redacted]
THIEN, ROBERT S. [redacted]
TISSUE, PHILLIP C. [redacted]
TOON, DAVID L. [redacted]
URIBE, GILBERT A. [redacted]
VANDENBERGHE, RAYMOND J. JR. [redacted]
VANHOUTEN, JOHN S. [redacted]
VAZQUEZ, JOSE F. [redacted]
VEITEL, MARTY S. [redacted]
VINCZE, LESLIE S. [redacted]
VINDICH, DAVID A. [redacted]
WARKER, PETER M. [redacted]
WARREN, GARY E. [redacted]
WASSINK, JOHN R. [redacted]
WAUGH, MAX J. [redacted]
WAYMAN, RONALD B. [redacted]
WEBER, LAWRENCE K. III [redacted]
WEBSTER, JAMES R. [redacted]
WEST, ROBERT S. [redacted]
WESTERBECK, MARK A. [redacted]
WETZELBERGER, WILLIAM E. [redacted]
WHITWORTH, LLOYD R. [redacted]
WILLIAMSON, MARC A. [redacted]
WOLTMAN, CLYDE M. [redacted]
WOOD, NOEL S. [redacted]
WORSLEY, ROGER J. [redacted]
YELDER, CHRISTOPHER E. [redacted]
ZAUTCKE, DONALD W. [redacted]
ZELNIS, CHARLES R. [redacted]
ZIEGENFUSS, PAUL C. JR. [redacted]

IN THE NAVY

THE FOLLOWING NAMED COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF CAPTAIN IN THE LINE, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION [redacted]

UNRESTRICTED LINE OFFICERS

To be captain

ABELES, JOHN CHRISTIAN
ALBRACT, RANDAL THEODORE
ALDER, EDGAR ANDREW
ALDRICH, DAVID OLIVER
ALLISON, CHRISTOPHER DUANE
BAST, MICHAEL K
BENNET, KEARNEY DOUGLAS
BENNET, VAUGHN
BENSON, LARRY JOE
BITTMAN, WILLIAM CHARLES
BLACKWOOD, HUGO GRANGER
BLOUGH, ALLEN RANDOLPH
BRANUM, JAMES DAVID
BRODERICK, THOMAS EDWARD
BROWN, DEAN ROBERT
CABELKA, TIMMY DEAN
CALISE, KENNETH JOHN
CARELLO, LARRY DONALD
CAREY, SANDRA H
CHAMPION, EDWARD LARUE JR
CHARLES, JAMES LAWRENCE
CHRISTMAN, LINDA CHERYL
CHRISTMAN, PATRICK LEE
CLARK, JAMES ROBERT JR
CLARK, ROBERT MARTIN
CLAUSEN, STEPHEN RADCLIFF
COCHRAN, MICHAEL JAMES
COCKRELL, KENNETH DALE
CORDES, BRUCE ALLEN
CORY, JOHN ALAN
COSGROVE, RONALD PATRICK
COTTON, JOHN GOULD
CREWS, THOMAS BOULDIN JR
DEAN, KENNETH EUGENE
DEPEDER, ANDREW ANGELO
DOUGLAS, BARRY COLE
EDVARDSEN, JOHN JOSEPH
EPPERSON, ROBERT MARK
ERBELE, DOUGLAS JAMES
EVANS, JOHN JAMES
FAUST, WILLIAM ALEXANDER
FERGUSON, ROBERT KORBEL
FITZGERALD, PAUL VINCENT III
FOSKETT, ARTHUR KEVIN
FOX, TALLY BERNARD
FURSMAN, BERYL DENISE
GIESSING, GEORGE CONRAD III
GOOD, BEVERLY FRANCES
GOREHAM, LEONARD ALBERT
GRINSPOON, ALAN MARSHALL
GUNDERSON, EDWARD CHARLES
HALLAM, STEPHEN CULLITON
HAMMETT, CHARLES WILLOUGHBY
HANLEY, JOHN THOMAS JR
HANSEN, ALLEN ROSS
HARRISON, ROBERT WAYNE
HELMER, DALE PAUL
HENDRICKSON, PAUL BRIAN
HINES, JOHN ROBERT JR
HOPKINS DONALD DAVID
HUEGERICH, THOMAS PAUL
HULBERT, DAVID JOSEPH
HULTBERG, RANDY STEWART
HUNTER, RONALD EUGENE
HUTCHINSON, JONATHAN CLAY
JANES, CHARLES ENOS
JOHNSON, NICHOLAS RONALD
JOHNSTON, MARY ANN
KALAFAT, MAX EUGENE
KELLEY, MICHAEL DAVID
KELLOG, STEVEN CURTIS
KENNEDY, WILLIAM ALOYSIUS JR
KING, LARRY ARLIN
KOCH, MARK RANDOLPH
KOHRING, MARK WILLIAM
KOWALCZYKBECKWORTH, JOAN ANN
KURZ, WILLIAM CHRISTOPHER
LANDERS, GREGORY PATRICK
LEE, WILLIAM EUGENE
LEECH, JAMES NATHAN
LEONARD, WILLIAM AUGUSTINE J
LUNDY, ALLEN FRANCIS
MACKLIN, ROBIN MYLES
MARCUSSEN, WILLIAM JAMES
MASSION, DENNIS DANIEL
MCCARTHY, JOSEPH BRUCE
MCCAUSLIN, KEVIN R
MCCLESKEY, KEVIN BRIAN
MCCOLLUM, JOHN WILLIAM
MCGALLIARD, BRUCE EDWARD
MCHENRY, JOHN STEWARD
MCINTOSH, JOHN ALEXANDER III
MCVEY, BARRY STEVEN
MERCKER, RAYMOND FRANCIS
MEYER, LELIA MICHELE
MILLER, ALBERT
MILLER, BURT EDWARD
MOORE, WILLIAM THOMAS III
MORAN, RICHARD
MORGAN, WILLIAM RANDALL
MULLANEY, MICHAEL JOHN
MURPHY, JAMES JOSEPH III
MUSSELMAN, ROBERT PHILLIP JR
NANCARROW, CLIFFORD ALLAN
NOLAN, ROGER THOMAS
NORTH, ROBERT HUDDLESTON
OSLUND, JOELLEN DRAG
OSWALD, STEPHEN SCOT
PACE, ANNETE
PACHE, EUGENE PAUL
PATTERSON, ROBERT FOX
PECHONIS, JOHN SAMUEL
PENGUE, MARCY LOUIS JR
PFRIMMER, JOHN GRAY
PILLI, JOHN FRANK JR
POPPY, STEVEN CHARLES
PORTER, ALAN EMMIT
PRICE, GENE HILL
PUHRMANN, DALE LORENZ
REGAN, SUSAN KATHERINE
REIN, DOUGLAS JOSEPH
RICHARDON, RALPH BLAINE
RIVERA, ROBERT
RODJOM, THOMAS JOSEPH
ROGERS, JOSEPH EDWARD
RUSH, DOUGLAS KEVIN
SANDERS, MAX FRANKLIN
SCOTT, THOMAS EARLE
SCUDDER, RONALD LEE
SHAFFER, NEAL DEAN
SHAW, NED OSBON
SHELTON, MICHAEL CHASE
SHERMAN, CHRISTOPHER MARK
SMITH, ROBERT DORSEY JR
SNEDEN, KATHLEEN MARIAN
SPRIGGS, DAVID ARTHUR
STAIGER, JOHN AXTON JR
STEIN, WILLIAM BLANE
STEPHESON, ROBERT ALEXANDER
STICINSKI, DON LEO
STRASSHEIM, THOMAS JOHN
TANDBERG, SHARON PRESTHUS
TAYLOR, TIMOTHY MARTIN
TESORIERO, THOMAS JOSEPH
THOMPSON, ELSA BRANCH
TIMMERMAN, CLAUDE EVANS, JR.
TODD, MURRAY REDMON
VANHORN, ROBERT GORDON
VOSILUS, DIANE CARACASIS
WALKKY, KENNETH JAMES
WALKWITZ, JON JEFFREY
WALTERS, DANIEL ROBERT
WARFORD, WALTON ROBERT, JR.
WATT, GEORGE PHILIP, JR.
WENZE, GLORIA TRANSITS
WEST, RAY FERRIS, JR.
WHITELATCH, CRISTA CLAAR
WILCOX, ARTHUR MANIGAULT, JR.
WILKINSON, GERALD EDWARD
WILLIAMSON, LARRY ARTHUR
WILSON, STEVEN DALE
WRIGHT, ROOSEVELT RUBEN, JR.
YOUNG, FRANCIS
YPERMAN, BERNARD GEORGE
ZANDER, ANDREW THOMAS
ZANDER, WARREN EDWIN
ZIMET, MICHAEL IRVIN
ZMUDA, RAYMOND ANTHONY, JR.

