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PROCEEDINGS AND DEBATES OF THE 103^d CONGRESS, FIRST SESSION

SENATE—Wednesday, October 20, 1993

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable PATTY MURRAY, a Senator from the State of Washington.

The PRESIDING OFFICER. The Senate will come to order.

Today's prayer will be offered by a guest chaplain, the Reverend Dr. Albert Giles, Jr., Asbury United Methodist Church, Brandywine, MD.

PRAYER

The Reverend Dr. Albert Giles, Jr., Asbury United Methodist Church, Brandywine, MD, offered the following prayer:

Let us pray:
Almighty God, we thank You for our beloved land You gave to us to use and enjoy. You gave us a new humanity with power of freedom. Free to live, free to serve, and free to enjoy and love one another through the power of Your divine love. You have blessed our Nation with great wealth, and good harvest from our farmland. Our streams, rivers, and lakes were clean, and we were able to eat, drink, and enjoy fresh air and good health. But we have strayed like lost sheep, and our streams, rivers, and lakes are polluted, and we suffer from diseases, sickness, and even death.

Our cities are not only polluted with stale air, but with poverty, violence, and diseases, which led to death and destruction. The true power of God's love must prevail over polluted cities. For it was written long ago: Except the Lord keep the city, the watchman waketh but in vain. (Psalm 127:1)

Remove O God, the elements from our land, that breed bitterness and violence among our young people. Surround them with Your love, that they may be led out of the darkness of selfishness and into the glorious sunlight of sisterhood and brotherhood, where they will be healthy, and bring up a generation free from poverty, illiteracy, violence, and preventable diseases.

In the name of Him who is the Creator and Sustainer of the land. 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 20, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PATTY MURRAY, a Senator from the State of Washington, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. MURRAY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

Mr. MITCHELL. Madam President, pursuant to an agreement reached late last evening and printed at page 3 of the calendar today, the Senate will proceed this morning to consider an amendment by Senator BRADLEY—in just a moment, he will be here to offer that amendment—under a 1-hour time limitation. It is expected there will be a vote on or in relation to the Bradley amendment within the next hour. That will be followed by an amendment by Senators MCCAIN and BINGAMAN, under a 1-hour time limitation, and it is expected that there will be a vote on that. So there should be two votes this morning with respect to those amendments.

Thereafter, the managers have advised that they intend to proceed as promptly as possible on the remaining amendments, and they are listed at pages 2 and 3 of the calendar this morning.

It is likely that the Senate will have to remain in session throughout the

evening, as we make a renewed effort to complete action on this bill as soon as possible. In addition, we will be taking up appropriations bills conference reports as they become available from the House of Representatives, and votes are expected on one or more of those conference reports today.

So, Senators should be aware that votes will occur throughout the day, beginning this morning, and could occur at any time. Senators are on notice to be able to come to the floor within 20 minutes to cast their votes.

Mr. President, I see the distinguished manager is present, the Senator from Hawaii, and Senator BRADLEY is here to offer his amendment.

I yield the floor.

RESERVATION OF LEADER TIME

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The bill 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.

AMENDMENT NO. 1070

(Purpose: To delete the funding for the acquisition of tactical transport aircraft for support of Army and Air National Guard missions)

Mr. BRADLEY. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey [Mr. BRADLEY] proposes an amendment numbered 1070.

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

Mr. BRADLEY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 34, line 13, strike out "\$785,000,000" and insert in lieu thereof "\$635,000,000".

Mr. BRADLEY. Madam President, this amendment represents one more attempt on my part to cut lower priority, unnecessary public spending. During the consideration of the budget bill, we had a lot of speeches about cutting spending, and I have tried, pursuant to several principles, to offer the Senate the opportunity to do so in a series of appropriations bills. This is another example of that effort.

This amendment would cut \$150 million in funding for tactical transport aircraft for the Army National Guard. This money has not been requested by the administration. Not only is the spending unrequested, it is intended for unspecified procurement. No equipment types or quantities are identified with this \$150 million.

The committee report simply asks the National Guard to submit a plan identifying the mix of aircraft to be acquired by January 15, 1994, with the money appropriated in the meantime. In other words, we give the money to the National Guard and they tell us later how they are going to spend the money.

In today's tough fiscal climate, we need to allocate limited taxpayer funding to where it is most needed. This is clearly not an example of high priority spending. Again, this spending does not appear in the President's budget. The administration supports striking these funds. The House did not include these funds.

I believe that eliminating this money is the right course of action for a number of reasons.

First, it is a fact the future role and size of the National Guard is under active review today. While it is clear that President Clinton, as a former Governor, values the Guard and its capabilities, a major restructuring of the Guard is in the works. Although the cuts in force will not be as drastic as they have been proposed earlier, it is probable that the Army Guard will drop another 10 percent by 1996. Additionally, it is possible that the Bottom-Up Review may lead to the consolidation of the Guard's current 10 divisions into 5 divisions of enhanced capabilities. With such changes forthcoming, it makes no sense to approve a vague or unspecified appropriation of this magnitude, \$150 million, with no statement as to how it will be spent.

The second point is the Army active forces are rapidly downsizing from 750,000 men and women in 1990, to 540,000 men and women in 1994. The Air Force is likewise being consolidated. With this consolidation and shrinking

of force, this will free up vast amounts of material for use by the Guard troops. It is unwise to make such a large appropriation, \$150 million, unless we are absolutely clear that these needs cannot be met out of the existing inventory of equipment. Since we do not know what the Army Guard wants, it is impossible to say whether it will need whatever this money is to be spent for or that it cannot get it out of the surplus that will be available from the downsizing of the Army and Air Force.

The third point is that the Senate appropriations bill includes \$250 million that is authorized, but not requested, for purchase of 8 tactical airlift aircraft by the Air National Guard. This amendment does not challenge that spending. Whatever new airlift needs there are in the National Guard should be helped by this addition of \$250 million for the Air National Guard for tactical airlift aircraft. So if we are already spending \$250 million in this for the Air National Guard, why do we need \$150 million for the Army National Guard?

I note, further, that the Army and Army Reserve do not own the type of planes likely to be purchased with this funding. They do not need them. These forces, the Army and the Army Reserve, traditionally rely on the Air Force to transport and to supplement their helicopter capabilities. The much smaller Army Guard, on the other hand, already owns or has ordered about 40 to 50 of these transport aircraft. Given the presence already of a 1,700-plane Air National Guard and the further expansion of the Air National Guard allowed by this \$250 million appropriation, I have to question the need for another \$150 million for the Army National Guard.

Last, Madam President, if the National Guard is not expected to tell us prior to January 1994 how they intend to allocate this money—how they are going to spend it—I would respectfully suggest that they wait 1 or 2 months and include that information in the fiscal year 1995 budget submission. Then, given a proper explanation, the appropriate committees can take an informed look at these needs.

Madam President, it is time to stop buying unneeded and unwarranted equipment. If funding is not requested, it is incumbent on the spending sponsors to make a solid claim as to need and purpose. Such a claim has never been made for this \$150 million in funds.

The public is increasingly concerned about the use of congressional earmarks to steer Federal dollars to parochial projects. The Senate committee has strongly tried to reject earmarks, and they are to be commended for their efforts. This appropriation is, in a sense, the opposite of an earmark. Its purposes are identified by only the

vague phrases—"tactical transport aircraft." But the ambiguity in the language makes it impossible to assess the value of the equipment to be acquired. Like the earmark, there is no objective statement of need to justify this \$150 million of taxpayer money going to the Army National Guard.

We do not have \$150 million to spend as Congress sees fit or as the Guard sees fit. This money must go to the highest priority needs, and those may be elsewhere. Certainly, the President and the Department of Defense believe that priority funding should be for other purposes. The President and the Department of Defense say this money should not be spent for these purposes. To quote the statement of administration policy, "These are not high priority items." Like the earmark, this language represents bad public policy.

I urge the Senate to support this amendment. It makes sense in terms of maintaining an effective military force, and it makes sense in terms of protecting the taxpayers' hard earned dollars.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUE. Madam President, I rise to speak against the amendment.

First, I believe the record should be made clear that this was authorized by the Armed Services Committee and by the U.S. Senate. In fact, the chairman of the Appropriations Committee, the Senator from West Virginia, Mr. BYRD, and the ranking member, Mr. HATFIELD, together with Senator STEVENS, and the chairman of the Subcommittee on Defense appropriations, issued a joint letter to the Armed Services Committee requesting authorization for these amounts.

Second, it has been suggested by the author of this amendment that these aircraft are not needed, that this is a waste of money, and that it was not requested.

It has not been requested because it has been the practice for too long to give leftovers to the National Guard. Yes, leftovers. We have been providing command aircraft to the National Guard, leftovers. We have been providing transport aircraft to the National Guard, leftovers.

Yet, Madam President, we call upon our men and women in the Air and Army National Guard to place themselves in harm's way. They were in Desert Storm. They are in Somalia. And who knows they may be in Bosnia. But yet we are saying give them leftovers.

So we took it upon ourselves to call upon the Department of Defense and the Armed Services Committee to come forth with equipment. But in order to comply with the wishes of some of the Members of this body, we did not identify the aircraft. We provided a generic definition because so many Members have been complaining

about earmarking. But everyone knew what we had in mind. The Armed Services Committee knew exactly, if one should follow the debate on the floor of the authorization. We wanted to purchase C-23's. These are small tactical lift aircraft, cargo planes, that can carry troops, short runway, fast take-off.

Why should we saddle our men and women in the old DC-3's? The inventory of the Army Air National Guard still include DC-3's, DC-3's that were in operation in World War II.

And yet we expect our men and women in the Guard to, God forbid, serve us in World War III with World War II equipment.

We also knew that the National Guard, the Army and Air, wanted the C-212. They also needed replacement aircraft for medical evacuation. Are we to tell those men and women who are injured that they will have to do it the old way, carried on stretchers, picked up by helicopters, and wait hours and hours before shipped off to a hospital?

If we expect our men and women in the National Guard and the Air National Guard to stand in harm's way for us, the least we can do is to provide them with good equipment. And this amendment provides that.

Mr. STEVENS addressed the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. INOUE. I yield whatever time the Senator from Alaska requires.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. STEVENS. Thank you, Madam President.

I am very strongly opposed to this Bradley amendment.

Sometime later today, the managers of this bill are going to be attacked because we earmarked specific items in this bill in other amendments. Now the Senator from New Jersey attacks us because we have not earmarked, knowing, as the Senator from Hawaii has indicated, that we have a staggering backlog of demand for replacement of aircraft for the Air National Guard and for the Army Guard. And I would point out to the Senator from New Jersey the \$150 million is for both.

We went, as the Senator from Hawaii says, together with the chairman and ranking member of the full committee, to the Armed Services Committee and said, "Authorize us at least some money this year to start that replacement."

We all know about problems throughout the Guard. Let me tell the Senator from New Jersey about the Alaska situation.

We are currently operating twin-engine Otter aircraft. They are the only planes that we have that can meet the needs of remote locations in Alaska in the wintertime, using skis for takeoff and landing on unprepared, ice runways that are in use during the maneu-

ver period when the Guard brings National Guard units from all over the Nation to Alaska to experience winter training. Units operate out on the tundra, out in areas without runways, and ice runways are prepared for evacuations.

The Otter is over 20 years old—a great airplane, the UV-18—and it must be replaced. We have not said which aircraft will replace the Otter or even that the Otter must be replaced from this money. I certainly hope it will be. But the need is there.

In the past 2 years, the National Guard has been called into service in four domestic crises: Hurricane Andrew, Hurricane Iniki, the Midwest floods, and civil disturbances in Los Angeles. In each instance, both the Army and Air Guard have flown substantial numbers of missions. The need is there to replace aircraft that have been overused in those emergency airlift needs associated with those emergencies.

Madam President, I ask unanimous consent to have printed in the RECORD following my remarks the emergency missions flown by the Army and Air National Guard during those recent domestic major emergencies.

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

(See exhibit 1.)

Mr. STEVENS. Madam President, I urge the Senate to reject this amendment. I do so on two bases: First, this is the minimum amount necessary to replace aged aircraft that are currently operated by the Air and Army Guard. It does not meet their total needs at all. It is a beginning. As the Senator from Hawaii says, it is a beginning of replacing those aged aircraft with new aircraft so that the Guard is trained in modern, up-to-date aircraft, and their readiness and their capability to respond to emergencies at the call of the Governors or at the call of the national authorities is improved.

I can think of no time in the history of the Guard when their needs have been greater.

Madam President, my last reason is this: As we downsize the standing Army and the standing Air Force, the Active Duty Army and Air Force, we must improve the capability of our Reserve and National Guard Forces. They will be called on more and more, as the Senator from Hawaii says so succinctly, to be placed in harm's way because of the involvement of this country more and more in overseas emergencies.

I really think, if anything, we should be attacked for having requested so little, really, in view of the fact that the need is so great for the National Guard.

If I may, before I finish my time, I would like to have printed in the RECORD the provision on page 230 of the committee's report, where we explain

the reason for this item, the National Guard aircraft. It is a very short paragraph.

I ask unanimous consent that it be printed in the RECORD.

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

National Guard aircraft.—The Committee recommends \$150,000,000 for the acquisition of tactical transport aircraft to support Army and Air National Guard missions. The Committee expects the Chief of the National Guard Bureau to submit a plan identifying the specific type and quantity of aircraft to be purchased with these funds and the specific missions to be supported by these assets to the House and Senate Committees on Appropriations and Armed Services not later than January 15, 1994. The Committee expects the Chief of the National Guard Bureau to prioritize procurement of aircraft to support cargo, medical evacuation, and emergency support missions.

EXHIBIT 1

Emergency Missions flown by Army and Air National Guard during recent Major Domestic Emergencies:

	Army	Air
Hurricane Andrew	1,000	519
Hurricane Iniki	1,000	812
Midwest floods	2,000	44
Civil disturbances	100	80
Total	4,100	1,455

Mr. BRADLEY addressed the Chair.

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

Mr. BRADLEY. Madam President, in reading the paragraph that the distinguished Senator from Alaska refers to on page 230 of the report, I see no reference to C-212's or C-23's. I see only a reference to tactical transport aircraft.

I have asked any number of people in the Department: What does "tactical transport aircraft" mean? I understand what tactical airlift aircraft means, but "tactical transport aircraft?" I do not understand what that means.

The distinguished Senator from Hawaii and the distinguished Senator from Alaska have confirmed on the floor today that the aircraft they are talking about are the C-212's and the C-23's.

Is that a correct assessment? Could either the distinguished Senator from Hawaii or the distinguished Senator from Alaska confirm, are those the two aircraft that will be procured with this \$150 million?

Mr. STEVENS. Madam President, I would say to the Senator from New Jersey in response, we have not limited it to those. We have left the discretion to the Guard Bureau to find those priorities which must be built first. We are quite hopeful that they will look to the needs that both the Senator from Hawaii and I have mentioned in terms of the C-212 and the C-23.

But there is no restriction in terms of this except that it is the tactical aircraft we are talking about. And we are not talking about jet aircraft; we are

not talking executive jets. We are talking about the needs of the individual Guard units that must be met on a priority basis and the priority will be set by the Guard Bureau itself.

Mr. INOUE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUE. Madam President, the sum that was involved in this procurement was not plucked out of the sky. It was the result of intensive discussion we have had with Air National Guard officials and Army National Guard officials. And we very deliberately made it generic, without identifying. Furthermore, it is understood that if the National Guard desires not to spend the money, that is up to them.

But before I yield the floor, I would like to clarify one matter that the Senator from New Jersey brought up. He indicated that the National Guard was being downgraded or downsized and reduced. A reading of the report would clearly indicate that the Air National Guard will be increased by 2,060, not decreased, because new missions are being assigned to them, new activities have been assigned to them. The Defense Department recognizes this. So in its Bottom-Up Review, all of its reviews, they have decided to increase the number of the Air National Guard. Whereas all the other units have been decreased, the Air National Guard has been increased.

Mr. STEVENS. If the Senator will yield just one moment there?

I urge the Senator from New Jersey to read the last sentence in the paragraph I put in the RECORD. It states:

The committee expects the Chief of the National Guard Bureau to prioritize procurement of aircraft to support cargo, medical evacuation, and emergency support missions.

Those are the main shortages in the Guard, in our opinion.

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER (Mr. Mathews). The Senator from New Jersey.

Mr. BRADLEY. Mr. President, I think this has been a very instructive exchange. Essentially what the distinguished Senator from Hawaii and the distinguished Senator from Alaska confirm is that the money for these planes in this appropriation shall be used for the C-212's or the C-23's, or any other aircraft that the Army National Guard wants—not the Air National Guard, the Army National Guard. This is money for the Army National Guard, not the Air National Guard.

Mr. STEVENS. Mr. President, will the Senator yield at that point? The Senator has repeated that. This is for the Guard Bureau. There are both Army and Air needs. The Guard Bureau will make that decision. There is no such limit in our provision of this amount of money.

Mr. BRADLEY. I thank the distinguished Senator for that clarification, as well.

At the moment, the Air Guard has an inventory of 1,750 planes. To the point that this was really a need to modernize, they have, since 1980, acquired 100 new C-130's. In fact, two-thirds of the inventory is modern.

So the argument that they have been getting the leftovers is not backed up by the fact that since 1980, they have gotten 100 C-130's, and that two-thirds of the inventory is modernized, and that the Air Guard already has 1,750 planes.

So I think this has been a very helpful exchange because there is now some clarity. It is clearly the intention of the appropriators that the money go to the C-212's. The distinguished Senator from Alaska points out, rightly, that there is a need for the C-212's in Alaska to replace the De Havilland planes. But to meet the needs of Alaska would cost about \$30 million. This is an appropriation for \$150 million.

The question then arises, where does the rest of the money go? It goes for procurement of C-23's, and other purposes and other planes that are not determined by anyone until the Guard decides how they will spend it. In other words we are giving them money and saying: Spend it the way you want.

There is a little more clarity now in that it is specified they will buy C-23's and C-212's. So let us address those purchases.

I would like to share with my colleagues what the Chairman of the Joint Chiefs, former Chairman Colin Powell, said about these types of planes.

The current inventory built to support a global war exceeds what is required for our regionally oriented strategy. The current excess is compounded by the fact that Congress continues to require the services to purchase aircraft neither requested or needed. In the last 2 years alone, Congress added on funds to the defense appropriations for some 15 C-12's, some 4 C-120's, some 10 C-21, 10 C-23's, 19 C-26's, and 12 P-180's, not requested by DOD.

It should be noted that this funding was not requested by DOD. DOD has not said we need more C-23's. Here is General Powell saying specifically: You have given us 10 more than we needed; we do not want them. This proposal would give another 10. This is really not a question about the National Guard. This is a question about the appropriations process. Should we appropriate blindly or should we require the money to be appropriated for specific purposes? But it goes to the question of the C-23.

We say, what is at work here? Why are we spending \$150 million, \$30 million of which would have taken care of the problem of the C-12's in Alaska? Why are we spending the \$150 million?

I suggest there is another effort going on here. I think it is important to recognize who produced the C-23's. The C-23 Sherpa is made by a Northern Ireland company, a Protestant company, called Shorts. They have a ter-

rible history of discrimination against Catholic workers.

I view this effort as a way to get money to the Shorts Co. without mentioning that the money is actually going to the Shorts Co. They have discontinued their line of production. So they are not going to be producing this. These planes will be refurbished. It will be refurbished in a State in the United States, and Shorts will be the maintenance contractor.

This is, in fact, what is happening with this amendment. The distinguished Senator from Alaska has pointed out a very good reason why we should spend the money. We should spend the money for some C-212's, costing \$30 million, in Alaska. We should not spend \$100 million-plus for C-23's that are aimed at getting the money to the company that, if its name was mentioned, they would receive no money because of their record of discrimination against Irish Catholics, Catholics in Northern Ireland.

Why are we insinuating ourselves into that debate on the side of the Protestants in Northern Ireland? That is a question that has not been answered. It is a question that I believe cannot be answered. It is a reason to reject this amendment on its face.

But the other reason is these are taxpayer dollars. These are wasted dollars. The planes are not needed. Colin Powell has said: You have given us 10 planes more than we wanted last year. Why do we want another 10 this year? You should not spend the money this way.

Citizens Against Government Waste, in a letter on behalf of the 550,000 members of the Council for Citizens Against Government Waste, write in support of the amendment to strike the \$150 million for the Army National Guard. It is a waste of money.

I hope the Senate would reconsider this money and reject it. It is not needed. There is \$250 million in this appropriation for tactical airlift for the Air National Guard already—\$250 million.

We do not need another \$150 million that, up until this moment on the floor, was for unspecified purposes. Finally, on the floor, it is confirmed that is for C-212's and for C-23's. The C-212's would cost about \$30 million. The C-23's would cost significantly more than \$100 million, and the money would go to the Shorts Co., which is one of the major Protestant firms in Northern Ireland that discriminate against Catholic citizens.

So, Mr. President, I think that on the face of this, it makes very good sense to reject the \$150 million and support this amendment; save the taxpayers of America \$150 million and pull the United States out of a potentially embarrassing position behind the efforts of a company which has had a record of rather gross insensitivity.

The PRESIDING OFFICER. Who yields time?

Mr. INOUE. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator from Hawaii has 17 minutes 20 seconds remaining. The Senator from New Jersey has 8½ minutes.

Mr. INOUE. I yield myself 1 minute.

Mr. President, the record should show that in the past 10 years, the Department of Defense has requested funds for new aircraft for the National Guard once. In the past 10 years, only once did they make a request. Because whether we like it or not, whether we want to admit it or not, it has been the official policy of the Department of Defense to give leftovers to the Army and Air National Guard. If it were not for the Congress of the United States, that is all they would have—leftovers.

Yet, as I have said, as the Senator from Alaska has indicated, we expect these men and women to put on the uniform of the United States and stand in harm's way in our behalf. That is the issue.

Yes, they do have 100 new C-130's, but keep in mind that there are 50 States with National Guards, with Air National Guards. All of these units need some sort of transport.

The PRESIDING OFFICER. The Senator has used 1 minute. Who yields time?

Mr. INOUE. Mr. President, I yield 5 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the chairman of the subcommittee for giving me the opportunity to address this very important amendment. The amendment offered by the Senator from New Jersey would eliminate funding for tactical transport aircraft for the Army National Guard. I speak both as a former Governor who commanded a National Guard unit and as cochairman of the National Guard Caucus. We feel that this provision of funds for tactical aircraft is vitally important. It will enable the Guard to fulfill several extremely important roles.

First, these aircraft will be used to support important logistical needs of the Guard—moving troops and equipment for training and intertheater missions. These are missions where it would not be economical to use a larger aircraft, such as the C-130. The Senator from New Jersey pointed out there is money for C-130's. You have different missions. The Army needs the smaller aircraft for moving troops and equipment within the battle area. That is why these airplanes are needed. We are talking about using money for smaller aircraft. They could be the C-23's or other aircraft.

Second, this money will go to purchase aircraft for the critical aeromedical role where we now have an existing shortfall. These planes can be used to move injured men and women from the front back to get medical care

quickly. They were not to be used to take troops from the battlegrounds in the gulf to Germany, but to get them to decent hospitals. We found in the gulf that we did not have adequate aircraft to fulfill this mission.

Third, these aircraft will allow the Guard to fulfill its important missions in State roles as well, to respond to natural disasters like hurricanes, tornadoes, earthquakes and, as we have experienced in the Midwest, floods. As one who as Governor had to respond to floods and tornadoes, I can tell you that it is a critical role. You have to get personnel, you have to get equipment to the area where the disaster has struck. I can assure you that when we have all the roads and the bridges knocked out and we need to move personnel and equipment and materiel around the State, we have to move them by air. These airplanes will enable us to fulfill those missions, vitally important missions.

The Senator from New Jersey has raised two major points in opposition to the funding. First, he says the money is not earmarked. I just do not think that is a valid argument. Later on, there will be other amendments attacking this bill because particular earmarks are included. In this area, the need is so great and the available dollars are so limited, the committee believed it was important to leave it to the discretion of the Chief of the National Guard to determine where the need is greatest. We are giving the Guard some opportunity to make the selection of the areas where those aircraft would be needed. The fact we do not specify types of aircraft or where it should go does not mean that we do not recognize their broad needs. We leave that to the experts, the professionals, people with whom we met last night who have served this country well and led the Guard with great vision.

Frankly, the fact that we do not specify the types of aircraft to be utilized fully answers the Senator's contention that he does not like a particular manufacture of aircraft. That decision will be left to the people who have the responsibility to see that they acquire aircraft where they are needed and that the aircraft that are acquired are the ones best suited to do the job.

Second, the Senator argues that the administration did not request the money. There is a simple answer for that. The distinguished Senator from Hawaii has already given it, but I will tell you once again that regardless of the administration in power, whichever party, the Guard continues to be treated as a poor cousin. They get the leftover equipment; they get the used equipment; they get whatever is left after taking care of the active force, and that is simply no longer acceptable.

As we are downsizing the force, we are putting more responsibility on the

Reserve units and particularly on the Guard. We have to give them the equipment that they need to perform those missions. We need to ensure that they have the weapons and the equipment to do their jobs properly. If we deny them those aircraft, we will limit their ability to do the job.

I believe the cuts the President has proposed in the Defense budget go too far. He cuts the Guard too much. It goes for the active force. We cannot allow the cuts to force us into giving our Guard troops less than adequate equipment and weapons.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BOND. I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. INOUE. Mr. President, I yield to the Senator from Alaska any time that he requires.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I will use 1 more minute to address my friend from New Jersey and tell him this. Over 20 years ago, the Appropriations Committee of the Senate went to Alaska, at my request, when Senator McClellan was the chairman. We traveled throughout the State for more than 12 weeks, and we used the Otters that are still in service. As a matter of fact, those Otters—most of them—were built before the pilots that are flying them now were born.

It is high time we recognized the safety problems involved in continued intensive use of those Otters, particularly in the wintertime when the maneuvers go on at temperatures of 30, 40, 50, 60 degrees below zero.

Those Otters have performed marvelously. I wish we had another generation of Otters, but we do not. They must be replaced. We have not attempted to dictate what plane replaces them, but there is no question that they need replacement in the interest of safety of those people who travel in the wintertime on emergency missions, cargo missions, logistical movements of troops during the maneuvers in the very cold weather in my State.

I think any attempt to delete these funds now will be a serious setback for the training that goes on in my State in the deep of winter.

Mr. INOUE. Mr. President, for the past 2 days, this body has spent much time discussing the Constitution of the United States. We have had many speeches made on the authority of the President, the power of the President as set forth in the Constitution. The intent of our Founding Fathers has been invoked many times.

I would like to point out that the Constitution makes no mention of funds being appropriated in response to a request from the President of the United States. Nowhere does it say

that the only time we can appropriate funds for military purposes must be in response to a request from a President. In fact, the Constitution says, in article I, section 8, very precisely, the Congress shall have the power, first, to raise and support armies; second, to provide and maintain a Navy. It does not say the President shall have the power to raise and support armies or to provide and maintain a Navy. It is the Congress, the 100 of us and 435 on the other side of this building. It is our responsibility, our constitutional obligation.

I do not believe, Mr. President, and I hope the Senator from New Jersey does not believe, that the Congress should be limited by any administration, this or any other, in the exercise of its constitutional powers.

Yes, Mr. President, we are empowered and required by the Constitution to appropriate funds for purposes we deem proper. The fact that this administration or the prior administration did not request funds does not mean that they are not required.

What is involved here is a very important constitutional issue, and I think all of us should bear in mind that the Congress shall have the power to raise and support armies and to provide and maintain the Navy. It is also the responsibility of the Congress and authority and power to declare war.

Our Founding Fathers, we all agree, were not only dedicated and committed, but they were wise. I think their collective wisdom has proven itself time and time again. I do not wish, by this amendment, to change that provision in the Constitution.

The PRESIDING OFFICER. Who yields time?

Mr. BRADLEY. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. The Senator from New Jersey has 8 minutes, 50 seconds; the Senator from Hawaii has 4 minutes, 40 seconds.

Mr. BRADLEY. The Senator from Hawaii has how much?

The PRESIDING OFFICER. Four minutes, forty seconds.

Mr. BRADLEY. Mr. President, I should like to salute the distinguished Senator from Hawaii for his analysis of the Constitution. I certainly do not question the right of Congress to appropriate money for whatever purpose to fulfill its constitutional responsibilities. I am only questioning the wisdom of appropriating this money, \$150 million. It has not been requested by the administration. It is for unspecified purposes, at least until this debate, in this budgetary circumstance.

I am simply saying that \$150 million given to the Guard to spend the way it chooses to spend is not a wise taxpayer investment. When I am told in this Chamber that the money will be spent for C-212's because the planes they will replace are 20 years old, I think, well,

the B-52 is 40 years old. It is still flying. Do we need new planes in Alaska every 20 years but the B-52, which was central to our strategic security, we can keep going for 40 years?

But even with that said, if we met the need of the distinguished Senator from Alaska for C-212's, that is \$30 million out of \$150 million. There is still \$120 million remaining. That goes to the purchase of C-23's, which again is really a back-door way of helping a company in Northern Ireland that has had a record of discrimination against Catholic citizens of Northern Ireland. Now, that company could improve its record. I hope it will improve its record. But that is the reality out there.

There has not been any official statement of justification for these aircraft, no official statement of justification. Who has said we need these aircraft? The DOD has not done any objective study on the need for these aircraft. To the contrary, last year's DOD authorization law included a requirement that there be a report on the need for additional aircraft for the Guard.

Do you know what, Mr. President? The report was never done. So the Congress passes a law saying, Guard, if you are going to request more, you have to do a report to justify it. You have to have a report. They do not do the report.

This year coming back is another request of \$150 million on top of the \$250 million that is in this bill for tactical airlift capability for the Air National Guard. So this year, in this budget, there is \$400 million for tactical airlift. At a time when the Air Force is shrinking, the Army is shrinking, there will be surplus planes, not old planes, not useless planes, not giving planes to people because they are worn out, but making planes available because the personnel is not there to use the full inventory as when we had a much bigger military establishment.

So instead of taking those perfectly good planes and using them, not old planes but perfectly good planes, we are appropriating \$400 million more for tactical airlift. I am not objecting to the \$250 million. I am objecting to this \$150 million which, until this debate, was unspecified, its purpose unknown. And since it has been specified, C-212's and C-23's in particular, I think it is even more imperative that we reject this \$150 million.

We do not have the money to spend in this way. It will not further our national security interests, and it should be rejected.

Mr. INOUE. Mr. President, what is the time picture?

The PRESIDING OFFICER. The time remaining to the Senator from New Jersey, 3 minutes, 53 seconds; the Senator from Hawaii, 4 minutes, 40 seconds.

Mr. INOUE. Mr. President, I wish to suggest the absence of a quorum. How-

ever, at the same time I ask unanimous consent that the time for this call not be taken out of the allotted time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUE. 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. INOUE. Mr. President, we do not have any requests on our side. We are prepared to yield the remainder of our time.

Mr. BRADLEY. Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment.

Mr. INOUE. Mr. President, I move to table the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. INOUE. Mr. President, it is a joint motion by myself and Senator STEVENS to lay on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii [Mr. INOUE] and the Senator from Alaska [Mr. STEVENS] to lay on the table the amendment of the Senator from New Jersey. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 80, nays 20, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—80

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

NAYS—20

Bradley	Harkin	Mitchell
Bumpers	Kerrey	Moseley-Braun
Conrad	Kohl	Nickles
Danforth	Lautenberg	Robb
Faircloth	Levin	Simon
Feingold	Lugar	Smith
Gregg	Metzenbaum	

So the motion to lay on the table the amendment (No. 1070) was agreed to.

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

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CHANGE OF VOTE

Mr. GLENN. Mr. President, on roll-call vote 319 I voted "no." It was my intention to vote "yea." Therefore I ask unanimous consent I be permitted to change my vote. It will in no way change the outcome and has been checked on both sides with the leadership.

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

(The foregoing tally has been changed to reflect the above order.)

The PRESIDING OFFICER. Under the previous order, the Senator from Arizona and the Senator from New Mexico are recognized to offer an amendment.

Mr. MCCAIN. Thank you, Mr. President.

AMENDMENT NO. 1071

Mr. MCCAIN. Mr. President, I have an amendment at 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 Arizona [Mr. MCCAIN], for himself, Mr. BINGAMAN, Mr. NUNN, Mr. THURMOND, and Mr. SMITH, proposes an amendment numbered 1071.

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. No provision of this Act concerning programs, projects, or activities involv-

ing community adjustment assistance, research or development at colleges or universities, strategic environmental research, or environmental restoration 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 for a new program, project, or activity: *Provided*, That it is the policy of Congress that contracts and grants for programs, projects, and activities funded by the Department of Defense should be awarded through merit-based selection procedures.

Mr. MCCAIN. Mr. President, I ask unanimous consent that a member of my staff, Mr. Mark Guadagnini, who has been involved in this issue, be allowed floor privileges.

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

Mr. MCCAIN. Mr. President, this amendment, in my view, is a first step toward fiscal responsibility.

My amendment does not attempt to address the problem of unauthorized appropriations, nor does it attempt to control every instance of funds earmarked for congressional interest programs.

Instead, this amendment takes aim only at the dollars earmarked for specific nongovernmental institutions and organizations in four areas: community adjustment assistance, strategic environmental research, environmental restoration, and research at colleges and universities, including medical schools.

As I have said, this amendment is a beginning, but it would effectively eliminate approximately \$316 million in earmarks for special interest projects that are contained in the House-passed bill.

First of all, I thank my colleague from New Mexico, Senator BINGAMAN, who has been a leader in this effort for many years. Frankly, it is an idea that Senator BINGAMAN has pursued for a long time. He is as keenly aware as I

am that our defense dollars cannot be spent on nondefense areas and especially earmarked in ways that are without competition. If we are going to spend our tax dollars, we are going to have to put them in the most competitive and most meritorious areas.

On Monday of this week, I addressed the Senate at length and in detail concerning serious problems in the congressional budget review process which result in the appropriation of funds for programs and projects which were not requested or authorized, and which allow the Congress to earmark scarce dollars for special interest projects.

The CRS prepared a comprehensive report of congressional add-ons and earmarks for fiscal years 1990-93 which I placed in the CONGRESSIONAL RECORD of October 18 for the information of my colleagues.

Mr. President, I ask unanimous consent, at this time, to have printed in the RECORD a supplemental CRS report listing all the earmarks in the past 4 years of defense appropriations bills.

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

EARMARKS IN THE FISCAL YEAR 1993 DEFENSE BUDGET

\$166.45 million for non-specific research activities "of major importance to the Department of Defense", at specific universities in TX, MD, PA, WA, MA, CO, LA, IL, CA, MN, FL, MI, CT, OH, RI, WI, IA, AZ.

\$7 million for environmental cleanup at National Presto Industries in Eau Claire, Wisconsin

\$500,000 for Hawaiian Volcano Observatory to monitor volcanic activity affecting the Army's Pohakuloa Training Area.

\$5 million to establish an electric vehicle technology demonstration site in Hawaii, and \$2.5 million for a similar demonstration program in Sacramento, California.

\$4.5 million for a visitors center at the Naval Academy.

PROVISIONS IN FISCAL YEAR 1990 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	\$250,000	Shall be available for the 1990 Memorial Day Celebration.
	3,500,000	Shall be available for a grant to the Monterey Institute of International Studies.
	46,000,000	Shall be available only for procurement for the Extended Cold Weather Clothing System (ECWCS) and intermediate cold-wet weather boots, unless 46,000,000 dollars of ECWCS and the intermediate cold-wet weather boots are procured by the Army Stock Fund during fiscal year 1990.
O&M, Navy	NA	Funds appropriated or made available in this Act shall be obligated and expended to restore and maintain the facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, at the Memphis Naval Complex, Millington, Tennessee, to the fiscal year 1984 levels.
	2,000,000	Shall be available for a grant to the National Museum of Naval Aviation at Pensacola, Florida.
PROCUREMENT		
Weapons proc, Navy	1,443,165,000	Ballistic Missile Programs.
	2,831,852,000	Other Missile Programs.
	438,642,000	Mark-48 ADCAP Torpedo.
	271,130,000	Mark-50 Torpedo.
	1,799,000	Sea Lance.
	12,983,000	ASW Targets.
	9,282,000	ASROC.
	9,653,000	Modification of Torpedoes.
	39,002,000	Torpedo Support Programs.
	24,205,000	ASW Range Support.
	168,838,000	Other Weapons.
	111,341,000	Spares and Repair Parts.
	30,420,000	Installation of Modernization Equipment.
Shpbgld & conv, Navy	1,132,800,000	TRIDENT ballistic missile submarine program.
	70,000,000	Dollars shall be derived by transfer from 'TRIDENT ballistic missile submarine program, 1987/1991'.
	10,000,000	Dollars shall be derived by transfer from 'TRIDENT ballistic missile submarine program, 1988/92'.
	20,000,000	Dollars shall be derived by transfer from 'TRIDENT ballistic missile submarine program, 1989/93'.
	753,300,000	SSN-688 attack submarine program.
	614,800,000	SSN-21 attack submarine program.
	630,300,000	Aircraft carrier service life extension program.
	1,422,100,000	Enterprise refueling/modernization program.

PROVISIONS IN FISCAL YEAR 1990 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	3,500,000,000	DDG-51 destroyer program.
	35,000,000	LHD-1 amphibious assault ship program.
	229,300,000	LSD-41 dock landing ship cargo variant program.
	341,500,000	MCM mine countermeasures program.
	197,600,000	MHC coastal mine hunter program.
	35,700,000	AO conversion program.
	155,800,000	T-AGOS surveillance ship program.
	356,400,000	AOE combat support ship program.
	273,300,000	LCAC landing craft air cushion program.
	278,100,000	Oceanographic ship program.
	220,000,000	Moored training ship demonstration program.
	600,000,000	Sealift ship program.
	368,900,000	For craft, outfitting, post delivery, and ship special support equipment.
	329,000,000	Coast Guard icebreaker ship program.
	84,000,000	Coast Guard patrol boat program.
Defense Production Act Purchases	6,000,000	That the Secretary of Defense shall transfer this amount appropriated under the heading 'Defense Production Act Purchases' (102 Stat. 2270-12, Public Law 100-463) for a demonstration project to develop a reliable source of titanium ore from ilmenite to appropriations available to the Secretary of the Interior, in order for the United States Bureau of Mines to carry out such demonstration project, known as the Soledad Canyon Demonstration Project in Los Angeles County, California.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION		
RDT&E, Navy	22,000,000	Of funds appropriated in Research, Development, Test and Evaluation, Navy for fiscal year 1989, shall be transferred to Research, Development, Test and Evaluation, Defense Agencies for fiscal year 1990 for the Tactical Airborne Laser Communications program, to be merged with, and to be available for, the same purposes and the same time period as the appropriation to which transferred.
	3,000,000	Shall be made available, as a grant, to the Center for research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics as it applies to advanced anti-submarine warfare acoustics issues with focus on ocean bottom acoustics-seismic coupling, sea-surface and bottom scattering, oceanic ambient noise, underwater sound propagation and other such projects as may be agreed upon.
	500,000	Of grant to Nat'l Ctr. for Phys. Acoustics may be used to provide such special equipment as required.
RDT&E, Air Force	100,000,000	Of amounts appropriated for research, development, test and evaluation for the Air Force for fiscal year 1989 that remain available for obligation to carry out research, development, test, and evaluation in connection with the Small ICBM program shall be obligated by Secretary of the Air Force.
	50,000,000	Of amounts appropriated for research, development, test, and evaluation for the Air Force for fiscal year 1989 from the B-1B program that remain available for obligation only to carry out research, development, test, and evaluation to provide cruise missile capability on the B-1B aircraft shall be obligated.
RDT&E, Defense Agencies	18,000,000	May be available for a facility to enable collaborative research and training for Department of Defense military medical personnel in trauma care, head, neck, and spinal injury, paralysis, and neuro-degenerative diseases.
	52,000,000	Of the amount herein provided for the Strategic Defense Initiative shall be available only for the Arrow missile program.
Chem Agents and Mun Destr. Defense	6,100,000	Shall be available only for cryofracture.
M. and C. Pepper Fund	10,000,000	For payment to the Mildred and Claude Pepper Foundation, a direct and unrestricted grant, including any interest or earnings therefrom, to support the purposes of the Foundation.
GENERAL PROVISIONS		
Sec. 9035	NA	Funds appropriated in this Act shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods.
Sec. 9043	NA	The Secretary of the Navy may use funds appropriated to charter ships to be used as auxiliary minesweepers providing that the owner agrees that these ships may be activated as Navy Reserve ships with Navy Reserve crews used in training exercises conducted in accordance with law and policies governing Naval Reserve forces.
Sec. 9045	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability and the planned upgrade of this capability.
Sec. 9047	12,000,000	(a) Of the funds appropriated to the Army, shall be available only for the Reserve Component Automation System (RCAS)
Sec. 9061	NA	The Secretary of Defense shall take such action as necessary to assure that a minimum of 50 percent of the polyacrylonitrile (PAN) carbon fiber requirement be procured from domestic sources by 1992.
Sec. 9065	NA	Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.
Sec. 9066	14,700,000	(a) Within the funds made available to the Air Force under title II of this Act, the Air Force shall use such funds as necessary, but not to exceed this amount to execute the cleanup of uncontrolled hazardous waste contamination in accordance with the Record of Decision on Landfill No. 26 at Hamilton Air Force Base, in Novato, in the State of California.
	4,500,000	In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in subsection (b)(3) of this section, the purchasers' deposit of this amount shall be returned by the General Services Administration and any funds eligible for reimbursement under subsection (b)(3) shall come from the funds made available to the Department of Defense by this Act.
Sec. 9074	100,000,000	Provided for Shipbuilding and Conversion, Navy under the appropriation 'Special Operations Forces Fund' contained in the Department of Defense Appropriations Act, 1989 (Public Law 100-463) shall remain available for obligation until September 30, 1990.
Sec. 9075	200,000	Effective for only fiscal year 1990, whenever the Secretary of the Army captures and removes wild horses and burros from White Sands Missile Range, the Secretary may transfer such horses and burros to the Secretary of the Interior as excess animals: Provided, That the cost of processing such animals incurred by the Department of the Interior shall be reimbursed by the Secretary of the Army, not to exceed 200,000 dollars.
Sec. 9082	6,700,000	Shall be available for the Civil Air Patrol.
Sec. 9084	NA	Funds available in this Act shall be available to the Department of Defense to grant civilian employees participating in productivity-based incentive award programs paid administrative time off in lieu of cash payment as compensation for increased productivity.
Sec. 9088	3,000,000	Of the funds made available in this Act for military personnel appropriations shall be available for the payment of bonuses to officers of the Army Nurse Corps, the Navy Nurse Corps and officers designated as Air Force nurses.
Sec. 9096	10,500,000	Of the amounts available to the Department of Defense for fiscal year 1990 shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department, not less than 50 percent of the funds necessary to carry out this section shall be derived from the amounts available for the University Research Initiatives Program in 'Research, Development, Test and Evaluation, Defense Agencies', and the balance necessary shall be derived from amounts available for Defense Research Sciences under title IV of this Act.
Sec. 9099	2,500,000	Of the funds appropriated by this Act, no more than 2,500,000 dollars shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98-525.
Sec. 9103	8,000,000	Of the funds made available by this Act in title III, Procurement, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. Sec. 1544.
Sec. 9105	5,000,000	The Secretary of the Air Force shall transfer not less than this amount from funds available to the Air Force for research, development, test and evaluation for fiscal year 1990 to the Army for the sole purpose of funding highest priority security improvements at the Kwajalein Test Range.
	2,500,000	Shall be provided by the Army for the same purpose from funds available to the Army for research, development, test and evaluation for fiscal year 1990. Funds made available by the Secretary of the Army for such purpose may not be made available from funds otherwise available for the United States Army Kwajalein Atoll Command.
Sec. 9106	1,000,000	Shall be made available for maintenance and repair of equipment and facilities and for tooling at the government owned William Langer Jewel Bearing Plant.
Sec. 9107	NA	Funds available to the Department of Defense during the current fiscal year may be transferred to applicable appropriations or otherwise made available for obligation by the Secretary of Defense to repair or replace real property, facilities, equipment, and other Department of Defense assets damaged by hurricane Hugo in September 1989.
Sec. 9108	20,000,000	Up to this amount of funds available to the Department of Defense in fiscal year 1990 may be transferred to, and consolidated with, funds made available to carry out the provisions of section 23 of the Arms Export Control Act and may be used for any of the purposes for which such funds may be used: Provided, That funds transferred pursuant to this section shall be made available only for Jordan to maintain previously purchased United States-origin defense articles: Provided further, That funds transferred pursuant to this section shall be available to Jordan on a grant basis notwithstanding any requirement for repayment.
MILITARY CONSTRUCTION—GENERAL PROVISIONS		
Sec. 102	NA	Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	273,000	Shall be available only for the 1991 Capitol Fourth Project.

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
O&M, Navy	NA	Funds appropriated or made available in this Act shall be obligated and expended to restore and maintain the facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, at the Memphis Naval Complex, Millington, Tennessee, to the fiscal year 1984 levels.
	2,000,000	Shall be available only for a grant to the Cabot/Dedalo Museum Foundation.
	15,000,000	Shall be made available only for the upgrade of port facilities in Israel in support of United States naval forces.
O&M, Defense Agencies	200,000,000	Shall be available until September 30, 1993, only to the Department of Defense Office of Economic Adjustment to assist State and local governments significantly impacted by reductions in defense industry employment or reductions in the number of Department of Defense military and civilian personnel residing in such States and communities.
	10,000,000	Shall only be available during the current fiscal year for carrying to the purpose of section 306 of Public Law 101-189.
	886,000	Of the funds for PL 101-189 shall be available only for the Killeen, Texas, Independent School District.
	167,000	Of the funds for PL 101-189 shall be available only for the Copperas Cove, Texas, Independent School District.
	912,000	Shall be available only for transfer to the Library of Congress.
	69,500,000	Of the funds appropriated for the Special Operations Command shall be transferred to the Operation and Maintenance appropriations of the Reserve components for execution.
	4,000,000	Shall be available only for the establishment of the Japanese American Museum as a component of the Japanese American Cultural Center in Ontario, Oregon.
PROCUREMENT		
Weapons procurement, Navy	1,540,001,000	Ballistic Missile Programs.
	2,935,256,000	Other Missile Programs.
	350,291,000	Mark-48 ADCAP Torpedo.
	328,266,000	Mark-50 Torpedo.
	26,409,000	ASW Targets.
	20,156,000	ASROC.
	11,740,000	Modification of Torpedoes.
	16,096,000	Quickstrike mine.
	88,360,000	Support Equipment and Logistics Support.
	202,146,000	Other Weapons.
	306,450,000	Other Ordnance.
Shpbldg & Conv, Navy	1,331,201,000	TRIDENT ballistic missile submarine program.
	1,783,000,000	SSN-21 attack submarine program.
	405,000,000	Aircraft carrier service life extension program Provided, That these funds are available only for advance procurement of material and other efforts associated with the industrial availability of the U.S.S. KENNEDY at the Philadelphia Naval Shipyard leading to the extension of the service life of the carrier.
	3,113,003,000	DDG-51 destroyer program.
	959,800,000	LHD-1 amphibious assault ship program.
	240,000,000	LSD-41 dock landing ship cargo variant program.
	204,000,000	MHC coastal mine hunter program.
	398,200,000	AOE combat support ship program.
	267,900,000	LCAC landing craft air cushion program.
	43,100,000	Oceanographic ship program.
	900,000,000	Sealift ship program.
	30,000,000	Shall be available only for the purchase of one existing petroleum product tanker.
	409,800,000	For craft, outfitting, and post delivery.
	5,800,000	For first destination transportation.
	100,000,000	For the DDG-51 destroyer program in addition to funds provided heretofore in this paragraph.
	23,000,000	Shall be available only to procure thirty Advanced Video Processor units and associated display heads.
Other Proc, Navy	160,000,000	Shall be for the procurement of sonobuoys.
	42,000,000	Shall be available only to procure fifty-three Advanced Video Processor units and associated display heads.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION		
RDT&E, Army	5,480,000	Is available only for the Vectored Thrust Combat Agility Demonstrator flight test program utilizing the Vectored Thrust Ducted Propeller.
RDT&E, Navy	1,000,000	Shall be made available, as a grant, to the Mississippi Resource Development Corporation, for continued research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics as it applies to advanced anti-submarine warfare acoustics issues with focus on ocean bottom acoustics—seismic coupling, sea-surface and bottom scattering, oceanic ambient noise, underwater sound propagation, bubble related ambient noise, acoustically active surfaces, machinery noise, propagation physics, solid state acoustics, electrorheological fluids, transducer development, ultrasonic sensors, and other such projects as may be agreed upon.
	250,000	Of the grant to Miss. Res. Dev. Corp. may be used to provide such special equipment as may be required for particular projects.
	24,000,000	Of the funds appropriated in this paragraph shall be made available to Competitive Technologies Incorporated for efforts associated with advanced shipbuilding design, materials, and manufacturing technologies.
	10,000,000	Of the funds appropriated to the Navy in fiscal year 1990 for Research, Development, Test and Evaluation is available only for the Skipper Missile Enhancement Program.
	71,000,000	Of the funds appropriated in this paragraph is available only to continue development and testing of the Sea Lance weapon system, to produce a technical data package, and to pursue technology and production engineering improvements.
	15,000,000	Shall be obligated for a Fast Sealift Technologies Development Program within 90 days after enactment of this Act.
	NA	The Secretary of the Navy shall award contracts or grants to the following universities in the amounts specified, to be provided from funds available under this heading for the Navy Defense Research Sciences and Industrial Preparedness programs.
	6,000,000	University of Hawaii at Manoa.
	8,900,000	University of Utah.
RDT&E, Air Force	30,000,000	Is available only for the National Center for Manufacturing Sciences.
	3,000,000	Of the funds appropriated in this paragraph is available only for continuing the research program on development of coal based high thermal stability and endothermic jet fuels, including exploratory studies on direct conversion of coal to thermally stable jet fuels.
RDT&E, Defense Agencies	191,062,000	Shall be available for the Special Operations Command.
	2,000,000	Of the funds appropriated in this paragraph is available only for miniature diagnostic proton accelerator research.
	25,000,000	Of the funds appropriated in this paragraph shall be available only for the Defense Advanced Research Projects Agency Initiative in Concurrent Engineering (DICE).
	103,000,000	Is available only for the Extended Range Interceptor (ERINT) missile.
	45,400,000	Is available only for the Patriot system.
	42,000,000	Is available only for the joint research and development of the advanced development program for the Arrow antitactical ballistic missile program.
	5,000,000	Of the funds appropriated in this paragraph is available only to establish a coal utilization center.
	5,000,000	Of the funds appropriated in this paragraph is available only to establish a materials research center.
	7,000,000	Of the funds appropriated in this paragraph is available only to establish an Experimental Program to Stimulate Competitive Research (EPSCoR) in the Department of Defense.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to establish an Institute for Advanced Science and Technology at an institution of higher education which meets the criteria specified in section 243 of the National Defense Authorization Act for fiscal year 1991.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only for facilities and equipment supporting the Center for Technology and Applied Research at the University of Scranton.
	6,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to the Advanced Manufacturing Institute at the Stevens Institute of Technology.
	15,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to the Liberty Science Center.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to Drake University for a facility under the College of Pharmacy and Health Sciences.
	3,500,000	Of the funds appropriated in this paragraph shall be made available as a grant to Loyola College to complete the Center for Advanced Information and Resource Management Studies.
	18,000,000	Of funds appropriated for fiscal year 1991 under the heading "Research, Development, Test and Evaluation, Defense Agencies," shall be obligated within 90 days after enactment of this Act for a facility to enable collaborative research and training for Department of Defense military medical personnel in trauma care, head, neck, and spinal injury, paralysis, and neuro-degenerative diseases.
	10,000,000	Of funds provided under this heading which are available for the Defense Research Sciences Program in addition to the funds previously appropriated to the National Defense Stockpile Transaction Fund, notwithstanding the provisions of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), is appropriated to the Fund to remain available until expended, for a grant to the South Carolina Research Authority pursuant to the purposes of sections 2 and 8 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a; 50 U.S.C. 98g) to construct, equip, and operate a prototype ferrochromium strategic materials processing facility.
Drug Int & CNTR-DRG Act, Def	50,000,000	Shall be available only for non-reimbursable support of Federal, State and local government agencies having counter-drug programs.
	1,000,000	Shall be available only for the Civil Air Patrol.
	52,000,000	Shall be available only for drug interdiction equipment for the reserve components.
	28,000,000	Shall be available only for operation and maintenance expenses for the southwest border land-based aerostat drug surveillance program.
	123,000,000	Shall be available only for the National Foreign Intelligence Program.
GENERAL PROVISIONS		
Sec. 8003	NA	Funds appropriated under this Act for the Department of Defense shall be made available for the Overseas Workload Program.

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
Sec. 8021	NA	Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year.
	15,000,000	Of the funds appropriated under this Act to the Department of Defense not to exceed this amount shall be made available to the Office of Humanitarian Assistance for immediate emergency airlift assistance.
Sec. 8025	NA	Funds appropriated in this Act shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education.
Sec. 8032	NA	Notwithstanding any other provision of law, the Secretary of the Navy may use funds appropriated to charter ships to be used as auxiliary minesweepers providing that the owner agrees that these ships may be activated as Navy Reserve ships with Navy Reserve crews used in training exercises conducted in accordance with law and policies governing Naval Reserve forces.
Sec. 8034	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability. Provided, That none of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States.
Sec. 8037	46,904,000	Of the funds appropriated to the Army, shall be available only for the Reserve Component Automation System (RCAS).
Sec. 8046	NA	The designs of the Army LH helicopter, the Navy Advanced Tactical Aircraft, the Air Force Advanced Tactical Fighter, and any variants of these aircraft, must incorporate Joint Integrated Avionics Working Group standard avionics specifications no later than 1998.
Sec. 8047	300,000,000	Of the funds appropriated or made available in this Act shall be transferred to the United States Coast-Guard.
	295,000,000	Of the funds in Sec. 8047 shall be transferred to Operating Expenses.
	5,000,000	Of the funds in Sec. 8047 shall be transferred to 'Acquisition, Construction, and Improvement' for Coast Guard family housing.
Sec. 8048	NA	The Secretary of Defense shall take such action as necessary to assure that a minimum of 50 percent of the polyacrylonitrile (PAN) carbon fiber requirement be procured from domestic sources by 1992.
Sec. 8051	NA	Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.
Sec. 8052	17,000,000	(a) Within the funds made available to the Air Force under title II of this Act, the Air Force shall use such funds as necessary, but not to exceed this amount, to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Navato, in the State of California.
	4,500,000	In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in the Agreement, dated September 25, 1990, between the Department of Defense, the General Services Administration, and the purchaser, the purchaser's deposit of this amount shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification shall come from the funds made available to the Department of Defense by this Act.
	NA	The Air Force shall be reimbursed for expenditures in excess of \$15,000,000 in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of the Sale Parcel.
Sec. 8056	NA	(a) Indemnification.—(1) The United States Air Force shall, except as provided in paragraph (2), hold harmless, defend, and indemnify in full (A) the State of New Hampshire, (B) any political subdivision of the State; and (C) the lenders, officers, agents and employees of the State or political subdivision of the State, from and against all suits, claims, demands or actions, liabilities, judgments, costs and attorney's fees arising out of, or in any manner predicated upon releases or threatened releases of hazardous substances, or pollutants or contaminants resulting from Department of Defense activities at Pease Air Force Base in New Hampshire.
Sec. 8071	20,000,000	Shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department.
Sec. 8073	4,000,000	Not more than this amount shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98-525.
Sec. 8077	8,000,000	Of the funds made available by this Act in title III, Procurement, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544.
Sec. 8089	30,000,000	Shall be transferred to the Department of Energy solely for the final decontamination and decommissioning of the Nuclear Fuel Facility, Apollo, Pennsylvania, by January 1993, to meet the National Regulatory Commission's limits for unrestricted use.
Sec. 8095	NA	Using funds available in the National Defense Stockpile Transaction Fund, the President shall acquire over a period of ten years from current domestic sources not less than thirty-six million pounds of depleted uranium to be held in the National Defense Stockpile.
Sec. 8099, (a)	5,000,000	Not to exceed this amount shall be made available only for a project for the design and construction of a parliament building in the Solomon Islands, such project to be carried out so as to be completed not later than November 1993. Funds for such project shall be identified and made available to the Secretary of the Navy not later than 60 days after the date of the enactment of this Act.
	5,000,000	To remain available until expended, shall be made available to the Secretary of the Army no later than sixty days after enactment of this Act, to be used by the Chief of Engineers only for the repair, improvement, and construction of port facilities and harbor improvements, including dredging, at the islands of Olu and Ta'u in the Territory of American Samoa.
Sec. 8101	200,000,000	Of the funds appropriated in fiscal year 1989 under the heading, "Aircraft Procurement, Navy", shall be made available to the Department of the Navy for obligation for the V-22 Osprey tilt-rotor aircraft program.
Sec. 8104	NA	This section establishes the National Commission on Defense and National Security. If funds are not otherwise available for the necessary expenses of the Commission for fiscal year 1991, the Secretary of Defense shall make available to the Commission, from funds available to the Secretary for the fiscal year concerned, such funds as the Commission requires. When funds are specifically appropriated for the expenses of the Commission, the Commission shall reimburse the Secretary from such funds for any funds provided to it under the preceding sentence.
Sec. 8108	1,000,000,000	Is appropriated for the modernization and expansion of automated data processing systems. Provided, That the Secretary of Defense shall, upon determining that such funds are necessary and further the objectives of the Corporate Information Management Initiative, transfer such amounts as necessary to the appropriate operation and maintenance appropriations provided in title II of this Act to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred.
Abstract: Sec. 8110	NA	(a) Notwithstanding any other provision of law, funds made available to the Department of Defense in fiscal year 1991 and thereafter, shall be used to establish and maintain as part of the wartime energy reserve of the United States, a stockpile in Israel for petroleum fuels of military utility equal to 4,500,000 barrels.
Sec. 8112	7,475,000	Shall be available for the Civil Air Patrol.
Sec. 8113	NA	Funds made available under this Act to the Air Force for 'Operation and Maintenance' may be used to operate the United States Air Force education and training facility known as the Inter-American Air Forces Academy for the purposes of providing military education and training only to military personnel who are nationals of Central, South American and Caribbean countries: Provided, That only the fixed costs of operation and maintaining the Inter-American Air Forces Academy may be paid from funds available for operation and maintenance of the Air Force without reimbursement pursuant to section 37 of the Arms Export Control Act or section 632 of the Foreign Assistance Act or any other provision of law.
Sec. 8115	NA	(a) Funds shall be made available to the Secretary of Defense for the study of: (1) Israeli aerospace and avionics technology and their potential application to ATF, NATF, CAS and LH aircraft programs, as well as other anticipated aircraft programs; (2) Potential areas of joint United States-Israel collaboration in technology research and development projects including, but not limited to, tactical directed energy weapons, camouflage, concealment, deception and stealth measures; aerial and wide-area munitions; fiber optic guided missiles (FOG-M) and the adaptation of the HAVE NAP to the B-1 and B-2 bombers; (3) The features and possible contributions of Israeli space technology to Department of Defense programs, including, but not limited to, Israeli launches, and including, but not limited to, cost-effectiveness in design and production of such technologies and systems; (4) Israeli anti-terrorism technologies, and their potential applications to Department of Defense programs and operations, including, but not limited to, remote-controlled robots, security fences of all types, specialized x-ray and detection machines, and fast patrol boats. The Secretary of Defense shall work with the Office of Technology Assessment in conducting an examination of these subjects; (5) Possible applications of Israeli interdiction, including, but not limited to, unmanned aerial vehicles, fast patrol boats, state-of-the-art ship and coastal radars, integrated command and control systems, and land interdiction systems such as visual and infra-red cameras, motion sensors and electronic fences.
Sec. 8116	10,000,000	Shall be available only to transport United States beef for resale in Department of Defense commissaries in foreign countries.
Sec. 8118	1,500,000	Of the funds made available by this Act to the Department of the Navy, to remain available until September 30, 1992, shall be available only for the expenses of the Kahoolawe Island Commission.
Sec. 8120	10,000,000	Appropriated for "Operation and Maintenance, Defense Agencies" shall be available only for the establishment and support of the Legacy Resource Management Program.
Sec. 8121	2,400,000	Of the funds available in this Act for the Defense Logistics Agency, is available only for acquisition of jewel bearings from the William Langer Jewel Bearing Plant.
Sec. 8127	10,000,000	Of the funds appropriated in "Drug Interdiction and Counter-Drug Activities, Defense," shall be available only for the National Drug Intelligence Center.
Sec. 8128	3,100,000	The Department of the Army may use up to this amount in troop labor, installation equipment and supplies at Fort Sill to assist the Department of Interior in replacing an earth dam through a cooperative agreement which benefits each Department and includes such other terms as to protect the United States.
Sec. 8130	NA	Funds available to the Department of Defense during the current fiscal year may be transferred to applicable appropriations or otherwise made available for obligation by the Secretary of Defense to repair or replace real property, facilities, equipment, and other Department of Defense assets damaged by Hurricane Hugo in September 1989.
Sec. 8134	500,000	Of the funds appropriated under "Operation and Maintenance, Army," up to this amount shall be available for the environmental protection program at Fort Bragg, North Carolina.
Sec. 8137	NA	The Secretary of Interior is authorized to use such sums as are needed to erect in the Canaveral National Seashore a suitable bronze marker to commemorate the dedicated leadership of Congressman Bill Chappell in the establishment of the Canaveral National Seashore.
Sec. 8138	31,000,000	Of the amount appropriated in this Act for Research, Development, Test and Evaluation, Navy, may be obligated for an evaluation of the Assault Ballistic Rocket System.
Sec. 8139	3,625,000	The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, this amount to Shipco General, Inc., an Idaho corporation. The payment of such sum shall be in full satisfaction of any claim of Shipco General, Inc., against the United States arising out of the termination of a contract at Kirtland Air Force Base, New Mexico, for the rehabilitation of 155 housing units for Zia Park Housing (Contract No. F29650-82-C-0201).

PROVISIONS IN FISCAL YEAR 1991 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
Sec. 8140	1,124,000	The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, this amount to John Barren, of Peckville, Pennsylvania, for damages incurred as a result of the failure of health care employees at the medical center of the Department of Veterans Affairs in Wilkes-Barre, Pennsylvania, to admit and treat him properly for a service-connected psychiatric condition.
MILITARY CONSTRUCTION		
BRAC	100,000,000	Of the funds appropriated herein shall be available solely for environmental restoration.
GENERAL PROVISIONS		
Sec. 102	NA	Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

PROVISIONS IN FISCAL YEAR 1992 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	350,000	Shall be made available for the 1992 Memorial Day Celebration.
	350,000	Shall be made available for the 1992 Capitol Fourth Project.
	4,000,000	Shall be made available only for a grant to the National D-Day Museum Foundation.
	4,000,000	Shall be made available only for a grant to the Airborne and Special Operations Museum Foundation.
	350,000	Shall be made available only to the Oregon Department of Economic Development.
	38,000,000	Shall be made available only for procurement of the Extended Cold Weather Clothing System (ECWCS).
	2,000,000	Shall be made available only for the procurement of intermediate cold-wet weather boots.
	22,000,000	To the Silver Valley Unified School District, Yermo, California, [the Secretary of the Army shall make a direct grant].
	10,000,000	To the Cumberland County School Board, Fayetteville, North Carolina, for support of the construction of public school structures, to be located on military facilities, sufficient to accommodate predominantly the dependents of members of the Armed Forces and dependents of Department of Defense employees employed at Fort Irwin, California, and Fort Bragg, North Carolina.
	250,000	Shall be available only for the conduct of a study on the need for and feasibility of a joint military and civilian airport at Manhattan, Kansas.
	4,500,000	Shall be available for the Army Environmental Policy Institute.
	5,000,000	Of the amount appropriated under this heading shall be available for the United States Office for POW/MIA Affairs in Hanoi.
	6,800,000	Shall be available for the refurbishment and modernization at existing railway facilities at Fort Riley, Kansas.
O&M, Navy	78,000,000	Shall be available only for shipyard modernization projects to remain available for obligation until September 30, 1994.
	NA	Funds appropriated or made available in this Act shall be obligated and expended to restore and maintain the facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, including specifically the medical facilities, activities and personnel levels, at the Memphis Naval Complex, Millington, Tennessee, to the fiscal year 1984 levels.
	2,000,000	Shall be made available to the Secretary of the Navy for a study, to be submitted to the Committees on Appropriations no later than August 1, 1992, on the costs of improving the Port of Haifa, Israel, and facilities in the immediate vicinity, to accommodate the full complement of services required for the maintenance, repair and associated tasks needed to support a carrier battle group.
	300,000	Shall be made available only for the deaccession, reinterment, and reburial of ancestral skeletal remains at Mokapu, Hawaii.
	NA	Of the funds appropriated under this heading, the Navy shall provide for the transportation of U.S.S. Bennington accoutrements from China Lake Naval Air Station, California, to Bennington, Vermont.
	1,600,000	Shall be made available only for the renovation of the submarine U.S.S. Blueback for use by the Oregon Museum of Science and Industry upon the determination of the Secretary of the Navy that the renovation is in the interest of national security.
O&M, Marine Corps	3,000,000	Shall be available for the New Parent Support Program.
O&M, Defense Agencies	37,000,000	Shall be made available only to maintain the operations and personnel levels of a 100-bed facility at Letterman Hospital at the Presidio, in San Francisco, California.
	6,000,000	Shall be made available for the San Francisco Medical Command to provide for angioplasty services, increased pharmacy costs, and a 100-mile catchment area for cardiac surgery at Oakland Naval Hospital to compensate for the reduced services at Letterman Hospital.
	1,000,000	Shall be made available to the Office of the Secretary of Defense only for the development and establishment of gainsharing projects.
	750,000	Shall be made available only for the conduct and preparation of an inventory of all the real property in the State of Hawaii that is owned or controlled by the United States Department of Defense and its components.
	5,000,000	Shall be made available only for the establishment and administration of a commission, to be known as the "Defense Conversion Commission".
	25,000,000	Shall be made available only for the continued implementation of the Legacy Resource Management Program.
	10,000,000	Of Legacy program funding shall be made available only for use in implementing cooperative agreements to identify, document, and maintain biological diversity on military installations.
PROCUREMENT		
Shipbuilding and Conversion, Navy	\$55,000,000	TAGS 39/40 program, Provided, That the Secretary of the Navy shall obligate \$5,000,000 dollars to increase the price of the TAGS 39 and 40 contract and pay the contractor which built and delivered the TAGS 39 and 40 if the Secretary reviews the matter and determines there is justification to make such payment.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION		
RD&E, Army	\$6,300,000	Is available only for the Vectored Thrust Combat Agility Demonstrator flight test program utilizing the Vectored Thrust Ducted Propeller upon successful completion of Phase I of this demonstration project.
	2,000,000	Shall be made available only to establish a Center for Prostate Disease Research at the Walter Reed Army Institute of Research.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Louisiana State University, Louisiana for the Neuroscience Center of Excellence for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
RD&E, Navy	1,000,000	Shall be made available, as a grant, to the Mississippi Resource Development Corporation for continued research and development programs at the National Center for Physical Acoustics, centering on ocean acoustics.
	NA	None of the funds appropriated in this paragraph are available for development of upgrades to the Surveillance Towed Array Sensor System that do not include the AN/UYS-2 Enhanced Modular Signal Processor.
	221,000,000	Is available only for the Ship Self-Defense program which may be obligated only if it has a single program manager who is fully responsible and accountable for its execution.
	10,000,000	Shall be available only for the Submarine Laser Communications project.
	5,134,000	Shall be available only for the Gun Weapon System Advanced Technology program.
RD&E, Air Force	30,000,000	Is available only for the National Center for Manufacturing Sciences.
	2,500,000	Of the funds appropriated in this paragraph are available only for continuing the research program on development of coal-based, high thermal stability and endothermic jet fuels, including exploratory studies on direct conversion of coal to thermally stable jet fuels.
	8,000,000	Of the funds appropriated in this paragraph shall be made available only for a side-by-side evaluation of the ALR-56M and the ALR-621 radar warning receivers.
	5,700,000	Shall be made available only for the U.S./U.S.S.R. Joint Seismic Program administered by the Incorporated Research Institutions for Seismology.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Marywood College, Pennsylvania for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	10,000,000	Shall be made available only for the modernization and upgrade of the Poker Flat Rocket Range.
	19,500,000	Shall be made available in the SPACETRACK program element only to establish an image information processing center, including a computing facility built around newly emerging massively parallel computing technology, collocated with the Air Force Maui Optical Station and the Maui Optical Tracking Facility.
RD&E, Defense Agencies	171,000,000	Of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile.
	60,000,000	Of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments.
	145,500,000	Of the funds appropriated in this paragraph shall be made available as a grant to the Patriot missile program.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant to the National Biomedical Research Foundation for laboratory efforts associated with major research programs in neurology, oncology, virology, cardiology, pediatrics and associated specialty areas of critical importance to the Veterans Administration and the Department of Defense.
	10,000,000	Of the funds appropriated in this paragraph and not less than 7,000,000 dollars of the funds appropriated in Public Law 101-511 for Research, Development, Test and Evaluation, Defense Agencies shall be available only for an Experimental Program to Stimulate Competitive Research (EPSCOR) in the Department of Defense which shall include all States eligible for the National Science Foundation Experimental Program to Stimulate Competitive Research.
	25,000,000	Of the funds appropriated in Public Law 101-511 for Research, Development, Test and Evaluation, Defense Agencies, provided for the Strategic Environmental Research Program shall be obligated for the procurement, installation and operation of a supercomputer to support the Arctic Region Supercomputing Center.
	6,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Texas at Austin for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	6,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Northeastern University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Texas Regional Institute for Environmental Studies for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.

PROVISIONS IN FISCAL YEAR 1992 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	7,700,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Kansas State University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	1,600,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Wisconsin for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	29,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Boston University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	250,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Medical College of Ohio for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of South Carolina for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	750,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the George Mason University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,300,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Monmouth College for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	10,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Minnesota for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Saint Thomas in Saint Paul, Minnesota for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Brandeis University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the New Mexico State University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	25,000,000	Of the funds appropriated in this paragraph shall be made available only for development of advanced superconducting multi-chip modules, superconducting materials, and diamond substrate material technologies.
Drug Int. and Cntr-Drug Act., Defense	7,500,000	Shall be available only for the Gulf States Counter-Narcotics Initiative.
GENERAL PROVISIONS		
Sec. 8021	NA	Funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated States of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 93-239.
	NA	Upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.
Sec. 8033	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability.
Sec. 8036	172,072,000	Of the funds appropriated to the Army, shall be available only for the Reserve Component Automation System (RCAS).
Sec. 8040A	NA	The Secretary of Defense shall take such action as necessary to assure that a minimum of 75 percent of the coal and petroleum pitch carbon fiber requirement be procured from domestic sources by 1994.
Sec. 8047	NA	Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.
Sec. 8049A	710,348,000	In addition to the amounts appropriated or otherwise made available in this Act, this sum is appropriated for the operation, modernization, and expansion of automated data processing systems.
Sec. 8058	4,000,000	Shall be available for the health care demonstration project regarding chiropractic care required by section 632(b) of the Department of Defense Authorization Act, 1985, Public Law 98-525.
Sec. 8064	NA	The Secretary of Defense shall ensure that at least 50 percent of the Joint Service Missile Mission is in place at Letterkenny Army Depot by the time Systems Integration Management Activity and Depot Systems Command are scheduled to relocate to Rock Island Arsenal, Illinois. This provision is in no way intended to affect the move of the 2.5- and 5-ton truck maintenance mission from Letterkenny Army Depot to Tooele Army Depot.
Sec. 8065A	14,500,000	Shall be available for the mental health care demonstration project at Fort Bragg, North Carolina.
Sec. 8066	NA	None of the funds appropriated in this Act shall be used to produce more than two-thirds of the liquid gas requirements in-house at Andersen Air Force Base on Guam. At least one-third of Andersen Air Force Base's liquid gas requirements shall be met by acquiring liquid gas from commercial sources on Guam.
Sec. 8070A	10,000,000	Shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department.
Sec. 8075	NA	None of the funds available to the Department of Defense shall be used for the training or utilization of psychologists in the prescription of drugs, except pursuant to the findings and recommendations of the Army Surgeon General's Blue Ribbon Panel as specified in its February and August 1990 meeting minutes Provided, That this training will be performed at Walter Reed Army Medical Center.
Sec. 8079	8,674,000	Shall be available for the Civil Air Patrol.
	4,400,000	Of Sec. 8079 funds shall be available for Operation and Maintenance.
Sec. 8083	40,000,000	Shall be available only for the National Drug Intelligence Center.
Sec. 8090	625,000,000	Shall be available only for the V-22 aircraft program.
Sec. 8091	NA	During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.
Sec. 8097	20,000,000	Shall be available (notwithstanding the last sentence of section 1086(c) of title 10, United States Code) to continue Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) benefits, until age 65, under such section for a former member of a uniformed service who is entitled to retired or re-entrant pay or equivalent pay, or a dependent of such a member, who becomes eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) solely on the grounds of physical disability.
Sec. 8098	NA	From the amounts appropriated for the Department of Defense in the Department of Defense Appropriations Act, 1991 (Public Law 101-511), Other Procurement, Air Force, funds may be used to purchase not more than 300 passenger motor vehicles, of which 290 shall be for replacement only.
Sec. 8100	188,700,000	Is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard.
	50,000,000	Of funds in Sec. 8100 shall be available solely for the purposes of "Reserve Training" for fiscal year 1992.
	138,700,000	Of funds in Sec. 8100 shall be merged with and be available for the same purposes and same time period as "Operating Expenses."
Sec. 8103A	2,500,000	Of the funds appropriated under the heading "Drug Interdiction, Defense" in Public Law 101-165, of funds previously transferred to the Department of the Treasury shall, upon enactment of this Act, be transferred to the "Emergency Management Planning and Assistance" appropriation account of the Federal Emergency Management Agency.
Sec. 8104	NA	(a) None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the P-3 squadrons of the Navy Reserve below the levels funded in this Act. (b) The Secretary of the Navy shall obligate funds appropriated for fiscal years 1991 and 1992 for modernization of P-3B aircraft of the Navy Reserve on those P-3B aircraft which the Secretary of the Navy intends to keep in the fleet for more than five years.
Sec. 8104A	8,000,000	Is available only for, and shall be expended for, the side-by-side testing of the ALR-62i and the ALR-56M radar warning receivers.
Sec. 8105A	100,000,000	Is appropriated for payment of claims to United States military and civilian personnel for damages incurred as a result of the volcanic eruption of Mount Pinatubo in the Philippines.
	25,000,000	Is appropriated to be available only for the relocation of Air Force units from Clark Air Force Base.
	8,500,000	Of funds in previous paragraph shall be available until September 30, 1994 only for the construction and modification of F-16 facilities for the Cope Thunder and other missions at Eielson Air Force Base.
	2,500,000	Of funds for Clark relocation shall be available until September 30, 1994 only for the construction and modification of squadron operation facilities at Elmendorf Air Force Base.
	25,000,000	Is appropriated, to remain available until expended, for the unanticipated costs of disaster relief activities of the Department of Defense and the military services overseas.
Sec. 8112	NA	During fiscal year 1992, the Critical Technologies Institute shall conduct a special study of the issues regarding the production and use of machine tools necessary to support the national defense.
Sec. 8112A	8,000,000	Of funds made available by this Act in title III, Procurement, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544.
Sec. 8814	30,000,000	Of the funds appropriated in this Act for "Operation and Maintenance, Defense Agencies", shall be transferred to the "Radiation Exposure Compensation Trust Fund" established by section 3 of the Radiation Exposure Compensation Act (Public Law 101-426; 104 Stat. 920) to be available for the same purpose and same time period as that Fund.
Sec. 8115	2,100,000	Shall be available for a grant to the Naval Undersea Museum Foundation for the completion of the Naval Undersea Museum at Keyport, Washington.
Sec. 8117	NA	Notwithstanding any other provision of law, no more than fifteen percent of the funds available to the Department of Defense for sealfit may be used to acquire through charter or purchase, ships constructed in foreign shipyards.