UNRESTRICTED LINE OFFICERS (TAR)

To be captain

AUTEN, DONALD EDWARD
FOURSHA, SAMMY LEE
GREETIS, GREGORY JOHN
JOHNSON, KENNETH A.
KAUFMAN, GREGORY DOUGLAS
KIRWAN, JOHN R.
LEWELLING, DALE ALEXANDER
LUCAS, BRYAN DORAN
NORTON, HOWARD CHRISTOPHER
OSTROWSKI, GREGORY R.
RHODENBAUGH, RAPH MARK
SMITH, ROY MICHAEL
WIEGAND, ROY ALBERT

ENGINEERING DUTY OFFICERS

To be captain

ARMENIA, MICHAEL PETER
BAUMAN, WILLIAM EUGENE
BENEVIDES, FRANCIS LEO P.
BEUKEMA, PAUL
DEGRASSIE, JOHN SIDNEY
DICK, REAY STEWART, JR.
DIETER, KENNETH ALBERT
ENGLER, ROYCE ALAN
GREENLEES, JAMES NIXON
HESS, WILLIAM CURTIS
JOHNSON, JOHNNY WAYNE
JOUANNET, PETER RICHARD
KEENAN, JOHN JOSEPH, JR.
KING, WILLIAM BRUCE
MANNING, ROBERT WARREN
MARTSOLF, STEVEN WESLEY
SCHERF, PAUL HENRY, JR.
SHEBALIN, PAUL VALENTINE
TURISCO, THOMAS FRANK
WAKEFIELD, ROBERT D.
WEBB, JOHN OLIVER, JR.

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be captain

MCMAHAN, MICHAEL ROY
MINNICH, JOHN HOLLOWAY, III
MOORE, ROBERT CHARLES
ROSS, JOHN CLYDE
SODERBERG, ERIC JARVIS
SOMERS, JAMES WILFORD
STEVENS, RONALD WALTER
STRATTON, RAYMOND WAYNE

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be captain

FITZHUGH, JOHN EDWIN, II
MALONE, LAURENCE JAMES
PRYOR, HERSHEL WILSON, JR.
SCHACHTER, FRANK

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE) (TAR)

To be captain

BARNETT, EBEN E.

SPECIAL DUTY OFFICERS (MERCHANT MARINE)

To be captain

BAJOWSKI, FRANCIS KENNETH, JR.
DEHLER, MICHAEL W.

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be captain

COOK, MICHAEL JOHN
DICKIE, JOHN NEVIN
SIEGEL, SAMUEL LEE

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be captain

ALFORTISH, ANTHONY CARPRI
ASHCRAFT, LEE
AUSTIN, KENNETH BURDETTE, JR.
BIEHLER, ARTHUR FRANCIS, JR.
BRINKMAN, DANIEL JOHN
BROWN, GORDON LAVELLE, JR.
BURKS, EDWARD LEE
CHEN, FRANCIS
CHERNOFF, ALBERT RICHARD
COX, DAVID LAWRENCE
DAZ LINO, CHARLES, II
DOUGHERTY, WILLIAM FRANCIS
DOUGLAS, JOHN PAUL
DUNN, PETER HAINES
DYER, DWIGHT DEWEY
ELLIOTT, EARL CARTER
FOGGIN, JAMES HENDERSON
GANNE, PATRICK ROLAND
GASTGEB, DAVID CHARLES
GRIFFING, CAROLYN KAY T.
GUGISBERG, MARK ROBERT
GUNDERSON, HALVOR PETER
HALBIG, MICHAEL CARLOS
HANNA, ALVIN TERRY, JR.
HARMAN, JOHN DAVID
HONAN, MICHAEL PATRICK
HUDDLESTON, COLIN CAMPBELL
JOHNSON, VICTORIA RAE
KING, KIM ALVA
KIRBY, THOMAS MICHAEL
LANCASTER, JOEL RAY
LAYMAN, JAMES HAROLD, JR.
LIARDON, DARRELL LEE
LUSSIER, NORMAND VICENT
MALLOY, DENNIS EDWIN
MCMASTER, MARLA JILL
MCPHERSON, VICTOR HOLIDAY
MILLER, ROBERT ARRINGTON
MITANI, MICHAEL KIYOSHI
MORRIS, JOHN JOSEPH
NAYLOR, WILLIAM MARK
PARE, JOHN ALFRED
PARHAM, LOUIS
PAUL, DAVID LOREN
POWER, TIMOTHY HENDERSON
ROLLANDI, VICTOR LAWRENCE
SELIG, CHARLES DENNIS
SOURBEER, GEOFFREY SCOTT
SUTTON, TERENCE MORRISON
TURNER, JAMES LAWRENCE
VERDEL, THOMAS HEARNE III
WALAITIS, WILLIAM RALPH
WEBSTER, BOBBY RONALD
WILSON, DONALD HAL
WRIGHT, CATHERINE SCHOONMAKE
YATES, WILLIAM ELLISON

SPECIAL DUTY OFFICERS (INTELLIGENCE) (TAR)

To be captain

BROOKS, STANLEY PRESTON

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be captain

HATFIELD, TERRY MICHAEL
WILLIAMS, DENNIS STANLEY

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be captain

DAUGHENBAUGH, JOHN STEWART

IN THE NAVY

THE FOLLOWING NAMED COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF CAPTAIN IN THE STAFF CORPS, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

MEDICAL CORPS OFFICERS

To be captain

ARLINGHAUS, FRANK HENRY
AUSTIN, DAVID ANTHONY
BAILEY, RONALD OAKLEY
BAKER, JOHN A
BARBER, FRANCIS AUGUSTINE
BARVICK, EDWARD JAMES
BOYDEN, FREDRIC MARTIN
BRANCATO, DONALD HAYWOOD
BRIGHT, JOHN RAY
CARTAGENA, MIGUEL A
CASSIDY, SCOTT
CASTLE, CHARLES A
CATCHINGS, TIMOTHY TITUS
CIANFLONE, ALEXANDER
COFFMAN, RALPH BAILEY
COUNIHAN, COLLEEN M
DAVIS, ERNEST JAMES, JR.
DOMINO, TERRY GAYLE
DONOVAN, JOHN P
DRUM, EDWARD ALLEN
EHRLICH, EDWARD NORMAN
ELLEDGE, ELLIOTT FREDERICK
ELLIS, VIVIAN ELIZABETH
ENRIGHT, JAMES ROBERT
FAGAN, STEVEN JOSEPH
FEERICK, JOHN PAUL
FISHER, WINFIELD STITT
FORT, RICHARD A
GARDNER, CHARLES RAYMOND
GARRISON, JOHN MCHENRY
GIEDRAITIS, JOHN BENJAMIN
GRIFFIN, LARRY PAUL
GRUNERT, GEORGE MCCLOY
HARKNESS, CHARLES L
HARRIS, CURTIS NORMAN
HIGGS, WILLIAM THOMAS
HOLMAN, WILLIAM ADDISON
HOSKINS, IFFAT ABBASI
HYINK, WENDELL J
JONES, LYNWOOD ALEXANDER
KENT, HAROLD L
KING, JOHN WESLEY
KUMAR, VASANTHA A R
LARSON, CHARLES ADRIAN
LEECH, RICHARD C
LUCAS, RICHARD CHARLES
MALETZ, FRANK W
MCCARREN, PETER
MEDINARUIZ, ARTURO
MILLER, WILLIAM FARRING
MURRAY, DAVID W.
NIXON, DANIEL WALKER
NOACK, NELLEEN G.
NUAR, FRANK LABIB
OLDEN, KEVIN WILLIAM
PAPADIMOS, THOMAS JOHN
PARKS, DAVID PAUL, JR.
PITROWSKI WILLIAM C.
PUDHORODSKY, GREG STEPH
SAMESHIMA STEVEN SAIGE
SCHMITT, JAMES KENNETH
SINGZON JAIME MERIDA
SMICK, LARRY BRENNE
SMITH, CARL VERNON
SMYTH, LAWRENCE T., JR.
STOVER, JAMES FRED
TESAR, CHARLES B.
THOMAN MARK EDWARD
WALKER, MICHAEL L.
WATTS, DAVID R.
WILCOX, JOHN RICHARDSON
ZALESKI, HENRY IGNATIUS
ZEMNICKAS, WILLIAM VINC
ZUCKER, KARL ALBERT

DENTAL CORPS OFFICERS

To be captain

BENTLEY, GEOFFREY D.
BURJETKA, MIRA GEORGE
CRINE, JAMES DAVID, II
DEMAGGIO, BERNARD ROBERT
FETTER, KENNETH A.
GOLDSTEIN, JOEL C.
HORTON, EDWARD C., JR.
IRONS, ROY L.
KADESH, JEFFERY B.
KASKE, HERBERT M.
KRAJC, JOSEPH P.
KRAUSE, KERRY JACK
LIBBY, LEWIS S., III
MAPES, WILLIAM MICHAEL
MAYER, JOSEPH PAUL, JR.
POPE, BRUCE MICHAEL
REIDY, EDWARD T., III
ROMARY, DENNIS COLLINS
RUNDBAKEN, ROGER P.
SAVORD, ERVIN GEORGE, JR.
TRAMMELL, CALVIN D.
WOLANIN, ALFRED J., JR.
ZILLNER, ROBERT JAMES

MEDICAL SERVICE CORPS OFFICERS

To be captain

BAILEY, LARRY W.
BENNETT, JAMES DOUGLAS
BERGNER, JAMES STEPHEN
LIDDELL, SCOTT KENT
MARTINEZ, GILBERT HERRE
SCHUH, MARLIN DARWIN
STAHL, ARCHIE ALAN
STRUNK, HAROLD KENNETH

JUDGE ADVOCATE GENERAL'S CORPS OFFICERS

To be captain

CARLETTI, JAMES SILVIO
CRABTREE, DANIEL B.
FLYNN, PATRICK JEROME
GAY, MICHAEL HUBERT
GROAT, JOHN SINCLAIR, JR.
JANIGIAN, BRUCE J.
KASPER, ROBERT J.
MORGAN, JAMES FREDERICK
NIESEN, JEFFREY SCOTT
PETERSON, JAMES RALPH
SMITH, KERSCHIEL DINIVA
STEMPLEWICZ, JOHN THOMA
SUNDGREN, HELEN HOWELL
WHITE, ROBERT D.