PROVISIONS IN FISCAL YEAR 1992 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
Sec. 8118	NA	(a) Funds shall be made available to the Secretary of Defense for the study of: (1) Israeli aerospace and avionics technology and its potential applications to ATF, NATF, CAS and LH aircraft programs, as well as other anticipated aircraft programs; (2) Potential areas of Joint United States-Israeli collaboration in technology research and development projects including, but not limited to, tactical directed energy weapons; camouflage, concealment, deception and stealth measures; aerial and wide-area munitions; fiber optic guided missiles (FOG-M); and the adaption of the HAVE NAP to the B-1 and B-2 bombers; (3) The features and possible contributions of Israeli space technology to Department of Defense programs including, but not limited to, Israeli launchers, and including, but not limited to, cost-effectiveness in design and production of such technologies and systems; (4) Israeli antiterrorism technologies, and their potential applications to Department of Defense programs and operations, including, but not limited to, remote-controlled robots, security fences of all types, specialized x-ray and detection machines, and fast patrol boats. The Secretary of Defense shall work with the Office of Technology Assessment in conducting an examination of these subjects; (5) Possible applications of Israeli interdiction technologies to American efforts at drug interdiction, including, but not limited to, unmanned aerial vehicles, fast patrol boats, state-of-the-art ship and coastal radars, integrated command and control systems, and land interdiction systems such as visual and infra-red cameras, motion sensors and electronic fences; (6) Applications of environmental technologies and manufacturing capabilities to include, but not limited to, energy storage, energy conversion and renewable energy technologies; (7) Applications of critical technologies and manufacturing capabilities as defined by the Department of Defense's Critical Technologies Plan. The Secretary of Defense shall submit a final report with concrete recommendations and plans for implementation as appropriate to the Committees on Appropriations of the Senate and the House no later than August 1, 1992.
Sec. 8122	NA	(a) Notwithstanding any other provision of law, funds appropriated under this Act for the Department of Defense shall be made available for the Overseas Workload Program.
Sec. 8125	27,000,000	Of the funds appropriated under the heading "Research, Development, Test and Evaluation, Defense Agencies" in title IV of this Act, shall be available only for the Flexible Computer Integrated Manufacturing (FCIM) Systems Programs
	4,000,000	Of the funds in Sec. 8125 shall be made available only as a grant to the Institute for Advanced Flexible Manufacturing Systems. The grant made available by this subsection shall be administered by the Defense Advanced Research Projects Agency through the National Center for Manufacturing Sciences.
	11,500,000	Of the funds in Sec. 8125 shall be made available to the Secretary of the Navy only for the continuation of the Rapid Acquisition of Manufactured Parts program (RAMP) and for establishing a RAMP-FCIM Center for Manufacturing Excellence.
Sec. 8128	11,500,000	Of the funds in Sec. 8125 shall be made available to the Secretary of the Army only for application of RAMP-FCIM technology to selected Army depots.
	105,000,000	Made available in the fiscal year 1991 Department of Defense Appropriations Act for "Aircraft Carrier Service Life Extension Program" under the heading "Shipbuilding and Conversion, Navy, 1991/1995" shall be utilized only for a large scale industrial availability, presumed to be 24 months, of the U.S.S. John F. Kennedy at the Philadelphia Naval Shipyard.
	23,000,000	Shall be transferred to "Other Procurement, Navy, 1992/1994" for the purchase of items to be used for large scale industrial availability of the U.S.S. John F. Kennedy at the Philadelphia Naval Shipyard. Provided further, That the remaining funds shall be retained in the "Aircraft Carrier Service Life Extension Program" until required for transfer for the purpose of planning, scheduling, and any other work as is necessary to prepare for and execute a large scale industrial availability of the U.S.S. John F. Kennedy at the Philadelphia Naval Shipyard.
Sec. 8129	26,000,000	(a) Within the funds made available to the Air Force under title II of this Act, the Air Force shall use such funds as necessary, but not to exceed this amount, to execute the cleanup of controlled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.
	4,500,000	(b) In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in the Agreement, dated September 25, 1990, between the Department of Defense General Services Administration and the purchaser, the purchaser's deposit of 4,500,000 dollars shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification shall come from the funds made available to the Department of Defense by this Act.
	15,000,000	(c) Notwithstanding any other provision of law, the Air Force shall be reimbursed this amount for expenditures in excess of in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of the Sale Parcel.
Sec. 8132	1,500,000	(a) There is hereby established a National Commission on the Future Role of United States Nuclear Weapons, Problems of Command, Control, and Safety of Soviet Nuclear Weapons, and Reduction of Nuclear Weapons (hereafter in this section referred to as the "Commission"). (d) To assist it in carrying out its duties with respect to the matters listed in subsection (c) (3)-(6) above, the Commission is requested to obtain a study from the National Academy of Sciences on these matters. Such a study would be a follow-on endeavor to the study concluded by the National Academy in September, 1991, on the nuclear relation ship of the United States and the Soviet Union: of the funds available to the Department of Defense, this amount shall be made available to the Commission to carry out the provisions of this section.
Sec. 8136	\$20,000,000	Up to this amount in unobligated and unexpended funds in any appropriation made for Air Force programs in the Department of Defense Appropriations Act, 1991, shall be available to provide reimbursements for launch services costs authorized to be waived by the 1988 Amendments to the Commercial Space Launch Act.
Sec. 8138	NA	Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to 2,500 dollars, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm.
Sec. 8139	5,600,000	In addition to the amount appropriated in Public Law 102-140 for United States Information Agency "Salaries and expenses", this amount shall be derived by transfer from unobligated balances of Board for International Broadcasting, "Israel Relay Station", to be available for the costs of the participation of the United States in 1992 Columbus Quincentennial Expositions in Seville, Spain, and Genoa, Italy.
Sec. 8141	10,000,000	Department of the Navy shall obligate not less than this amount of the funds appropriated in this Act for Research, Development, Test, and Evaluation, Navy to develop an integrated display station as an engineering change to the Advanced Video Processor and for the reestablishment of the CI Mode integration testing.
Sec. 8149	NA	(a) The Secretary of Defense, during the current fiscal year or at any time thereafter, may make a donation to an entity described in subsection (b) of a parcel of real property (including structures on such property) under the jurisdiction of the Secretary that is not currently required for the needs of the Department and that the Secretary determines is needed and appropriate for the activities of that entity. (b) A donation under subsection (a) may be made to a nonprofit entity which provides medical, educational, and emotional support in a recreational setting to children with life-threatening diseases and their families.
Sec. 8150	220,000	(a) The Secretary of the Treasury shall pay, out of funds in the Treasury not otherwise appropriated, to George D. Hand, Jr., this amount for damages sustained by George D. Hand, Jr., as a result of the scuttling of the F/V SHINNECOCK 1 off Shinnecock Harbor, New York, on March 14, 1991.
Sec. 8151	1,000,000	Of the funds transferred to the Department of Energy pursuant to section 8089 of the Department of Defense Appropriations Act, 1991 (Public Law 101-511; 104 Stat. 1896), not to exceed this amount shall be made available in fiscal year 1992 to the Commonwealth of Pennsylvania for independent monitoring and testing of onsite activities in the decommissioning at the Apollo, Pennsylvania site.
MILITARY CONSTRUCTION		
BRAC 1	220,000,000	Of the funds appropriated herein shall be available solely for environmental restoration.
GENERAL PROVISIONS		
Sec. 102	NA	Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.
Sec. 128	NA	(a) The Secretary of the Army shall carry out such repairs and take such other preservation and maintenance actions as are necessary to ensure that all real property at Fort Douglas, Utah (including buildings and other improvements) that has been conveyed or is to be conveyed pursuant to section 130 of the Military Construction Appropriations Act, 1991 (Public Law 101-519; 104 Stat. 2248) is free from natural gas leaks and other safety-threatening defects. In carrying out this subsection, the Secretary shall conduct a natural gas survey of the property.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION

	Amount	Description
OPERATION AND MAINTENANCE		
O&M, Army	450,000	Shall be made available only for the 1993 Memorial Day Celebration.
	450,000	Shall be made available only for the 1993 Capitol Fourth Project.
	36,000,000	Shall be made available only for the procurement of the Extended Cold Weather Clothing System (ECWCS).
	1,715,000	Shall be made available only for the environmental assessment and environmental cleanup of the Badger Army Ammunition plant.
	7,000,000	Shall be made available only for the environmental cleanup of the National Presto Industries Eau Claire facility.
	1,000,000	Of the funds appropriated under this heading shall be available for providing military police training for Marine Corps personnel at Fort McClellan, Alabama.
	14,000,000	Shall be made available for Presidio of San Francisco, to be expended for ongoing operations and maintenance costs associated with the transition to the National Park Service, to be jointly determined with the National Park Service.
O&M, Navy	100,000	Shall be made available only to connect Lowry Grove Mobile Home Park to the St. Anthony, Minnesota, municipal water supply system.
	1,000,000	Shall be made available only for the conduct of an Environmental Impact Study at Bellows Air Force Base.
	900,000	Shall be made available only for the development of a military land use plan in Hawaii, under the direction of the Commander-in-Chief, United States Pacific Command.
O&M, Marine Corps	3,000,000	Shall be available only for Marine Corps child abuse prevention program.
O&M, Air Force	7,000,000	Shall be made available only for the operation of the Theater Air Command Control and Simulation Facility at Kirtland Air Force Base.
	15,500,000	Shall be made available only to operate, maintain and enhance the Tactical Interim CAMS and REMIS Reporting System (TICARRS) and the Smart Data System (SDS).
	4,000,000	Shall be made available only to immediately complete the necessary comprehensive testing and continued environmental restoration of the former Olmsted Air Force Base, Pennsylvania.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
O&M, Def Ag	815,110,000	Shall be made available only for the Special Operations Command.
	50,000,000	Shall be made available only for the global disaster relief activities of the Department of Defense.
	10,000,000	Shall be made available only for the disaster relief planning and studies of the Department of Defense as they relate to Department of Defense installations worldwide.
	50,000,000	Shall be made available only for the Legacy Resource Management Program.
	500,000	May be made available only for the Hawaiian Volcano Observatory for monitoring volcanic activity affecting the United States Army Pohakuloa Training Area.
	50,000,000	May be made available to the Office of Economic Adjustment for economic conversion projects at the Philadelphia Naval Shipyard.
	40,000,000	May be made available for the Civilian Community Corps program.
	2,000,000	Shall be made available only for a feasibility study on the use of rotary reactor thermal destruction technology in the treatment and disposal of waste regulated under the Resource Conservation and Recovery Act of 1976.
O&M, Ar Natl Gd	10,000,000	Shall be available for a National Guard Outreach Program in the Los Angeles School District.
Env Rest, Def	200,000,000	Shall be available only for the expedited cleanup of environmentally contaminated sites and only in accordance with a comprehensive plan submitted to Congress by the Secretary of Defense.
Real Prop. Mnt., Def	27,000,000	Shall be available only for the repair of property identified as part of a backlog of maintenance and repair projects at the Presidio of San Francisco.
PROCUREMENT		
Proc. of W&TCV, Army	196,625,000	In fiscal year 1991 funds received from the sale of M48- and M60-series tanks from the Army inventory by the United States under the Arms Export Control Act shall be available only for the M1-series tank upgrade program.
	771,000	In fiscal year 1992 funds received from the sale of M48- and M60-series tanks from the Army inventory by the United States under the Arms Export Control Act shall be available only for the M1-series tank upgrade program.
Proc. of Arm. Army	200,000,000	Shall be available only for the Armament Retooling and Manufacturing Support Initiative, to remain available for obligation until September 30, 1995.
Shpbldg & Conv, Navy	832,200,000	Carrier replacement program.
	37,239,000	Refueling overhauls.
	3,265,770,000	DDG-51 destroyer program.
	305,000,000	LHD-1 amphibious assault ship program.
	300,000,000	LSD-41 cargo variant ship program.
	236,205,000	MHC coastal mine hunter program.
	300,000,000	AOE combat support ship program.
	19,500,000	Oceanographic ship program.
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
RD&E, Army	210,000,000	Of the funds appropriated in this paragraph shall be available for a peer reviewed breast cancer research program with the Department of the Army as executive agent. Provided further, That the Army shall coordinate with the Armed Services Biomedical Research and Evaluation Management (ASBREM) Committee to involve facilities and medical and research personnel of the Department of the Navy and the Department of the Air Force, or other entities, in addition to facilities, medical and research personnel, and resources of the Department of the Army in the breast cancer research program.
	7,500,000	Of the funds in this paragraph shall be made available only for establishment of a flexible manufacturing center at the Scranton Army Ammunition Plant and may be transferred to another appropriation in title III of this Act.
	2,000,000	Shall be made available only for the Center for Prostate Disease Research at the Walter Reed Army Institute of Research.
	3,000,000	Shall be made available only for synaptic transmission research.
	20,000,000	Of the funds appropriated in this paragraph may be made available in the Acquired Immune Deficiency Syndrome program element only for a large-scale Phase III clinical investigation of the GP-160 vaccine.
RD&E, Navy	4,000,000	Of the funds appropriated in this paragraph for medical technology may be used for Assistive Technology Center at the National Rehabilitation Hospital.
	1,000,000	Shall be made available, as a grant, to the Mississippi Resource Development Corporation.
	250,000	Of grant to Miss. Res. Dev. Corp. may be used to provide such special equipment as may be required for particular projects.
	1,500,000	Of the funds appropriated in this paragraph shall be made available only as a grant to the West Virginia High Technology Corporation for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
RD&E, Air Force	2,000,000	Of the funds appropriated in this paragraph shall be made available only for continuing the research program on development of coal-based, high thermal stability and endothermic jet fuels, including exploratory studies on direct conversion of coal to thermally stable jet fuels.
	6,500,000	Of the funds appropriated in this paragraph shall be made available only for the Joint Seismic Program administered by the Incorporated Research Institutions for Seismology.
	45,000,000	Of the funds appropriated in this paragraph shall be made available only for the National Center for Manufacturing Sciences (NCMS).
	5,000,000	Of the funds for NCMS is available only for the National Center for Tooling and Precision Components (NCTPC).
	55,500,000	Of the funds appropriated in this paragraph shall be made available only for the Space Nuclear Thermal Propulsion Program.
	39,500,000	Shall be made available in the SPACETRACK program element only to continue the Advanced Electro-Optical System project at the Air Force Maui Optical Station.
	11,600,000	Shall be made available in the Advanced Weapons Technology program element only for a Laser imaging Detection and Ranging (LIDAR) project.
	500,000	May be made available in the Advanced Weapons program element only to continue the establishment and operation of an image information processing center supporting the Air Force Maui Optical Station and the Maui Optical Tracking Facility.
	500,000	May be made available as a grant to the Maui Economic Development Board to assist in refining the defense and industrial requirements and user base for the aforementioned image information processing center.
	10,000,000	Shall be available only for grants to be made for the development of dual use space launch facilities to support Department of Defense and commercial space launch requirements, consistent with the terms of the National Space Policy Directive.
RD&E DEF AG	135,000,000	Of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile.
	57,776,000	Of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments.
	111,140,000	Of the funds appropriated in this paragraph are available only for the Patriot missile program.
	12,000,000	Of the funds appropriated in this paragraph shall be available only for an Experimental Program to Stimulate Competitive Research (EPSCOR) in the Department of Defense which shall include all States eligible as of the date of enactment of this Act for the National Science Foundation Experimental Program to Stimulate Competitive Research.
	25,000,000	Of the funds appropriated in this paragraph shall be made available only to explore the potential for electric vehicles to enable the armed services to achieve energy cost savings, comply with environmental requirements, and meet mission objectives.
	5,000,000	Of the funds provided under the previous proviso shall be made available only to establish one of the demonstration sites for the aforementioned electric vehicle technology program in the State of Hawaii.
	2,500,000	Of the funds provided under the previous proviso shall be made available only to establish one of the demonstration sites for the aforementioned electric vehicle technology program in Sacramento, California.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Texas Regional Institute for Environmental Studies for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Maryland for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Scranton for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	15,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Spokane Intercollegiate Research and Technology Institute and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	9,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Northeastern University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Colorado University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	4,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Louisiana State University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Illinois Institute of Technology for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Loma Linda University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Minnesota for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Miami (Florida) for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Michigan for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the University of Pennsylvania for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Science Center of Connecticut for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Villanova University for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	1,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Medical College of Ohio for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	3,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Rochester Institute of Technology for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Bryant College of Rhode Island for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to Bradley University (Illinois) for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	2,000,000	Of the funds appropriated in this paragraph shall be made available as a grant only to University of South Florida for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	10,000,000	Shall be made available as a grant to the National Biomedical Research Foundation for laboratory efforts associated with major research programs in neurology, oncology, virology, cardiology, pediatrics and associated specialty area of critical importance to the Department of Defense.
REVOLVING AND MANAGEMENT FUNDS		
DBOF	90,000,000	Shall be available for the purchase of 1.8 million cases of Meals Ready to Eat in the current fiscal year.
OTHER DEPARTMENT OF DEFENSE PROGRAMS		
Def Health Prog	40,000,000	Of available funds shall be provided to the Uniformed Services Treatment Facilities program to be used only to fulfill any recoupment action of the Health Care Financing Administration for health care provided to eligible retired Department of Defense beneficiaries over age 65 between October 1, 1986, and December 31, 1989.
	150,000	Shall be used only for the implementation of a cooperative program model at Madigan Medical Center for severely behavior disordered students.
	7,500,000	Of the funds appropriated in this paragraph shall be made available as a grant only to the Northeast Regional Cancer Institute for programs of major importance to the Department of Defense.
Drug Int. & Cntr-Drug Act., Def	25,500,000	Shall be available only for operation and maintenance expenses for five sea-based aerostat systems to provide detection and monitoring support for the United States Coast Guard anti-narcotics operations.
	7,500,000	Shall be available only for the Gulf States Counter-Narcotics Initiative.
	NA	The Secretary shall either lease or procure, and evaluate, an existing airship as an integrated sensor platform for detection and monitoring missions in the Department's Drug Interdiction and Counternarcotics program.
DEFENSE REINVESTMENT FOR ECONOMIC GROWTH		
	80,000,000	May be transferred by the Secretary of Defense under established procedures to the Department of Commerce, Economic Development Administration only for programs which assist workers and communities affected by the military drawdown.
	76,000,000	May be made available to the Secretary of Defense for the provision of temporary health transition assistance for military and civilian employees of the Department of Defense.
	72,000,000	May be made available to the Secretary of Defense for Department of Defense civilian personnel transition initiatives.
	65,000,000	May be made available to the Secretary of Defense for his efforts to provide training in the field of education for military and civilian employees of the Department of Defense to relieve shortages of elementary and secondary school teachers and teacher's aides.
	20,000,000	May be made available to the Secretary of Defense for defense environmental research, education, and retraining programs.
	84,000,000	May be made available to the Secretary of Defense to support job training and employment and educational opportunities for members of the armed forces who are discharged or released from active duty.
	75,000,000	May be made available to the Secretary of Defense for military service members occupational conversion and training.
GENERAL PROVISIONS:		
Sec. 9032	NA	Notwithstanding any other provision of law, the Department shall competitively award contracts for the geographical expansion of the CHAMPUS Reform Initiative in Florida (which may include Department of Veterans Affairs medical facilities with the concurrence of the Secretary of Veterans Affairs), Washington, Oregon, and the Alexandria, Louisiana (England Air Force Base) Fort Worth, Texas (Carswell Air Force Base) and Austin, Texas (Bergstrom Air Force Base) regions.
Sec. 9033	NA	Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability.
Sec. 9036	230,700,000	Of the funds appropriated to the Army shall be available only for the Reserve Component Automation System (RCAS).
Sec. 9039	20,000,000	Of the funds available to the Department of the Army during the current fiscal year may be used to fund the construction of classified military projects within the Continental United States, including design, architecture, and engineering services.
Sec. 9041A	10,000,000	(a) Shall be available for National Defense Science and Engineering Graduate Fellowships to be awarded on a competitive basis by the Secretary of Defense to United States citizens or nationals pursuing advanced degrees in fields of primary concern and interest to the Department. (b) Fellowships awarded pursuant to subsection (a) above shall not be restricted on the basis of the geographical locations in the United States of the institutions at which the recipients are pursuing the aforementioned advanced degrees. (c) Not less than 50 per centum of the funds necessary to carry out this section shall be derived from the amounts available for the University Research Initiatives Program in "Research, Development, Test and Evaluation, Defense Agencies", and the balance necessary shall be derived from amounts available for Defense Research Sciences under title IV of this Act.
Sec. 9044	NA	The designs of the Army Comanche Helicopter, the Navy A-X Aircraft, the Air Force Advanced Tactical Fighter, and any variants of these aircraft, must incorporate Joint Integrated Avionics Working Group standard avionics specifications and must fully comply with all DOD regulations requiring the use of the Ada computer programming language no later than 1998.
Sec. 9055	18,500,000	Of the funds appropriated by this Act shall be available for the mental health care demonstration project at Fort Bragg, North Carolina.
Sec. 9062A	500,000	Of the funds made available by this Act to the Department of the Navy, to remain available until September 30, 1993, shall be available only for the expenses of the Kahoolawe Island Commission which is hereby authorized to delay until March 31, 1993, the submission of its final report.
Sec. 9074	10,596,000	Shall be available for the Civil Air Patrol.
	4,471,000	Of the funds in Sec. 9074 shall be available for Operation and Maintenance.
Sec. 9078	NA	There is established, under the direction and control of the Attorney General, the National Drug Intelligence Center, whose mission it shall be to coordinate and consolidate drug intelligence from all national security and law enforcement agencies, and produce information regarding the structure, membership, finances, communications, and activities of drug trafficking organizations. Provided, That funding for the operation of the National Drug Intelligence Center, including personnel costs associated therewith, shall be provided from the funds appropriated to the Department of Defense for drug interdiction and counter-drug activities.
	20,000,000	Available for the National Drug Intelligence Center may be available to the Secretary of Defense to reimburse the Department of Justice for support provided to the National Drug Intelligence Center.
Sec. 9088	20,000,000	Is appropriated to be available only for the relocation of Air Force units from Clark Air Force Base and Navy units from the Subic Bay Navy Base and Cubi Point Naval Air Station.
Sec. 9089A	NA	Of the funds appropriated under the heading 'Research, Development, Test and Evaluation, Defense Agencies' in title IV of this Act shall be made available as grants to the following institutions in the following amounts for laboratory and other efforts associated with research, development and other programs of major importance to the Department of Defense.
	5,000,000	University of Arizona.
	3,900,000	St. Norbert College.
	15,000,000	Johns Hopkins University.
	15,000,000	University of Wisconsin Center for Advanced Propulsion.
	5,300,000	John Carroll University.
	750,000	University of Northern Iowa.
	15,000,000	Medical College of Wisconsin.
	15,000,000	University of St. Thomas, St. Paul, Minnesota.
Sec. 9091A	8,000,000	Drawn pro rata from each appropriations account in title III, Procurement, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544.
Sec. 9098	82,000,000	Made available in the fiscal year 1991 Department of Defense Appropriations Act (Public Law 101-511) for 'Aircraft Carrier Service Life Extension Program' under the heading 'Shipbuilding and Conversion, Navy, 1991/1995' shall be transferred to 'Operation and Maintenance, Navy' for a large scale industrial availability, presumed to be 24 months, of the USS JOHN F. KENNEDY at the Philadelphia Naval Shipyard.
Sec. 9099	23,270,000	Of the funds made available by this Act in title II, Operation and Maintenance, Army, shall be available only to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.
	4,500,000	In the event that the purchaser of the Sale Parcel exercises its option to withdraw from the sale as provided in the Agreement and Modification, dated September 25, 1990, between the Department of Defense, the General Services Administration, and the purchaser, the purchaser's deposit of this amount shall be returned by the General Services Administration and funds eligible for reimbursement under the Agreement and Modification shall come from the funds made available to the Department of Defense by this Act.
	NA	The Air Force shall be reimbursed for expenditures in excess of 15,000,000 dollars in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of the Sale Parcel.
Sec. 9100	NA	Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to 2,500 dollars, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm: Provided, That the amount of an indebtedness previously paid by a member or former member and cancelled under this section shall be refunded to the member.
Sec. 9101	60,500,000	Not to exceed this amount of cash balances in the Defense Business Operations Fund shall be transferred to appropriations of the Department of Defense which are available for energy conservation improvement projects under the Department of Defense Energy Conservation Improvement Program: Provided, That the authority to make transfers pursuant to this section is in addition to any other transfer authority provided by this Act.
Sec. 9110	400,000,000	(a) The Secretary of Defense may transfer to appropriate appropriation accounts for the Department of Defense, out of funds appropriated to the Department of Defense for fiscal year 1993, up to this amount to be available for the purposes authorized in the Former Soviet Union Demilitarization Act of 1992: Provided, That amounts so transferred shall be in addition to amounts transferred pursuant to the authority provided in section 108 of Public Law 102-229 (105 Stat. 1708).
	10,000,000	Of the funds in Sec. 9110 shall be available only for the study, assessment, and identification of nuclear waste disposal by the former Soviet Union in the Arctic region.

PROVISIONS IN FISCAL YEAR 1993 DEFENSE APPROPRIATIONS ACTS SPECIFYING FUNDING BY PROJECT OR LOCATION—Continued

	Amount	Description
	25,000,000	Of the funds in Sec. 9110 shall be available only for Project PEACE.
	50,000,000	Of the funds in Sec. 9110 may be made available for the Multilateral Nuclear Safety Initiative announced in Lisbon, Portugal on May 23, 1992.
	40,000,000	Of the funds in Sec. 9110 may be made available for demilitarization of defense industries.
	15,000,000	Of the funds in Sec. 9110 may be made available for military-to-military contacts.
	25,000,000	Of the funds in Sec. 9110 may be made available for joint research and development program.
	10,000,000	Of the funds in Sec. 9110 may be made available for the Volunteers Investing in Peace and Security (VIPS) program.
	40,000,000	The Secretary of Defense may transfer to appropriate appropriation accounts for the Department of Defense, out of funds available to the Department of Defense for fiscal year 1993, up to this amount to be available for international nonproliferation activities authorized in the Weapons of Mass Destruction Control Act of 1992.
	20,000,000	Of the transfer authority provided in this section may be used for the activities of the On-Site Inspection Agency in support of the United Nations Special Commission on Iraq.
Sec. 9111	NA	In order to maintain an electric furnace capacity in the United States, preference for the purchase of chrome ore and manganese ore authorized for disposal from the National Defense Stockpile shall be given to domestic producers of high carbon ferrochromium and high carbon ferromanganese.
Sec. 9116	8,000,000	Of the funds appropriated to the Department of Defense for Operation and Maintenance, Defense Agencies, shall be made available only for the mitigation of environmental impacts on Indian lands resulting from Department of Defense activities.
Sec. 9119	NA	Funds appropriated by this Act for the Defense Health Program shall be used to maintain at minimum a 50-bed medical care facility at Silas B. Hays Army Community Hospital at Fort Ord, California during fiscal year 1993.
Sec. 9123	NA	During the current fiscal year, from funds available in this Act, the Director of the Air National Guard shall establish a Command, Control, Communications and Intelligence planning office manned by three full-time Air Guard officers in the rank of O-6, O-5, and O-4. Provided, That these officers shall be in addition to the strengths authorized in section 524 of title 10, United States Code.
Sec. 9134	NA	The Secretary of Defense shall provide for the conduct of an independent study, with participation by one or more federally funded research and development centers, of the Trident missile system.
Sec. 9136	25,000,000	Of the funds appropriated for drug interdiction and counter narcotics shall be appropriated for the purposes of modifying with improved radars and FLIRs and leasing up to 15 T-47 aircraft.
Sec. 9145	20,000,000	Of the funds appropriated under the heading 'Research, Development, Test and Evaluation, Army' in this Act shall be made available only for the National Defense Environmental Corporation, or its successor in interest, for the continued establishment and operation of the National Defense Center for Environmental Excellence (NDCEE).
Sec. 9148	1,000,000	Notwithstanding any other provision of law, the Secretary of Defense shall participate in an infrastructure demonstration program conducted by the Regional Equipment Center, Cambria County, Pennsylvania: Provided further, That of the funds available to the Defense Logistics Agency, this amount shall be available only to establish the Regional Equipment Center in Cambria County Pennsylvania.
Sec. 9149	125,625,000	Is appropriated to the Secretary of Defense, which shall be transferred to the Secretary of Energy by November 1, 1992, to remain available until expended for expenses necessary for the purpose of acquiring, transporting and drawing down crude oil to be stored in the Strategic Petroleum Reserve for national defense purposes. Provided, That the Secretary of Energy may transfer up to 700,000 dollars to the Strategic Petroleum Reserve Account for purposes of operating, maintaining and managing the Strategic Petroleum Reserve.
Sec. 9150	5,000,000	The Secretary of Defense is authorized to expend up to this amount of funds available to the Department of Defense during the current fiscal year or hereafter for the purpose of acquiring approximately one thousand five hundred and two acres of tidelands in the State of Washington from the Coast Oyster Company.
Sec. 9151	NA	During the current fiscal year, funds available to the Department of Defense used for a system or item procured by, or provided to, the Department of Defense containing manufactured carbonyl iron powders shall be available only for a system or item containing domestically manufactured carbonyl iron powders: for the purpose of this section 'domestically manufactured' means manufactured in a facility located in the United States or Canada.
Sec. 9154	NA	Funds appropriated in this Act under the heading 'Operation and Maintenance, Navy' shall be available for payments arising out of the deaths and injuries that resulted from the accidental striking of the Turkish ship Muavenet by a missile fired from the aircraft carrier Saratoga on October 2, 1992.
Sec. 9157	4,500,000	Is appropriated only for the construction of a visitors center at the United States Naval Academy, Annapolis, Maryland.
	5,500,000	Is appropriated only for the construction of a library at Fort Bragg, North Carolina.
	9,700,000	Is appropriated only for the construction of the 154th Composite Group Consolidated Support Facility, Hickam Air Force Base, Oahu, Hawaii.
	1,050,000	Is appropriated only for the construction of an armory at Kaunakakai, Molokai, Hawaii.
	8,500,000	Is appropriated only for the construction of FACP facilities at Barking Sands Naval Air Station, Kauai, Hawaii.
	4,300,000	Is appropriated only for the construction of an armory at Wahiawa, Oahu, Hawaii.
Sec. 9158	100,000,000	From within funds provided in title II of this Act, the Secretary of Defense, in consultation with the Secretary of State, may obligate up to this amount to provide goods, services, and other support for international peacekeeping and humanitarian relief efforts under the authorities of the United Nations Participation Act of 1945, as amended (Public Law 79-264), SEC. 9159.
Sec. 9160	500,000	Shall be available only for the settlement of subcontractor claims associated with the Army Corps of Engineers contract DACA85-88-0025, for the construction of an Aircraft Maintenance Management Facility at Eielson Air Force Base.
Sec. 9162	34,000,000	From the funds made available in title II of this Act, the Secretary of Defense may make a grant of this amount to the American Red Cross for reimbursement for disaster relief expenditures for Guam, American Samoa and Puerto Rico.
Sec. 9163	40,000,000	The Secretary of the navy is authorized and directed to increase the current contract price (the contract price including all modifications as of the date of enactment of this act) for the T-AGS 39 and 40 design and construction contract by this amount using funds provided in Public Law 102-172 for this program, and shall pay to the contractor which built and delivered T-AGS 39 and 40 this amount no later than December 31, 1992.
Sec. 9164	350,000,000	The Secretary of the Air Force is directed to enter into a Supplemental Agreement to Air Force Prime Contract F04701-85-C-0019 for a Heavy Lift Expendable Launch Vehicle. Provided, That such a Supplemental Agreement shall address the Solid Rocket Motor Upgrade (SRMU) program and shall provide up to this amount in payment to the prime contractor and the agreed upon payments to the subcontractor. Provided further, That within funds appropriated to the Department of the Air Force either in this Act or in Public Law 102-172 not less than 200,000,000 nor more than 300,000,000 dollars shall be available for the Supplemental Agreement and that such sums shall be in addition to any amounts appropriated specifically for the Titan IV program in this Act or in Public Law 102-172.
Sec. 9165	32,000,000	Within funds appropriated in this Act for the National Foreign Intelligence Program, the Director of Central Intelligence may transfer up to this amount to the Federal Bureau of Investigations for special programs.
Sec. 9166	303,000,000	Is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard.
	253,000,000	Of funds in Sec. 9166 shall be merged with and be available for the same purposes and same time period as 'Operating Expenses' for fiscal year 1993.
	50,000,000	Of funds in Sec. 9166 shall be merged with and be available for the same purposes and same time period as 'Reserve Training' for fiscal year 1993.
MILITARY CONSTRUCTION		
MILCON, DEF AG	NA	The Secretary of Defense shall continue the construction of a composite medical replacement facility located at Nellis Air Force Base, Nevada, as authorized in the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101-189) and the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101-510) and as provided for in the Military Construction Appropriations Act, 1990 (Public Law 101-148) and the Military Construction Appropriations Act, 1991 (Public Law 101-519).
BRAC I	134,600,000	Of the funds appropriated herein shall be available solely for environmental restoration.
BRAC II	308,900,000	Of the funds appropriated herein shall be available solely for environmental restoration.
GENERAL PROVISIONS		
Sec. 102	NA	Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.
Sec. 103	NA	Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

Mr. MCCAIN. I hope my colleagues will each take the time to review this revealing document.

I also emphasized that this is not a problem which is peculiar to the Defense budget, but I feel it is important for my colleagues to fully understand the potential impact on our national security when these abuses of the budget process occur in a Defense appropriations bill.

Mr. President, may I pause to ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, I pointed out on Monday that the debate in the Senate is not about just another Defense bill. The importance of this bill increases in the context of post-cold war global instability and the potential threat of proliferation of weapons of mass destruction. Most importantly, the Senate is debating these issues while American soldiers are stationed

in Somalia, ready to put their lives on the line for their Nation. The decisions the Congress makes today will determine the ability of the United States in the future to play an effective role in world affairs and to protect our own security and that of our friends and allies.

My colleagues know that, in real terms, the fiscal year 1994 Defense budget is over one-third less than the amount available for our national defense in fiscal year 1985. Dollars for de-

fense are scarce and getting scarcer. Because of these huge funding cuts, we are forcing hundreds of thousands of men and women out of the military. Our defense industrial base is being cut to the bone. We are accepting compromise after compromise in our military capabilities. The United States has eliminated all programs to modernize our strategic deterrent forces, even though a great degree of uncertainty exists as to the status of such programs in the former Soviet Union. We are cutting readiness, and some aspects of our forces are rapidly becoming hollow. We have already taken our peace dividend. There are no spoils left for the Congress to divide.

Yet, the Congress insists on setting aside billions of defense dollars for unrequested, unrequired, special interest programs. These congressional earmarks threaten the viability of a necessarily smaller defense force supporting a new, more limited strategy, and thus they threaten the long-term security of our nation and its citizens. In an immediate sense, unrequested add-ons take away the livelihoods of men and women in defense industry who earn their jobs by working on programs the country really needs. And they drive highly skilled men and women out of the military services, including many minorities, and make it more difficult to attract capable men and women to enter into the military as a career.

Mr. President, as I have consistently stated to my colleagues, every dime the Congress earmarks for Members' special interest items and pork barrel projects comes at the expense of a validated military requirement necessary to ensure the security of this Nation. The fact is that there is no such thing as free pork. Every add-on requires an offset from some other program. Often these tradeoffs are difficult to identify readily. But if and when American troops are required to put their lives on the line in defense of this Nation's interests, the dangerous effect of pork barrel politics will become very obvious. We cannot afford pork barrel projects anymore. I, for one, will do all I can to see that this practice does not continue.

Mr. President, as I said earlier, the Congressional Research Service compiled a list of legislative earmarks in DOD appropriations bills over the past 4 years. By earmark, I mean a legislative or report language requirement that funds be spent in a particular manner or at a particular place, generally without consideration to merit, priority, or competitive bidding. The CRS report demonstrates just how egregious earmarking of appropriations has become. This information is contained in the CONGRESSIONAL RECORD of Monday's date.

Mr. President, let me emphasize again, as some of my colleagues from

the Appropriations Committee also pointed out, some of these special interest projects may, indeed, be very meritorious projects and deserve Federal funding—but not defense dollars. But every time the Congress acts with this kind of specificity, some other project—one that may be requested and, most importantly, which is essential to national security—goes unfunded. This is wrong. It is wrong whether the project is in Minnesota or Arizona. Defense dollars are intended to enhance national security, not domestic comfort.

Mr. President, again today, I would like to point out to my colleagues that the fiscal year 1994 DOD appropriations bill passed by the House is replete with earmarks of scarce defense dollars for home-district projects. The House set aside \$6.5 billion of defense dollars for special interest, noncompetitive projects at bases, universities, and other institutions in Members' home districts. In other words, the House gave its Members \$6.5 billion in pork barrel projects. I have already placed into the record the complete list of \$6.5 billion in earmarks in the House version of the Defense appropriations bill.

Let me again briefly tell you about a few of those earmarked projects in the House DOD Appropriations bill for next year.

Every dime—every dime—of the \$236.5 million in funds intended to assist in transitioning our defense industries and personnel to commercially viable endeavors is allocated to specific projects at designated sites, universities, institutions, and other earmarked recipients.

Mr. President, my worst fears have come true. As I supported funding for defense conversion so that we could help these communities, help these businesses, help these States make adjustments as we cut defense spending, we are now seeing them earmarked not on the basis of merit but on the basis of who has the most clout.

Mr. President, we have organizations in the Defense Department who are qualified to make those decisions on a competitive basis. That is the way it should be done.

The sum of \$2.3 million is set aside for cell adhesion molecule research, to be done at a "nonprofit foundation in the northeast * * * by an integrated team of scientists with extensive experience in the molecular analysis of the immune system * * * the scientific team must have extensive experience in the identification and analysis of cell adhesion, signal transduction pathways, cytokine production, and gene regulation."

That is actually the language of the bill. I do not know who that organization is, Mr. President, but I know there is only one of them.

Up to \$50 million is directed by the House to be spent for environmental

cleanup of an abandoned mine at the Penn Mine site in Calaveras County, CA.

My colleagues on the appropriations bill have said these are worthwhile projects. It may be worthwhile to clean up a mine in Calaveras County, CA. But how, for the life of me, that is a defense requirement is something I simply do not understand.

All this data is available in the CONGRESSIONAL RECORD of October 18.

Mr. President, again, I am happy to say that the Senate appropriators seem to have moderated the district spending spree initiated by the House. Although I do not have a complete list of earmarks in the bill before the Senate today, it appears that most of the egregious programs included in the House bill have been deleted from this version. Again, I congratulate my colleague on the Senate Appropriations Committee for their relative restraint.

However, Mr. President, I must note with dismay that the bill before the Senate today does contain some objectionable provisions which clearly earmark dollars for special interest projects. Again, I will stress that these projects may have merit, but I firmly believe that funding decisions based on competitive bidding and independent evaluation are the only means to ensure that the American taxpayers' dollars are spent for the highest priority projects.

Let me very briefly talk about a few examples of earmarks which are included in this DOD appropriations bill: \$5 million is earmarked for a center of excellence for research in ocean sciences; \$1.5 million of defense dollars are directed to be spent to purchase an LCU ship, convert it to a commercial cargo vessel, and then deed it to the Government of American Samoa; \$500,000 for environmental remediation and wells on Walker River Paiute tribal lands; \$4.5 million for the McMinnville, Oregon Center for Aviation Technology and Training; two higher education systems in two separate States will share nearly \$9 million under a provision in the bill which directs the establishment of an international job training program at one college and a math teachers leadership project at the other college; \$2 million to establish a marine environmental research facility at Astoria, OR; \$12 million for the AKAMAI project at Tripler Army Hospital in Hawaii; \$1.7 million to replace a public landfill at Kotzebue, Alaska; \$2.5 million is set aside to fund a joint Air Force/Navy Auroral Research Program, for which there is no request and no authorization.

I have not read this entire bill. One of the problems we have is sometimes it takes days and even weeks to ferret out all of the different kinds of appropriations.

From my reading of these provisions, it appears that my amendment may be construed to prohibit noncompetitive contract awards in only four of these instances: The grants of the two universities, the environmental research center, the landfill, and the environmental work on Indian lands. Again, however, these programs may very well receive appropriate funding under competitive procedures for these dollars.

The dollars earmarked for these and other programs like them are dollars taken away from identified, higher priority, military requirements of the Department of Defense. They are dollars taken away from working military men and women and their counterparts working in defense industries. The cost of these earmarks is the continued degradation of the readiness of our military forces at a time of continuing instability in the world.

It is time we looked around and realized what we are really doing. It is time we realized where lobbying, special interests, and narrow constituent concerns have brought us. If we continue this pattern of waste, we will be responsible for our Nation's inability to defend our interests in the future.

The amendment I offer is very simple. My amendment states that the provisions in this bill dealing with university research, community adjustment assistance, strategic environmental research, and environmental restoration shall not require the Department of Defense to award a contract or make a grant to a specific non-Federal entity. If my amendment is adopted, contracts and grants would be awarded under the competitive, merit-based selection procedures that are currently in law. In other words, there would be no earmarks in these programs in the fiscal year 1994 Defense appropriations bill.

My amendment would prohibit earmarking of appropriations in these very specific areas, most of which were included in the House version of the bill but deleted by the Senate appropriators. And in fact, my amendment would affect only a small portion of the \$6.5 billion in earmarks that the House included in its bill. In total, my amendment only affects about \$316 million in earmarked funds in the House bill.

But, Mr. President, I hereby serve notice that I will strenuously object to the inclusion of any of these earmarks in a conference agreement on the fiscal year 1994 Defense appropriations bill.

This amendment is just a start. On Monday, I also noted four possible solutions to deal with the problem of pork highlighted by the CRS report. I want the Senate to be on notice that, beginning with this amendment, I will be seeking to have the four points I raised become law.

Last week, during the Senate's debate on a different subject, the esteemed Senate Appropriations chair-

man, Senator BYRD, sought to clarify—by using the dictionary—his point. Let me now follow his lead.

The Random House College Dictionary defines an earmark as "to set aside for a specific purpose." Competition, on the other hand, is defined as "the act of competing." These two terms are not interchangeable; they are not remotely synonymous; they are, in fact, opposites. The Congress cannot, on the one hand, direct the Department of Defense to rely on competition to save money, but then provide them with a bill containing billions of dollars of noncompetitive earmarks of the Congress' choosing.

Let me give praise where praise is due. During consideration of the fiscal year 1994 Department of Transportation appropriations bill, Chairman LAUTENBERG sought to "winnow some of the earmarks—money directed to lawmakers' favorite projects—out of the bill." Congressional Quarterly reported that "Lautenberg * * * was responding to the public, which wants Congress to cut spending and pork barrel politics."

In the article, Senator LAUTENBERG is quoted as saying, "I don't think I'm the only one who sees a new era coming." He continued, "I thought it was an appropriate time to [respond to] what I hear is a clamor from the people we represent." I hope my colleagues on both sides of the aisle will attend to the words of Senator LAUTENBERG.

The Congress passed a Department of Transportation bill with considerably fewer earmarks than in the past. We can do the same with the Department of Defense bill. The Congress must choose between competition and earmarks.

The public is no longer merely clamoring for an end to pork barrel politics; it is yelling, screaming, demanding something be done—demanding that we stop pork barrel spending and earmarking. We must put the national good, our national priorities, before local political gain.

The choice is clear: earmarks versus competition—politics as usual versus fiscal responsibility. I urge my colleagues to take the first step toward fiscal responsibility. I urge my colleagues to support my amendment.

Finally, and I appreciate the patience of my colleagues, I am aware of the way the Senate and the Congress have been doing business for many years. I am aware that seniority allows certain latitudes and certain things to be done in this body. I am aware that the defense appropriations bill clearly indicated by the CRS report and other studies has been an area where billions and billions of dollars have been spent on special projects, on projects that were neither requested nor authorized, and many times appropriated.

I want to put this in the right context. In the area of defense we are tell-

ing thousands of young men and women we cannot afford to keep them in the military, and we are still able to afford billions of dollars on unnecessary, unfunded expenditures. We cannot do that.

Mr. President, 10 percent of the African-American young men in America today who are employed are in the military. We are telling them we cannot afford to keep them because we have to downsize our military. The military and our All-Volunteer Force has been, in my view, the best way for an American to lift himself or herself up from conditions of poverty and receive an education, receive an opportunity. Yet, we are going to spend billions of dollars on things such as I just enunciated.

I know, also, that I risk some retaliation in my State. I am willing to risk that retaliation because I am a U.S. Senator, not an Arizona Senator. But it has to stop. We have to get control of this process because we do not have the confidence of the American people in what we are doing. And the best way to restore that confidence of the American people, in my view, is to treat their tax dollars as if they were our very own and spend them on only needed defense spending and not other unneeded, unrequested funding. The best way we can do that is restore some regularity and formality to the process.

Mr. President, I yield the floor.
Mr. THURMOND. Will the distinguished Senator yield me 5 minutes?

Mr. McCAIN. I yield 5 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I am pleased to join as a cosponsor of the amendment offered by my good friend and colleague from Arizona, Senator JOHN McCAIN. If approved, this amendment will put the Senate on record as being in favor of spending our shrinking defense dollars in the most effective and efficient manner. The language in Senator McCAIN's amendment emphatically restates the congressional policy that funds expended under community adjustment assistance, university research, strategic environmental research, and environmental restoration programs are awarded on the basis of merit rather than on other considerations. This amendment makes explicit the approach followed in large measure by the Senate Appropriations Committee.

The earmarking of programs is a long-established practice in Congress. We have the power of the purse and must be sensitive to the needs of our constituents regarding the administration of Federal programs. Therefore, it is pointless and unfair to try to place the blame for earmarking practices on any member, committee or House of Congress, but this year the problem has gone to far.

We are not facing a crisis in managing defense spending. The defense budget appears to be in freefall and our military commitments around the world are shifting rather than decreasing. The Armed Services Committees are struggling to meet draconian outlay targets in the critical research and development accounts. We may have to reduce these accounts \$4 billion below the House figure. We are in danger of eating our seed corn as we sacrifice our technology programs to shorter term priorities.

In this environment, large-scale earmarking is a luxury we can no longer afford. We must ensure that every dollar be expended on defense programs that are judged to be meritorious by a process freed of other considerations. If there are concerns about the process for awarding grants or contracts under these programs, then let us examine that process and make appropriate corrections. The answer, however, is not to overturn a competitive process in favor of earmarks.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MCCAIN. Mr. President, I yield to the Senator from New Mexico such time as he needs.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, how much time remains for the proponents?

The PRESIDING OFFICER. Ten minutes, forty-seven seconds.

Mr. BINGAMAN. I request 5 minutes of that time and then I will yield the rest of it back to my colleague. I know the Senator from Georgia, the chairman of the authorizing committee, would like to speak as well.

Mr. President, I rise in support of the amendment offered by Senator MCCAIN and wish to join him in this effort. I do think this is an issue that is not being addressed for the first time in the Senate. It is one that we have addressed several times before.

I want to make very clear what I believe Senator MCCAIN stated in his comments as well, that the issue we are raising with this amendment is not directed at the provisions that are in the bill pending in the Senate today. I want to commend the Senator from Hawaii and the Senator from Alaska for the constructive approach that they and their colleagues on the Appropriations Committee have taken toward preserving the statutory processes and the principle of merit-based selection procedures in the bill before us. These cost-sharing, competitive principles which the Senate committee was embracing were at the heart of last year's legislation on conversion. The principles enjoyed bipartisan support in the recommendations of the Pryor task force and the Rudman task force.

There is a broad consensus that this is the only fair way to allocate these

funds, especially when they are oversubscribed by a factor of 20 to 1, as they are in the case of the technology reinvestment project, which is the name that has been given to the technology and industry component of Congress' 1992 conversion and reinvestment legislation.

So, again, I want to commend the Senate Appropriations Committee for taking this approach and for including section 8130 in the bill that is pending before us today. This section, which was offered by Congressman GEORGE BROWN on the House side ties the expenditure of technology reinvestment funds to the competition and cost-sharing and other procedures set forth in the law.

However, Mr. President, let me just point out that there are some other areas that have been referred to by Senator MCCAIN where Congress has established specific statutory merit-based procedures, and we need to ensure that in those cases, the competitive procedures are followed as well.

The first of these that we are addressing in our amendment is the long list of operations and maintenance earmarks in the House report language aimed at particular communities facing dislocation due to defense cutbacks.

A second area which has been referred to is university earmarks.

A third is the earmarks contained in the House bill related to the Strategic Environmental Research and Development Program.

And, finally, the earmarks involved with the defense environmental restoration account. Clearly, we need to ensure that those programs are allowed to proceed on the basis of merit, they are allowed to proceed on the basis of competition, as was the intent of Congress from the very beginning.

I am particularly concerned about the long list of dual-use technology earmarks in the areas such as manufacturing technology, automotive technology, health care technology, electronics and materials technology. The vast majority of these appear to be projects intended for a particular recipient. These are projects that could and should be competitive under the Technology Reinvestment Program.

In each of these areas, the Advanced Research Projects Agency received in excess of 100 proposals. We have very limited funds available for defense and dual-use research and, as the Senator from South Carolina pointed out, we are being asked in the conference with the House on the defense bill to cut in excess of \$5 billion from the President's request for defense R&D. We cannot afford to spend the scarce resources we have for research and development on special projects for Members' interests.

Mr. President, I know that the appropriators and the chairman of the Appropriations Committee in the Senate,

the chairman and ranking member, will have a very difficult time holding to the position which we are advocating in the Senate today. It clearly is the fair thing to do. It is the only fair way to treat the 2,800 groups which responded to the competition for the technology reinvestment project funds and for the many thousands of others who will compete in the future.

Let me conclude by again thanking the Senator from Hawaii and the Senator from Alaska for standing by the principle of merit-based procedures and the expenditure of defense funds. I hope they will continue to preserve this principle in the final bill which emerges from the conference and that the amendment we are offering today will help them in doing that.

Mr. President, I yield the floor and reserve the remainder of Senator MCCAIN's time.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, before proceeding with my remarks, will the Senator from New Mexico respond to a question on my time?

Mr. BINGAMAN. I will be glad to respond.

Mr. INOUE. Mr. President, I wish to know the intent of the authors of this measure. Does this provision apply only to the following: Programs, projects, activities involving community adjustment assistance, research and development at colleges or universities, strategic environmental research or environmental restoration, or does it go beyond that?

Mr. BINGAMAN. I will respond for myself, since I am not in a position to respond for the Senator from Arizona. But I will respond for myself that it is my intent that the amendment go beyond that and that it make it clear that as a matter of policy, the Senate wishes to maintain merit-based procedures for all contracts and grants, programs, projects, and activities funded by the Department of Defense; that those merit-based procedures should be followed. That is in the last sentence of the amendment. I do think, as a matter of principle, the Senate should be on record in support of that.

Mr. INOUE. Mr. President, the bill before us complies with the law of the land as established by Congress. The bill before us, the Defense appropriations bill, provides substantial amounts of funds which will be awarded following full and open competition. This bill requires competition in the award of defense conversion research and development. This bill does not earmark funds provided for defense conversion community assistance and personnel programs. This bill does not earmark funds in the defense environmental restoration account or funds approved for the Strategic Environmental Research and Development Program.

Specifically, the committee added \$150 million to the \$324 million requested for R&D projects to aid the conversion of our defense industry under the Technology Reinvestment Program. The committee also provided additional funds for the community assistance and personnel programs which would aid our fellow citizens affected by the defense drawdown.

Mr. President, it was difficult to appropriate these funds, given the outlay constraints facing this committee. No other congressional defense committee met this challenge. I can assure you, Mr. President, that we members of the committee have worked very diligently with our colleagues in the Senate to provide additional funds for defense conversion efforts.

While my fellow Senators brought a number of excellent conversion projects to the attention of this committee, the committee sought to allow the competitive process to determine the best possible uses of defense conversion funds.

In addition to the so-called earmarks that I have mentioned on defense conversion, the committee recommended that the full Senate agree with the House bill language requiring competition in the award of Technology Reinvestment Program funds.

The committee support of the competitive process is fully consistent with the existing laws governing award of defense conversion funds and other programs highlighted by Senators MCCAIN and BINGAMAN.

Mr. President, I believe the law is clear, and most sincerely I believe we have complied with the law. Indeed, as I have said, we have further adopted a House provision mandating that Defense Technology Reinvestment Program funds be awarded based on competitive procedures outlined in the statute. I can assure one and all that we will do our best in conference to maintain these competitive procedures.

The amendment before us, I believe, seeks to refine the Senate's support for competitive award of funds available to the Department of Defense. However, I sincerely believe that the amendment's current language may be so expansive that it could have an unintended effect on overriding program priorities that the committee or the Senate have established as meritorious in the bill and report language.

Just a few minutes ago, Mr. President, we concluded an important debate on so-called earmarking of funds for the Army and Air National Guard. The issue before us involved \$150 million that we in the Senate decided had merit. It was authorized by the authorization committees, and we appropriated the funds. The vote was overwhelming.

In that debate, I tried my best to remind my colleagues that a very impor-

tant constitutional provision was involved. Article I, section 8 of the Constitution says that the Congress has the power to provide for and maintain armies. The Congress has the power to provide for a navy. This debate so far suggests that if the administration has not requested these programs, it is not worthy of our consideration, and yet the Constitution makes it very clear that it is not the President of the United States but the Congress that will provide for and maintain an army and provide for a navy.

Yesterday, we had a lengthy debate on the CRS report, and I tried my best to respond item by item. I will not use my limited time for that purpose. But since we are talking about the CRS report, it might be well to use that report.

In discussing defense funding, earmarking generally refers to occasions in which amounts are specified in law or in committee reports for purposes even more narrow than those of typical line items. In light of the flexibility of the term in common usage, CRS has not referred to earmarked funds in any of the attached material. Rather, we have tried to identify all provisions of defense appropriations acts that specify that funds should be allocated to particular projects or locations. As you may know, we have not provided a similar table of provisions from defense authorization acts. The reason is that authorization measures typically include dozens if not hundreds of provisions that define or establish particular programs and activities. The results of citing them all would be unwieldy. We do not mean to suggest, however, that only appropriators earmark funds.

This amendment suggests that it may be well for authorizers to earmark funds but not for appropriators. Yet the Constitution makes it very clear it is the Congress of the United States which provides for the army and the navy.

Second, I hope my colleagues will go over the RECORD of yesterday and look over the debate that was held in preparation of this amendment because each item has been answered, and I believe rather specifically.

At the appropriate time, Mr. President, I will be, together with Senator STEVENS, making a motion either to amend or to table the amendment because I believe that, as written, this amendment is so expansive that it may have had an intention that was not intended by the authors of this measure.

I am pleased to yield to the vice chairman of the committee.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I want to emphasize what the Senator from Hawaii has just said. This amendment says "no provisions of this act." This appropriations bill will become an act. Only the appropriations process would be so limited. As the CRS has pointed out, they did not even provide a table of provisions from the Defense authorization bill because there are so many of them they could not compile them.

Now, it just so happens that the Constitution does not refer to authorization bills. We have provided for the authorization process in our procedure, but the Constitution says:

No money shall be drawn from the Treasury but in consequence of appropriations made by law.

Now, I find it very interesting that it is all members of the authorization committee who have presented this amendment to the floor. The very people who the CRS says it cannot even count the number of earmarks they have in their bill have said you cannot earmark in an appropriations bill.

Now, let us make sure we understand what that means. It means the distinguished occupant of the chair or any other Senator cannot come in here and say, "Of the money that you have provided in this bill, I want this amount reserved for this project in my State."

Now, let us talk about environmental restoration. I started the environmental restoration concept when I was chairman of this subcommittee. I started it with an amendment on the floor. We had ignored the concept of environmental restoration on defense establishments and we now have one. It is an enormous one. It is almost \$3 billion this year. Of that \$3 billion almost—it is 2 point something or other—I asked the committee, and in the report we do earmark and say that \$1.3 million shall be available to the Air Force to replace an existing landfill in Alaska at Kotzebue that was contaminated by the Air Force waste. As they closed an air base, they used the little town of Kotzebue's landfill and so filled it up with waste it has now been told it cannot use that landfill anymore.

So that I have asked, of the almost \$3 billion in this bill, \$1.3 million of that money be prioritized as a partial contribution of the Government to replace that landfill which must be done now according to the EPA.

I could come out here on the floor with an amendment. I did not do that. I asked the committee. We placed it in the report, and we have said we set that priority for the use of these funds. That has been criticized by my friend from Arizona. It is earmarking of the O&M moneys, generally. It does not take away from anyone else. It just says, from all of that money that is in here for O&M—and the total amount for that is almost \$80 billion—we can urge you to use it for this account.

If the Senator from Arizona wants me to come and present that amendment, I will present that amendment. And I will ask Members of the Senate to vote against it. I would point out that I have here the requests made to me personally as the minority manager of this bill by some 31 to 35 Senators on my side. The Senator from Hawaii has a similar package. Almost every Member of the Senate that has a defense installation in their State came to me

and asked me to earmark or provide some money for specific things in their State. Many of them were from the Armed Services Committee.

Look at the Armed Services Committee bill this year: \$25 million for electron laser; \$4 million for the helmet-mounted mission rehearsal system; \$5.9 million for the stratified charge rotary engine; \$11.7 million for the decoy, in Massachusetts; \$1.4 million for Sacramento Peak Observatory; \$10 million for the thermionic conversion unit, at Auburn University; \$7.5 million for the adoption program; \$50 million for the Xerox high definition display project; \$14.5 million for the Z megawatt fuel cells, in Connecticut; and \$3 million for the solid polymer. That is just a few of them.

There are so many of them that we could not get them all out in a book.

The CRS says—

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

Mr. STEVENS. Not right now. The Senator can speak on his own time. I am sort of wound up on this right now.

It makes me mad, again, that the Armed Services Committee comes here and points the finger at the two of us and says, "These naughty boys again are earmarking."

I hope the Senate wakes up because we react to requests of other Senators for these earmarks. They are a legitimate exercise of congressional authority to provide funds for defense projects.

If any Member of the Senate questions what we have done, offer an amendment to delete it. Come out here and have the courage to delete it. But do not give us some broad general policy that is absolutely unworkable but only applies to this act.

The Energy Subcommittee bill appropriates money for defense. The State, Justice, Commerce appropriates some moneys that come from defense. We now have turned over to a series of other committees a portion of the defense money, Transportation appropriations part of the money for defense, for Coast Guard. But only this bill would become burdened by this. This is a policy in Congress that contracts and grants for programs, projects, and activities funded for the Department of Defense should be awarded through merit selection procedures. That says it applies only to the provisions of this act.

What are we trying to do? What are the appropriators trying to do? They are trying to say that once again we have appropriated money that was not authorized. That, by and large, is not true this time. As a matter of fact, I would put into the RECORD at this point—I do not want to load the RECORD down.

I have here a series of pages for the add-ons made by the authorizing committee under the authorizing projects

for items that were not requested by the President, were not requested by the Department of Defense, were not requested by anyone other than members of the Armed Services Committee. By and large, we funded most of those because we agreed with them. But there are people within the Department of Defense who say: Hey, wait a minute. You have congressional add-ons.

The congressional add-ons do not just come from the appropriations bill. They come from earmarking, basically, in the authorization bill. They cover the very things we are talking about. They cover community projects, adjustment assistance, research and development at colleges, strategic environmental research or environmental restoration; basically, earmarked in the authorization bill. But that is not covered by this amendment; only the earmarks that we would have made. As the Senator from Hawaii said, we have not basically made any.

But the last sentence is the things that apply only to those things authorized by this bill, by the appropriations process.

I think that the Senate has to decide what it is going to do. Any Member of this Senate can come out here and, pursuant to rule XVI of the Senate, offer an amendment dealing with this bill. We invite you to do so; we invite you to do so. We should let the Senate pass on the priorities that you set.

What this means to this Senator is if this amendment is agreed to next year, the Members of this Senate must come to this floor and present their own amendments.

I might say, if it passes, I will see to it, if the Senate does not table it, I will offer an amendment to say: This or any other act. It is legislation on appropriations. It should not be here in the first place. Rule XVI prohibits that. But if we make a point of order against it, the people here will just say it is germane and we will have a vote on germaneness, and that will be equivalent to adopting the amendment.

I see my good friend from Georgia, the chairman of the Armed Services Committee. He and I have had long talks about legislation on appropriations, and the appropriations process. And we have come away as friends. I admire his ability in this area. But I will say this: This one is going too far. It is only if it applies to every act of Congress. If Congress wants to set a new policy, and it would be a new policy with regard to the concepts of this language, I say that we should think about that.

I reject the position of the Senator from Arizona that we have, by virtue of this bill, earmarked items except as requested by a Member of the Senate who came to us and we presented the bill. If you question those earmarks, come out here and take them out. Come out here

and raise the question. But again, a scatter gun comes at us, and in the scatter gun is an expression of policy, a legislative policy that, in my opinion, only applies to the provisions of this act.

I believe that the way to deal with this bill is the way the Senator from Arizona did on the *Seawolf*. I voted for his amendment to limit the *Seawolf*. I did not believe in the *Seawolf*. I voted, for instance, against the tremendous amount of money that was spent on battleships for the Navy of our country, and they were out there floating for 3 or 4 years and came back in to become museums again at costs of literally tens of billions of dollars.

That is the way to deal with it: Have a vote out here on individual provisions you disagree with. But this is a scatter gun.

I tell the Members of the Senate who brought to me these requests—I think the same kinds of requests were brought by the Senator from Hawaii—that we cannot work that way anymore with regard to these provisions, with regard to these projects. Most of the provisions are not in the act. Again, they are in the report, as are the provisions that are earmarked by the Armed Services Committee. Their report is quite similar to ours. It is right here. This is the one for 1994.

I urge the Members of the Senate to look at it—the specificity of funds for the George C. Marshall Center, pilot outreach, additional support for counterdrug activities, export loan guarantees, military physicians—you can see the earmarking. I do not disagree with it. That is the function of the Armed Services Committee: To review the requests for money and put congressional limitations that it believes are necessary to assure the protection of the public interest.

But there is, particularly when the Senator from Arizona seems to believe that this earmarking of the CRS is really a report of all earmarking of defense projects—I again refer to where I started out in this report.

The CRS has not referred to earmarked funds. They have tried to identify provisions in appropriations acts only that specify where funds should be allocated or projects, or locations of projects, should be funded. And they specifically say:

Authorization measures typically include dozens, if not hundreds, of provisions that define or establish particular programs or activities. To cite them would be unwieldy.

Where is the fairness in that kind of legislation? Again, this is where the buck stops. We are the only committee of Congress that is subject to the outlay limitations. In order to get to those outlay limitations, we have to be specific. As a matter of fact, we had one amendment presented against us this morning to delete \$150 million because we were not specific enough.

Now this is an amendment that says take out all of those provisions that are specific, unless you put them in on a general category of being—they must be competitively bid. To me, it is bad legislation and it is wrong. I will be happy to listen to my friend.

Mr. BINGAMAN. Mr. President, could I try to clarify what I think this amendment does? It does not do what he is believing and stating that it does. This amendment does not try to knock out all language in the appropriations bill or in any bill which establishes particular programs and activities. I agree with the Senator from Alaska and the Senator from Hawaii that that is entirely appropriate. If the Appropriations Committee and the authorizing committee decide that a particular activity or program should be funded, then they should specify that. I voted with the chairman and ranking member on this last amendment, because I believe very strongly that we did what we should do.

Mr. STEVENS. Let me parenthetically say that you are using your time. I have used a lot of ours.

Mr. BINGAMAN. I will use my time. What this amendment does is say:

No provision of the act concerning these programs, projects, or activities may be construed as requiring a contract to be awarded or a grant to be made to a specific non-governmental entity.

That is a particular contract. What we are trying to get at are provisions in the House appropriations report which require that a particular contractor be given the contract. And that, to us, seems eminently reasonable, and it is something that the Senator from Alaska supported, and that is all this amendment tries to do.

Mr. STEVENS. Mr. President, I support what the Senator just said, but does it cover my \$1.5 million for Kotzebue? It says to give it to a non-Federal entity without any contract.

Mr. BINGAMAN. You do not state who is to do the work.

Mr. STEVENS. No, but who the grant is to be made to.

The PRESIDING OFFICER. The Senators should direct their comments to the Chair.

Mr. BINGAMAN. As I understand the example the Senator from Alaska cited, he is specifying a purpose and an activity in a program he thinks should be funded, not which contractors are to do the work. Accordingly—

Mr. STEVENS. To the contrary, this amendment covers a grant, requiring a grant to be made. I require a grant to be made to the city of Kotzebue to be a Federal contribution to a landfill. Now, it is covered by this amendment. It specifically says environmental restoration may be construed as requiring a contract to be awarded or, as required, a grant to be made to a specific non-Federal entity for a program or activity.

I require \$1.5 million to be given to Kotzebue. It is a fair contribution. As a matter of fact, they should pay for the whole thing. They destroyed the landfill for what is really a very small Eskimo town in northwest Alaska. I think this amendment covers that kind of earmarking.

Mr. BINGAMAN. Mr. President, I make it clear that some of this dialog is coming out of the time of the Senator from Alaska.

Mr. STEVENS. Yes. Mine is.

Mr. BINGAMAN. Mr. President, I will yield the floor, as I know the Senator from Georgia wants to speak on this issue.

Mr. NUNN. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 3 minutes 30 seconds remaining.

Mr. NUNN. Mr. President, I want to commend the Senator from Arizona and the Senator from New Mexico for offering their amendment to make it clear that it is the policy of Congress that defense funds should not be earmarked for specific contractors or grantees.

I would also like to commend the chairman and ranking member of the Defense Appropriations Subcommittee for their approach to this bill. While I do not agree with every element of their bill—and I would not expect them to agree with every element of the authorization bill—I believe that the general approach of appropriations bill reflects the genuine concern of the leadership of the Defense Appropriations Subcommittee for our national security. I particularly note section 8130, which prohibits earmarking the technology reinvestment projects, as well as the general absence of university earmarks from the bill.

The leaders of the Defense Appropriations Subcommittee know as well as anyone what difficult choices we now face in meeting the requirements of national defense. They have, for example, reduced the administration's request for funding of research and development programs by \$5.2 billion, or 14 percent. In a budget that has already been reduced considerably over the funding proposed by the previous administration, that is an enormous figure. It is \$2.5 billion less than the amount provided for research and development in the authorization bill. Given the deep decline in funds available for research and development, we simply do not have the luxury of earmarking funds for parochial interests.

As defense spending is reduced, it is essential that the limited funds which remain be used to support the programs of the Department of Defense in the most cost-effective manner possible. Congress has a vital role to play in this process, by establishing sound acquisition policy and making wise funding decisions. I do not believe, however, that in authorizing and ap-

propriating funds for the Department of Defense, Congress should not act as super contracting officers and selecting the specific contractors or grantees who will be recipients of defense funds.

There is a big difference between deciding which programs are necessary to the national defense and deciding which contractors or grantees are best capable of meeting the objectives of those programs. The award of a contract or as grant should be made on the basis of an objective evaluation of the capabilities of the contractor or grantee. That is the type of decision that is best made on the basis of objective, professional judgments by officials in the executive branch using procedures and criteria established by Congress.

Mr. President, the defense budget was never large enough to justify earmarks for specific museums, specific universities, specific contractor claims, specific environmental restoration projects, specific conversion programs without regard to national defense needs or priorities. There are a large number of these kinds of earmarks proposed in the House-passed Defense appropriations bill. In the current budget environment, such earmarks not only are unjustified, they are harmful to the national defense because they take limited defense dollars away from critical projects.

The safety, welfare, and success in combat of the men and women in our Armed Forces—today, and 20 years from today—is directly dependent on the spending decisions we make here in Congress. We must ensure that these decisions are based on the merits of our national defense needs by supporting the Bingham amendment.

Mr. President, I commend the Senator from Hawaii and the Senator from Alaska for a very commendable job on this appropriations bill. The Senator from Alaska has mentioned the outlay problem they struggle with, and we acknowledge right up front that we did not meet that outlay target. The reason is that we hoped it would be changed. It has not been, and we are going to have to meet the outlay at some point. The Senator from Alaska is correct on that. They struggled with the outlay problem that we did not meet, and I think they are to be commended for that.

The second thing I want to say, if my friend from Alaska will listen, is the Senator from Hawaii and I have talked about this at length, and the Senator from Hawaii has assured me he is going into conference determined not to have earmarks. This bill does not have earmarks, as we interpret it. The bill that came out of the Senator's committee does not have earmarks of the kind that is set-aside money for specific contractors and specific entities that are nongovernmental. We do not aim at any of those provisions that go to activities and programs.

This amendment, as I understand it from the Senator from New Mexico, is aimed at preventing set-asides for people who would really not be competing but, rather, getting their grants or their contracts by act of Congress. What that does is gives a fair playing field to those who are competing. If we do not have some policy like this, these thousands of proposals out there on defense conversion and other funds that are coming in in good faith, thinking there is going to be merit competition, are not going to be funded, and those being chosen by the Congress in an appropriations bill will be funded.

So we are not in any way attacking this bill before us. I believe what the Senators from New Mexico and Arizona are trying to do is commendable, because their amendment would say in advance that we do not support these earmarks because it is not fair to the taxpayer or to the other people trying to compete when there is no competition. Really, it is being set aside by an act of Congress, and it is not fair to the whole system. That is what the amendment is attempting to do, and it does not cover programs and activities. We always have programs and activities that we set aside money for. That is not the same as saying who is going to get the award and contract.

I say to my friend from Alaska, the provision he alludes to is in report language, not in the bill. Therefore, it is not binding and covered by this amendment. It is up to the Secretary of Defense to make those kinds of decisions.

So I commend the Senator from Hawaii and the Senator from Alaska. They have been true to their word. They have not put earmarks in this bill. And what we are really trying to do is reinforce their position in conference, because that is where the problem usually comes. What we do not want to have happen this year is what happened in previous years—to have a conference report come back full of earmarks, which destroys the competitive process and the merit-based process. That is as I interpret the amendment. I ask the Senator from New Mexico, Have I described it correctly?

Mr. BINGAMAN. Yes; that is exactly correct, Mr. President. I think that is a correct description.

The PRESIDING OFFICER. The Senator from Hawaii has 3 minutes 9 seconds.

Mr. INOUE. I yield myself 30 seconds.

Mr. President, this discussion has just convinced me that the authors of the amendment are not quite certain what the intent is. Both of you have indicated that it does not cover any so-called earmarks in this bill. Yet, the Senator from Arizona has pointed out a whole list of items that he feels are covered by this.

Mr. NUNN. I was not here when the Senator from Arizona gave his expla-

nation, but the easiest way is to read the amendment.

Mr. INOUE. Mr. President, if the Senator will permit me, he came out with a whole CRS report that cites all of these amendments.