NURSE CORPS OFFICERS

To be captain

BALACKI, MARGARET FOOTE
KARSTETTER, SARA LOUISE
KELLEY, KATHLEEN
LARSON, MARTHA LOUISE
LATHAM, JOSEPH FLOYD
MORRIS, ELIZABETH MCCLO
PATE, MARY ELLEN MCHALE
PATTERSON, CATHERINE AN
POLAK, BARBARA STEEL
SLAVONIC, MARTHA JEAN
WILLIS, ODETTE PATRICIA

SUPPLY CORPS OFFICERS

To be capitain

BAUMAN, DANIEL JOSEPH, JR.,
BECKER, CARL P.
BELL, EUGENE FREDERICK
CAPTOR, RICHARD ALLEN
CHAMBERLAIN, WILLIAM JOSEPH
EBERT, CHRISTOPHER JOHN
FURST, BARBARA SCOTT
GABEL, GLENN PAUL
LEVINE, HENRY PAUL
MURRAY, ALEXANDER HOMER
ORTEGA, PETE RUBEN
PATE, RONALD MILSTON
POTTER, MICHAEL CURRIE
PRESTON, VERNON LEROY
RIGHI, MICHAEL LOUIS
STORCH THOMAS MICHAEL
THORPE, JOHN ROSS
TOM, LYLE KIM UNG
WILLIAMS, CHARLES ARTHUR

SUPPLY CORPS OFFICERS (TAR)

To be captain

HENSLEY, JOHN W.

CHAPLAIN CORPS OFFICERS

To be captain

COOK, JAMES L.
ROSS, RALPH MCKINELY
STONER, GARY WAYNE

CIVIL ENGINEER CORPS OFFICERS

To be captain

AMES, THOMAS CLARK
BUSHEY, RANDALL KENNETH
HILLMAN, BENJAMIN FRANKLIN, I
JOHNSON, RONALD NORMAN
KIRSCH, ARNOLD
MCGARRAH, JAMES MITCHELL
PRATHER ROYACE HOUSTON
RODRIGUEZ JAMES THOMAS
SYLVERSON, WILLIAM ALFRED

IN THE NAVY

THE FOLLOWING NAMED LIEUTENANT COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF COMMANDER IN THE LINE, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STAES CODE, SECTION 5912:

UNRESTRICTED LINE OFFICERS

To be commander

ABATE, RONALD DAVID
ADAMS, CHARLES DAVID, JR.,
ALLES, JAMES RICHARD
ANDERSON, RAYMOND VINCENT, JR.
ANDREWS, DOUGLAS MARTIN
ARCHDEACON, FRANCIS JOSEPH
ARD, JEFFREY ALLEN
ARRINGTON, RANDALL STEVEN
ATKINS, JIMMY EUGENE
AVERY, KENNETH LARUE
BAETZEL, KAREN L.
BALINT, MICHAEL KEVIN
BARAN, GREGORY W.
BARNHART, DEBORAH EDWARDS
BEARSS, DANIEL V.
BEAUCHAMP, MICHAEL JORDAN
BEILKE, ROBERT LEO
BENNETT, GEORGE BERKLEY
BENNETT, JOAN CAROL
BENNETT, ROBERT MICHAEL
BENTLAGE, ROGER ERIC
BERG, PAUL D.
BIGLEY, MICHAEL JOSEPH
BOONE, TIMOTHY R.
BOSOWSKI, STEPHEN NMN
BOWDEN, RONALD ERNEST
BOZDECHVEATER, PAULINE MARIE
BRIGANTI, DOUGLAS HENRY
BRISTOW, WILLIAM KREINER
BROWN, DAVID LYNN
BRUNSKILL, MICHAEL ROSS
BUEL, TOBY JON
BURGESS, MARY ELIZABETH
BURNS, JAMES WILLIAM
BURT, TERRILE LEE
BURTNER, KEITH EDWARD
BUTLER, CAREY RANDALL
CALDER, ALEXANDER WALCOTT
CALLAWAY, ROBERT KENDALL
CANNAN, DANIEL E.
CAPPS, LYNNE WELLS
CAPPS, WARREN LOUIS
CAPRIO, FRANK M.
CARPENTER, STANLEY DEAN
CARRIER, PETER L.
CARROLL, COLIN JOSEPH
CARROLL, ROBERT NMN JR.
CHABAL, MATTHEW
CHISOLM, WALTON BUCKLEY
CLARDY, GEORGE LEIGHTON
CLEMONS, WILLIAM LAWRENCE
COFFEY, JOHN TIMOTHY
COHN, MICHAEL D.
COLES, DAVID L.
COLMAN, PAUL TILDEN
CONKEY, DENIS RAY
CONRAD, DONALD CHARLES
COOPER, GREGORY JOHN
COOPER, RICHARD BENJAMIN
COSTEN, LAUREL MARIE
COX, DANIEL LEE
CROSS, BRUCE JAMES
DAHL, SCOT ALAN
DALTON, STEVEN EARL
DAVIDOSKI, MARK WILLIAM
DAWSON, CHARLES F.
DECOSTA, DANIEL LEE
DEDRICKSON, CHARLES R.
DEMPSEY, WILLIAM C., JR.
DEPPE, JILL NOREEN
DESRUISSEAUX, GEORGE LIONEL
DICKUP, WILLIAM A.
DITZLER, DAVID PATRICK
DIXON, ELLA JEAN
DOULONG, DAVID HUFF
DRAKELEY, GEORGE MORRIS, III
DRESWICK, JOHN ANTHONY
DRYDEN, DOUGLAS KRING
DUNCAN, LEONARD W.H.
DUPRE, NORMAN BERNARD
DURHAM, BRIAN JAY
DWYER, MARK THOMAS
DZIECIOLOWSKI, LISA R.
ECKSTEIN, STEVEN HARRY
EDWARDS, MEREDITH AUSTIN
EDWARDS, NORMAN MARSHALL
EDWARDS, RUTH CAROLE
ELDER, ROBERT THURSTON
ELLIOTT, JOHN SELDON
ELLIS, MARK STEVEN
ENOLE, DANIEL T.
ENSZ, RICHARD CARLYLE
ERIKSEN, MICHAEL CLYDE
ERISMAN, ALAN EDWIN
EVANS, THOMAS WAYNE
FARLEY, CHARLES GRANVILLE
FARMER, ALAN CARL
FENNIG, CHRISTOPHER G.
FILIAK, PAUL PETER
FILIPPELL, MICHAEL EDMUND
FILLIPOW, STEVEN A.
FINERAN, PAUL W.
FINLEY, MICHAEL STAED
FISHER, HOLLY JO
FITZGERALD, REBECCA LOUISE
FITZMAURICE, PATRICK JOSE, JR.
FLORIN, CRAIG ARTHUR
FONTENOT, PAUL RICHARD
FORMAN, RICHARD EARL, JR.
FOSTER, DAVID HEATH
FRANKLIN, JEFFREY WAYNE
FRYAUF, MARK THOMPSON
FUGATE, GLENN DAVID
FULLHART, CHARLES DAVID
GADZALA, JACK NMN
GAETANO, GLENN THOMAS
GARDNER, JOHN EVAN
GARDNER, PHILLIP JOHN
GELSOMINO, JOSEPH ANTHONY
GIRDLER, NEAL NORMAN
GLOVER, LANNY BRUCE
GLENN, KEVIN CHRISTOPHER
GOODWIN, FRANCIS R.
GOSS, GORDON WESLEY
GRASMEDER, JON MARTIN, JR.
GREEN, SCOTT WILLIAM
GRIFFIN, RANDY LLOYD
GRIMLAND, DAVID BRANSON
GRISCHY, MICHAEL CHARLES
GRISHAM, JIMMY D.
GWYN, JAMES R.
HAFER, DALE VINCENT
HAGEN, MARK DAVID
HALL, THOMAS DAVID
HANCOCK, ARTHUR WAYNE
HANDROP, RONALD STEPHEN
HARA, KENNETH JAY
HARDWICK, DAVID LESLIE
HART, LEO HERMAN, III
HARTMANN, FRANCIS XAVIER, JR.
HARTSHORNE, STEVENS JOSEPH
HARTZOG, JOHN R.
HASKELL, EMERY LLOYD
HAVLICK, RONALD GEORGE
HAYES, RICHARD ANDREW
HERBERT, GEORGE JON

HELBIG, CHARLOTTE MARIE
HERBIG, JAMES WILLIAMS
HERRMANN, THOMAS
HESSION, WILLIAM PATRICK
HIGGINS, MICHAEL MARTIN
HILDEBRAND, GEORGE ALLAN, II
HIVELY, KIRK EUGENE
HOLLIS, HOWELL CENTER
HONECK, MARK W.
HORNE, RICKY LEE
HORTON, STARR W.
HUERTH, ALAN LEE
HUFFMAN, PAUL WILLIAM
HUNT, DENNIS JOHN
HUSS, MARVIN CLINTON
IKELER, ALFRED EVES, JR.
ISOM, JAMES A.
JARVI, DENNIS JOHN
JENKINS, JAY THEODORE
JOLLIFFE, JOHN E.
KAMENSKY, ROBERT JOSEPH
KANE, EDWARD JAMES
KARY, EDMUND GEORGE
KATCHER, STEVEN ARTHUR
KELLEY, PETER EDWARD
KELSEY, DONNA C. GREENLEAF
KENNEDY, ANNELIESE L.
KESWICK, CHRISTOPHER A.
KIEFER, GEORGE FRANCIS, JR.
KIRCHENHEITER, BRUCE WILLIAM
KIRK, MARK ANDREW
KIRKLEY, MARK LUKE
KISELICA, VINCENT J.
KLOPE, JOSEPH CHESTER JR.
KNAB, DAVID KELLUM
KOLK, DAVID S.
KOMRAUS, DAVID K.
KOPP, ROBERT WILLIAM
KORCHOWSKY, GEORGE WILLIAM
KOSACK, KURT OVERTON
KOZICZ, MARK S.
KRANZ, MICHAEL A.
KRUG, PETER J.
KRUSE, ROBERT J.
KUNBERGER, PAUL E.
LABUDA, GARY L.
LAKIS, ROBERT A.
LANGER, MAYBETH
LARICK, WILLIAM ARVEL
LATHROP, JONATHAN EUGENE
LAUDER, JOEL AARON
LAVALLEE, COURTLAND, R. JR.
LEAKE, ROBERT ELLSWORTH III
LEEDS, MARTHA COLLINS
LEHMAN, MARYANN KOKUS
LEWIS, ALAN O.
LLOYD, ROBBIN GRAY
LOGAN, KENNETH JOSEPH
LOWEN, DANIEL JARED
LUKE, RAMON EUGENE
LUTTGEN, ROBERT HALL
LYLES, KEVIN SEAN
MAGUIRE, ELIZABETHANN B.
MALONEY, STEPHEN EDWARD
MANN, MICHAEL DAVID
MANSFIELD, PAUL B.
MARBLE, DAVID C.
MARKS, CHARLES FREDERIC, JR.
MARTIN, ROBERT WARREN
MARTIN, WILLIAM B.
MCALILEY, JOSEPH PEYTON
MCANANEY, EDWARD GEORGE
MCAULIFFE, WARREN
MCCAIN, WILLIAM D.
MCCLOSKEY, SEAN K.
MCDONOUGH, TIMOTHY RYAN
MCLAUGHLIN, ROBERT W.
MCMAHON, BARRY JOHN
MCNAMARA, JOHN JOSEPH
MCNAMARA, TERESA BERNADETTE
MCPHILLIPS, THOMAS MORE
MESSENGER, JAMES
MESSERSCHMIDT, JOHN G.
METZGER, ROBERT L.
MICHEELS, SCOTT RAMSEY
MILLER, CHARLES T.
MILLER, EUGENE A.
MILLER, FORREST A.
MINTON, REBECCA HIGHFIELD
MITCHELL, ROBERT HARRISON
MORET, DOUGLAS HENRY
MULVANEY, ROBERT MICHAEL
MURPHY, HARRY A.
NAKAMURA, DONALD FUMID
NEARY, GREGORY DONALD
NICHOLS, HERMAN ARMOUR
NOHE, KATHLEEN ELAINE
OARD, DOUGLAS WILLIAM
ODONNELL, RICHARD B.
OROURKE PATRICK EDWARD
OSLOVAR GEORGE M.
OSTROM PAULA LYNNE
PASSELL DONALD HILLARY
PAVLICK MICHAEL JOSEPH
PEEBLES EDWARD LYNN
PEPPER KENNETH OWEN
PETERSON HARRY EDWIN
PIFER KEVIN JAMES
PILAND VALERIE HINKLE
PLUMLEE RICHARD ALLEN
POTTER, ROBERT ALLEN, JR.
POWELL DAVID ROBERT
PRATTON SAMUEL D.
PROVOW LESLIE ELIZABETH DOU
PUGLIESE PAUL ANDREW
RACOOSIN JOHN MARK
RALPH DOUGLAS RAY
RALSTON DAVID KNIGHT
RAMSAY BRYAN JOHN
REARER THOMAS C. JR.
REDMOND, DONALD DUANE, JR.
REED JAMES NOEL
RICE JOSETTE LESLIE
RICE STEVEN TERRY
RICKERT GARY STEVEN
RING PAUL DUANE
RITCHIE JOSEPH CARLTON JR.
ROBERTSON LYN TAYLOR
ROBLES MARIO JR.
RODGERS PHILIP L.
ROELANT JAMES GREGORY
ROEMER EILEEN JANE
ROSE GEORGE HERMAN
RUDLOFF DENNIS ALLEN
RUIZ FERNANDO A.
RUTH DOUGLAS ALAN
SANFORD JAMES CHARLES
SCHAEFER THOMAS R.
SCHELLER HENRY REINHOLD JR.
SCHEURICH NORMAN CLAIR JR.
SCHLAGHECK DAVID ROBERT
SCHLOSS PHILIP WILLIAM
SCHOCK FEDERICK FORREST IV
SCHOENBERGER CLIFFORD ARTHU
SCHROEDER MARK ALAN
SCHUNK EDWARD ANTHONY
SEABERG RICHARD
SEFFEL GARY ALAN
SHATYNSKI MICHAEL MARK
SHEFFIELD GLENN A
SHERMAN MARK WILLIAM
SHERRILL WILLIAM DALE
SHOTSBERGER PAUL GAHLEN
SIMON DANNIELLE NAN
SIMPSON DAVID MYLES
SMITH ERIC MICHAEL
SMITH KEVIN ROEBLING
SMITH STEVEN DALE
SOBE CRAIG MARTIN
SOLKSHINITZ STEPHEN EDWARD
SPARKS NANCY LYNN
SPELLISSY BRAIN EDWARD
STAHL ERIC SCOTT
STAPP CHARLES PHILLIP
STEELMAN MARK BRADLEY
STEPHAN JOHN AUDLEY
STOLL DARRELL MARK
STOLLE ROBERT J.
STOUFFER JILL WINDLE
SUMNER JAMES GERALD
SWIENTON DANIEL EDWIN
TATE WILLIAM HERBERT
TEAGUE MICHAEL M.
THOMAS KIRK FRANCIS
THOMPSON WILLIAM GREGORY
TINDALL KEITH DAYMOND
TOMB KIMBERLY ANNE
TOPP WALTER STEPHEN
TOURNAS ALEXANDER WILLIAM
TRIPODI JAMES
TROUTMAN BRUCE ALLEN
TRUDE CHARLES REESE
TRUDELL JERRY
TUGGLE WILLIAM COKE
TZITZURA VASLE THOMAS
VANDYKEN ROBERT DEAN
VENOHR BETTY DARLENE WALKER
VINCI DONALD WILLIAM
VORTHERMS DANIEL R.
VOYTEK RICHARD A.
WAGGENER, ANNA THOMPSON
WAGNER, JOHN ARTHUR
WALSH, FRANCES KAY
WARD, BRIAN DEAN
WARDROP, ELLEN ANN
WESTHAUS, RANDALL THOMAS
WESTWOOD, GEORGE EDWARD, III
WILCOX, THEODORE ARTHUR
WILLIAMS, SHARON MORRISON
WILMOTH, DOUGLAS EUGENE
WILSON, DAVID S.
WINTER, DEBORAH KOVACICH
WISEMAN, ROBERT JEFFERY
WOLCOTT, DEBRA JANIELLE
WOOD, RANDEL W.
WOOD, WINSTON D.S.
WOOLWAY, THOMAS MARTIN
WOOMER, JERRY JAMES
WRAY, ROBERT O., JR.
WUESTNER, ROBERT
YABUT, BERNARDO RAMIREZ
ZELLER, BERTRAND LOUIS

UNRESTRICTED LINE OFFICERS (TAR)