Mr. BINGAMAN. If the Senator will yield, my understanding is that the Senator from Arizona was giving a list of various items in the bill that he personally objected to. It certainly is not the case that this amendment affects those items. This amendment does not. This amendment is a very narrowly drawn amendment and is not in any way trying to attack the items in the CRS report.

Mr. INOUE. Mr. President, that is not what the Record shows.

I suggest the absence of a quorum and ask unanimous consent that the time not be taken out of the time allotted.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DASCHLE. I ask unanimous consent to speak as in morning business.

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

CHAFEE-COOPER-GRAMM HEALTH PLANS

Mr. DASCHLE. Mr. President, I know the Senators are currently deliberating on amendments. I will be happy to cease my remarks as soon as they are prepared to consider another amendment, wish to talk briefly, if I can, about an issue that will be the subject of a great deal of discussion and debate and consideration in the months ahead.

We all know that it was just earlier this month, that President Clinton spelled out his vision for comprehensive reform of our health care system, a vision that has stimulated debate from the Halls of Congress to cafes in Des Moines.

Our country has not been so engaged since Franklin Roosevelt a half-century ago sketched a picture of an America failing to care for its senior citizens. Not since then have we worked together again to secure a new right of citizenship in our land. We have reached a crossroads, and it is time again for another great advance.

The President has paved the way by introducing a bold health reform plan, and the ensuing debate has encouraged Republicans and Democrats in Congress to introduce their own reform bills, many containing important elements of the Clinton plan.

The public and the media have scrutinized carefully the President's plan,

as well they should. This is, after all, perhaps the most important domestic policy initiative in history.

Now I believe we must analyze all of the proposals before us, comparing them against a checklist of principles important to our Nation, just as we have done with the President's plan.

We must be sure that the rhetoric matches the reality.

I would like to do that with the three major plans that have been recently introduced in the Congress.

Within the last several weeks, health care reform plans have been introduced in the Senate by the Republican health task force, under the leadership of our colleague, JOHN CHAFEE, and by Senators GRAMM and MCCAIN. In the House, Representatives COOPER and GRANDY have advanced a comprehensive reform bill, with bipartisan co-sponsorship.

I applaud their contribution to the health care reform debate, and am pleased that all of these bills mirror the President's plan in some important ways, by emphasizing competition, increasing consumer cost consciousness, and by cracking down on insurance practices that leave so many without coverage.

Their bills all represent serious efforts, and I welcome the sponsors' participation in the debate.

With that said, I must also express reservations about the ability of these measures to fulfill all of the goals I believe are vital to the success of health reform.

Most notably, neither the Cooper nor Gramm bill provides health security for all Americans—security that citizens of every other nation take for granted; security that our citizens want and deserve. Security that the President has stated is one of the most important goals of health reform. Only Senator CHAFEE's plan makes this a priority and in my view does not reach that goal any time in the foreseeable future.

None guarantee that skyrocketing health costs will be reined in. They all fail to assure businesses and individuals that their premiums will be affordable if competition fails to contain costs.

These are two of the most important aspects of health reform, and I believe these proposals, for the most part, fall short on both of these counts.

Let us explore further how these bills measure up on these and other important goals of health reform.

Most important of all, we must have health security, Mr. President. We need to assure Americans that they will have coverage that is always there.

This guarantee is important for containing costs; it is important for putting an end to cost shifting; and it is important for the security and peace of mind of all Americans.

I commend Senator CHAFEE for taking this goal seriously, with a plan

that strives for universal coverage by the 21st century.

While I have some concerns, as I said, that he will wait until savings are achieved before providing this security, and put the onus for purchasing only on the individual, rather than creating a partnership between businesses and their workers, I believe that this plan takes an enormous step forward with its recognition that all Americans must be guaranteed coverage.

On the other hand, I am deeply disappointed that the bills Representative COOPER and Senator GRAMM introduced do not achieve this most important goal.

Neither mandates coverage, anyway. They do not require anyone—not employers, not individuals, not even the Government—to take responsibility for health care. Instead, their bills hope to expand access to care almost solely through competition and shifting more responsibility onto the consumers.

This will certainly result in a high number of uninsured Americans.

In fact, a July 1993 Congressional Budget Office analysis of the Cooper approach projected that it would result in 22 million people uninsured. And Senator GRAMM's bill actually puts more Americans at risk by leaving insurance companies free to drop people and raise their rates for reasons beyond the consumers' control.

Under either plan, employers could continue to drop costly workers from coverage or not cover their work force at all, adding to the rising number of uninsured Americans.

Under all three plans, job lock would continue, since employees will be unwilling or unable to change jobs if they fear losing coverage.

Under either plan, we would see the continued negative effect of high numbers of uninsured patients:

Cost shifting would continue, since individuals could still decide that health care is not their responsibility, thus shifting their expenses onto those who purchase insurance;

The uninsured will forego preventive and primary care and will instead receive expensive emergency room treatment;

In economic terms, this hurts individuals, it hurts businesses, and it certainly hurts the Nation.

Second, there is absolutely little effort to contain costs under the approaches by some of our competing plans. None of the plans guarantee our taxpayers and businesses that health care spending will be reined in, and this is a very important distinction between the Clinton approach and the other plans.

While all three plans receive piecemeal treatment, and there are provisions designed to control costs ranging from administrative simplification to more consumer responsibility, none has a comprehensive, guaranteed cost containment strategy.

For example, the Chafee and Cooper plans help reduce costs by pooling small businesses into purchasing groups that force plans to compete on price and quality. Evidence suggests that this will help control spending, but it certainly does not guarantee it. On the other hand, both plans cap Medicare spending, and we know from years of experience that cost shifting occurs when we control public spending but leave private costs to grow.

CBO's study of last year's version of the Cooper plan concluded that under it, health care costs would continue to rise at their current rate, or even faster. Senator GRAMM's bill does not even help individuals and small businesses join together to bargain for coverage at affordable rates. Instead, it relies on individuals with no enhanced market clout to negotiate with plans and providers for their care.

All three plans, in my view, fall short on the third principle, that of comprehensive benefits. They do not have a comprehensive set of benefits guaranteeing for all Americans the kind of security that we so deeply need. Only Senator CHAFEE's plan attempts—and I emphasize the word "attempts"—to ensure that the benefits package will cover a broad range of categories. But a health care commission must decide which services are affordable and guaranteed.

Neither the Cooper nor Gramm plan specifies, much less guarantees, a comprehensive set of benefits. Neither protects American families from exorbitant out-of-pocket expenses.

The Cooper plan shifts responsibility for the range and types of services covered to a national board, to be determined after the legislation has become law. Senator GRAMM's bill moves us in the direction of less comprehensive coverage. Not only does his bill fail to provide a range of benefits, it actually encourages people to purchase barebones, catastrophic policies.

When it comes to any major investment, including health care, the American people have a right to know up front what the guaranteed benefits will be. They have a right to know that they will enjoy the same comprehensive benefits that citizens of every other industrialized nation now take for granted.

Primary and preventive care, Mr. President, simply is not addressed in some of the plans, and that, too, ought to be a matter of concern. Reform should move our health care system from one that treats illness to one that prevents it. Despite the human and cost advantages of stressing primary and preventive care, only Senator CHAFEE's plan emphasizes this important component of health reform.

Neither Congressman COOPER's nor Senator GRAMM's plan adequately addresses this issue. Neither guarantees coverage of a range of effective serv-

ices. In fact, the Gramm bill would actually provide a disincentive for seeking care early. Every visit for primary and preventive care would drain one's savings—exactly the opposite effect that we want to have.

Americans deserve to know that a prenatal care is covered, cancer screening will be reimbursed, and that they will not need to wait until they are ill to receive care. It is just common sense.

The American people also have a right to choose the type of health plan and provider that works best for them. When it comes to choice, again, the Clinton plan is clearly superior. None of the competing plans guarantee choice. Both the Cooper and Chafee proposals actually may limit choice of plans by taxing those that exceed the costs of the low-cost plans in the region.

By trying to encourage consumers to choose tightly managed, cost-efficient plans like HMO's, these proposals may end up punishing individuals and their employers for any other choice they may make. Thus, if an individual wishes to continue to get health care the way they do now, or to see the same doctor they have always used, they actually may be taxed. There is a choice tax in the Cooper plan, in particular, that I believe most Americans are going to be very concerned about.

None of these plans stop the current trend of employers cutting back on their workers' health plan options. In fact, the Gramm plan does not even begin to address the issue of choice, despite the fact that Americans have told us time and again how vitally important it is to them.

The Cooper and Chafee plans, Mr. President, squeeze Medicare also, without cost controls on the private side. They will exacerbate cost shifting and may actually reduce access. As the gap between Medicare and the private sector rates continues to widen, more doctors will choose not to see Medicare recipients and more Medicare patients will find that they have less choice of doctors, as well.

Further, these plans ask seniors to pay for health reform without providing them with assurances that costs they worry about, like prescription drugs and long-term care, will be addressed at all.

In the worst of all worlds, the Gramm plan has no cost containment on either the public or the private sides.

Finally, Mr. President, let me talk about the prescriptive drug and long-term care coverage.

Unlike the Clinton plan, none of the three alternatives address the major fears of our senior citizens: The affordability of long-term care and prescriptive drugs.

Millions of seniors, including those with comfortable incomes, live with

the fear that a serious illness could wipe out their savings by forcing them to enter a nursing home. They also face rising prescriptive drug costs—their single, highest out-of-pocket expense. A viable health reform plan must address these two health cost concerns.

So, Mr. President, as we debate health reform alternatives, let us be honest about our options and let us be thorough with our analysis. We must look behind the rhetoric and give all the health care plans the scrutiny that has already been given the President's proposal. It does not matter if the plan's author is a Republican or a Democrat, a single-payer advocate or a managed-competition fan.

Any credible plan must match stated goals and must meet basic principles that we all hold valuable. If we give that kind of scrutiny to the major plans introduced in Congress, then I believe that we will find that, despite claims of comprehensive reform and cost containment, the alternatives simply do not measure up.

We may only get one shot at health reform this century. Let us make sure we do it right the first time.

Mr. President, I yield the floor.

Mr. WOFFORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. WOFFORD. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

Mr. INOUE. Mr. President, if the Senator from Pennsylvania will withhold his statement at this moment, we are on the verge of resolving this. May we go back to regular business?

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The regular business is the McCain amendment.

AMENDMENT NO. 1071, AS MODIFIED

Mr. MCCAIN. Mr. President, I ask unanimous consent for the adoption and modification of my amendment, which I send to the desk.

The PRESIDING OFFICER. Is there any objection?

Mr. STEVENS. I do not have any problem with the modification. I do have objection to the adoption until we finish our time. We have a few minutes left to explain this.

The PRESIDING OFFICER. Is there objection to the amendment?

Mr. STEVENS. There is no objection to modifying the amendment.

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

The amendment, as modified, is as follows:

On page 157, between lines 9 and 10, insert the following:

"SEC. 8142. No provision of this Act or any other Act concerning Department of Defense

programs, projects, or activities involving community adjustment assistance, research or development at colleges or universities, strategic environmental research, or environmental restoration 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 for a new program, project, or activity.

Mr. MCCAIN. Mr. President, it is my understanding that the distinguished chairman and ranking member have agreed to accept this amendment, as modified. Therefore, I ask unanimous consent to vitiate the yeas and nays.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Hawaii, the chairman of the subcommittee, is recognized.

Mr. INOUE. Before we proceed, I would like to make certain the modification is the one I have here. May I read it:

No provision of this act—

And the modification—

or any other act concerning Department of Defense programs * * *

Period after the word "activity." And the last proviso is stricken.

The PRESIDING OFFICER. The Senator from Hawaii is correct. That is the amendment at the desk.

Mr. INOUE. If that is the case, I have no objection.

Mr. BINGAMAN. Mr. President, could I ask the Senator from Hawaii a question.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I wanted to just clarify, it is my understanding at least the intention here would be that the Appropriations Committee would endeavor, as they have in prior years, to keep as much in the way of specific identification of contractors and grantees out of the House bill, or out of the final conference report that comes back even in areas not covered by the newly modified amendment. Is that correct?

Mr. INOUE. If I may, I would like to assure the Senator from New Mexico that I will do my very best.

Mr. BINGAMAN. The one other point I wanted to just clarify, that is, it was the consensus of all that whatever general statements and general policy in this area should be done as part of our authorizing process?

Mr. INOUE. The Senator is correct.

Mr. BINGAMAN. I thank the Senator.

Mr. STEVENS. Mr. President, do we have time remaining?

The PRESIDING OFFICER. All time has expired.

Mr. STEVENS. Mr. President, I ask unanimous consent to proceed for a minute or so.

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

Mr. STEVENS. I still have reservation as to the provision which deals

with the grants that may be made to non-Federal governments. I believe that grants that must be made, particularly under the program of community adjustment or under environmental restoration, must be made to cities, counties, and States, and when we determine those are to be made to them, that should be a valid exercise of our authority over the appropriations process.

I am not going to amend it now, but I just want to express my reservation that that provision goes too far.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the McCain amendment.

Mr. MCCAIN. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank the Senators from Alaska, Hawaii, and New Mexico for their willingness to see—especially the chairman and the ranking member—the objections and concerns of the Senator from New Mexico, I, and others have. I appreciate their willingness to work out something which I believe will be very helpful to all concerned.

I thank the Chair.

Mr. SMITH. Mr. President, I rise in strong support of the McCain-Bingaman amendment.

Mr. President, as Yogi Berra once said, "It's *deja vu* all over again." Every year when we consider the Defense appropriations bill, we debate the issue of congressional earmarks and the steering of appropriated funds to parochial interests. And although the consensus always seems to be that earmarks are wrong, somehow they show up in the bill again, and we are forced to revisit this unpleasant issue.

Let me begin by saying that I appreciate the diligent effort of the Senate Appropriations Committee to reduce the number of earmarks in this year's Defense bill. We are making progress in the quest to institute competition and merit based selection procedures and I commend the appropriators for their constructive efforts.

Unfortunately, the House Appropriations Committee has not acted with similar restraint. In fact, the House bill contains some \$350 million in specified, noncompetitive, earmarked funding. This is simply unacceptable.

Mr. President, defense spending is in free fall. We are laying off tens of thousands of excellent soldiers against their will. Readiness is suffering. Recruitment is down. Depot maintenance backlogs are increasing. The procurement and research and development accounts are being ravaged. In short, the United States Armed Forces are on the verge of becoming hollow.

In this constrained fiscal environment, we do not have the luxury of earmarking our limited defense resources for pork-barrel programs. The stakes

are too high, and the dangers too great, for the Congress to continue this irresponsible and dangerous practice. Our defense expenditures must be based on national security, not parochialism.

I understand that those who support congressional earmarks often argue that the established competition guidelines are not sufficiently objective. If that is the case, we should be focusing our attention on the process and how it can be improved. The answer is not to circumvent competition; but rather, to enhance competition and equity in the selection process. Let us work together to reform the existing system, not ignore it.

The section 800 process is an excellent example of the type of reform to which I am referring. In the next few weeks, I will be joining with colleagues from the committees on Armed Services, Government Affairs, and Small Business to introduce a comprehensive package of acquisition reforms based on the recommendations of the so-called section 800 panel. This initial draft will serve as a focal point for member and industry input on how best to streamline and reform the acquisition process. With effective communication and bipartisan commitment, I am optimistic that the Senate will take firm and constructive action on this important issue.

In the meantime, I strongly urge my colleagues to support the McCain-Bingaman amendment. The amendment represents a responsible and appropriate statement of Congress' policy that contracts and grants funded through the defense department should be awarded through merit-based selection procedures, not parochial, pork-barrel politics. When free and fair competition occurs, our constituents benefit, the taxpayers benefit, and the national interest is advanced.

I urge my colleagues to support this important amendment, and I yield the floor.

The PRESIDING OFFICER. All time has expired. The question is now on agreeing to the McCain amendment as modified.

The amendment (No. 1071), as modified, was agreed to.

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

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUE. Mr. President, I ask that the Senator from Pennsylvania be recognized as though in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Pennsylvania is recognized.

CONSUMER HEALTH CARE REPORT CARD

Mr. WOFFORD. Mr. President, 2 years ago this week I came to the Sen-

ate floor to set out the principles I thought were essential to national health care reform, an issue that was on the cutting edge of my own special election campaign. As a matter of fact, 2 years ago I think I was still about 10 points down.

Soon thereafter, I teamed up with Senator DASCHLE, because he and I shared the basic concerns about health care reform. We introduced our own comprehensive reform bill, the Daschle-Wofford American Health Security Act. The health care bill I actually introduced 2 years ago this week was a symbolic one. It was to end the free health care those of us in the Senate and the House were then receiving from the attending physician, because I said it was wrong for Members of Congress to receive such free care while opposing reform that would guarantee coverage for the American people.

A lot has happened since then. Today, Members of Congress do pay for their health care from the attending physician but, far more importantly, you cannot find many who still oppose health care reform.

We have Democrats, Republicans, the President, and Congress committed to such reform. What is most remarkable is the amount of common ground we now share, common ground that simply did not exist 2 years ago. We have already won the debate about whether we are going to reform health care. Now we are in the discussion about how to do it. Senator DASCHLE and I, and many of our colleagues, like Senators KENNEDY, ROCKEFELLER, PRYOR, JEFFORDS, RIEGLE, KERREY, and BOXER, to name a few, have worked hard with Hillary Clinton and her team to see that our opinions are included in the President's health care proposal.

But the fact is there are now a lot of health care plans on the table. Very few of them have actually been introduced as legislation. But so far, almost all of the public debate has been about the extensive draft of the President's proposal. That has been worthwhile, and there will be months more of focus on the President's proposals. But it is time also to take a full and critical look at some of the other key proposals and to tell you how we think they stack up and why and where we think they fall short.

Our friends at the Republican National Committee livened things up yesterday with their new commercials, joining the other misleading ads of the Health Insurance Association of America. But we welcome that debate. Nothing will do more, I believe, to build support for the President's proposals than explaining to Americans what the actual alternatives are, alternatives such as the Chafee, Cooper, and Gramm proposals.

As Uwe Reinhardt put it in the New York Times on Monday, we think the burden of proof ought to shift to those

who claim to have better answers. To varying degrees, each of those plans fails our fundamental test of real health care reform. They do not guarantee comprehensive coverage for everyone, and they do not guarantee control over skyrocketing costs. Chafee, Cooper, and Gramm in that respect are a tourniquet, a Band-Aid, and snake oil, respectively.

When measured by the realities of the current system and against the shortcomings of the alternatives in changing what is wrong and preserving what is right with the current system, the President's plan does the best job of meeting those tests.

Everybody, every newspaper, every news magazine, every Member of Congress pretty soon will have some kind of chart comparing the different alternatives. But it may not deal with the kinds of points that people keep asking me around Pennsylvania and are being asked right now at the Pennsylvania Health Care Forum organized by Congressmen MURTHA and WELDON, where I will be going in a little while.

Senator DASCHLE and I offer our consumer checklist, a report card on how we think some of the major proposals meet our tests of comprehensive health care reform.

It is not from the perspective of the Senators or Congresspersons, or reporters or policy people. It asks what the alternatives would or would not mean for families and companies in our States across the country.

First, let me talk about the Chafee plan. Here is our consumer checklist. Guarantees coverage for all, and the current system does not; ensures comprehensive benefits package, and the current system does not; promotes prevention and primary care, and our system today does not; includes coverage for retirees, long term-care, prescription drugs, which are not covered today; preserves choice of health plan for doctors, and that plan is being diminished all the time today; guarantees cost control for families, companies, and Government programs; inflation is out of control for families, companies and Government programs; increases market power for consumers and small business; that is what is missing in the system today; cuts red tape for consumers and business; we are being drowned in such redtape.

I can tell you what it was like to be a billing clerk in Jefferson University Hospital a while ago, where I saw the flood of paperwork that consumers and businesses must deal with.

Reforms insurance industry practices; obviously, there is a crisis today.

That is why today this is a blank on our chart for consumers. Every one of those things is a critical problem for families, and businesses in America. Mr. President, the comparisons we need to make are not between the President's plan and perfection, they

are between the failures of the current system and whatever we can do to make it better.

So let me first speak about the Chafee plan.

The proposal introduced by Senator CHAFEE is a serious attempt at comprehensive health care reform and I salute him for his very fine work over the years in this field.

Two years ago I would not have believed that 23 Republicans would have come together on a plan that reflects so many of the things that I have been fighting for. The Chafee proposal recognizes the importance of prevention and primary care. It gets a red check for increasing the market power for consumers and small business. And it includes necessary insurance reforms in full, strong red check.

But in three of the key areas, guaranteed coverage, comprehensive benefits package, and cost control, the plan does not go far enough. That is why I call it a tourniquet, because I think its potential impact will be to squeeze out comprehensive benefits.

I give Senator CHAFEE great credit for proposing to guarantee universal access to health coverage, but to achieve that coverage the Chafee proposal requires that all individuals buy their own health insurance. But the plan will not guarantee that coverage until projected savings are realized. And since the tough cost controls are not in the plan, there is no telling when or if those savings and, therefore, the guaranteed coverage, will ever be achieved.

Nor does the Chafee proposal ensure a truly comprehensive benefits package for all Americans. All qualified health plans will be required to offer either the standard benefits package or a catastrophic benefits package alone.

We assume the standard benefits package would be broadly defined in legislation, but we do not have the legislation proposed yet. But the job under the plan is to be left largely to a national benefits commission and an up-or-down vote later by Congress. It is uncertain. That is why we put a big question in terms of the comprehensive benefits package by the Chafee plan. If costs go up faster than expected, benefits could be cut back. Insurance plans could still impose lifetime limits on services.

In short, the benefits package leaves too many areas unclear and leaves people insecure, as they are today. That is the problem people face now, and they want an end to just that kind of insecurity.

While we agree that cutting back inflation in Medicare is a key source of funding, inflation in Medicare, Mr. President—remember every time anyone writes or talks about reductions in Medicare we are talking not about reducing Medicare but about reducing the increases in Medicare which are

now three times the cost of living. We are trying to ratchet down those inflationary increases. Not cutting Medicare, but impeding that inflation. This is a major source of funding. But the Chafee bill does not apply those savings to the benefits that early retirees and other older citizens need so much, including prescription drugs and long-term care assistance in the home.

The Chafee plan does not include a comprehensive plan to control health care costs because it relies largely on market competition, administrative simplification, and malpractice reforms to control costs in the private sector.

Those are not guarantees. The plan would cap the growth of spending for Medicare and Medicaid, but without stronger cost containment provisions for private sector spending. Thus, this proposal will not eliminate the current cost shifting from the public to the private payer, to families and businesses, to individuals and companies. That cost shifting is a major part of our present problem. And this plan does not solve that problem.

The likely result will be that individuals, families, and businesses will continue to pay more. The only serious cost control that will work must work for everyone, the public and the private sector at the same time, so we do not push the balloon of inflating health care costs down in one area, only to see it pop up and press more heavily upon American businesses and families.

As a final note on the Chafee plan, it does include purchasing alliances—it includes them and it is part of our common ground, common to several of the plans, including the Cooper plan. But the Chafee plan only provides alliances for small firms with fewer than 100 employees, and it calls for them to be voluntary.

Under this system, any group that can get a better deal for premiums outside of the alliance will stay outside. But by pooling vulnerable small businesses with the poor and the uninsured, it almost guarantees that premiums in the alliance are going to be higher than outside.

So in spite of some very important steps forward, which I endorse and applaud, the Chafee plan still fails the consumers' fundamental tests of health care reform. It cannot guarantee a comprehensive benefits package that will be easily portable from job to job and into retirement, and it does not guarantee cost controls for families and companies. So it is just another way of forcing people to accept fewer benefits.

I hope we can work together with those supporting the Chafee plan to find a stronger common ground.

I commend Congressman COOPER for offering a serious proposal, which reflects his deep commitment to health care reform. The Cooper plan has been

well analyzed just now by my colleague, Senator DASCHLE. Therefore, I would like to finally talk about the Gramm proposal.

This is the snake oil. It is called medisave, but it is really medispense. Medispense down your life savings. It has the rhetoric of choice, but the only real choice it provides is to help American families spend their life savings on a health care system whose costs are already out of control.

Senator GRAMM's proposal fails miserably against our proposed goals for health care reform. While the proposal does include some insurance industry reforms and some administrative simplification, even that is inadequate. Senator GRAMM's proposal does not even claim to insure universal coverage, and does not even come close to moving us in that direction. Americans would have the same lack of security in their health insurance coverage as they do today.

The Gramm proposal does not only lack a guarantee of comprehensive benefits, but it encourages the purchase of bare-bones policies that cover only catastrophic health care costs.

The medical savings accounts promoted under this plan would discourage the use of preventive care. Without proper preventive care, families will pay huge human and financial costs down the line. People will wait until they are really sick before seeing their doctor for treatment. That is the point at which their illnesses are most difficult and most expensive to treat. People will have to spend their savings on care, whose costs are out of control. The bottom line: costs go up and families' savings go down.

The Gramm proposal does not include any additional assistance for the elderly and leaves our older citizens also vulnerable to today's spiraling health care costs. The Gramm proposal does nothing to preserve a consumers' choice of plan or choice of physician. These kinds of choices would continue to erode under the Gramm reform plan, as companies try to curtail their costs and reduce the benefits, and people find themselves with fewer and fewer choices of plans or of doctors.

As far as controlling costs, Senator GRAMM's proposal relies on consumers being prudent shoppers. That is like leaving Bambi to fight against Godzilla. It does not give consumers any kind of real purchasing power to deal with the big insurance companies.

The Gramm proposal allows small businesses to group together voluntarily to purchase health insurance, but this change will do virtually nothing to improve the market power of consumers. In fact, under the Gramm plan, there would be strong incentives to shift people from the comprehensive benefits packages they have today to

bare bones coverage. The Gramm proposal includes some changes in insurance industry practice, including a prohibition of preexisting condition exclusions, which everyone, I am glad to say, now agrees must happen. Yet, without a community rating requirement, people with unfortunate health conditions will still be charged more for health insurance.

As you can see, the Gramm proposal does almost nothing to change the status quo—shown by the blanks here, all the way down to the half check on "reforming of insurance industry practices." It is not comprehensive; it is not real reform. For all of the talk about freedom of choice, it leaves American families to sink or swim in an ocean of insurance industry red tape and fine print.

The Gramm plan does almost nothing to reform a health care system in which costs are out of control. Millions of Americans are losing their coverage, and millions more are worried about it. It does not even accept the idea that coverage ought to be guaranteed, that benefits ought to be comprehensive, or that costs ought to be controlled. It leaves consumers and providers also alone to sink or swim in that ocean of red tape. It is medispense, not medisave.

We believe the Clinton plan fulfills the fundamental test of comprehensive reform. It guarantees coverage for everyone throughout their lives, no matter where they live or work. It guarantees cost controls for both the public and the private sector, and it assures that benefits will be truly comprehensive—no lifetime limits, preventive care, consumer choice of health plan and doctor, real simplicity through the health security card and electronic billing system. It is a serious reform proposal which reflects the essential principles which Senator DASCHLE and I and many of our colleagues have worked for and campaigned for.

In that spirit, with this consumer checklist being included in the debate, I call on us to stop thinking solely in terms of all of the structures and all the policy problems that we face today and put ourselves in the shoes of the American consumers. If you do not like our checklist for consumers, you can add to it or subtract from it; but let us test all of these plans so that we can work together to get a plan that passes these and maybe some other tests that will be added.

Mr. President, I yield the floor.

Mr. BOND. Mr. President, I ask unanimous consent that I may proceed for 10 minutes as in morning business.

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

Mr. BOND. I ask my friend from Pennsylvania if he would be so kind as to share his chart with me? I happen to be one of those on the Chafee plan. Unfortunately, I am farther down the food chain, so my name does not appear

there. But I am most interested in the Senator's comments, and I certainly appreciate the comments that he has made. Is my colleague willing to share his chart?

Mr. WOFFORD. Yes, I am.

Mr. BOND. I thank my colleague from Pennsylvania, because I think there are some very interesting points that need to be raised here. I do believe that there are many areas of agreement where people of good faith and commitment have looked at health care and say that we need to make reforms. Certainly, reform of the insurance market is one area in need.

A year ago, I introduced a bill in this body to ban the exclusion of conditions that were preexisting, to assure portability, and to stop the practice of offering low-ball insurance premiums, cheap insurance premiums, to a healthy population and then jacking up the costs when somebody gets sick. In my own State—and I am sure my colleague from Pennsylvania has examples in his State, and in every State—we can cite examples of families who have been bankrupt when, say, the birth of a child with a significant birth defect has resulted in cancellation of their policies, and the family has gone broke trying to pay for the care of that infant. That is an outrage. I hope and believe there is broad agreement that we must deal with this.

Second, as I look down this chart, when we talk about assuring that we cut out red tape for consumers and businesses, I gather that we are talking there about the electronic filing of health care information, filing of claims, processing of claims, and paying claims.

Mr. WOFFORD. If the Senator will yield a moment, I salute the Senator from Missouri for his leadership in that area in this bill, and I look forward to working with him in regard to electronic billing and a single claims form.

Mr. BOND. I am grateful for the comment that my colleague from Pennsylvania made. I wonder if he could give us a bright red check mark, because last year the Senator from Michigan and I—and again this year—have introduced a measure to provide for an electronic claims billing.

There has been a lot of controversy over this health security card. Some people think that the health security card is the be-all and end-all. I have even heard it sold as being such a great cure-all that if one is sick, one bites into the card and becomes healthy.

Basically, it is the same as a bank ATM card. It does not create benefits that are not there, but it gives you access to what you have. It means that we will save several billions of dollars in administrative costs. It means we will save doctors and health care providers some of the time they now waste on paper forms. The AMA has said that may be as much as 30 hours a month

for a doctor. It will help us eliminate waste and fraud in Medicaid and Medicare, and it will assure a consumer, when traveling outside of the area or away from home, that if he or she becomes sick or has an accident, they can get information immediately in the emergency room. I think that is very important.

I hope we get a bright red check on that. We have the bright red check for reforming insurance industry practices and on the other areas on this chart, increasing market power for consumers and small business. The Chafee plan gets a little orange mark instead of a big red mark. Frankly, I think there is one way that we can make some progress in health care, and that is by using the marketplace. Right now, we do not have a marketplace when people have first-dollar insurance. They go in and buy whatever they want, without regard to cost.

Mr. President, if we had a grocery insurance card which said that any time you went to the grocery store somebody would pick up the bill, then you would go in and buy the most expensive cuts of meat, and also the grocer would raise the price of those expensive cuts of meat.

I believe we can give consumers power, and we can do that by voluntary purchasing cooperatives. I believe that having a choice between where you choose your plans is more important and more significant than the mandatory single health alliance that the Clinton plan prescribes. The Clinton plan says that if you want to get health care, you are going to have to go to a federally designated—maybe State elected, but federally designated—health alliance. It is like going to the post office and knowing that you do not have the option of UPS, or Federal Express or DHL; you have one place, and if they do not give you any service, you are turned away.

I believe that you can make competition work, and I think competition is working in those areas where large employers have gotten together. We would say that all employers, employees, and self-employed people would have the opportunity.

I am a little bit concerned about the big red checkmark, because if you read the 290 pages of the Clinton health care plan—and I have done it and I guess everybody should do it—I find in there many, many things where the health alliance can allocate who gets to get in which plan. Also the health alliance is administering a global budget, which I think is absolutely impossible to implement.

The health alliance that is mandated under the Clinton plan actually gives less market power for consumers and small businesses than the Chafee plan, in my opinion.

Let me speak just a moment about curbing cost, cost control. If this big

red checkmark here and the absence of a checkmark here for the Chafee plan means that we do not have Government price controls, we do not have global budget or premium caps, I think there ought to be no checkmark here.

Mr. President, wherever had we seen a system under which the Government has been effective in controlling prices or allocating budgets throughout the economy? If central governments were that good, I submit that the Soviet Union would be the economic powerhouse in the world today.

We have enough trouble and we have enough problems trying to make our own budget decisions. Frankly, part of the problem that we have in health care today comes about because the Government has done a bad job, a bad job of trying to control prices.

This body has been unable to deal with the exploding cost of Medicare and Medicaid, other than by lowering the reimbursement rates. You know what happens when you lower the reimbursement rate for Medicare. You cost shift. The estimates are \$15 million a year is cost shifted on to the private payers because the Federal Government has been reimbursing these services on the cheap.

I will tell you something else that is even more tragic in individual situations. I travel around my State, and I talked to people in small communities. They find that doctors are only able to take so many Medicare patients. Many Medicare patients say, "I can't get service because my doctor says the reimbursements are so low he can only take so many Medicare patients and still cover his costs."

So to the extent we disagree on this one, I think that is a very significant disagreement.

Now, as to coverage for retirees' long-term care and prescription drugs, we take a different approach than the Clinton plan.

The Clinton plan has outlined every kind of possible health care service that could be desired. Surely, we would all like to have every service. But can we afford it?

That gets to the very real question raised by many economists, and others, who have examined the Clinton health care plan. Can we afford it—two-thirds, three-quarters of a trillion dollars?

Mr. President, I am afraid that that package promising all these many things that they promised, including early retiree health care benefits, drives the price out the ceiling.

In the Chafee-Dole-Bond plan, we would have a commission recommend a minimum basic benefits package which would be

These options, in my view, would cover prescription drugs. They would be available for everybody. We also include in the Chafee plan equal tax treatment for long-term care.

I know this is an important area, but when we promise many of these things,

I do not think that the American people want to have a program that promises more than it can pay for.

We have taken a conservative approach, and there are some that my friend has done who object to a pay-as-you-save approach.

Mr. President, if any of us looks at the experience that Congress has had in controlling health care costs, I think we have every reason to be humble. If I recall, when we voted for that 1990 budget agreement, we were assured that it would cut \$45 billion off Medicare and Medicaid over 5 years. Three years later—and I think some nine technical reassessments or readjustments, which is the Federal Government term for "Whoops, we missed it"—it now appears that we will not save \$45 billion; the expenses will be \$120 billion more.

That is the kind of error that has cost us. It has cost the credibility of Congress. But, more importantly, it has cost the economic stability and welfare of this country and driven the deficit up.

So while I say to my colleague we appreciate the work that he has done, we are delighted with the kind comments that he has even though I would give us a brighter red checkmark and saying we are only promising what we can provide. In some areas, we are proud not to have a checkmark.

I think there are areas of definite disagreement, but I believe we do have a number of items where we can agree. I look forward to working with my colleague and other colleagues as we move forward on this vitally important health care debate.

There are a lot of bombs that we can throw at each other, but I think we might succeed again by working on those areas where we can work together, such as insurance market reform and electronic data filing for health insurance claims and cards.

I thank the Chair, and I particularly thank my colleague from Pennsylvania, and yield the floor.

The PRESIDING OFFICER (Mr. ROBB). The Chair recognizes the Senator from Pennsylvania.

Mr. WOFFORD. Mr. President, I appreciate the spirit of the remarks of the Senator from Missouri.

My previous remarks included the Chafee plan for the point of view it made. I believe it is a real start. That includes common ground. I look forward to working together with the Senator from Missouri. I look forward and add as often as welcome sharing this chart with the other side of the aisle. I will take it back for a few minutes.

First, to answer why the two checks on the cutting of red tape and increasing the market power for consumers and small business are faint and not big and bright and red.

The electronic billing and the single claims form and the card, of course,

will be a smart card which will help in making that possible. It is a part of what gets the redness in the check. But where it fails is on a T-score, that it does not take the burden—I am talking about now, first of all, the redtape—it does not take the administrative burden off the hundreds of thousands of millions of businesses in this country.

Secretary Bentsen and I were the day after the President's first launching of the plan in the joint session visiting small businesses in Pennsylvania. The chief executive of Stockwell Rubber Co. in Philadelphia assigned out his most talented vice presidents and managers who spent about a half day or more per week dealing with their employees' health care questions and problems in a company that has less than 100 employees.

He said just imagine the burden on business all over this Philadelphia area with thousands and thousands of businesses doing just what I am doing, administering these separate plans, answering our employees' questions about them, negotiating with them at contract time as to what the plan will be, trying to deal with our costs to bring those plans down, having the problems with labor, lack of morale as you reduce benefits or reduce costs.

He was saying if the regional alliance, the purchasing cooperative, includes all employers in an area, that burden gets shifted. They pay their 80 percent of the average premium in that region, but they no longer have the rest of the administrative cost.

That is a huge administrative load on American businesses today.

Mr. BOND. Mr. President, will my colleague yield?

Mr. WOFFORD. I yield.

Mr. BOND. I thank my colleague.

I would say to him that the idea of having private purchasing cooperatives is to provide a means for handling the administrative burdens. I would certainly agree that the administrative cost of small business is one of the things that is a very real burden. That is why purchasing cooperatives are available, to do this under the Chafee plan.

And they are also available to bargain. If you have a single, exclusive health alliance, as planned by the Clinton proposal, a mandatory alliance, they cannot bargain because anybody they cut out is out of business. They have life or death powers to cut people off.