To be commander

BEIGEL, LARRY JASON
BELLANT, RAYMOND EUGENE, JR.
BICKERTON, JAMES ALLEN
BOLTON, CLINTON STAFFORD, JR.
BRASMER, TIMOTHY MATTHEW
BRAZIER, DEAN ANTHONY
CARLOCK, M. KRISTINE
CORTES, EDGAR JOHN
DARLING, STEVEN BRADFORD
DILUCENTE, DENNIS JAMES
DOVE, LARRY EUGENE
DUCKWORTH, FREDERICK BRADLEY
DUVALL, GILLIAM ELROY
EAGEN, MICHAEL MARTIN
FARRELL, CHARLES AMBROSE
FERGUSON, MICHAEL PATRICK
FITZGEREL, BETSY A.
HACKETT, PETER MARK
HANSON, WILLIAM DAVID
HORLBECK, JOHN W.
HORSMAN, DOUGLAS EDWARD
HOWELL, ROBERT D., JR.
HRBACEK, MARY JEAN
JOLLY, PHILIP CHARLES
KENNEDY, MICHAEL JAMES, JR.
KNUTSEN, ROBERT ROY
LANDON, JOHN MICHAEL, II
LANE, WILLIAM JOHN
LANGE, ROBERT JOHN
MARTIN, JAMES ROBERT
MARZETTA, DEAN ROBERT
MCMANUS, THOMAS M.
MONTGOMERY, DAVID LEO
MORGAN, BARBARA PALMER
MULDOON, JOHN JOSEPH
NORDMEYER, DOUGLAS STUART
PRINDLE, RONALD WAYNE
RAMIREZ, ADOLF ARVIZU
REZENDES, LORRIE ELAINE
ROBINSON, JOHN WALTON
SANDGREN, DAVID W.
SASSMAN, ROGER WAYNE
SEVERSON, DANIEL MARK
SIDDONS, PHILIP KEMBLE
SINNETT, KEVIN PATRICK
SKIBER, CAROL ANN
SLAVEN, WALTER B.
SMITH, RONALD L.
SMITH, THOMAS G.
TATE, ROBERT JOSEPH
TOEDT, ELIZABETH MARY
WATSON, EDMOND DALE
WATTERS, WILLIAM JOSEPH
WENN, PATRICK ROBERT
WILSON, STEVEN RICHARD
WOLF, JEFFREY GUY
WRIGHT, WILLIAM ALLYN

ENGINEERING DUTY OFFICERS

To be commander

ARCANO, JOSEPH T.
BURNETTE, ROBERT VANCE
CLARK, NEILL VAN
DREHER, LAWRENCE JOHN
ELHOLM, ERLING SIGURD
HAMILTON, STEVEN WILBER
JANIKOWSKY, LINDA CROCKETT
KRAHN, STEVEN LEE
MARTONE, DOUGLAS ARTHUR
NELSON, DREW DOUGLAS
SEEGER, HOWARD CARL
SEXTON, DONALD RAY
SHUGART, TIMOTHY BRUCE
SPOSATO, WILLIAM THOMAS
STIEGELMEYER, GARY LYNN
WELTER, DAVID D.

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be commander

MATHRE, JOHN MARK
WEIGEL, KURT MITCHELL

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be commander

CLARK, JAMES MCALISTER, IV
ERICKSON, JAMES HOWARD
MEASE, FRANK BARCLAY
STOLLE, ROBERT CARL
SZALWINSKI, DUANE E.
WITHINGTON, PAUL, II

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE) (TAR)

To be commander

GUMPRIGHT, ROBERT E., JR.
HUNT, EARL RAY
RALSTON, CARL DENNIS

SPECIAL DUTY OFFICERS (MERCHANT MARINE)

To be commander

ALLEN, FREDERIC
HYNES, GEORGE WALTER, JR.
MCKINLEY, WILLIAM MICHAEL
OSBORNE, NORMAN EDWARD
PRADA, GEORGE BARRY
PURIO, WALTER PATRICK
RICHARDSON, JOHN WILLIAM, JR.

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be commander

BONAR, DAVID LINWOOD
GARCIA, VICENTE CHAVEZ
GRIBBIN, JOSEPH JENKINS
LEMLEY, EDWIN PHILLIP
LINDSEY, GARY JAMES
LOPEZ, GORDON K.
PRACK, ARTHUR EDWARD, III
RUTH, EDWARD JAMES
SMITH, GEORGE ALAN
STABACH, CAROLYN MARIE
STILES, RICHARD GLEN
STUBBS, HEIDHAUSEN INES RUTH
VANHISE, JOHN WESLEY
VEATCH, WALTER DANIEL, JR.

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be commander

ACLIN, JOHN J.J.
ALCOCK, HUGH DORSEY, JR.
ATWILL, WILLIAM
BAGGETT, MORRIS EDWARD, JR.
BARDELL, TIMOTHY W.
BELL, RONALD LEE
BENNETT, GERALD LINTON
BEYER, LOUIS JOHN
BRINK, BENJAMIN MCALESTER
BROCKER, KEITH STEVEN
BRUNSON, RONALD BURKE
CARLSON, LAWRENCE ROY
COLEMAN, MICHAEL DENNIS
CONNELLY, JACK PETER
DAMISCH, PETER WHITON
DEROSE, PHILLIP A.
DEVRIES, DONALD CHARLES
DODGE, WILLIAM CHARLES
ERICKSON, MICHAEL LEE
FLOYD, CHARLES THOMAS
FOURNIER, DONNA J.
FRACK, JOSEPH ENGELBERT
FRECHETTE, MELVIN CHARLES
FREUND, GLORIA NMN
FURCHNER, DAVID KEITH
GAYLE, STEPHEN MICHAEL
GILBRIDE, ANN DEBAETS
GRAF, FRED
GRIMSLEY, ELIZABETH BOARDMAN
HAMPSHIRE, DAVID
HAUBNER, MICHAEL JOSEPH
HOFFMAN, CHARLES KURT II
HOLE, CHERYL DENISE
HOLT, KAY MYERS
HUNSAKER, CHRISTOPHER JAMES
HUSTON, JAMES WEBB
JAMES, FRED MORRISON, JR.
KAMRADT, HENRY DWIGHT
KEEGAN, JOHN CHARLES
KELLEY, JAMES WILLIAM, JR.
KIMBERLIN, DENNIS GENE
KNISLEY, HAROLD L., III
KNUTSON, JEFFREY LEE
KOBAYASHI, LARRY SHIGEKI
KOWAL, NORBERT WIESLAW
KREITZER, KEETON KELLEY
KUROWSKI, JOHN M.
LABAK, STANLEY J.
LEGGETT, GREGORY KEITH
LUCCHESI, CARLO LUCA
MANOLESCU, TIMOTHY ALAN
MARBURGER, RANDY VANCE
MARCHANT, BYRON F.
MARLING, GWYNNETH
MARTINEZ, RICHARD PHILLIP
MAYER, GARY JOHN
MCDONALD, GARY WAYNE
MCNEILLY, DENNIS NMN
MEANEY, MICHAEL LAWRENCE
MILHEIM, RUSSELL J., III
MILLARD, BRADLEY JAMES
MILLER, DANIEL PATRICK
MUMMAH, ROGER EUGENE
NELOWET, ALBERT FRANKLIN, III
ODONNELL, RAYMOND VINCENT
OKIMURA, RAYMOND
OLSON, EARLE ZANE
OSBORN, JOHNNY RAY
PACKER, CYNTHIA DEE
PIERCE, DONALD EDWARD
POTOCHNIK, VENTZEL JACOB
QUIGLEY, MARY CATHERINE
RATACZAK, MARK HAROLD
REVEAL, KENNETH HARVEY
RICH, DAVID ALAN
ROBERTS, CHARLES EDWARD
ROBERTS, WILLIAM CHARLES
SCHMITZ, JOSEPH E.
SEVIGNY, THEODORE THOMAS, JR.
SHAY, RICHARD FRANKLIN
SHULTZ, STANLEY PETER
SIEGE, STEVEN THEODORE
SISCO, BARBARA ANDERSON
SMITH, PHILIP JAMES, III
SPRUILL, CLIFTON EARL WILKINS
STONE, ROBERT E.
SUBKO, JEFFREY B.
THIELMAN, KENNETH JAMES
TOOMEY, MICHAEL JOSEPH, JR.
TURNER, BRUCE ERWIN
WHITMER, JOHN KENT
WICKLUND, BUCK
WIEDORN, MACUSHLA M.
WILBUR, DANIEL EUGENE
WILLIAMS, JAMES KENNETH
WITHERS, JEROME B., III

SPECIAL DUTY OFFICERS (INTELLIGENCE) (TAR)

To be commander

MAZZA, RICHARD CHARLES

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be commander

GOLDEN, PATRICK STAFFORD
HARNAR, JAMES ALLEN
HARTSHORNE, CARRIE ELIZABETH
NERUDA, MICHAEL EDWARD
RONZIO, MARGARET JEANNE
WILSON, ANDREW H.
YEAGER, THOMAS ANTHONY
ZAGANO, PHYLLIS

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be commander

FAGEN, RAYMOND ROY
MCNITT, JAMES ALLERTON
SULLIVAN, KATHRYN DWYER

LIMITED DUTY OFFICERS (LINE)

To be commander

SINNOKRAK, ROBERT LOUIS
TSUJIMURA, REUBEN TERUO

IN THE NAVY

THE FOLLOWING NAMED LIEUTENANT COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT

PROMOTION TO THE GRADE OF COMMANDER IN THE STAFF CORPS, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

MEDICAL CORPS OFFICERS

To be commander

BAKER, LEE THOMAS
BARTHOLD, HAROLD JOSEPH
BENDT, ROBERT RICHARD
BESSETTE, RICHARD A.
BLACKBURN, WARREN A.
BOWLER, ULYSSES SIMPSON
BRANNON, CHARLES TRAVIS
BRAY, JACK GALEN, JR.
BREUNER, CORA COLLETTE
BRYSON, BETTY LEE
BURCHMAN, COREY A.
CHAMBERS, MICHAEL EDWARD
CHILTON, BARBARA GENE
CHRISTIANSON, ERIC ELLIS
CICORA, RALPH A.
CLIFTON, CHARLES LAMAR
CORWIN, JAMES HOWELL
COWDIN, HUGH PENDLETON
CRENSHAW, ANDREW HOYT J.
CRISTIN, JOHN L.
DELCAMBRE, JOHN BRUCE
DENNEN, LAWRENCE EDWARD
DEVANEY, KENNETH O.
DEVLIN, MICHAEL FRANCIS
DOHERTY, MARK GERARD
DOLAN, ROBERT PAUL
EDWARDS, THOMAS B.
ELSHIRE, HARRY DONEL, III,
ENGLISH, JAMES F.
ERTL, JANIKA PAUL
FABIAN, DAVID R.
FARR, LARRY DAMON
FARRIS, PHILIP RANDALL
FERRER, EDWARD BARTHOLO
FLANAGAN, JOHN F.K.
FRASER, HUGH ERSKINE
GALLA, JAN DAVID
GARBER, VERA
GEBHART, JAMES RICHARD
GILPIN, ALLEN BRUCE
GLASGOW, GARY DOUGLAS
GLEASON, BARRY
GONZALEZ, JUAN ANTONIO
GOODNOUGH, STEPHEN ROBERT
GRECO, FRANK ANTHONY
GREER, ROBERT COLLINS, IV
HALL, KENT N.
HALL, THOMAS R.
HARDEN, WESLEY RENNIE, III
HARRIS, ANDREW
HEROLD, WILLIAM LEROY
HINKS, ROBERT PAUL
HOFFMANN, DAVID M.
HOLMES, CHERIE A.
HOSINSKI, JEANNE M. GUIN
HUGHES, DENNIS EDWARD
JENTZ, IRENE A.C.
JOHNSON, STEPHEN HARRIS
JUST, NORMA JEAN
KAMENAR, ELIZABETH
KIKTA, MICHAEL J.
KIMELHEIM, ROBERT ALAN
KING, RICHARD WILLIAM
KISER, DONALD RAYMOND
KNAUER, HOPE ELIZABETH
KNOBLOCH, RONALD PAGE
KREUZER, DAN FREDRICK
KUKULKA, RICK ALLEN
LANTELME, BRUCE EDWARD
LEONI, JAMES F.
LIEBERMAN, JOSHUA MITCH
LIVENSTEIN, HARRY PAUL
LOVELESS, ERIC A.
LUI, RAPHAEL
MACKENZIE, NICOL IAN
MALONE, DANNY R.
MARTIN, FRANKLIN MCLAIN
MCCLELLAN, DAVID SCOTT
MCCULLOUGH, TIMOTHY JOH
MCGILL, THOMAS WAYNE
MCNAMARA, WILLIAM HOWAR
MILLER, DAVID OWEN
MILLS, VERN ANDREAS
MONESTERSKY, JESSE HARR
MORECI, JAMES ANTHONY
NEWELL, DONALD EDWARD
ODORIZZI, MARK GEORGE
OLSHAKER, JONATHAN STUA
PALOS, MIGUEL MARTIN
PARTINGTON, JONATHAN PH
PATTERSON, MICHAEL SMIT
PERKINS, TERRY R.
PFEIFER, JOSEPH LAWRENCE
PRIOR, CHARLES A.
PROKOPCHAK, RICHARD
PUDIMAT, MARY ANN
REYNOLDS, CHARLES PATRI
RHODES, DANNY CLYDE
ROBERTSON, DAVID L.
ROUSE, JOE PHILIP
SCHWARTZ, PAUL ERIC
SCOTT, DAVID JAMES
SMIT, JAMES HENRY
SMITHERMAN, KENTON OSBO
SPARKS, ALFRED DAVID
STAGGS, DENNIS RAY
STAINKEN, BRIAN FREDERI
STEVENS, ROM ANTHONY
STROUSE, WAYNE S.
SWALLOW, WILLIAM BRUCE
THORP, ADAM TREDWELL IV
TOMPKINS, JOHN FULTON I
TORP, ERIC CARL
TRESCOT, ANDREA M.
VULGAMORE, JOSEPH M.
WALLERSTEIN, RALPH O. JR.

DENTAL CORPS OFFICERS

To be commander

ADAMS, RANDALL DURRANT
BARD, ROBERT A.
BIALEK, RUTH ANN
BOWMAN, ANNE ELIZABETH
BRIGHTMAN, PETER S.
DICKIE, JON DOUGLAS
DOBYNS, MICHAEL L.
DOLL, BRUCE ALFRED
FABRE, DAVID DOUGLAS
FALCON, PAUL
FASIG, KENNETH MICHAEL
GARRETT, WANDA FAYE
GODBOLD, DAN EARL
HOFF, STEPHEN CRAIG
JOHNSON, JEFFREY ROLAND
KAURICH, MICHAEL JOHN
MAHAN, STANLEY R.
MAMBER, JUDITH SHEILAH
MARLAND, LLOYD WILLIAM
MAZZEO, FRANK JR.
MCCULLAR, BRUCE HAYDEN
MILLER, JAMES LARRY
MOCKNICK, MICHAEL CHARL
MOSSBERG, CARL LUDVIG
MOUNSDON, THOMAS ALBERT
NISHIOKA, GARY JIM
PETRELLA, KAREN MARISE
PHILLIPS, RICHARD JOHN
PUCHER, JEFFERY JOSPEH
SABOL, JOHN G.
SACHS, SCOTT ALAN
STEPHENS, CLAUDE R., JR.
SZYMANSKI, MICHAEL ALLA
THALER, JOHN JOSPEH
THOMAS, THEODORE BRANDO
VOGLER, GERALD LINUS

MEDICAL SERVICE CORPS OFFICERS

To be commander

AHERN, DENNIS E.
ALVAREZ, SAUL SAINT
BARNHART, FRANCIS J.
BARRICK, IVAN JOHN
BASH, DENNIS MURRAY
BECK, HARRY ALAN
BERESKY, CHRISTINE
BEST, CONNIE LEE
CARLSON, ROBERT MARSHAL
CHANCE, GEORGE REDDING
COLE, CHARLES ALLEN
CONGER, REX DALE
DILLON, RICHARD WILLIAM
DUNCAN, GREGORY LEE
FARLEY, RICHARD LEE
FISHER, JAMES LYNDAL
GARCIA, RAYMOND PARRA
GRIGGS, TIMOTHY MONROE
GRUBBS, GENE BOBBITT
HAGER, DEAN DAVENPORT
HASKETT, PRISCILLA ANN
HAZEN, PETER C.
HOBSON, DAVID WAYNE
JACKSON, CHARLES FREDER
JOYAL, JAMES KEVIN
KAHN, KENNETH ROMAN
LEIDIG, GEORGE FRANCIS
MARRESE, MARYLYNN
MATHEWSON, PAUL GARRETT
MCMANUS, CHARLES EARNES
MEYER, LLOYD GARTH
MONROY, MAUREEN ELIZABE
MYNHEIR, KIMBERLY ANN
NORRIS, PETER JUSTIN
O'DONNELL, MICHAEL DENNI
PEDEN, ANN MARIE
REDDAN, MARK JOSPEH
RUSS, CAROL ANN
SMITH, MARK ALLEN
STANFORD, MICHAEL
STATON, BOBBY GERAL
TITUS, CHARLES D.
TYRE, TIMOTHY EDWARD
WATERMAN, CHERYL MARIE
WIESENTHAL, MICHAEL DEN
WILSON, STEPHEN EDD
WISNIEW, JEROME ANTHONY
YOUNGER, ROBERT DALE
ZIGNEGO, CHRISTIAN

JUDGE ADVOCATE GENERAL'S CORPS OFFICER

To be commander

ALESSIO, GEORGE PAUL, JR.
ARAMONY, WILLIAM SAAD
BRADSTREET, RANDI RUTH
BRUDER, DALE RICHARD
BRYAN, JOHNATHAN WERBER
CAPONE, LUCIEN III
CASHION, AMANDA LINN
CASSMEYER, JAMES FRANCI
CAUTHEN, ROBERT HOWARD
COOK, GLEN ANDRE
DAVENPORT, TERESA JOANN
DAVID, JAMES EDWARD
DEAN, ELIZABETH MARGARE
DUNDON, JEFFREY R.
EATINGER, ROBERT JOSEPH
EBERSOLE, EUGENE FRANCI
FABIAN, JOHN ARTHUR III
FRANK, CARL JOHN
FRESHER, BRIAN LEO
GITIN, NEIL FLECK
HILTON, HELEN JEAN
JEFFERY, STEPHEN GLEN
JOHNSTON, DOUGLAS ALAN
JONES, FAYE ERMA
JONES, RANDY KANE
KELLEY, MARYJANE BORGER
LAU GAYLE, JOHN HEEN CH
MEISNER, JOYCE PENNEY
METCALFE, ROBERT DAVIS
METZGER, KENNETH JOHN
MILLER, JAMES ARNOLD
O'BRIEN, MARK ANTHONY
OHANLAN, EDWARD VINCENT
RAFFETTO, SHACKLEY FRED
RIGTERINK, DANIEL PHILL
RINTEL, HOWARD SHELDON
ROBERTSON, MORGAN MCNEE
RUSSE, LAURENCE PRINCE
SABATH, ROBERT PETER
SCALLY, ERIN LOUISE
SHELLEY, HENRY CORNELIU
TEMPLIN, STEVEN HENRY
VOLLENWEIDER, DAVID OTH
WELSH, GEOFFREY SYMONS
WILCOX, BRUCE ANDREW
WILLIAMS, MARK STEPHEN

NURSE CORPS OFFICERS

To be commander

ABELS, IRENE ANN
ABERNATHY, DEBORAH ALLA
ADAMS, CHARLOTTE LEE
ADAMS, KATHERINE ANN
ANDERSON, SUSAN N. WHALE
ASHBROOK, KAY A.
BAILEY, MARY PFIESTER
BALESTRINI, NANCY E.
BLACKBURN, KAREN FOSTER
BRAUN, MAURA MAHON
BRAY, KATHY SUE
BROWN, SHERRY LEE
BURANOSKY, MARYK QUAID
BUSS, DONNA S.
CARL, DOROTHY JEANNE
CERVENKA, BECKY JO
CHENEY, EARL THOMAS, JR.
CLAYTON, BRIAN LEE
CROWLEY, PATRICIA LYNN
CZARNECKI, JOHNGY MARGU
DEMARCHE, LINDA PERRY
DOUGHERTY, JUDITH EMERS
DOUGLAS, NANCY VIOLA
DROLL, MICHAEL ALAN
EARHART, LINDA AMICK
EMERSON, JOEL RAY
FOX, DONNA MARIE
GREENE, JEANNE MARIE
HARDING, MARY ELIZABETH
HENDRICKS, MARY JO
IIAMS, BARBARA ANN
IRVINE, JUDITH DIANE
JONES, ELAINE KATHRYN
JOY, CHRISTINA
KLANCHAR, LYNN ANN
KOSKI, CHERYL LYNN
KOTACKA, MARYJO
LAPPERT, PATRICE ANN
LAUBSCHER, PRISCILLA JE
LAWRENCE, ROSEANN FINUC
MALONE, TRACY ANN
MANN, CAROL PATIENCE
MARINO, JOANNE LOUISE
MATTOCK, KAREN MURPHY
MCCARTHEY, NANCY MARIE
MCKELVY, THERESA MARSHA
MCNAMARA, DIANE MARIE
MCNAMARA, MELVANTE KAY
MELIDOSIAN, VIVIAN G.
MERRILL, SUSAN EMCH
MOLLERE, GAIL ELIZABETH
MOON, MARY VICTORIA
MORAN, VICKY JO
MORENO, CATHY ANN
MURPHY, ROBERT PATRICK
NAYLON, STEPHEN CHARLES
NORRIS, THOMAS JOSEPH
OBRIEN, CRISTINE JO
OGDEN, MARY ETHEL
OSBORN, PAMELA CONNOR
PAYNE, BRENDALEE CONSTA
PENCE, DIANE LYNN
PIERCE, JOHN FRANCIS
POST, DOROTHY J.
PRIOR, GERALYN J.
PUDEN, KAREN
REINHART, CHERYL ANN
RHETTASMITH, ALICE
RICHARDSON, SUSAN STILL
RICHSTEIN, PAULA KATHLE
ROBERS, JUNE MELODY
ROHRET, TERESA JACKSON
RUSSELL, ANN JULIA
SCHAFER, CORA MARIE
SELJESKOG, MARGARET ANN
SESSIONS, CATHERINE PAS
SHEANCRAIG, MONICA MARY
SHEPHARD, CAROL LYNN
SOLBERG, REBECCA ANN
STAUBIN, PAMELA ANN
STEVENS, RENEE MARIE
STILLING, KATHLEEN MARI
STOKKE, CATHY MYERS
SUTTON, SUZANNE SIRES
TAYLOR, JUDITH FRANCES
THOMPSONBOWERS, JEAN EL
TOLER, MELISSA ANN
UNDERDAHL, PATRICIA JO
WARD, AMY ELIZABETH
WARD, DEBRA SUE
WENNER, MARGARET SCHOEN
WESTFALL, SUSAN LYNN
WHEELER, MARY SUE
WINGATE, SUZANNE JOYCE
YOUNG,LARUA MAY

SUPPLY CORPS OFFICERS

To be commander

AHERN, ROBERT E., JR.
ANDERSON, DAVID KEVIN
ANDERSON, NICHOLAS ARVID
BERNETSKIE, JOHN ALLEN
BOYD, DAVID O.
BROWN, JESS EARL
BRYANT, EDWARD EARL
CAUGHEY, STEPHEN R.
COOPER, LAWRENCE OLIN
CRITES, DAVID EDWARD
DAY, DAVID PATRICK
DEASY, JOHN HENRY
DESMOND, LAWRENCE LOUIS
DUTTON, ROBERT RANDALL
EDDY, DANA GORDON
EPPLE, ERWIN LYNN
FERNHOLZ, ROBERT GENE
FLEISCHMANN, STEPHEN RAY
FLUTY, LARRY LEE
FOX, JEFFREY DEAN
GAISSERT, JOHN WALTER
GARDNER, DONNA MICHELE
HAMILTON, STEVEN KEITH
HEILMAN, MARK DAVID
HOLLAND, TONI JEAN
HOLT, DAVID LEE
HORECHNY,MARTIN FLORIAN
HOV, DAVID THOR
HOV, MARY RUTH
JANISCH, JOHN SCOTT
JONES, STEPHEN E.
KORONKA, STEPHEN
KUKLIS, GREGORY MICHAEL
LYNCH, PAUL FRANCIS
MARTIN, ORALEE CAROL
MCAVOY, THOMAS HENRY
MCCORMICK, ROGER ALLEN
MCDIVITT, JOHN DOUGLAS
MCGEADY, MICHAEL JOSEPH
MIKAC, JOSEPH S.
NOONAN, GREGORY WESTON
PASKEY, WALTER JOSEPH, JR.
PENDERGRASS, RUSSELL G.
POTTER, MICHAEL LEO
REDPATH, SHARON HANSEN
RITCHEY, PATRICK ARTHUR
ROGERS, RICHARD MATTHEW
ROTH, ROBERT A.
RUGGIERO, RALPH LOUIS
SCIORTINO, ROBERT CHARLES
SPICER, TERRELL ANN
STAPLES, GARY ROY
STEWART, LEWIS EDWARD
SWINEFORD, MICHAEL CHARLES
TYLOR,TIMOTHY JOSEPH
TELEP, DANIEL NMN, JR.
THIBODAUX, BYRD CLOVIS
VOGT, BRIAN J.
WALSH, SUSAN JOLIE
WATKINS, GUY CARLTON, JR.
WATSON, RICHARD REID
WELTZIEN, BRIAN DOUGLAS

SUPPLY CORPS OFFICERS (TAR)

To be commander

CHRISTIAN, RONALD DWAYNE
COX, THOMAS LEARY
CYPERT, RONALD L.
HAYDEN, MICHAEL JAY
LOVGREN, GARY WAYNE
NIENHAUS, ANDREW M.

CHAPLAIN CORPS OFFICERS

To be commander

ACKER, WILLIAN BLANTON, III
HAMBLIN, GERALD FRANKLIN
HARRIS, HAROLD
HARTMAN, JACK L.
HIGGINS, THOMAS LYNN
IMPERATORE, GEOFFREY ROBERT
KESSLER, GEORGE ALBERT
KRUEGER, HAROLD ALLAN
LARSEN, PETER MICHAEL
MILLS, LADSON FRAZIER, III
RODRIGUEZ, ROBERT JOSEPH
RUSSO, LAWRENCE JOSEPH, JR.
SASSAMAN, ROBERT WILLIAN
SCOTT, BILLY JOE

CIVIL ENGINEER CORPS OFFICERS

To be commander

ALVERSON, JERRY B
BATTLE, MARK ANTHONY
BECKMAN, THOMAS GEORGE
BELL, JAMES MAXSON
CARTER, THOMAS GORDON
CLEBAK, KAROL THOMAS, JR.
CONTI, ANTHONY MICHAEL
FAIST, JOHN ALLAN
FREEMYERS, MICHAEL CARL
GREENWOOD, OLVICE L.
HAYES, LOY SIMMONS, JR.
KEIL, GARY J.
LEAVELL, DANIEL ADELBERT
LEE, DENNIS JUEN
MANROD, WILLIAM ERNEST III
MCVICAR, DOUGLAS J.
MONTGOMERY, THOMAS C.
MOORE, CHARLES LEANDER, JR.
OPITZ, MARTIN EDWARD
PAINTER, WILFRED LEWIS, JR.
SCHRADER, DENNIS R.
SHREVE, JOSEPH ANDREW
SMITH, ALFRED W.
SNOWDEN, RAYMOND DURWOOD
STEPHENSON, DANIEL K.
THIGPEN, WILLARD MCADOO, JR.
WARD, JOSEPH COLLINS
WEATHERS, LAWRENCE G., III
WESTERFIELD, ROBERT ADRIAN
WOOD, RICHARD FRANKLIN
YURICK, THOMAS JOSEPH