Second, do you really want to have the Post Office handling all of the administrative details for your business, or even for your own insurance policy?

I believe that the one way that you could get effective administrative service is by having the cooperatives compete. I wonder if we could redden up the mark on the chart that my colleague has for the purchasing cooperatives voluntarily established and voluntarily chosen that would do the administrative work?

Mr. WOFFORD. Not yet, Mr. President; not yet.

I cannot, as much as I would like to—and I hope we can work together and we will get redness back on the check. The major reason I cannot get redness in on the plan just described is that the plan is, as the Senator from Missouri said, voluntary. Some companies will do it; some will not. People will be left out, sink or swim, who are not in it. The individuals who are not in a company who has chosen to work with the voluntary alliance is left out, left in the lurch.

Mr. BOND. Mr. President, I wonder if my colleague from Pennsylvania realizes that the purchasing cooperatives must be open and available to individuals, and either businesses or individuals can purchase through the purchasing cooperatives which are voluntary and the subject of choice under the Chafee plan, but limited to the health alliance under the Clinton plan?

Mr. WOFFORD. Mr. President, since the Chafee plan makes such employer participation voluntary and not mandatory, and there is a mandate for every individual to have health insurance, how that is to be enforced, I am not certain; but there is to be an individual mandate.

What we are facing now—because once again, I want to stress that we are comparing these plans not with perfection but with our present system; and what is wrong with our present system very much is that every employer has the incentive today to get out of contribution, which is so costly to them. But if it is not a universal mandate, it will be an invitation to every employer—if they have a union, in every bargaining period; if they do not have a union, on their own—to reduce benefits to get out of contributing at all. So the security that comes from the guaranteed coverage for all is gone, and the consumer power for most of the consumers who are the citizens of this country gets very short shrift.

Mr. BOND. Mr. President, I would ask my colleague from Pennsylvania, if the employers now are not required to provide insurance, but they do so, why do they do so? It seems to me, quite simply, because providing health insurance coverage is a valuable employment benefit.

Now, will that benefit be more or less valuable to employees once everybody has to have it? I submit it would be more important. It is an important benefit, and employers who can do it want to do it because they know that it is an attractive way to get employees to choose their business rather than a competitor who does not have a mandate.

So I say that there is likely to be more employer-provided health insurance, particularly when the administration can be done through voluntary purchasing cooperatives. And for any-

body who is not in the plan, whether they be a self-employed person—the farmer in my State and across the Nation today, who is only able to deduct 25 percent and has to do all the paperwork, clearly is heavily burdened. But here he would have the opportunity to get the administration done through the purchasing group.

And I ask why that will not give the same benefits to everybody through the voluntary, self-selected, competitive purchasing group that would be available under a mandated single, one-size-fits-all alliance.

Mr. WOFFORD. Mr. President, I will return to the one-size-fits-all misunderstanding or inaccurate description in a moment.

But the first answer to the Senator from Missouri is that, yes, there are maybe two-thirds of the American people who work for employers that now are providing health insurance. But if you look around today—come with me to Pennsylvania; I am sure it is the same in Missouri—the pressure on employers to reduce benefits, to reduce choice, to force the employees to have only one plan, an HMO plan, to go to a low-cost plan and, preferably, if they can, to get out of benefits altogether, the economic pressures on those employers, in a situation where the costs are increasing for employers three times the cost of living, those pressures are enormous today. And they are being reflected in what is happening.

Just look at what is happening to retirees. A major corporation in the country and in Pennsylvania canceled benefits for its retirees because of the financial crunch. The crunch is terrible. And the retirees all over this country are living under the shadow that those benefits, for which they thought they were working and for which they gave up wage increases, are going to be taken a way. I do not understand how, under the Chafee plan—to paraphrase a leader I do not usually quote—the sucking sound of employees withdrawing, withdrawing from their benefits, reducing their benefits, why that is not going to be greater.

And let me make another point in terms of equity to the employers that are enlightened and have been doing it for the reasons the Senator from Missouri gave: Is this equity that some employers do it and their competitors do not?

I say to the Senator from Missouri—if I could just finish the point for one moment, and then I will yield the floor to him—we had hearings in Pittston, PA, about a week ago on small business and the impact on small business of the President's proposals and the other proposals that are being presented. The president of the National Federation of Independent Businesses came, presumably opposing employer mandates.

I cannot speak for the process that led to the answers he gave, but as we finished this very penetrating hearing with his own very good testimony about his own experience as a small businessman, who does provide insurance and whose competitors, in many cases, do not, he ended, when asked, "Isn't the logic of everything you said, these facts that you are piling up, that it should be asked of all employers, the way Hawaii did, without any drastic effect or any measurable negative effect on business or small business in Hawaii?" When asked why the logic of facts did not point to a universal employer mandate, he said, "I guess they did."

I am not quoting him directly, but the thrust of what he said was very strong and clear. The New York Times reported it firsthand. He said: I suppose that is the logic. I think we have to do it. It is the fairest thing to do. We might as well get on with it.

It is only if you get to the universal employee mandate that you can control costs, that you can guarantee coverage for all, and that you can pay for this without shifting the burden to the individuals, which, under the Chafee plan, is being proposed, or to the Government for additional subsidies.

I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri [Mr. BOND].

Mr. BOND. Mr. President, I regret to advise my colleague from Pennsylvania, I understand there are people who want to get back to presenting amendments and debating the bill. As much as I have enjoyed this exchange, I do feel that we need to get back to the bill.

But a couple of points.

No. 1, the employer mandate does hide costs. If you can stick something on employers, then you do not have to pay for it off budget. But it is not a free benefit.

There is no question among economists that mandating more costs to businesses will cost jobs. You can get an argument whether it will cost 600,000 jobs or 3 million jobs or more jobs. But the businesses that are affected—many, many individual business people, such as retailers, fast food operators, and restaurateurs—have said they will have to cut back employment.

At that point, when you throw the person out of work who had a job and who did not have health coverage, then you still have to get that person health coverage, and you shake your head that your mandate has just cost the job for the employee.

We have a system in the Chafee plan for providing vouchers, 100 percent vouchers up to the level of poverty income, sliding vouchers scaled to reduce to 200 percent, full deductions for the

standard employee benefit above. And economists who tell you that the burden of paying for those benefits does not ultimately rest on the consumers on one side, and the employer on the other, do not understand economic theory.

There are obviously some political benefits to an employer mandate. The last time I checked, there were a whole lot more employees out there voting than there are employers. And that is one of the reasons it is more attractive to say employer mandates.

But we, frankly, looked at the employer mandates and we concluded that having employer mandates was a significant step away from providing the jobs and keeping the jobs that we need to provide in this country.

With that comment, I thank my colleague from Pennsylvania and yield the floor.

Mr. WOFFORD. Will the Senator from Missouri yield 1½ minutes more to the Senator from Pennsylvania?

The PRESIDING OFFICER. The Chair will remind Senators any debate under the Pastore rule is appropriate. The Senator from Missouri currently controls the floor. At such time as he yields the floor the Senator from Pennsylvania may be recognized.

Mr. BOND. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania [Mr. WOFFORD].

Mr. WOFFORD. Mr. President, I look forward to continuing this debate with the Senator from Missouri. I think there is plenty of good evidence that jobs are not going to be lost, but that there is going to be a net gain of jobs. We heard good testimony to that effect in the Labor and Human Resources Committee yesterday. We will debate that in full and will go into detail in the hearings.

Just imagine what would be the incentive for business to move forward if the present, ever-increasing cost burden of health care is reduced for American business; if the present cost-shifting onto the employers who are covering it is removed and they are on a level playing field with others.

But I want to close primarily on a clarification of the health alliance, the purchasing cooperatives. The kind of health alliance that I will be fighting for, and I believe the President will be proposing, is a nonprofit corporation run by consumers' and employers' representatives—not a Government entity.

The reason you do not want a variety of competing health alliances is that that creates, again, the whole maze of different plans. You want one regional nonprofit corporation, consumer driven, to run it like a supermarket or run like the Federal employees and State employees plans and the best corporate plans that give the choices

to the individuals, that let those plans compete in a region. To establish a new maze of competing regional purchasing cooperatives takes the redness totally out of the check for cutting bureaucracy and red tape.

I yield the floor.

The PRESIDING OFFICER. Does any Senator seek recognition?

Mr. BOND. Mr. President, as I said, we are going to have to get on with other debate. I thank my colleague. I only point out that, if the supermarket analogy is correct, and I believe it is, you can choose what supermarket you go to. I believe that is not swimming in a sea of red tape. I believe that is the marketplace. That is free competition, which gives us the best of all systems.

Again, I thank my colleague for his analysis, for the kind words, and the red and orange checkmarks. I look forward to working with him as this debate continues.

Mr. President, I yield the floor. In the absence of any Senator seeking the floor, 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. HELMS. 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. HELMS. Mr. President, may I inquire whether the understanding of the Senator from North Carolina is correct that the pending business is an amendment offered by the distinguished Senator from Arizona [Mr. MCCAIN]?

The PRESIDING OFFICER. The Senator is not correct. The pending amendment is the third committee amendment on page 154, lines 7 through 22.

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

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

The Senator from Vermont is recognized.

ARAB BOYCOTT OF ISRAEL

Mr. LEAHY. Mr. President, the hopes of all Americans for peace in the Middle East soared with the historic meeting between Prime Minister Yitzhak Rabin and Chairman Yasser Arafat on

September 13 on the lawn of the White House. The image of the leaders of two peoples who have warred for decades shaking hands in front of the President of the United States is marked indelibly in our minds. All of us who witnessed this dramatic event believe it symbolized the beginning of a long and difficult process of reconciliation.

Recently, Prime Minister Rabin and Chairman Arafat met in Cairo under the aegis of President Hosni Mubarak. According to press reports, the talks were serious, although Prime Minister Rabin is said to have complained to Chairman Arafat that it is time to get beyond generalities and to begin negotiating detailed arrangements and agreements. These press reports do stimulate concerns in my mind that the peace process must now move quickly beyond symbolic gestures, however dramatic, to the practical steps of working out how Israelis and Palestinians can live side by side in peace.

One of the most important of those steps toward reconciliation and normality would be the ending of the Arab economic boycott of Israel and of foreign firms that do business with Israel. Last June, some encouraging steps toward easing this obsolete and counterproductive economic boycott were taken. Kuwait announced publicly that it intended to cease enforcing the secondary boycott of firms that do business in Israel, although it apparently could not bring itself to terminate the primary boycott against Israel itself. The State Department reports that some Arab States indicated an intention to ease other aspects of the boycott, such as requiring certification that goods did not originate in Israel, accepting passports with Israel stamps in them, and similar measures.

Unfortunately, these positive steps, though grudging and far short of what was required, have been eclipsed by the astonishing declaration by many Arab States in the wake of the historic September 13 meeting that the economic boycott of Israel is to continue. This was a blow to the peace process. Now, on the heels of his White House meeting with Foreign Minister Shimon Peres, Crown Prince Hassan is reported to have said for the Arabs to terminate the boycott would be "economic suicide." This is economic suicide? This is economic baloney.

There is no excuse or justification for such a position by the Arab States. Immediately terminating the economic boycott of Israel would be a major first step toward the economic cooperation among Israel and her Arab neighbors, including the Palestinians, that holds the key to a tremendous future for this region. Reportedly, Crown Prince Hassan said the Arabs must "get something" for lifting the boycott. How about an opening of the door for economic investment and growth that will

stimulate the economies of the entire region, Jordan included? Is not that getting something? If they lift this boycott, there will be economic advantages to their own people, as many Arabs already recognize.

There was a fascinating article in the Washington Post this morning on the potentiality for Israeli-Arab economic cooperation. Many Arab business people are already positioning themselves for the economic boom that is likely to follow on measures to implement Palestinian autonomy. They, too, recognize that the boycott stands in the way of Arabs sharing in that boom.

Mr. President, I ask unanimous consent that an article from the Washington Post of October 12, 1993, entitled "Arab and Israeli Businessmen See Gold in Accord" be included in the RECORD at the end of my remarks. I also ask unanimous consent that an article on the Arab boycott from the New York Times of October 11, 1993, also be included at the end of my remarks.

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

(See exhibit 1.)

Mr. LEAHY. Mr. President, let me close with this, because I see Senators on the floor now who wish to offer amendments to this bill. I just want to say the primary and secondary boycotts of Israel are anachronisms, they are holdovers of wars fought long ago. They are totally out of place in an era of peace, an era that is being born right before our eyes.

I call on all Arab States, but most especially the moderate Arab States such as Jordan, Kuwait, Saudi Arabia, Morocco, and Tunisia, to take immediate steps to end this obsolete, blunted weapon of economic warfare. If they did that, it would collapse throughout the rest of the Arab world.

I also would like the administration to make it abundantly clear to these nations which look to us for political, military, and economic support that we expect them, too, to play their parts in making peace a reality in the Middle East.

Frankly, Mr. President, they are unwilling to. When the United States is being called upon to carry so much of the burden and cost of the peace in the Middle East, then I think that each one of us, with the legislation we write and votes we cast, ought to consider that factor when issues involving these Arab States come up.

EXHIBIT 1

[From the New York Times, Oct. 18, 1993]

DESPITE U.S. URGING, ARAB LANDS HOLD FIRM TO THEIR ISRAEL BOYCOTT

(By Chris Hedges)

CAIRO, October 17.—Diplomats said today that the 43-year-old Arab ban on commercial and financial ties with Israel would not be lifted anytime soon and that the official blacklist of foreign companies that do business with Israel might even be expanded at the urging of hard-line countries.

Arab League officials are to meet in Damascus on Oct. 24, to discuss increasing the blacklist despite appeals from United States officials, who argue that the boycott of 10,000 companies should be lifted soon to add momentum to Middle East peace talks.

Assistant Secretary of State Edward Djerejian told the Senate Foreign Relations Committee on Friday in Washington that the Arab blacklist was "totally unacceptable."

THE WRONG DIRECTION

He said the Clinton Administration had told several Arab countries, including Syria, that adding companies to the list "would be a step, obviously, in the wrong direction" after the signing of an accord last month by Israel and the Palestinians.

But Arab diplomats in Damascus and Cairo said that hard-line Arab countries like Syria, Iraq and Libya were seeking to widen the boycott, in part because they were unhappy with the accord.

"Any lifting or alteration of the boycott," said a senior Arab diplomat, "would have to be unanimous, and since unanimity is impossible, it will remain in force."

Even moderate Arab governments like Saudi Arabia's are reluctant to support a repeal because they do not want to give ammunition to their Islamic hard-line critics, the diplomats said. Militant Islamic groups have denounced the pact on self-rule in the Israeli-occupied Gaza Strip and Jericho as a sellout that compromises Palestinians' interests.

Several Arab officials said they would be reluctant to give up the boycott as long as Israel has nuclear weapons, continues to occupy Gaza, the West Bank, the Golan Heights and southern Lebanon and fails to reach an agreement with its neighbors on sharing scarce water.

The boycott was adopted by Arab countries in 1950 to isolate and cripple Israel. The Arab League operates a Boycott Office in Damascus where Arab representatives are to meet this month to consider adding new companies to the list, the Arab diplomats in Cairo and Damascus said. During its last meeting, on May 1, the Boycott Office added 13 new companies to the list, including Rubbermaid and General Dynamics.

"It is too soon to talk about lifting the boycott," Fahem bin Sultan al-Qasimi, the Secretary General of the Gulf Cooperation Council, was quoted today as saying by the Arabic daily Al-Hayat.

THREE ASPECTS

The boycott includes a ban on commercial activity with Israel and a "secondary boycott" that blacklists companies doing business in Israel. A tertiary boycott targets companies dealing with blacklisted companies.

The Federation of Israeli Chambers of Commerce estimates that the boycott has cost the country \$20 billion in lost exports and \$16 to \$32 billion in lost investment. But Arab officials contend that the losses are probably much smaller because of Arab violations of the ban. Saudi Arabia, along with other Arab states, already ignore the boycott when it is commercially convenient, these officials said.

Israel sells agricultural products, furniture and electrical appliances, valued at several hundred million dollars a year, to Arab countries—including Lebanon, Libya and Iraq—through third countries, including Greece and Cyprus, Arab diplomats and Israeli officials say.

Most gulf countries buy weapons from American companies that are also Israel's

main military suppliers. "When it is in the Arab interest, they turn a blind eye to the sanctions," said Harry Wall, director of the Israeli Office of the Anti-Defamation League, in a telephone interview from Jerusalem.

SOME DO BUSINESS ANYWAY

Ford, General Dynamics, General Electric, Hilton, General Motors, Coca-Cola, Hertz and Avis are among the companies that do business with Israel and some Arab countries. Most major international banks and large financial institutions, however, refuse to do business with Israel because of a fear of Arab restrictions.

President Hosni Mubarak of Egypt said in 1991 that he would push for an end to the "secondary boycott" or blacklist if the Israeli Government, then led by Yitzhak Shamir, stopped building settlements in the occupied West Bank and Gaza Strip.

But the proposal was never accepted by other Arab nations.

"It was refused by Shamir at the time," Mr. Mubarak said in a recent interview.

Israel's current Prime Minister, Yitzhak Rabin, has said that he will not link the lifting of the boycott to the current autonomy negotiations with the Palestinians.

"Israel cannot at present demand the lifting of the boycott as a condition for talks with the Palestinians," Mr. Rabin said last week.

SEEN AS AN INSULT

But Israeli organizations that have tried to fight the boycott said the move was a slap in the face to Israel.

"The continuation of the boycott, the most tangible symbol of the refusal to recognize Israel's right to exist, is incompatible with the goal of the peace process," Mr. Wall said.

The determination to extend the boycott has stirred anger in many Western nations and in Japan. The leaders of the Group of Seven leading industrialized nations called last summer at a meeting in Tokyo for an end to the boycott.

Some Arab states, including Kuwait, have already officially eased restrictions on companies that do business in Israel.

Even Egypt, which has been at peace with Israel since 1979, has failed to develop significant trade links with its neighbor, despite numerous commercial agreements.

[From the Washington Post, Oct. 12, 1993]

ARAB, ISRAELI BUSINESSMEN SEE GOLD IN ACCORD

(By Nora Boustany)

AMMAN, JORDAN.—Eilun Meni, an Israeli who manufactures fitness equipment, used to enjoy traveling from Ashdod in Israel to the West Bank town of Bethlehem to visit his Palestinian client Issa Abuaita in his office. They would sip coffee and talk about their dream for the future—a partnership for expanding business to other parts of the Arab world.

The day the Palestine Liberation Organization and Israel signed a milestone peace accord that also sets the stage for economic cooperation, Abuaita, a specialist in the plastics industry, got a telephone call. "I told you that our cups of coffee will one day be real. They were not wasted," Meni said excitedly, Abuaita recalled recently.

Despite official mutterings that the decades-old Arab trade boycott of Israel will continue, businessmen and financiers are convinced that things are going in a new direction—unless politicians intervene. It is too early to speak of Arab-Israeli joint ventures before a comprehensive political settlement has been reached, the cautious insist.

But as money comes pouring into the new Palestinian entity to be created in the Gaza Strip and the town of Jericho in the West Bank, the only question now is how prosperous this new peace will be for everyone, and who will get in first—strong pressures that could turn the boycott into an anachronism.

"From a business point of view, when there is an opportunity one has to grab it. Emotionally and morally, however, people may need more time," one Palestinian here remarked.

"If the Israelis demonstrate their goodwill with more concessions to Palestinians, the time will come very shortly when we will be sitting together with the Israelis after all the prohibitive [boycott] laws are lifted," said Tawfiq Kawar, managing director of Amin Kawar and Sons Shipping and Chartering Agents, one of the firms looking into plans to build a harbor in Gaza.

Although a Palestinian administration is not yet in place, Palestinian investors already have formed holding companies. Those groups are expected to develop cement factories that will supply the expected construction boom of hotels, banks, an airport and seaport, television and radio stations, hospitals and schools.

French firms reportedly are planning to build a 70-mile highway from Gaza across Hebron to Jericho and to the King Hussein Bridge, linking the West Bank to Jordan, according to business sources here.

Many of the big Palestinian contractors, engineers, bankers and former cabinet ministers who helped build up oil-rich Kuwait, Jordan and other Arab countries are putting their hearts, heads and money together to contribute toward the evolution of an entity that, they hope, will resemble Singapore more than Somalia.

If the new momentum persists, some businessmen say, and the region remains tranquil, private investment may prove to be more important than the \$2 billion pledged by the United States, the European Community, Japan and Saudi Arabia over the next five years to help the Palestinians take administrative control of the territories.

"Those [Palestinians] who built Jordan and Kuwait will go back to building their own country," Nadim Zaru, a former transport minister in Jordan, said. "Now the private sector is excited. If there is stability they will perform miracles." Zaru has been rallying Palestinians from throughout the world to chip in.

"I think for the first time, we see an opportunity for better living," said Sabih Masri, a Palestinian-born Saudi businessman and one of 20 financiers who have joined Palestinians in setting up a holding corporation capitalized at \$200 million for investing in the new Palestinian entity. "Before, there was always an excuse that there was an enemy next door. This excuse does not exist anymore for a lot of people."

Questions still unanswered include how the new administrative areas will be structured through the planned transitional period—whether there will be tariff borders, or how customs duties will be imposed and enforced to prevent smuggling, as well as a key question to many here: How will it all be linked to Jordan?

"Israelis are contacting us continually, trying to establish relations in the hope that there will be future cooperation," West Bank businessman Abuaita said. "I tell them it all depends on what kind of entity, what kind of markets, what kinds of laws we will have. Will we have part of the Israeli market, for example?"

While economic dealings with Israelis may become the last taboo to be dropped in the peace process, the vision of businessmen is proving to be more clear-eyed than others. "Some say Israelis will swallow us," mused Kawar, "but they are as afraid of us as we are of them."

Abuaita, 45, a business graduate of the Technical College in Cambridge, England, shuttles between his plastics plant in the West Bank and his office on Gardens Street here in Amman, a thoroughfare buzzing with new enterprises started by wealthy Palestinians expelled from Kuwait during the Persian Gulf War.

"What we need from the Israelis is technology. Joint ventures? Why not?" Abuaita said. "Israelis always considered that it is a privilege for them to get into the Arab market. I think eventually they will. They have some unique technology in the field of agriculture."

"Israelis could have a competitive edge over Western suppliers, because they are sitting in the Middle East," he added. "After the interim period is over, Arab buyers could just drive over, and they will not have to buy in container loads as they do from Europe."

At a recent conference in Ireland, Abuaita described what it was like to survive as a businessman under military occupation, with unrealistic income taxes imposed to discourage free enterprise.

"Two months ago I was living in economic depression. We were not going anywhere," he said. "Now I have high hopes that new ideas can be implemented and that they will be profitable as well. I can't forget the past so easily, but I definitely have to look for the future. I hope Israel will help us."

"I benefited from being in contact with Israeli producers, by seeing what technology they have, how they work, organize, market and export their products," he said.

"Israel is a large consumer and it has a good export network for Europe," Abuaita said, adding: "This could be good business for Arabs and Israelis."

Mr. LEAHY. Mr. President, I appreciate the courtesy of the Senator from North Carolina who made it possible for me to go forward at this time.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1072

(Purpose: To limit the use of funds for conducting operations in Haiti)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from North Carolina [Mr. HELMS], for himself and Mr. BROWN, proposes an amendment numbered 1072.

At the end of the committee amendment on page 154, insert the following:

SEC. 8142. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless (1) operations of the Armed Forces of the United States in Haiti

are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti. In the event of a certification under clause (2) of the preceding sentence, funds referred to in that sentence may be obligated and expended for the Armed Forces of the United States to conduct operations in Haiti only to the extent necessary for the Armed Forces to provide the protection and complete the evacuation certified as necessary.

Mr. HELMS. Mr. President, I wonder if the distinguished occupant of the chair will inquire for me of the Parliamentarian as to whether I have the section number correct. Is 8142 correct?

The PRESIDING OFFICER. The Chair informs the Senator that the clerk is reviewing the bill at this time and will be able to respond to the Senator's question momentarily.

Mr. HELMS. I believe I will suggest the absence of a quorum until that is settled.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Carolina is recognized.

Mr. HELMS. I have a slight modification, changing the section number to 8137A. I send the modification to the desk.

The PRESIDING OFFICER. The amendment is modified accordingly.

The amendment, as modified, is as follows:

At the end of the committee amendment on page 154, insert the following:

SEC. 8137A. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless (1) operations of the Armed Forces of the United States in Haiti are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti. In the event of a certification under clause (2) of the preceding sentence, funds referred to in that sentence may be obligated and expended for the Armed Forces of the United States to conduct operations in Haiti only to the extent necessary for the Armed Forces to provide the protection and complete the evacuation certified as necessary.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina, Mr. HELMS.

Mr. HELMS. Mr. President, this amendment, as we always say around here, is very simple. It allows United States forces to be sent to Haiti under two conditions only: The first one

being if the President asks and receives approval from Congress; and the second one being to protect and evacuate American citizens.

President Clinton has temporarily pulled back United States troops bound for Haiti. They are now at Guantanamo Bay awaiting his order to sail back to Port-au-Prince.

Stopping ships bound for Haiti with six United States Navy warships constitutes a blockade, by definition and otherwise, no matter what anyone else chooses to call it, including the President of the United States or any part of his administration or any Member of this Senate. It is a blockade. Many of the newspapers—not that it makes any difference as to accuracy—are describing the President's actions as a blockade. This time they are correct—it is, indeed, a blockade. You can look in this morning's paper and see the word "blockade" in just about all the headlines.

So, for all practical purposes, whether we like it or not, the United States is technically at war with Haiti. But the President has yet to explain what United States interests may be in Haiti that are worth risking the life of even one American soldier or one American sailor.

In my judgment, the United States' only interest in Haiti is to stem the flow of illegal immigrants into the United States. But the United States Government has established offices throughout Haiti to process Haitians' requests to emigrate and the procedure is working satisfactorily. I am informed. Most important, the majority of these refugees are leaving Haiti for economic reasons, not political. If they were political refugees, they would simply walk across the border to the Dominican Republic and, so far as I know, few are doing that.

So it appears that the President, under the auspices of the United Nations—and this frightens me; anything under the auspices of the United Nations frightens me these days—the President and the United Nations obviously wish to remake Haiti in the image of the United States. But this should never be United States policy in any country, as to any country, certainly not in Haiti and certainly not with President Aristide installed by use of United States military force.

Now, Assistant Secretary Watson and United States Ambassador to Haiti, Mr. Swing, acknowledged during their confirmation proceedings that the State Department has ample evidence that Aristide incited mob violence and encouraged necklacing when he was in power.

In case there may be somebody somewhere who does not understand the term "necklacing," that means the practice that originated in South Africa, with the Mandela crowd, which delighted in assembling their political

enemies, taking bicycle or automobile tires, hanging them around the neck of victims, tying the victims hands behind them, putting gasoline in the tire and setting them afire.

Now, that is "necklacing," and Mrs. Mandela, I am bound to observe, made a fiery speech on one occasion when she advocated "necklacing," and she said, "We have the tires and we have the gasoline and we have the matches."

Now, who is this President Aristide whom so many in United States political circles want to put back in office? The State Department's own report of 1991 said this about Mr. Aristide. Mind you, this is the U.S. State Department, the same crowd that is pushing to get Aristide back in office today. The State Department Human Rights Report in 1991 said:

President Aristide appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his government. * * * President Aristide also failed to condemn categorically all recourse to popular justice through mob violence.

This is the State Department—U.S. State Department. I continue to quote:

The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning.

On September 27 of 1991, Aristide made a speech to his followers in which he encouraged necklacing.

Yesterday, I looked at a videotape in my office of that speech. Clearly, Aristide described necklacing, which is putting a burning tire filled with gasoline around a victim's neck and setting it afire. What this man Aristide said—And he is talking about the guy who was about to die a horrible death at the hands of Aristide:

A faker who pretends to be one of our supporters, just grab him; make sure he gets what he deserves—

Meaning necklacing—

with the tool you now have in your hands.

The burning tire—

What a beautiful tool—

He said.

What a beautiful instrument. It's fashionable. It smells good. And wherever you go, you want to smell it.

Now, I have a reproduction of a piece of art and I ask that a staff member bring two charts with him, placing them on the easel here beside me.

I hope, for the benefit of Americans who are viewing this on television, C-SPAN will focus its camera on it.

First of all, on Aristide's statement on this necklacing—this is a direct quote: "Make sure he gets what he deserves"—talking about the victim—"with the tool you have now in your hands." And he was referring to the burning tire.

That was a speech Aristide made on September 27, 1991 in Port-au-Prince.

If my associate will put this "work of art" up—this is the painting that intel-

ligence sources assured me was hanging in Aristide's office. I hope the C-SPAN cameras will zoom in on that. It is hard to make a whole lot out of it, but there is the throne of the President, you see, and the burning tires are here, you see. And the rest of it—an absolute advocacy and glorification of the most horrible killing of one's political enemies that can be imagined.

President Aristide kept this painting on the wall of his presidential office. It depicts Aristide smiling down on a crowd brandishing the automobile tires. On the other side is another pile of tires, and a bottle of gasoline and a book of matches. And on the painting are these words which translated read:

If our power is threatened, Little Aristide, if you have a problem, command us to march and solve them with necklacing.

Back to the State Department's own Human Rights Report of 1991, in January 1991, Aristide's supporters forced the Archbishop of Port-au-Prince to flee for his life because he had dared to criticize President Aristide who, by the way, is himself a defrocked Catholic priest. Aristide's mobs also attacked and destroyed the Embassy of the Vatican.

Aristide has publicly cursed the United States. He has condemned a President of the United States, President Reagan. He has blamed Haitian deaths and that country's misery on America. He even promised to give Haitians what Fidel Castro has given to the Cuban people, whatever that means.

So this is the man that is extolled by so many and one who some Senators declare deserves to be restored to office having been elected in free elections.

In my judgment, this man is a psychopath. I do not think we have any business whatsoever, Mr. President, risking the life of one soldier or one sailor or any other American to put Aristide back into office. Let the Haitians decide that.

Aristide is not a symbol of democracy. He may have won an election but he is not likely to win a medal for promoting true democracy.

Parenthetically, Mr. President, let me say that my associates recently received a CIA briefing on President Aristide. I do wish there were some way to persuade the distinguished majority leader and the distinguished Republican leader of the U.S. Senate to call the CIA to Capitol Hill and ask them to explain to Senators what this man Aristide is and what his background is. Certainly, we should do that. We owe that to the young men and women in our Armed Forces to do that before we send them into harm's way, into Haiti.

Aristide has known ties to Fidel Castro. He is a human rights abuser who controls Haiti through his blood-thirsty mobs. He has yet publicly or privately to renounce violence and necklacing. I have my doubts that he

will ever rule democratically if he should regain office.

I do not mind telling Senators that "Papa Doc" Duvalier was also elected President of Haiti. That was back in 1957. I had one Senator shout at me and say he had never been elected. Not so. He was elected in 1957 in what was described as a free election. I do not think anybody today would say "Papa Doc" Duvalier was any kind of advocate of democracy.

Let us look at the truth of it. Haiti is one of the most violent societies in the world. It is not a Western Judeo-Christian society, nor has it ever been. Earlier in this century, six Haitian Presidents met violent deaths in a 4-year period. Politics and violence are motivated by voodoo factions warring against each other—conducting wars and violence against each other.

And the State Department's Human Rights Report to which I alluded earlier admits that the majority of the Haitian people practice voodooism. How do you feel about sending American soldiers and sailors in there now?

Either the State Department does not understand the terrible effect that this has had on Haitian society, or they may be just a bit embarrassed to admit this very dirty little secret. But the fact remains that if we now make a misstep, if the President of the United States makes a misstep on this one, a lot of American lives could very well be lost.

I heard President Clinton say the other day that United States troops will be sent to Haiti to "restore"—that is the President's word—"restore" democracy. But I have to reiterate that democracy has never existed in Haiti in the first place.

If anyone has gathered that I am contemptuous of the actions of President Aristide and his henchmen, you got it right. But that does not mean that I support the commander of the Haitian military for his actions, a pox on both of them.

Let me state clearly my position: The United States does not have a dog in this fight, and I am unwilling to risk the life of even one American soldier or sailor for that hornet's nest in Haiti.

And there are several points that need to be made, must be made.

First, the commander in chief of the Haitian military should relinquish power, which, as I understand it, he wishes to do. I do not know, but I have been informed of that. But he did not have to retire on October 15, or before Aristide returned to Haiti, as those in the media have reported. That is another mistake that the news media have made. They do not know what they are talking about. The October 15 date was set arbitrarily by the U.N. envoy, without the general's agreement, the commander in chief of the Haitian military.

Contrary to what the administration has said and what U.N. officials have

asserted, there is no specific date in the Governors Island accord.

Mr. President, I have obtained a letter that the commander in chief of the Haitian military wrote to President Aristide over the weekend telling Aristide that he will retire and discussing the so-called amnesty. The problem is that President Aristide merely announced an amnesty. His representatives never submitted it to the Haitian parliament for approval, as agreed to by all political parties in a pact signed by the United Nations on July 16. So, as it stands, the amnesty is absolutely meaningless, and Aristide knows it.

There is one reason, and one reason only, why the United Nations wants a military force in Haiti before Aristide returns. They want to reinstate Aristide as President. All of this gibberish from Foggy Bottom about civic action projects and retraining the Haitian military and the police is just plainly a subterfuge. I hope no Senator will be taken in by that.

So the administration's pursuit of a globalist agenda puts American forces in jeopardy without competent command, all in the name of—and you have heard it time and time again—nation-building.

Why would anyone want the United States to be the peacekeeper of the world? It is an impossible job, and it is never going to happen. A State Department official recently made this comment in reference to Haiti:

Never before has the international community been so united.

Of course, the international community is united because the United States will be sending in virtually all of the troops that are sent in, while the other countries sit back and watch. I am against that. That is the reason I have offered the pending amendment. Senators can vote it down if they wish. But I would like to be a fly on the wall when they go home and try to explain it to the American people in their respective States.

A high-level State Department official said recently that United States troops will go into Haiti "to show the Haitian military what a professional soldier looks like."

Well, then, if that is our mission, President Clinton should send a videotape of our military to the Haitian military and keep our boys the heck out of there. If the Haitian military wants to learn about American soldiers, they can fly to Fort Benning or Fort Bragg and take a look. Do not send our troops or our sailors into Haiti.

Call it what you want to, Mr. President—peacekeeping, monitoring, civic action, all of these bullish words—but there should be no misunderstanding. If the President of the United States, Mr. Clinton, plans to send United States servicemen into Haiti, where peace has never existed, into a society

where voodoo-induced violence is the answer to many problems, and into a land where our Armed Forces will not be welcome, I say that is a bad deal. It is the worst possible deal for the soldiers and sailors who will be sent into that tragic set of circumstances. There are no acceptable rules of engagement, no clear objectives, and, most important, no strategy for getting out of there. In the judgment of this Senator, the planned Haiti operation does not meet President Clinton's own criteria for sending troops abroad under U.N. command.

The President and Ambassador Albright outlined quite to the contrary at the United Nations what they proposed to do, but this does not qualify in one instance. The distinguished Ambassador to the United Nations was before the Foreign Relations Committee this morning. She is a very, very charming lady, very intelligent. I asked her some questions, and she is going to give me some written answers because, frankly, she did not know the answers to some of the questions I asked. I will await hearing from her in writing.

The sum total of what I have tried to say here this afternoon, Mr. President, is that Mr. Clinton should reconsider his decision, and he should redirect United States policy concerning Haiti. He should bring home the young men and women waiting at Guantanamo Bay, and he should ask the United Nations to undertake this mission with armed forces from other member countries who are willing to send their soldiers and their sailors into Haiti.

You are going to see a lot of other countries rushing for the boondocks. They are not going to send their soldiers and sailors in there either. That is how bad they read the attitudes of the American people. I hear from an awful lot of them. They do not want their sons and daughters to be sent to Haiti. That is putting it mildly. You ought to hear some of the telephone calls. You ought to read some of the mail that I have received.

The U.N. plan is just another pie-in-the-sky experiment in nation-building—whatever that is—in which U.S. service men and women will be guinea pigs. I am against that, and I assert that the vast majority of the American people are likewise opposed to it.

There is no reason, I reiterate, no reason to risk the life of even one American sailor or soldier in Haiti.

Mr. President, I ask for the yeas and nays on the amendment?

The PRESIDING OFFICER (Mr. AKAKA). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, I yield the floor.

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

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

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

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1994 DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT, 1993—CONFERENCE REPORT

Mr. INOUE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 2492, a bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

That the House insists on its disagreement to all the amendments of the Senate and asks for a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. INOUE. Mr. President, I move that the Senate further insist on its amendments and agree to the conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. KOHL, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BYRD, Mr. BURNS, Mr. MACK, and Mr. HATFIELD conferees on the part of the Senate.