IN THE NAVY

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

LINE, USN, PERMANENT

To be lieutenant commander

ALEY, CHARLES L., III
ANDERSLAND, DAVID L.
BAKER, KATHERINE C.
BAKER, STEPHEN M.
BARKUS, ROBERT D.
BEDINGFIELD, ROBIN C.
BREWER, ROBERT A., JR.
BURKE, STEPHEN V.
BUTTRUM, WILLIAM F.
CALANTROPO, RICHARD J.
CARSON, JAMES P.
CLAYTON, MICHAEL J.
COLTON, JAMES K.
CONNORS, CHRISTOPHER G.
CUTTING, RICHARD B.
FORGE, WILLIAM C., II
FOSTER, DAVID B.
GARBER, BRUCE D.
GERAGOTELIS, JOHN M.
GERBERDING, ROBERT K.
GOUGH, JOHN F., JR.
HANKINS, JOSEPH W.
HARRELL, RONALD L.
HOBBS, TIMOTHY L.
HORTON, DAVID B.
JEPSON, JAMES M.
JOHNSON, BRADLEY D.
KEEN, CHARLES T., III
KOACH, DANIEL T.
KUST, BRYAN H.
LAGIER, MARK T.
LEEDS, TERENCE E.
LUCAS, STEVE A.
LYLES, MARIA
MALMSTROM, JAY A.
MAULDIN, PHILLIP C.
MCCLOSKEY, ROBERT M.
MCGARRY, JOHN D.
MERCER, MICHAEL F., JR.
MILLER, JOSEPH R.
MOORE, FREEMAN L., JR.
MOULIN, MARK D.
NEWMAN, ROBERT D.
OBER, ROY A., III
PALA, ANTHONY J., JR.
PALMISANO, GAIL J., F.
PAREDES, ROBERT E.
PURDOM, ROBERT M.
ROLSON, KAREN L.
RYBOLD, EDMUND K., JR.
SHANLE, LELAND C., JR.
SHUMAKER, WESLEY M.
SIMERVILLE, JAMES G.
SPERBECK, JAMES D.
STEVENS, NORA G.
SULLIVAN, GREGORY J.
TINKER, DEBRA A.
TYMAN, ROBERT B.
VANZWIENEN, RAYMOND E.
VAUGHN, WILLIAM A.
VOGEL, MICHAEL T.
WEDDING, THOMAS E.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL CORPS, USN, PERMANENT

To be captain

CARNES, ROBERT S.
LIMJOCO, URIEL R.
OLAFSON, RAYMOND P.
PALEOLOGO, FRED P.
RIVERAALSINA, MANUEL E.
SIMMONS, LEO B., JR.
WILLENBERG, NATALIE A.
YARBROUGH, WILLIAM M.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL CORPS, USN, PERMANENT

To be commander

ABEL, MARK F.
ANDERSON, GARY B.
ANDERSON, RUSSELL S.
BELL, WILLIAM F.
BOCK, GERALD W.
BROWN, DAVID M.
BUCCAMBUSO, TERRY J.
CARPENTER, BRUCE W.
CHETHAM, TAMARA, L.
COCKRELL, JOSEPH R.
CONNITO, DAVID J.
COVEY, DANA C.
DELACEY, WILLIAM A.
DEMARCO, JAMES K.
FLAX, BRUCE L.
FOX, STEPHEN D.
HAWKINS, RICHARD E.
HAWORTH, CHARLES S.
HENDERSON, FRASER C.
JEWELL, EDWARD W., III
JOHNSON, LEONARD A.
KAWESKI, SUSAN
KOEHLER, RICHARD H.
LANDSTROM, JERONE T.
LAROCCO, ANTHONY, JR.
LEBAR, RANDI D.
LUEBBERT, MARILYN M.
MAHER, JOHN M.
MALLARI, JESUS V.
MARTY, AILEEN M.
MCKENNA, PATRICK H.
MENDOZA, TERESITA P.
METH, BRUCE M.
MORISSETTE, JEFFERY C.
NAPIERKOWSKI, STANLEY A.
NEMEC, RICHARD L.
OLSHAKER, ROBERT A.
OVE, PETER N.
PADGETT, DOUGLAS E.
PARFITT, RICHARD C.
ROBERTS, LAWRENCE H.
ROBINSON, DOUGLAS B.
RUSSELL, HOWARD L.
SALMON, RICHARD F.
SAYERS, MICHAEL E.
SHERIDAN, MARK V.
SKEEN, MARK B.
SOVICH, STEVEN M.
SPINGARN, STEPHANIE A.
STEELE, CARL E.
STEWART, FRANCES I.
TIDWELL, JAMES L.
TURTON, DAVID B.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant commander

SUPPLY CORPS, USN, PERMANENT

FLANARY, MICHAEL W.
TISAK, FRANCIS X.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be captain

CHAPLIN CORPS, USN, PERMANENT

LARRIVIERE, MARSHALL R.
ROCK, STEPHEN B.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be commander

CHAPLAIN CORPS, USN, PERMANENT

COYLE, PATRICK P.
GUBBINS, JOHN M.
JONES, ALPHONSO
MILEWSKI, ROBERT F.
MCLAUGHLIN, PAUL F.
SIMONS, GARY G.
SIMS, TIMOTHY C.
SOTO, CHARLES
STAHL, MARTIN R.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant commander

CHAPLAIN CORPS, USN, PERMANENT

ABLESON, BRADFORD E.
ANDERSON, CHARLES J.
BAUSMAN, WENDY L.
BEESON, DAVID D.
BORDEN, RONIE D.
BORGER, THEODORE R.
BROWN, WALTER M., JR.
BROWN, WILLIAM D.
CHAPMAN, RANDALL A.
CHRISTIAN, JAMES R.
CIENIK, KENNETH C.
COOK, THOMAS E., JR.
CRAIG, MICHAEL R.
CRALL, ROBERT L.
DAVIS, ROBERT M., JR.
DEMARCO, GREGORY R.
DILLON, JEROME V.
EGAN, BRENNAN R.
ELLIS, JAMES K.
FERRELL, LARRY P.
FRANKLIN, KENNETH M.
GALLE, JOHN A.
GEFALLER, MARK A.
GERVACIO, ADRIAN R.
GIBSON, DAVID L.
GILBERT, JAMES P., JR.
GRAGG, STEPHEN T.
GRAY, GERALD L.
GWALTNEY, PHILLIP E.
HATMAN, WAYNE D., JR.
HERNANDO, HENRY L.
HOLLEY, HOWARD F.
HUNT, CHRISTOPHER L.
JERGE, DONALD W.
JOSLYN, JAMES W.
KESSLER, CHARLES R.
KRANS, GLEN A.
LANTZ, TIMOTHY S.
LEBRON, ROBERT E.
LEIBOLD, JAMES C.
LOGAN, THOMAS W.S.
MARRERO, EMILIO, JR.
MARSHALL, ROBERT W.
MCCLANAHAN, ROBERT P., JR.
MCCORD, KENT
NGUYEN, AN B.
NIX, DAYNE E.
PAUL, JOSEPH C.
PERDUE, WILLIAM G., JR.
POOLE, JOHNNY W.P.
PURSER, ROBERT D.
QUARLES, CHARLES D.
RANARD, HARVEY E., JR.
RHODES, JEFFREY E.
RICHARDS, ROGER C.
RODES, KENNETH J.
ROSS, DEREK K.
ROYSDEN, DANIEL E.
ROZIER, RENDELL R.
SHUPPERT, WILLIAM T.J.
SILVEIRA, RICHARD J.
SLAGLE, ARTHUR M.
SMITH, STEVEN L.
SMITH, THOMAS R.
THEURER, TIMOTHY L.
TRIMBLE, JEFFERY C.
TWAMLEY, JAMES S.
VANINWAGEN, CHRISTOPHER C.
WADDELL, JERRY A.
WEAVER, BRYAN J.
WEBB, THOMAS E.
WHEATLEY, ROBERT C.
WILDER, DAVID S.
WHEATLEY, ROBERT C.
WILDER, DAVID S.
WILKINS, OLRIC R.
WRIGLEY, PAUL R.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CIVIL ENGINEER CORPS, USN, PERMANENT

To be lieutenant commander

BEROTTI, JAMES V., JR.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL SERVICE CORPS, USN, PERMANENT

To be commander

HOWELL, WILLIAM

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL SERVICE CORPS, USN, PERMANENT

To be lieutenant commander

BLANKS, JEAN A.
BOBECK, ANN
CHURILLA, ALBERT M.
DUKOVICH, MITCHELL
FORREST, VIRGINIA J.
HEINEMANN, PHILLIP C.
HIGHT, NANCY G.
KUJAWA, KATHLEEN I.
MORASH, ROBERT C., JR.
PARKER, JAMES B.
POPPELL, EDITH Y.
PRICE, MARTIN G.
RADOIU, CHRISTINE M.
SHIRAISHI, DAVID Y.
SLAUGHTER, MARTHA M.
WARD, DEBRA L.
ZAYASHOOD, MARIA, D.A.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NURSE CORPS, USN, PERMANENT

To be commander

BRENNAN, RAMA F.S.
DRABEK, LINDA C.
GUSTAFSON, CAROL A.R.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NURSE CORPS, USN, PERMANENT

To be lieutenant commander

ALBARES, PAUL L.
COPPAGE, LISA J.
DAVIS, BRIAN L.
JONES, KAREN M.
MILLER, KENNETH P.
MILLER, MICHAEL A.
MURPHY, MARY A.
PETERS, GLYNDA S.
PHILLIPS, REBECCA A.
RIEGLE, ANNA R.
SERBIN, KATHRYN M.
TATE, DOREEN E.