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

Mr. LEVIN. Mr. President, I wonder if the Senator from Hawaii would withhold on that request so I can make a unanimous consent request that I be permitted to proceed in morning business for 5 minutes.

Mr. INOUE. I have no objection.

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

The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Chair and I thank my friend from Hawaii.

NAFTA MATH: IT DOESN'T ADD UP

Mr. LEVIN. Mr. President, today I am releasing a booklet I prepared to explain how the administration is using distorted math to claim job gains from NAFTA. It's called "NAFTA MATH: It Doesn't Add Up."

This booklet challenges the administration's often stated claim that we will gain 200,000 jobs from NAFTA.

Obviously, people will make their own decision about whether or not to support NAFTA, but they should do so based on a full picture of the facts, not just on what they get from listening to the supporters of NAFTA.

Let me explain. The underlying premise supporting NAFTA is that United States exports to Mexico will increase and all exports create jobs.

The Commerce Department hands out a book—this book, which I have here—showing State-by-State exports to Mexico and the Commerce Department translates every billion dollars in exports into roughly 20,000 additional American jobs.

President Clinton himself has said: "Every time we sell \$1 billion of American products and services overseas, we create about 20,000 jobs."

The administration has estimated that exports to Mexico will rise by "\$10 billion over the next 3 years with NAFTA." And, according to the administration's math, or NAFTA math, since each \$1 billion in exports creates about 20,000 jobs, \$10 billion in additional exports would create about 200,000 jobs.

The Secretary of the Treasury, Lloyd Bentsen, says: "We calculate we'll pick up 200,000 more jobs" from NAFTA.

But that claim of 200,000 more jobs and NAFTA's very foundation is based on highly distorted export figures.

First, those calculations are based on export figures alone. The projection of 200,000 additional jobs from NAFTA conveniently ignores the job loss which results from imports from Mexico to the United States, which will be increased under NAFTA. It is a major distortion to only look at half the picture and claim job gains based on exports alone. It is like looking at half a ledger sheet—the revenue half—and ignoring the expense half of the ledger.

The administration has even acknowledged, after being pressed in a Washington Post article, that it does not deduct job losses from the added imports which will result from Mexico in its overall job gains claim.

An October 13 article by Howard Kurtz says a "USTR official confirmed that the 200,000 estimate is not a net figure." In other words, it only looks at the alleged gains from exports and does not deduct the jobs which will be lost as a result of increased imports. The Commerce Department does not give us figures on job losses from increased imports; it does not give us net job figures. All it gives us is the 200,000 additional jobs claim and totally ignores the job losses from imports.

Second, Mr. President, even if you only look at exports, one-third of American exports to Mexico go across the border for a few days or weeks for assembly and then come right back to America for consumption.

But, believe it or not, the Department of Commerce classifies as exports those American parts that are tempo-

rarily sent to Mexico for assembly and then shipped right back to the United States for consumption here. In reality, one-third of American exports represent little more than trading with ourselves. It is a little like an actor mailing himself fan mail and then citing that as evidence of his box office appeal.

What is more, Mr. President, that same one-third of American exports that the Commerce Department shows going to Mexico not only does not represent jobs gained, they often actually represent lost jobs to Americans.

Let me just give you an example. Take an assembly plant in the United States with a thousand workers that closes and moves to Mexico—1,000 jobs are lost. But some United States parts suppliers continue to supply the new Mexican assembly plant.

Mr. President, according to NAFTA math, if every American assembly plant closed and moved to Mexico, we would have a big jump in job creation in America. Because as long as some of the parts and components previously assembled here go to Mexico for assembly, they count as exports. And since exports are translated into job creation, the closing of every assembly plant in America would be a big job increaser, according to the Commerce Department, just so long as some of the parts and components are shipped to those assembly plants after they move to Mexico.

Now NAFTA math, which excludes the impact of additional imports and counts as exports items which actually have cost jobs in America, is math which would make most elementary school math teachers wince. It is a gross distortion. NAFTA math would make most elementary schoolteachers wince. The new jobs claimed by backers of NAFTA based on this NAFTA math is a gross distortion. It is based on a false assumption that all exports should count as job producers, even the ones representing lost jobs while job displacement for increased imports need not be counted at all. It is also based on the false assumption that although a significant portion of United States exports to Mexico are of parts and components to be assembled and promptly returned to the United States, that they still all count as job producing exports.

I put together this booklet to demonstrate in simple terms why the administration's NAFTA math does not add up. I am delivering copies of my NAFTA MATH booklet to the Department of Commerce, the U.S. Trade Representative, and the Treasury Department.

I am asking the administration to drop its use of the 200,000 jobs gained claim.

I am also asking the administration to give us a new figure—not the 200,000 figure—but one that includes job displacement from imports and excludes

exports that are merely parts and components that were once assembled here in the United States.

We have asked the Commerce Department, and we are asking today, that they withdraw the 200,000 figure, that they give us accurate numbers on both job gains that they project, but also that they deduct job losses that they admit will occur.

It is time for the administration to abandon attempts to sell this agreement with distortions and NAFTA math.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I ask we return to regular business.

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

The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I rise to oppose the pending Helms amendment. I would like to take a few minutes to address the issue of Haiti generally, if I may, and then I will urge my colleagues to reject this amendment for the reasons I will outline in these remarks.

The American people are looking for some very clear answers about our foreign policy. We have had an extended debate now, going on almost a week, regarding events in Somalia, culminating with the resolution adopted early last Friday morning. We have had a debate about the role of U.S. forces in multilateral peacekeeping operations. We have had amendments proposed on Bosnia and Haiti. And we now have one before us which, in effect, would prohibit the President from taking some very specific action should events warrant it, outside of the protecting of American lives, as I understand the amendment offered by the Senator from North Carolina.

I think it is important to point out that each one of these situations is different. Somalia is not Haiti. Bosnia is not Somalia or Haiti. Each situation needs to be looked at in its own right: How we have arrived at the situation we are in, what are the interests of the United States, and how we ought to respond to those interests in an appropriate fashion.

I think the point raised by Senator BOREN of Oklahoma and others yesterday is important. We are in a new age, an age that many thought might never come in our lifetimes. Who would have imagined, 4 or 5 years ago, that we would be debating a world situation in which the Warsaw Pact no longer existed; that the Berlin Wall had been torn down and was nothing more than a collection of mementos on people's

desks and mantels; that debate about the Soviet Union would be merely a historical discussion and not something that was a major focus of our attention every single time a foreign policy bill or a foreign aid bill was brought to the floor, every time a Defense appropriations bill was brought to the floor?

There was not a debate, not an amendment that was ever raised in which the subject of the Soviet Union and the threat posed by the Soviet Union was not an integral part of that debate. Yet here we find ourselves in the fall of 1993, talking about a completely different world, a world that no one—or very few people—could have imagined would have existed. So it is critically important at this juncture that we start to reconfigure a foreign policy where we are the only superpower left in the world, the only one. The only comparable time in this century was in the immediate aftermath of World War I, when there were other similar debates, I might add, in this very Chamber about the League of Nations and the role of the international community and the role of the United States.

That debate and that discussion collapsed. What took its place, basically, was a vacuum. Many highly respected historians will argue that the collapse of that debate and that discussion, and the absence of formulating an architecture for the U.S. foreign policy in the 1920's and 1930's contributed to the events that unfolded in the late 1930's and early 1940's and, of course, the events thereafter.

So it is very important we take time to think about what we are doing here and not just lurch from one foreign policy crisis to the next with amendments being offered here on the floor of the Senate as a way of trying to deal with these issues.

Let me, if I can, focus specific attention on Haiti. As I said a moment ago, the American people want some clear answers. They want to know what initiatives we intend to pursue, how long they will take, how much they are going to cost, and whether these initiatives will involve placing the men and women of the U.S. military in potential harm's way. I believe the American people are certainly entitled to the answers to those questions, and I believe they are entitled to know exactly why we remain involved in Haiti, what we hope to accomplish there, and how we intend to accomplish these goals.

At the same time I also believe we should not let these difficult questions prevent us from taking appropriate steps, where necessary, to restore democracy to a people who have been long suffering in the island nation of Haiti.

Since taking office President Clinton has, in my view, clearly articulated the direction he believes we should take

with respect to Haiti. Whatever legitimate criticisms people may have had about Somalia, do not apply those criticisms to Haiti. They do not apply to Haiti.

From the very outset, President Clinton has been publicly committed to a process that would lead to the restoration of democracy and the return of President Aristide to Haiti. I fully support that policy and so do most Americans. I was pleased to see early on that President Clinton turned to our allies in this hemisphere and around the globe, just as President Bush did when facing the crisis in Iraq. He was not going to go it alone, but he tried to build a coalition to respond to the coup d'etat that threw out President Aristide, the only democratically elected President in the almost 200-year history of that country.

Haiti is the second nation in this hemisphere ever to achieve its independence, in 1804. Until just a few years ago, it had never had a democratically elected President. The first time it occurred was in December 1990, when President Aristide was elected by almost 70 percent of the people of that country. Whether or not each and every one of us like President Aristide is totally irrelevant. Whether or not you like the artwork in his office is totally irrelevant. What he has on his desk, what he hangs in his closet is totally irrelevant. He was elected in the most free and most fair election that the people of that country have ever held. We in this Nation ought to be willing to support that process. That is in our interest to do so. It is in our interest to do so, to support nations that seek democratic alternatives.

That is what happened in that country. Then a group of thugs threw him out into exile.

President Bush and President Clinton have tried to come up with some answers on how you could restore that democracy. You do not need to remind people in this country of what happened afterward when the thugs threw him out. Remember the picture on the television screens of boatloads of people in rickety crafts making their way across the Windward Straits to find their way to the shores of Florida?

I promise you this, Mr. President: If the Helms amendment is adopted, I guarantee that those flotillas will start again. Remember how it occurred.

I also promise that if this amendment is adopted, you will see unprecedented carnage in that country, with the thugs absolutely and systematically taking the lives, as they have over the last 2 months, of people who tried to fight for democracy.

I also guarantee it will be very difficult, if not completely impossible, for President Aristide to return as the democratically elected President of that country. President Clinton has worked hard from the very outset of

his administration to come up with some answers here on how this might occur.

He has worked with the United Nations and the Organization of American States. Dante Caputo, a distinguished diplomat in this hemisphere, has been the U.N. Special Envoy and has been active in attempting to restore this democracy. This agreement, which many may recall is known as the Governors Island accord, sets forth a series of sequential measures to be taken over a 4-month transition period culminating with the return of President Aristide to Haiti on October 30.

Among the measures set forth to occur during that transition was the development of a group of military experts by U.N. members to assist in the professionalization of the Haitian military and to undertake other civic action programs.

Not everyone may have agreed with the sequencing of the measures contained in the Governors Island accord. However, the most important point to keep in mind is that upon signing the document each side pledged before the international community to abide by its terms. Each side made that pledge.

Clearly, for reasons that are best known to himself, the military commander in Haiti, Gen. Raoul Cedras, has had second thoughts about what he signed in New York. That was made abundantly clear when a frigate containing 218 United States and Canadian troops attempted to dock in Port-au-Prince last Monday, to carry out the U.N.'s commitment to professionalize the Haitian military. This frigate was met by an armed gang of thugs who prevented the troops from landing, and attacked the U.N. and U.S. officials who were there to greet the military personnel.

The message was made even more explicit with the brutal murder last Thursday of President Aristide's Justice Minister, Guy Malary, and the subsequent refusal by General Cedras to step down last Friday, which was part of those accords, as was called for, as I said, in the Governors Island accord.

There can be no doubt that the current military leadership of Haiti has very little intention of living within the bounds of the agreement it entered into only a few short months ago.

In response to this obstruction by General Cedras and his followers, President Clinton has wisely, in my view, made it clear that reneging on this commitment is unacceptable to our country and to the international community. The unanimous vote by the Security Council and the decision of our allies in this hemisphere and elsewhere to participate in the decisions that we have made in response to the reneging of the Governors Island accord, I think, bear witness overwhelmingly to the soundness of those policies.

We expect and demand that General Cedras and his military colleagues will stay the course outlined in that accord or suffer the consequences of sanctions and other possible manners of retaliation by the international community. Specifically, the President has delayed the deployment of United States military trainers and engineers to Haiti, sought the reimposition of economic sanctions through the U.N. Security Council, and has sent six United States warships to enforce a naval embargo to cut off the provision of supplies to the de facto Haitian leadership.

The United Nations has responded quickly and positively to these important U.S. initiatives, voting last Wednesday to renew the economic sanctions—it did so unanimously, I might add—and voting on Saturday to approve the U.S. naval blockade—also unanimously—as well as sending other countries to participate in that blockade.

That only came about as a result of the international effort from the very beginning to come up with some answers to the problems of Haiti and the coup that caused the ouster of President Aristide.

Mr. President, at this juncture, it is far too early to tell whether the agreement reached at Governors Island last July can be put back on track. We hope it will. We do not know the answer to that. We know that elements of the Haitian military and the business sector were responsive to international sanctions when they were proposed earlier this year. In fact, I do not think you would have had a Governors Island accord had we not imposed those sanctions. Indeed, I think it is what helped to make the July agreement possible.

I have no reason to believe that they will be any less susceptible to economic pressure today. We hope that is the case. In fact, perhaps reactivating sanctions will help them to clarify their thinking with respect to their obligations. I certainly hope this will be the case so that President Aristide can return to Haiti at the end of this month. However, I also know that it is possible—I think all of us do—that these efforts at economic leverage will fail and more difficult and direct methods to restore democracy will have to be considered, including perhaps the use of U.S. forces, as part of a multilateral military intervention.

Let me say here, I can assure my colleagues that President Clinton has no more desire to engage in that option than any of us do. None of us do. We want to avoid that at all cost. But to write into statutory law that this is absolutely to be prohibited, except to save American lives that may be in jeopardy, sends one clear and unequivocal message to General Cedras and his friends. And that is: "Just stay the course; stay where you are; don't worry about a thing; do whatever you want to

do; we are really not that interested; and that ultimately, sanctions and embargoes leak like a sieve and you will end up getting exactly what you want."

I am not advocating the opposite to what our colleague from North Carolina is proposing in his amendment. I do not want to see United States forces sent into Haiti. We have a history of having been involved in that island for many years. It has not been forgotten by many people in Haiti. So we want to avoid that option, if we can.

I do not think at this juncture, given the steps that the President of the United States, the Commander in Chief, has gone through to bring us to this point that alternatively we want to adopt an amendment that absolutely precludes and sends a message to our enemies about what steps we will take or not take. That is the danger inherent in this approach.

So I hope this amendment will be rejected. Clearly, I can agree that we need close consultation with the administration before any action is taken. Clearly, closer consultation between the administration and Congress before any steps are taken is not only advisable but absolutely essential, in my view.

But I think we would make a tremendous mistake if we went the route the Senator from North Carolina is advocating here. It would be a wrong mistake for the reasons I mentioned. Not only do I think you guarantee President Aristide would not go back to Haiti, not only would you guarantee that Raoul Cedras and his cronies would stay in power, but I also think you can guarantee what I said a moment ago, and that is that you would have a massive exodus—a massive exodus—of Haitians heading for our shores. I also think you would have a significant and systematic slaughter of innocent people in that country.

I disagree with those who say we have no interest in those kinds of events. I think they do interest us. It is in our hemisphere. It is important to try and at least do what we can. I point out to my colleagues that at no point in the history of this hemisphere have we ever had as many democracies as we do today. No one ever imagined, in some places, that we would have the kind of governments we do.

It is in our interest, Mr. President, to support and nurture, where possible, those democracies, to give them root. That strengthens our cause. If we have governments and countries that share like-minded values with us, then it is easy for us to safeguard those ideals and values around the world. If we abandon democracy here, as some are suggesting, if we say that we have no interest and who cares what goes on there, then the signal to others who may have similar intentions in other places where the interests are not as

clear as they are here, is that they can do anything they want and the United States, basically, does not care at all about what happens.

I do not think we want to send that message today. I do not think that is our intention, nor should it be our purpose. Nor is it, am I suggesting, by rejecting this amendment, that we are advocating a military intervention policy. At this point in time, that would be a mistake as well.

So I hope that this amendment will be rejected; that President Clinton's efforts will be given a chance; that we will do what we can here to bring adequate pressure on those in Haiti. Let them know there is a sense of solidarity here in support of restoring the legitimately elected President of that country, to get him back to his nation.

In fact, I will tell my colleagues, in a few short minutes, President Aristide will be here on Capitol Hill to meet with Members of the Senate and talk with them. If they have questions or would like to raise questions and get an update as to what is transpiring in Haiti, I invite them to come to that meeting and to listen.

Again, I emphasize that this notion somehow that we have to like every aspect of President Aristide's life has little or nothing to do with the question of whether or not we ought to support the will of the Haitian people as expressed when they freely chose President Aristide to lead their country.

That is in our best interest to support that decision and to try and effectuate his safe return to that country. It will be hard under any set of circumstances.

I would argue forcefully, Mr. President, it would be a lot harder to effectuate that goal if the amendment of the Senator from North Carolina is adopted. That narrows and shortens and abbreviates considerably our ability to achieve the desired results that I hope and believe most Members of this body support.

So for those reasons, I urge the rejection of the Helms amendment this afternoon. Instead I support the proposals and the efforts that are presently being undertaken by the international community to restore President Aristide as President of Haiti and to give democracy a chance in a country that has never had a chance before and to give people in a little country—the poorest in this hemisphere, the most desperate in this hemisphere—a chance for a better life.

We, by voting today, can express our desire and our determination that we do care; that we do care what happens even in the poorest of countries in this hemisphere, even in the most uneducated and the most desperate; that we do care about what happens there and that we are willing to stand up and to fight for the restoration of democracy in that country.

Mr. President, I yield the floor.

Mr. STEVENS. Will the Senator yield?

Mr. DODD. I will be glad to yield.

Mr. STEVENS. Has the Senator examined the series of quotes the Senator from North Carolina provided us, "Aristide on Aristide"?

Mr. DODD. Mr. President, I looked at quotes from colleagues made here, from politicians all over the country. This is a pretty trivial game we sometimes play about quoting out of context or selecting quotes that are made in various places.

I say to my friend from Alaska, I am sure people may go back in my political career, or his political career, and find some convenient phrases or speeches or something that we have made that we would not necessarily want to have pulled out of context.

My point to my colleague from Alaska and others is, look, the people of Haiti expressed a choice. I certainly was troubled by some of the remarks attributed to President Aristide. I get disturbed by the remarks of a lot of different people, different Presidents around the world, when they say things about my country or things in their own country.

But I think we have to step back and say, is it our job, necessarily, to act as critic here on every statement or every speech that gets made? I do not think so. The fact is that 70 percent of the people of that country elected this gentleman to be their President.

Mr. STEVENS. Mr. President, that is not my question. Should the power of the United States be used to return to the Presidency of Haiti a person who has made these statements concerning not only the United States, but Presidents of the United States and the policies of the United States? It is not a question of what they want. It is a question of should we use our power to restore him to power.

Mr. DODD. If I may reclaim my time, Mr. President, I think what the Senator from Alaska is advocating is that we ought to walk away from Haiti altogether, not be involved in any way. I do not believe that is what we ought to do. You start playing that game around the world and there is no end to it, in my view. Either you support a process here that we think is in our interest to perpetuate, and that is democratic institutions, democratically elected leaders in these countries, or not.

If we are going to make the decision about whether or not we support democracy based on whether or not each of these candidates or Presidents passes our particular political correctness test, then we will have a never-ending problem in this body.

I hear a lot of people complain about political correctness. Now we are going to apply it here, as well. Was this man democratically elected in this country?

Yes or no? The answer is yes. According to every international observer and everyone else there, it was one of the freest elections that could ever be held. Is it in our interest to see democracy supported, underpinned, in Haiti? I believe the answer is yes. Does that mean we necessarily would have voted for this candidate or support this particular candidate or have to support this particular President in every step we take? No. We are supporting a process and a decision made by the people of Haiti.

So I think it is in our interest.

Take President Yeltsin, for instance—or Gorbachev, for that matter. Had we made a decision in this Chamber whether or not to support a reform process in the Soviet Union based on every quote of Mikhail Gorbachev or Boris Yeltsin, we would not have done anything. We would not have done anything at all.

We saw something larger and more important instead of political speeches, or quotes from those speeches.

Mr. STEVENS. Will the Senator yield again?

Mr. DODD. I will be glad to yield.

Mr. STEVENS. Does the Senator remember any time when we sent a blockade to help either Gorbachev or Yeltsin?

Mr. DODD. I think we were prepared to provide whatever support was necessary. I think the President's decision the other day to lend the full force of the United States behind the events that were unfolding in Moscow is a critical example of our willingness to stand up and support that process in that country.

If my colleague will note, had the elements that had taken over the parliament building in Moscow prevailed, is there any doubt in anyone's mind here about what actions we would have taken in response to that activity? Would we have had a speech on the floor saying, well, Boris Yeltsin had some art work in his office, and so the fact a bunch of thugs had thrown him out means we would not help? I do not believe we would have said that. We would have been outraged by it, and we would have taken steps to try to do something about it. We would not have had a description about Boris Yeltsin's office as a justification for deciding not to support democracy in that country.

That is all I am saying here. The same thing has happened, unfortunately, here. The thugs won in Haiti. They threw a democratically elected President out. Now the issue is, will this country, that believes in those ideals and values, support his return? I think we ought to. I think it is in our interest to do so. In the absence of doing so, I think it is far more dangerous than the particular statements that this individual may have made. And that is the point I think needs to be made in this particular case.

Mr. President, I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes the Senator from Alaska.

Mr. STEVENS. Mr. President, I find it hard to support, on the one hand, the amendment of the Senator from North Carolina. On the other hand, I do not find it hard to reach the conclusion that "Aristide on Aristide" is a very enlightening document, and it certainly should make every Member of the Senate think as to whether or not we want to support the use of American force to restore this person to control of a nation in this hemisphere.

The Senator from Connecticut has some interesting points, but I think he fails to really look into the basis of the presentation of the Senator from North Carolina. I have not heard anyone talk about necklacing yet. I have asked the CIA to confirm or to not confirm the statements made by Senator HELMS today concerning necklacing and the use of that and the advocacy of that by Aristide.

I really find it abhorrent that we would use our power to put in charge of a nation of this hemisphere a person who has this kind of venom for the United States. What are we doing?

On the other hand, the real question is whether we should take action to so tie the hands of the President of the United States, as suggested by my good friend. The real problem is it appears the President has already made the decision to do it. The Senator from Connecticut has indicated he thinks that is perfectly fine.

I find very great difficulty with the idea that we should restore a person of this caliber to power. I am very worried about what the Senate is about ready to do today.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas [Mr. GRAMM].

HEALTH CARE DEBATE

Mr. GRAMM. Mr. President, I will be brief in imposing on my colleagues.

I understand that Senator WOFFORD from Pennsylvania today engaged in an attack on the Republican health plans, and it strikes me that the members of the Democratic Party are obviously panicked that the American people are rejecting the President's program of socialized medicine. It seems to me that since the President cannot quite write a plan that the Democrats could have any hope of paying for, they are now forced to attack the only real proposals to deal with the medical problems of America by attacking Republican plans.

Let me say to my dear colleague from Pennsylvania that I am going to be in Pittsburgh having a townhall meeting on health care in general, and

the Clinton plan in particular, and I would be delighted to have our dear colleague come and join with me in that forum and debate that issue.

I would also be happy to go on over to Philadelphia and do it again, should he be happy to do that. I think America needs to hear about these issues. I look forward to the day coming when we can have this debate. I think it is very important, and I believe when all is said and done, the American people are going to conclude that there is not enough money in the world to pay for the Clinton health care plan and that they would not want it even if it were funded.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from California [Mrs. FEINSTEIN].

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 1571 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUE. Mr. President, I wish to commend the Senator from California for this most extraordinary and illuminating presentation of immigration and related problems in her State. I hope that my colleagues will give Senator FEINSTEIN's legislation concerning southwest border control and drug interdiction their most serious consideration.

Once again, I wish to commend my colleague.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida [Mr. GRAHAM].

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. GRAHAM. Mr. President, I believe that the pending business before the Senate is an amendment to the Department of Defense appropriations bill, as introduced by the Senator from North Carolina [Mr. HELMS]. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAHAM. Mr. President, the amendment which has been proposed states that "None of the funds appropriated"—in the Defense appropriations bill—"shall be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless" those operations "are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that the United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed

Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti," and to the extent that such a deployment is necessary, funds can be expended for that purpose.

Mr. President, I believe this is an extremely pernicious and negative amendment in terms of U.S. interests.

I would like to discuss this amendment around a series of questions. Why is Haiti important to United States national interests? What is the role of the United States military in advancing our national interests in Haiti? What would be the consequences of the adoption of this amendment in Haiti? And what would be the consequences of the adoption of this amendment on the conduct of American foreign policy?

This amendment, Mr. President, looks around a globe which has approximately 180 nation states and selects one, Haiti, and says that in that nation, the United States cannot utilize its Armed Forces in the manner that the President is authorized in every other nation, unless these extreme limitations are met. That would indicate that we have less national interest in Haiti than in virtually any other nation in the world.

I would suggest that that conclusion is fundamentally wrong, that, in fact, the United States has very major national interests in Haiti.

What are those interests?

First, Mr. President, we have an interest in avoiding Haiti becoming the role model for democracies across the Caribbean and Latin America.

If we were holding this session of the Senate 20 years ago, and had a map of the Caribbean and Latin America, and had the countries designated by those that were ruled by a democracy and those ruled by an authoritarian government, the map would be a sea of authoritarian government flags. Today, the map would be exactly the opposite.

In 20 years, this hemisphere has become a garden of emerging democratic governments, but it is a garden in which the roots of most of those democracies are still relatively shallow. There are, in the barracks of the Caribbean and Latin America, the sons of fathers who used to rule those countries, sons who feel that it is their right to one day rule those countries, not through the democratic election process, but by a restoration of a military dictatorship. Those in the barracks are looking to Haiti as an example of how much resolve, how much commitment, does the international community have, particularly the democracies of the Western Hemisphere and specifically the oldest democracy, the United States of America, how deep is our will to protect the still fragile plants that are growing throughout this hemisphere.

The United States has a tremendous interest in the protection of those democracies, in the stabilization of those

governments, and through those stable political institutions to begin to have countries that will grow in their economic strength and prosperity and become contributing and participating members in the world economy.

Second, Mr. President, we have an interest because Haiti is not thousands of miles away. It was suggested last week, almost as an axiom, that Somalia was bad. Haiti is Somalia. Therefore, Haiti is bad. We should be out of Somalia. Therefore, we should be out of, or never enter, Haiti.

Haiti is not Somalia. Haiti is 800 miles from the United States of America. Somalia is many thousands of miles away.

As much as we grieve for the circumstances in Somalia which led to the United States entering that beleaguered country, the consequences of a collapse in Somalia are relatively limited on the United States. The consequences of what has already happened in Haiti, and what could happen if there was a further deterioration of conditions, will be direct and immediate on the United States of America.

One of those forms of immediate impact will be refugees. We already have seen waves of refugees from Haiti, not only in the United States but also from other countries in this region such as the Bahamas. Those are just an indication, a harbinger, of what will happen if the hopes for restoration of democracy in Haiti are crushed.

Haiti has also become a major transshipment point for drugs as other countries throughout the Caribbean have turned away from authoritarian governments, as they have developed effective law enforcement and judicial systems. Haiti has increasingly stood out as a place in which it was relatively comfortable, accommodating, and highly profitable to conduct drug operations.

One of the principal sources of income of the military coup which has controlled Haiti for the past 25 months has been through the expansion of drug trafficking, using that country almost on a lend-lease basis to the worst elements of the drug trade. The United States has an interest in preventing a further use and expansion of Haiti for that purpose.

I know, Mr. President, it is somewhat unpopular now to talk about the U.S. interest from a humanitarian standpoint. In some ways, to suggest that the United States has an interest in human rights and how people are treated around the world puts you in a category of those who are out of touch with a tougher standard of America.

I had the recent experience of visiting the Holocaust Museum here in the Nation's Capital. As I left that museum, I was haunted with some questions.

One of those questions was, why did the United States act as it did during

the 1940's when it was informed of what was happening in Nazi Germany and had some capabilities to moderate, to resist, to make it at least significantly more difficult for Hitler to carry out his horrendous program of elimination of the Jews of Europe?

The second question is, where is something that has those same seeds of hatred and bitterness happening around the world today, and what is the United States doing about it?

Mr. President, I was in Haiti a week ago. I would not analogize Haiti in 1993 to Nazi Germany in 1943. But there are tremendous human rights violations which are occurring in Haiti.

Last week, a very promising young man, trained both in Haiti and the United States, the Minister of Justice of Haiti, was assassinated in front of a church where another member of the opposition to the military coup was assassinated just a few days earlier.

Those are two examples of the level of violence which is occurring in that country, which I think should move the hearts of Americans who are concerned about human rights, who believe that when Thomas Jefferson wrote in the Declaration of Independence that all men are born with certain inalienable rights, that he was not speaking just to those men who happen to occupy the British colonies along the Atlantic coast but was making a universal statement that would influence the way the United States would use its role in the world. I believe in those words of Thomas Jefferson, and I believe they are another reason the United States has a national interest in what is happening in Haiti today.

Finally, Mr. President, if you are not moved by humanitarian concerns or by concerns of democracy or by the potential of refugees and drugs arriving on our shores or even concerned about the United States citizens who are in Haiti, of which there are somewhere between 1,000 and 10,000, depending on your definition of single and dual citizenship persons, we should be concerned about the fact that the United States has entered into some binding, legal obligations to the international community.

We were not a parent of the Governors Island accord, the set of negotiations which concluded in early July of this year with an agreement signed by President Aristide and by Commander in Chief Raoul Cedras, but we were certainly the godparents after that negotiation. We fostered, nurtured, and led to the completion of those agreements.

Under those agreements and subsequent United Nations resolutions, we took on certain national obligations. And that moves, Mr. President, to the second question.

What is the role of the United States military in advancing the United States national interests in Haiti?

There has been a long history of relationship of the United States military

with Haiti. It is well known that we occupied Haiti from 1915 to 1934. What is less well known is that we have since that date had a continuing role in the training and equipping and basic acculturation of the Haitian military. When you go to Haiti and look at their military and look at their equipment, look at their arms, they look very much like an American military unit because almost every piece of equipment from the clothes worn to the rifle carried are American.

The United States has had a significant role in the training of the Haitian military. On one of my visits to Haiti prior to the 1987 election, I met with Gen. Raoul Cedras who, at that time, was one of the three people in control of the Haitian Government setting up for what was hoped to be a democratic election. I asked Gen. Raoul Cedras if he ever visited the United States and he said he had on several occasions. I said: "In what capacity?" He said, "Participating in a United States military training exercise." I asked him, "What were you being trained to do?" He said, "Fight World War II as an infantry officer."

That is what we have essentially trained the Haitian military to do. The fact is the Haitian military had relatively limited prospects of participating in World War II. They have used the skills that we have largely provided them, as well as the equipment, to terrorize their people rather than serve as a force for positive good within an impoverished country which needs every positive institution available to it.

And so what is the role of the United States military in fulfilling our national interests in Haiti? They were spelled out in these series of U.N. resolutions and the Governors Island accord, and they were that the Haitian military was to be divided. It was to be divided with the police becoming an independent law enforcement agency and the military becoming a defense institution.

Today those two operations—police and defense—are merged. It would be the responsibility of the set of nations, largely French-speaking nations such as France, itself, Canada, and others to help in the professionalization of this newly created independent police function.

It was felt that because of their linguistic capabilities, their familiarity with some of the French law enforcement traditions which will be the traditions of the Haitian police, that they represented the appropriate institutions, the appropriate nations, to be assisting in the police training.

But, as it came to the defense training, we stood out as the one nation in the world, because of this long history of involvement, best equipped to carry out that function.

So we set about committing ourselves to two essential tasks: One task

was to work with the Haitian military in terms of educating it as to how a military functions in a democracy; how does a military organization itself become responsible to civilian direction and control.

I think we have a lot to contribute to the Haitian military in that regard. For 200 years, we have had a military that has functioned in that manner.

Also, Mr. President, a second task of our military was to assist the Haitian military in acquiring a new set of skills. It was not by accident that the military personnel on the U.S.S. *Harlan County* in the port of Port-au-Prince last Monday and Tuesday were Seabees, Corps of Engineers; they were construction workers; they were civil engineers.

They were going into Haiti to assist in rebuilding some of the shattered infrastructure of that country. The very first project was going to be to put a roof on a school. At the same time, they were going to be educating elements of the Haitian military as to how to conduct those type of operations in hopes that over time—and neither of these two functions, the cultivation into democracy or conversion into a Corps of Engineers-Seabee type of operation, are going to occur quickly—this would be a beginning toward that fundamental conversion of the defense component of the Haitian military into an institution that would be one of civic action and assistance to the country rather than one of repression.

I think those are in the best traditions of the U.S. military.

The amendment that we have before us would preclude those type of activities from occurring.

I believe that those are exactly the kind of roles that the U.S. military will increasingly be called upon to play, particularly in this hemisphere as we begin to assist in converting militaries that have previously had a repressive role into militaries that will be positive and constructive.

Now, because of that role, our troops, had they landed, would have been relatively lightly armed. The understanding was that they would carry only sidearms.

The fact is that their entry into Haiti was conditioned upon two circumstances: One, that there would be a permissive environment; that is that there will be sufficient tranquility; that they could actually climb up on this roof of this school and put it up without being in danger. And, second, that the Haitian military would guarantee their safety—safety coming off the boat, safety at the encampment which was going to be established near the international airport.

Neither of those two conditions on Monday or Tuesday of last week happened, and the President exercised absolute prudence in his decision to not

allow the troops to disembark. To do so would have meant that our troops would have been unable to carry out their mission and it would have acquiesced into a violation of the commitment the Haitian military had made to provide safety and security for these United States Seabees and Corps of Engineers.

So I believe that the United States military has a very important role in advancing our national interest in Haiti and contributing to deepening the roots of democracy in that country.

Mr. President, the third question is what would be the consequences of passing the amendment that is before us, first, in Haiti, and then what would be the consequences in terms of United States foreign policy?

The consequences in Haiti are very clear. It would send the strongest signal to the military dictators that they had won; that, by intimidation, by refusal to meet their international commitments, they had been able to overturn the strongest nation in the world. It would give to those military tyrants the comfort of knowing that they were not going to be held to account for the violations they had committed against the human rights of their own people and the jeopardy in which they had placed other nations in this hemisphere.

It would also mean, Mr. President, that we would be held responsible for the final collapse of the Governors Island accord still, today, on October 20, represents the best hope of restoring democracy to Haiti with a limited amount of bloodshed. Granted, it is a hope which is flickering, but the patient still has a slight heartbeat. I do not believe that the United States should take the responsibility for disengaging the patient from the life support system. The adoption of this amendment would be such an act of disengagement.

Finally, it would mean that the United States, not only in Haiti but assumedly by extension to other nations, particularly in the Western Hemisphere, would not be prepared to play a role in deepening the institution of democracy by participating in those ways in which important institutions, particularly the police and military, can be brought into a new relationship with the democratic government. All those things are going to happen, in addition to the direct impacts on the United States of refugees and drugs.

Fourth, Mr. President, what will be the consequences of the adoption of this amendment on the conduct of the U.S. foreign policy?

I do not profess to be a Ph.D. student on the history of U.S. international relations, but I know of no instance in which the Congress would have singled out one nation in the world and im-

posed such severe restraints on the President's ability to conduct foreign policy, including the requirement of prior approval of a President's actions for any action other than the evacuation of U.S. citizens.

I know of no example in American international history in which we have set such a limit on our U.S. President.

I would say this is an especially inappropriate place and an especially inappropriate time to be considering such a limitation on the President.

In today's *Washington Post*, there is an article written by the former National Security Adviser to both President Bush and President Ford, Brent Scowcroft, and the former Under Secretary of State for Political Affairs to President Bush, Mr. Arnold Kanter.

I ask unanimous consent that at the conclusion of my remarks, the full column be printed in the RECORD.

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

(See exhibit 1.)

Mr. GRAHAM. I would like to read, however, one paragraph of this very illuminating column entitled "Foreign Policy Straitjacket."

Maneuvering in the complex environment of a Somalia—or of a Haiti, Bosnia or the other crises that loom on and just over the horizon—requires the agility of a ballet dancer, not the Mack truck of legislation. In a world that increasingly places a premium on a rapidly adaptable foreign policy, codifying highly detailed requirements in a public law is a recipe for ineffectiveness. It undermines the president's ability to threaten, cajole and pressure our adversaries by publicizing the costs we will and won't pay and by broadcasting the conditions and constraints under which our forces will operate. At the same time, it leaves our friends and allies, whose cooperation we seek, to wonder whether Congress will permit the president to follow through on his promises and commitments. Finally, it stays on the books, continuing to tie the president's hands as circumstances change and Congress's attention shifts to other priorities. Now more than ever, trying to legislate foreign policy is simply a bad idea.

Mr. President, this amendment denies the fundamental reality that Haiti is a neighbor and what happens in that country is going to affect our neighborhood. It denies the fact that the U.S. military has a very positive, constructive role to play in converting a nation which for the better part of two centuries has been wracked by despots and by a poverty unknown in any other country in the Western Hemisphere.

To deny to those people the best chance they have had for the establishment of a government of respect and dignity and hope, and our assistance in converting institutions which have stood in the way of all of those promises, would have devastating consequences today in terms of what will happen in Haiti. It will have even greater potential consequences in what will happen to democracy throughout this hemisphere. And, at a time when

the United States is searching for what its role will be in the post-cold-war era, while we are looking for an adept leadership to respond in our national interests to a whole set of challenges the likes of which we have not seen in the world since at least the interwar period, to use this time as the time we will single out this one country of Haiti and impose this highly legislative, restrictive set of constraints on our President's ability to carry out America's national interest I think will be the height of folly and a folly for which this Nation would long pay.

I urge the defeat of this amendment. Rather, I urge, positively, that the United States look for some of the positive things that are in Haiti and can happen in Haiti. We have the best chance of restoring democracy. There is an absolutely superb Prime Minister, Robert Malval, who is currently leading that government. The international financial institutions have indicated their desire to be quickly available to assist in the economic restructuring of that impoverished country as soon as there is political stability.

The leadership of the country has a vision for its future, which is one that Americans should share and rejoice in. I believe this is not the time to turn our back on a neighbor, but rather to continue to extend the hand of friendship, knowing through that friendship not only would the interests of the people of the United States be advanced, but that a neighbor who has been for too long held in poverty and in oppression will soon be at the point where they can live in the full sunshine of democracy.

EXHIBIT 1

[From the Washington Post, Oct. 20, 1993]

(By Brent Scowcroft and Arnold Kanter)

FOREIGN POLICY STRAITJACKET

Following intensive negotiations with the administration, the Senate last week passed the Byrd amendment to the fiscal year 1994 defense appropriations bill, setting a variety of conditions on U.S. military involvement in Somalia. This action has been described as a good example of bipartisan leadership in the Senate, of the spirit of constructive compromise between the executive and legislative branches and as a political victory for the administration.

But it was something more. Whatever its impact on our Somalia policy, the Byrd amendment also sets an important precedent in redefining the respective roles that the president and Congress will play in deciding when, where, why and how U.S. military forces are used. It is a precedent that has disturbing implications for this or any president's ability to conduct an effective foreign policy in the post-Cold War world.

This is not the place to debate whether our Somalia policy is sensible or misguided, or whether the particular provisions in the Senate bill are wise or foolish. Somalia may be the case at hand, but what is at stake is nothing less than defining the proper role of Congress in the conduct of foreign policy and the use of our armed forces as an instrument of that policy. Not only may the "Dole amendment" on Haiti present that issue

again in the days ahead, but we are likely also to face it with increasing frequency as part of the larger debate about the purposes and limits of U.S. engagement in the world. It is important that we get it right.

From this broader policy perspective, the Byrd amendment poses two kinds of problems. First, it goes beyond the legitimate congressional role in establishing policy parameters to spell out in detail what the president may and may not do in carrying out that policy, including setting a deadline for the withdrawal of U.S. troops from Somalia, specifying the military mission of our forces while they remain there, describing the capabilities they are to possess and even defining the command arrangements that are to govern them. Second, it sets out all these requirements in legislation that is intended to become the law of the land.

There are sound constitutional grounds for arguing that wherever one reasonably draws the line that separates the foreign policy responsibilities of the president from the job of Congress, the Byrd amendment crosses it. But there also are practical reasons for being concerned that if the Byrd amendment becomes the model for future congressional involvement, U.S. foreign policy will be the victim.

Maneuvering in the complex environment of a Somalia—or of a Haiti, Bosnia or the other crises that loom on and just over the horizon—requires the agility of a ballet dancer, not the Mack truck of legislation. In a world that increasingly places a premium on a rapidly adaptable foreign policy, codifying highly detailed requirements in a public law is a recipe for ineffectiveness. It undermines the president's ability to threaten, cajole and pressure our adversaries by publicizing the costs we will and won't pay and by broadcasting the conditions and constraints under which our forces will operate. At the same time, it leaves our friends and allies, whose cooperation we seek, to wonder whether Congress will permit the president to follow through on his promises and commitments. Finally, it stays on the books, continuing to tie the president's hands as circumstances change and Congress's attention shifts to other priorities. Now more than ever, trying to legislate foreign policy is simply a bad idea.

The alternative is not for Congress to give the president a blank check and abdicate its constitutional responsibilities in foreign policy. Congress is a valuable sounding board and source of wise counsel. It can offer invaluable assistance in rallying public opinion behind the president and is uniquely positioned to run political sanity checks on the president's proposed policies and actions, offering its distinctive insights into the mood of the country and how best to take the voters' concerns into account.

Nor is Congress without leverage in helping presidents remember this essential lesson. It can hold the president accountable for his actions before the bar of public opinion—and ultimately the ballot box—by calling hearings and requiring the administration to send reports detailing the progress, problems and prognosis of particular issues. If all else fails, of course, it can resort to the power of the purse to enforce its will.

The president too must do his job. First, he must exercise the foreign policy leadership that is his unique responsibility, or Congress surely will be tempted—or feel obliged—to cross the constitutional line and fill the vacuum. Second, he must build and sustain public and congressional confidence in that leadership by means of frequent, serious con-

sultations with the Hill and clear explanations to the American people about our purposes and stakes. The recent congressional actions on Somalia and the current debate about Haiti can be read as evidence of what happens when the president does not accomplish both these tasks.

All presidents know—or learn—that their foreign policy cannot succeed and their tough foreign policy decisions will not be sustained without bipartisan support borne of clear, honest dialogue between the two branches of government. But Congress cannot exercise foreign policy leadership, and the president must not acquiesce in its ill-considered efforts to do so. Congress cannot conduct a successful foreign policy; only the president can. Likewise, Congress cannot formulate and execute an effective political-military strategy to accomplish foreign policy objectives; only the president can.

Put simply, our country can ill-afford 535 secretaries of state, and still less 535 commanders in chief. Congress, for its part, must participate in the grand debate about the scope and nature of American engagement in the new world order, but it also must resist the temptation to legislate our foreign policy and how military forces will be used to support it. For his part, the president should encourage and benefit from Congress's legitimate participation, but he also must stand ready to veto any legislation that undermines his ability to fulfill his foreign policy responsibilities.

THE PRESIDING OFFICER. The Senator from Pennsylvania, Mr. SPECTER.

Mr. SPECTER. Mr. President, in considering the pending amendment by the distinguished Senator from North Carolina, I believe the Senate should be cautious in undercutting Presidential authority based on our constitutional power over the purse, even where the circumstances show the U.S. foreign policy is most unwise.

It is understandable the temptation is present to bring amendments to limit Presidential authority in light of the serious miscalculations in Somalia and in Bosnia and in Haiti. But I suggest that this is a time for prudence before we undercut the delicate balance of constitutional authority between the President, as Commander in Chief and the principal architect of foreign policy, and the authority which the Congress has in a variety of ways, including the power of the purse.

For most of the time prior to coming to the Senate and after being here, my concerns have been over excessive exercise of Presidential authority in derogation of the sole power of the Congress to declare war. I recall very well, as a student at the University of Pennsylvania majoring in international relations, the concerns which I had about the involvement of the United States in a war, the Korean war, without the appropriate constitutional declaration of war by the Congress. I remember well the day the Korean war started, on June 25, 1950, because I was among several thousand Reserve Officer Training Corps Cadets at Lowry Air Force Base in Denver, CO, on a Sunday, June 25, 1950.

As that conflict started, most of us who were issued khakis that day

thought we would never return to the universities for our final year in college, but we did. That was a very special recollection for me about a war which Congress never declared. I have raised that issue on this floor on a number of occasions, including a debate with Senator Percy, then chairman of the Foreign Relations Committee, when we were considering the War Powers Act in about 1983, concerning Lebanon, and Senator Percy concurred with my assessment that Korea was a war.

I have sought, on a number of occasions, as the distinguished Presiding Officer may recollect, in Judiciary Committee hearings, to ascertain the status of Korea as a war in terms of some guidance from Supreme Court nominees as to how they might view the congressional authority to declare war contrasted with the President's authority as Commander in Chief. Korea is an event which will never recur, so it is not a matter to come before the Court in that form.

This is a matter which has been of real concern. I also expressed the concern in the debates on the War Powers Act during Lebanon when it seemed to me the President was beyond his power, with the failure of the Congress to invoke the War Powers Act and the challenge of the President to the constitutionality of the War Powers Act.

We have seen a significant shift, I submit, in the course of the past several months, as we have had indecisive and vacillating policy from the President in three major areas: Bosnia, Somalia, and now Haiti.

There have been a series, really a raft, of amendments; a number by the Senator from West Virginia [Mr. BYRD]; by the Senator from Arizona [Mr. MCCAIN]; the Senator from Oklahoma [Mr. NICKLES]; and now by the Senator from North Carolina [Mr. HELMS]. It seems to me that we have to be cautious and not create the constitutional confrontation and the upsetting of this delicate balance.

When we talk about the constitutionality of the War Powers Act, it is worth noting, as I mentioned briefly on the floor yesterday, that there had been an effort made to have a test case of the War Powers Act back in about 1983, an effort that was encouraged by then majority leader Howard Baker, when a number of us prepared legal papers seeking the agreement of the President, but that was not forthcoming, and there was never a constitutional test in the Supreme Court.

I think had the War Powers Act been sustained, it would have taken a lot of pressure off the challenges which are now being made.

Turning to the specific language of the amendment offered by the distinguished Senator from North Carolina, it calls for a cutoff of funds where there are "operations of the Armed

Forces of the United States in Haiti unless * * * specifically authorized in * * * advance of the operations, or the President certifies * * * to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of armed forces is necessary in order to protect and evacuate United States citizens. * * *

In my view, Mr. President, it is inappropriate and, beyond being inappropriate, dangerous to prescribe limitations on the actions of the President as Commander in Chief in advance as to what he may do. It seems to me that the War Powers Act struck the appropriate balance in not disallowing the involvement of U.S. troops and hostilities for at least 60 days and then calling for their withdrawal at the end of a 60-day period, unless specifically authorized by Congress. But there are too many emergency situations for the Congress to cut off funding, as drastic a remedy as that is, in advance of the operations.

Further, it is my view that there may be other reasons why the President would have to act, beyond the protection of United States citizens in Haiti, and that language limiting such Presidential action through a temporary deployment is also unwise.

There are, of course, very substantial reasons why the intuitive reaction is opposed to having United States troops involved in Haiti. There are very serious questions about the national interest of the United States going there. There are very serious questions about the propriety of the role of the United States in trying to put President Aristide in power. But it seems to me that under our constitutional form of government, those are judgments which have to be made by the President, and that, if there is to be appropriate Executive authority, it would be a very bad precedent for the Congress to exercise its authority to cut off funds, as proposed by this amendment.

The constitutionality of such an amendment, I think, is in real question. Certainly, if there is to be a challenge of the President's authority as Commander in Chief, the strongest grounds for such congressional action would most likely be the cutoff of funds since the Constitution expressly authorizes the Congress to control the purse.

But as a matter of prudence and as a matter of long-term institutional stature and stability, it is my view that we should not interfere in this way with the power of the President to operate as Commander in Chief.

There is a considerable body of pressure in the political arena and in the political context that may be exerted to preclude unwise actions by the President. There is certainly opportunity for consultation and for Congress to make its views known, but the precedent for cutting off funds on the limited circumstances prescribed by

this amendment, and especially requiring authorization in advance of emergency action by the President, I think, would be very unwise.

Although I understand the reasons for which my colleague from North Carolina has brought this amendment forward—because of his very substantial disagreement with the policy—I believe, in the first instance, that policy appropriately remains with the President, with the power of the Congress to act thereafter in pursuit of the provisions of the War Powers Act, which I believe to be constitutional and enforceable.

I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER (Mr. WELLSTONE). The Senator from Oregon.

Mr. HATFIELD. I thank the Chair.

(The remarks of Mr. HATFIELD pertaining to the introduction of S. 1572 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HATFIELD. I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MACK. Thank you, Mr. President.

What is the pending business?

The PRESIDING OFFICER. The pending business is amendment 1072 offered by the Senator from North Carolina.

Mr. MACK. I thank the Chair.

I rise in opposition to the Helms amendment on Haiti. There are several reasons why I do so. The first of which I wish to speak about, which several others have already touched on, is that it restricts the power of the President by limiting his options.

I should like to read a portion of a letter that the President has sent which touches on a lot of different amendments that have been proposed or that are being offered during this debate.

The letter says:

I am fundamentally opposed to amendments which improperly limit my ability to perform my duties as Commander in Chief.

He goes on further to say:

And which could weaken the confidence of our allies in the United States. Such amendments would provide encouragement to aggressors and repressive rulers around the world who seek to operate without fear of reprisal.

That letter could have been written by any President of the United States. It addresses an argument and debate that has gone on in this country for over 200 years regarding the role of the Congress and the role of the President with respect to foreign policy.

MAZZOLI, BRYANT, FISH, and MCCOLLUM.

As additional conferees from the Committee on Merchant Marine and Fisheries, for the consideration of sections 1351, 1352, and 1354-1359 of the House bill and sections 654 and 3501-3506 of the Senate amendment, and modifications committed to conference: Messrs. STUDDS, TAUZIN, LIPINSKI, FIELDS of Texas, and BATEMAN.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 265, 1314, and 3137 of the House bill and sections 328, 2841, 2851, 2915, 3103, and 3135 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mrs. UNSOELD, and Messrs. REED, FIELDS of Texas, and BATEMAN.

As additional conferees from the Committee on Natural Resources, for consideration of section 2818 of the House bill and sections 2855, 3132, 3139, and 3147 of the Senate amendment, and modifications committed to conference: Messrs. MILLER of California, VENTO, LEHMAN, and YOUNG of Alaska, and Mrs. VUCANOVICH.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of sections 364, 901, 934, 943, and 1408 of the House bill and sections 523, 1064, and 3504 of the Senate amendment, and modifications committed to conference: Mr. CLAY, Mr. McCLOSKEY, Ms. NORTON, Mr. MYERS of Indiana, and Mrs. MORELLA.

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 2816 and 2841 of the House bill and sections 1063, 1087, 2833, 2842, and 2917 of the Senate amendment, and modifications committed to conference: Messrs. MINETA, APPLIGATE, WISE, SHUSTER, and CLINGER.

As additional conferees from the Committee on Rules, for consideration of section 1008 (relating to funding structure for contingency operations) of the House bill, and modifications committed to conference: Messrs. DERRICK, BELENSON, FROST, SOLOMON, and QUILLEN.

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 215, 262, 265, 1303, 1304, 1312-1318, and 3105 of the House bill and sections 203, 233, 235, 803, and 3141-3148 of the Senate amendment, and modifications committed to conference: Mr. BROWN of California, Mr. VALENTINE, Ms. E.B. JOHNSON of Texas, Mr. WALKER, and Mr. FAWELL.

As additional conferees from the Committee on Small Business, for consideration of section 829 of the House bill, and modifications committed to conference: Mr. LAFALCE, Mr. SMITH of Iowa, and Mrs. MEYERS of Kansas.

As additional conferees from the Committee on Veterans' Affairs, for

consideration of sections 1071 and 1079 of the Senate amendment, and modifications committed to conference: Messrs. MONTGOMERY, SANGMEISTER, and STUMP. Provided, Mr. SLATTERY is appointed in lieu of Mr. SANGMEISTER solely for the consideration of section 1079.

As additional conferees from the Committee on Ways and Means, for consideration of sections 653, 705, and 1087 of the Senate amendment, and modifications committed to conference: Messrs. ROSTENKOWSKI, GIBBONS, PICKLE, ARCHER, and CRANE.

There was no objection.

□ 1930

CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. SMITH of Iowa. Mr. Speaker, I call up the conference report on the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MFUME). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Thursday, October 14, 1993, at page 24542.)

The SPEAKER pro tempore. The gentleman from Iowa [Mr. SMITH] will be recognized for 30 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 30 minutes.

The Chair recognizes the distinguished gentleman from Iowa [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report and the amendments in disagreement on H.R. 2519, the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act of 1994, and that I be permitted to insert a table and extraneous matter following my remarks on the conference report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

□ 1940

Mr. SMITH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will only take about 1 minute. This conference report has

been available for the Members for 5 days. I think most everybody knows what is in the report. I will just summarize very briefly.

The total amount of money for budget authority is \$23,396,781,000. Of that, \$3.8 billion is to continue various programs for technology enhancement, economic development incentives, scientific research, fisheries development, weather forecasting services, international trade and tourism promotion, and for small business development.

There is \$10.1 billion in discretionary appropriations for the Department of Justice and the law enforcement agencies. The conference report also includes \$2.7 plus billion for the judiciary. The conference agreement also includes funding for related agencies such as, \$374.4 million for the Maritime Administration, \$400 million for the Legal Services Corporation, \$657 million for the Small Business Administration, and \$1.142 billion for the U.S. Information Agency.

Mr. Speaker, 178 amendments were added to the bill when it went to the Senate. We have been able to resolve all of these. I think there is only one upon which we will probably have a vote. It is my hope that that is the case.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS. Mr. Speaker, I yield myself 17 minutes.

Mr. Speaker, I hope not to take that entire time.

Mr. Speaker, I rise today in strong support of the conference report to accompany H.R. 2519, the fiscal year 1994 Departments of Commerce, Justice, State, the judiciary, and related agencies appropriations bill.

Mr. Speaker, the chairmen of the House-Senate conference committee, and all the members of the conference committee, are to be commended for their diligence in crafting a conference report which I believe all Members should support.

Under the leadership of the chairmen of the conference committee—the gentleman from Iowa and the gentleman from South Carolina—and with the help of a revised 602(b) allocation, the conferees were able to make some important improvements over the House-passed bill, particularly in high priority areas such as law enforcement, and immigration controls. In addition, the conferees have placed controls on U.N. peacekeeping.

For the Department of Justice, an area of particular concern to many Members of this body, the conference agreement provides a \$130 million increase over the House-passed bill. A sizable portion of this increase finances a comprehensive immigration initiative which will allow us not only to detect and apprehend, but also to detain and deport, illegal aliens. The conference report provides a \$90 million increase over the House-passed bill for

democracy are spotted on the open seas—I might add many times, and thank God they are spotted by their Cuban brothers in airplanes flying over the Florida straits—the United States Coast Guard goes out and picks them up and brings them to Florida where they are welcomed with open arms.

But in the case of the Haitians, as soon as they get in their boats they are interdicted by that same Coast Guard and returned to the island.

It is a policy that will not hold up very much longer. So I say to my colleagues, who have trouble and who are concerned about what our policy in Haiti should be, I would ask you to reject this amendment because this amendment really does not address the situation in Haiti and, in fact, hampers the President's ability to deal with that situation.

In conclusion, I would say to my colleagues I hope that they will reject this amendment because this Nation should continue its commitment to the projection of the principles and the ideas of freedom and democracy around the world.

I yield the floor. 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.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MOSELEY-BRAUN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Helms amendment.

Ms. MOSELEY-BRAUN. Thank you. I would like an opportunity to address that amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. Mr. President, the debate on this amendment raises two fundamental, basic sets of issues. One set of issues goes to the question of Haiti directly and what the United States policy should be with regard to that country, which is only 600 miles off of the coast of Florida.

The second issue is a much larger one. It is the relationship between Congress and the Presidency on the conduct of U.S. foreign policy in the post-cold war world. The key question is whether our foreign policy is going to be driven by CNN and opinion polls and political expediency, or a race for the Presidency, or whether coherent architecture and criterion can be developed in the new era.

As my colleagues know, the situation in Haiti is complex and fast moving. Our policy, however, Mr. President, must not simply be reactive. Instead, it must be based on the fundamentals of the situation there, and establish a

framework for dealing with the events as they arise—based on our interests and on our values.

Mr. President, Haiti has a long history of dictatorship and oppression. Their recent legacy is of the Duvalier's "Papa Doc" and "Baby Doc" and a succession of military coups. The people of Haiti, however, want an end to military dictatorship and corruption. They want a chance to choose their own leaders. Mr. President, they want democracy.

The first time the people of Haiti were given the opportunity to vote in December 1990, they elected President Aristide with an overwhelming 67 percent of the vote. This was an enormous victory for the deepening of democratic institutions in that country.

Unfortunately, 9 months later, President Aristide was ousted in yet another illegal coup that has been condemned by the entire international community, including the administrations of both Presidents Bush and Clinton.

The U.S. Government under President Clinton's leadership, working under considerable handicaps, in a fast moving, fluid situation, has consistently worked diplomatically to bring about the conditions for the restoration of democracy.

It executed a policy of sanctions intended to isolate the Haitian military and bring them to the negotiating table. The President revoked the visas of coup supporters and their family members. At the request of Ambassador Albright, the U.N. Security Council passed Resolution 841 on June 23 imposing an arms and oil embargo on Haiti.

Mr. President, these sanctions were extremely successful. Haiti does not have large storage facilities for oil, and the military leaders did not impose strict rationing. As a result, after only 2 weeks, the sanctions began to have real bite, and General Cedras was negotiating with President Aristide at Governors Island in New York.

Those of us in Washington who followed this event knew that there was an accord signed by President Aristide and General Cedras on July 3. This agreement committed both sides in the Haitian conflict to peace and democracy. The Governors Island accord was not widely reported in the media as an important breakthrough. But this agreement, Mr. President, is critical to the future of a peaceful Haiti.

The Governors Island accord is a nine-step process to deny a dictatorship and restore democracy. The accord required both sides to make significant compromises, and until last week, was well on track.

In step 4, the suspension of U.N. sanctions occurred at the end of August.

In step 6, an amnesty granted by President Aristide to those participating in the coup that overthrew him was declared October 3.

The first six steps had been completed.

Step 7 was for Police Commissioner Francois to step down and the Haitian Parliament to implement legislation separating the police from the military. This was supposed to happen on October 15. But Mr. Francois did not step down, breaking, instead, the terms of the accord.

He decided to defy the Governors Island accord by arranging that the only slip in the port of Port-au-Prince that could hold, the U.S. *Harlan County*, would be occupied. It is important that the *Harlan County*, the ship, was not bringing in an occupation force. Instead, the ship carried United States forces who were to train the Haitian police and begin to work on restoring the country's devastated infrastructure.

Mr. Francois, head of the police, controls the port, so if he wanted the slip to be opened, it could have been. Instead of assisting efforts to implement the accord, he organized a group of armed thugs to protest at the port. Those protests, and pictures of the mob harassing U.S. Chargé d'Affaires, Vicki Huddleston, the highest ranking official at the U.S. Embassy at the time, as she tried to meet that ship, were broadcast into our living rooms.

After the military's abrogation of the commitment, the U.N. Security Council passed Resolution 875, which reimposes the oil and arms embargo against Haiti. President Clinton sent six warships to ensure that oil and arms do not sail into Haiti. The United States is being joined in this effort by Canada, Argentina, France, the United Kingdom, and the Netherlands. I support the enforcement of sanctions, and I support the President's decision to send those warships.

This policy is prudent. It sends a signal that the United States will not permit business as usual in Haiti, will not allow a coup to go forward because, unfortunately, business as usual means dictatorship, oppression, and poverty for all but a handful of elites.

In the specific case of Haiti, the practical effect of this amendment is to embolden those elements in Haiti that are committed to blocking the implementation of the Governors Island accord, which undermines the government of President Aristide.

I believe, Mr. President, the U.S. Government in this situation, and in many other situations, that, we are taking up now, must speak with a single voice. We must tell the illegitimate dictators of Haiti that they cannot indefinitely defy the will of their own people and of the international community. We must tell them they cannot destroy democracy. We do not want to reward the forces of oppression and instability by overly restricting President Clinton's ability to handle the situation in Haiti and its ramifications. It

is not prudent policy to weaken the President's hand and ensure that the situation we are trying to avoid in Haiti, namely, the further entrenchment of the military, occurs. It is the President's concern that this is exactly what would happen if this amendment were to pass.

I would like to quote a letter from President Clinton to the majority leader with regard to this subject generally. It says:

With regard to the potential amendment on Haiti, let me caution against action that could aggravate that nation's violent conflict and undermine American interests. The situation on the ground in Haiti is highly unstable. Limiting my ability to act, or even creating the perception of such a limitation, could signal a green light to Haiti's military and police authorities in their brutal efforts to resist the return to democracy, could limit my ability to protect the more than 1,000 Americans currently in Haiti, and could trigger another mass exodus of Haitians at great risk to their lives and potential costs and disruption to our Nation and others.

Mr. President, the United States has a clear interest in making sure that the Haitian Government can provide a secure environment for its citizens. But if the Haitian people believe the current human rights abuses and political oppression will continue indefinitely, they will begin to build boats and sail for our shores.

The people of Haiti will travel at great risk to themselves in search of freedom. It is imperative the people of Haiti be able to live in freedom in Haiti.

Let me say clearly that Haiti's crisis cannot be solved entirely by us. It can only be solved by the Haitian people. All segments of Haitian society must participate. In the current climate of violence and intimidation in Haiti, the majority cannot participate.

This amendment would continue the instability because it would be interpreted by the military that they can indefinitely delay the return of democracy.

Mr. President, there are some comparisons in the discussion between this and the crisis in Somalia that are ongoing as well. This is not the same situation. This is not the same as the crisis in Somalia. The American people understand that. But for timing one would not be compared to the other.

I would like to quote from an editorial a few days ago from a major daily newspaper in central Illinois, the Peoria Journal Star:

Somalia has important lessons for future missions. The Haitian one is not one among them. In the case of Haiti the cause is callous repression and misery 600 miles off our shores. Wholly apart from the humanitarian argument, a stable, peaceful democratic

Haiti is very much in the interest of the United States.

Mr. President, I ask unanimous consent to print in the RECORD the entire editorial.

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

While Somalia has important lessons for future missions, the Haitian one is not among them * * *. In Somalia * * * for humanitarian reasons we dropped nearly 30,000 American soldiers into a civil war in a country 8,000 miles away, where we had not been invited. We assumed our hosts would be so grateful they would put away their guns. We were wrong. In the case of Haiti, the cause is chaos, repression and misery 600 miles off our shores * * *. If the fledgling government falls again to the military, refugees will fall again this way. For us, they will create an impossible dilemma. We cannot afford to absorb all of those who will have a legitimate claim for political asylum, but neither can we afford to exempt only Haitians from our asylum policy. Wholly apart from the humanitarian argument, a stable, peaceful, democratic Haiti is very much in the interest of the United States.

Ms. MOSELEY-BRAUN. Mr. President, last week the Senate passed the Byrd amendment to pull United States troops out of Somalia by March 31. We had a major debate about our policy toward that country. That debate was important and it is just as important for this body to debate United States policy toward Haiti. But we do not want to do so in a way that creates precedent on the relationship between Congress and the Presidency on an ad hoc basis. That can have enormous consequences in the future.

The conflict between the Congress and the President over their respective roles and responsibilities concerning the conduct of foreign policy toward Haiti is not unique. We are likely to find ourselves in similar situations in the future.

While, the Congress has the power to declare war and fund military actions, the Nation's founders intentionally created a tension between the executive and legislative branches of Government, as the distinguished minority leader so eloquently explained on the Senate floor on July 20, 1973, during the debate on the War Powers Act where he says:

The draftsmen of the Constitution clearly intended to divide the war power between the President and the Congress, but just as clearly, did not intend to precisely define that boundary. They rejected the traditional power of kings to commit unwilling nations to war to further the king's international political objectives. At the same time, they recognized the need for quick Presidential response to rapidly developing international situations. The Framers of the Constitution, in making this division of authority between the executive and legislative branches, did not make a detailed allocation of authority between the two branches. But nearly 200 years of practice has given rise to a number of precedents and usages, although it cannot be confidently said that any sharp line of demarcation exists as a result of this history.

The distinguished Senator from Kansas went on in that debate to,

* * * dispel any notion that the United States engage in armed hostility with a foreign power only if Congress declared war. From the earliest days of the Republic, all three branches of Government has recognized this is not so, and that not every armed conflict between forces of two sovereigns is "war."

Mr. President, there are many armed conflicts in our history in which Congress did not declare war:

In 1801 President Jefferson sent American naval vessels to the Mediterranean to protect commerce against attack by the Barbary pirates.

In 1846 President Polk ordered military forces to Mexico and the independent Republic of Texas in order to prevent interference by Mexico with the proposed annexation of Texas to the United States.

In 1861, President Lincoln called for 75,000 volunteers to suppress the rebellion by the Southern States and proclaim a blockade of the Confederacy.

In 1900, President McKinley sent 5,000 United States troops as part of an international force to stop the Boxer rebellion in China.

In my lifetime, the Korean war was not declared as such by the Congress. And finally, the military action in Vietnam never received explicit congressional authorization, although the Gulf of Tonkin resolution was sometimes cited as congressional approval for that conflict. It was that conflict that caused Congress to assert its role in the decision on whether to go to war by enacting the War Powers Act of 1973.

The War Powers Act was passed to ensure if U.S. troops were to be used extensively, for a period longer than 60 days, Congress would have a veto. It was approved over President Nixon's veto, by a vote of 75 to 18 with overwhelming bipartisan support.

The War Powers Act, with its more precisely defined relationship between Congress and the President in this most critical of policy areas, was not entered into lightly. Extensive hearings were held in both the House and Senate beginning in March 1973. That bill did not pass until November of that year, a full 8 months later. This was not an example of congressional gridlock. It was an example of appropriately thorough investigation and deliberation, because this body recognized the significance of the War Powers Act and the precedent it set.

Mr. President, we should not revise the relationship between the Congress and the President set out in the War Powers Act by forcing the President to get congressional authority for United States policy in Haiti before he takes action. That would be extraordinary change in the latitude and the authority of the President to conduct foreign policy.

This kind of change must not be made without full hearings and without careful thoughtful consideration. Acting on an appropriations bill, as this is, on a rushed, ad hoc amendatory basis, ties the President's hands, sets a precedent for future situations, and is an unwise way to address the serious issues involved with Haiti policy. It is a bad policy. It is bad for the United States. It is bad for our leadership position in the world. It is bad not only for this President but for future Presidents, and one that we should stop and seriously consider before we act.

There is no good reason to have a rushed debate on this appropriations bill. We are 20 days into a continuing resolution. This is not the vehicle, nor is it the time, to take action with consequences that go well beyond the specifics of Haiti. This amendment would affect all Presidents in the future and not just this President. But with this amendment and the amendment that was defeated yesterday, we are acting on legislation which will fundamentally change the relationship between the executive and the Congress.

Mr. President, in the last few years with the fall of the Iron Curtain in the Soviet Union, the world has changed. This administration has not created this change. Circumstances have created change, and the old framework just does not necessarily apply. Putting a new framework into place is not going to happen overnight. While that process is underway it is not in the best interest of our country to hastily revise the relationship between Congress and President, just to respond to the situation of the moment.

To pass this amendment is not only to damage this President, but future Presidents as well. It will be ill-considered and unwise precedent for us to adopt.

Mr. President, in conclusion, I just left a meeting that I was fortunate enough to be able to attend with President Aristide just moments ago.

It was heartening to hear President Aristide talk about the situation in Haiti, how he was committed to the Governors Island accord, and how he was committed to the restoration of democracy.

He said something that was really very crucial, given the debate that happened on the floor here about an hour ago. He said that he has gone to great extent—and these are my words—to say yes to democracy; that he has gone to great extent to say "yes" to non-violence.

He gave an account of the circumstances of his deposition, if you will, as the President of that country when he was actually held under armed guard and said, even at that point, he said yes to non-violence as a way of approaching the situation in his country.

He is working and doing everything that he can to bring about a peaceful

resolution of the coup there, of the situation there in Haiti, so as to bring peace and prosperity to his people.

He spoke, and I think eloquently, about the need to establish peace in Haiti, to give people some security precisely so they will not build boats and risk their lives to leave their country out of fear for that security.

He spoke of the need to bring a halt to the drug trading that has so characterized the thugs that are now in power in that country right now.

And he spoke about his love for Haiti and his love for nonviolence as an approach to resolution of issues. He spoke of saying mass, and I will remind the Members of this body that President Aristide is a priest. He spoke of saying mass while 50 people in the church were killed, the church was burned when it was over, and he still called for nonviolence and he still called for peace.

Mr. President, the question before us now is whether or not we will, as the old typing test used to tell us, whether or not this is the time for all good men and women to come to the aid of democracy. That is the question before us—whether or not we are going to stand up for the values that we say we believe in to the rest of the world and protect a budding democracy not 600 miles away from our own border.

It seems to me that we have an obligation to ourselves as well as to our values, as well as to our future, as well as to the economies of our region and our hemisphere, to do everything we can to send a signal to the tyrants and the despots that this kind of military action, this kind of violence, this kind of coup today will not be tolerated. We will stand by those who believe and stand up for the principles that we say we believe in. Democracy in this hemisphere is important enough a value for the American people to stand in full support of the restoration of President Aristide to the Presidency of Haiti, of the restoration of democracy to that country, and of the development of an infrastructure and a construct for peace and prosperity for the Haitian people and for the people of our hemisphere.

I, therefore, Mr. President, urge my colleagues to oppose this ill-considered amendment.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I just want to commend our colleague from Illinois for a very eloquent statement, and a very thorough and comprehensive analysis of the events that led us up to the position we are in today, in going back and discussing the events of the last 2 years, particularly the events of the last several months that led to the July 3 Governors Island accord. I also want to thank her for her very thorough analysis of the 1 hour and 15 or 20

minute meeting that a rather large group of us from the U.S. Senate had with President Aristide. It was a very frank and open and blunt conversation, I might say, raising some of the very issues that some people have raised here today in the context of the amendment that is before us.

Our colleague from Illinois is providing an invaluable service in relating those responses of President Aristide, particularly the point that she has made about his nonviolent commitment in terms of the restoration of democracy. She said something else that I think was particularly important, because we have had a lot of discussion here today in this room about the implications of various speeches and pictures—which, by the way, he denies completely.

She said:

This is not about President Aristide; this is about democracy. It is not about an individual here; it is about whether or not this country has a chance at all to have democracy restored.

And aside from the fact that President Aristide has unequivocally denied the allegations that have been raised against him personally, it is important, I think, for our colleagues to heed the words of our colleague from Illinois: This is an issue that transcends individuals. It is about a country that has never known, in its almost 200-year history, a minute of democracy outside of the 7 months that President Aristide served as President of this country. And we have a chance to express ourselves in this body in terms of trying to do what we can to see to it that democracy has a chance.

That is really what all this is about.

So I commend my colleague from Illinois again for her thoughtful and comprehensive statement about the situation in Haiti.

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank the Chair.

Mr. President, I would just like to take a moment to thank my colleague from Connecticut for his gracious support. He is an expert on this situation. He is an expert on Haiti. He spent, as I understand it, years in the Peace Corps in Haiti. I daresay that was at least 30 years ago.

Mr. DODD. Be careful.

Ms. MOSELEY-BRAUN. I am joking.

But he spent some time in that country. He knows it very well. He knows its people and he knows the issues. He is committed, again, to making certain that our response to the issues raised by this is an appropriate one, and is consistent and in the best and highest interest of U.S. foreign policy.

I am just very grateful to him for his leadership in that area.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I rise in opposition to the pending amendment. Only 2 days ago, the United Nations reimposed an embargo that is designed to bring the military leaders to the negotiating table. The United States and other members of the United Nations have demonstrated their resolve by enforcing that embargo. Along with the rest of the international community, we have sent a strong message to the military leaders and their plainclothes attaches—the thugs who have terrorized Haiti for 2 years—that it is committed to the restoration of democracy and that it will hold them accountable for promises made at Governors Island.

This amendment sends the opposite message. If this amendment is adopted, the message heard on the streets of Port-au-Prince would be that the United States is not committed to the restoration of the democratically elected government and the Governors Island accord contrary to President Clinton's statements. As President Clinton has stated, it would "signal a green light to Haiti's military and police authorities in their brutal efforts to resist a return to democracy."

This amendment severely restricts the President's ability to conduct his foreign policy in Haiti—it even prohibits the United States from sending destroyers to enforce the embargo without prior congressional approval. The President has articulated a good policy in Haiti. He has worked closely with the international community to use economic pressure to restore the democratically elected government to office and acted wisely by withdrawing the ship carrying United States military personnel from Haiti's harbors to ensure the safety of United States personnel.

As I understand, there are alternative amendments which address the issue of sending Armed Forces to Haiti that provide the President greater flexibility while retaining a key congressional role. Mr. President, I urge my colleagues to defeat the pending amendment.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank our colleague from Rhode Island, the chairman of the Foreign Relations Committee, for his statement.

I would just like to make one other point, because I did not make it earlier.

Mr. President, in the context of the implication of this amendment, it is without much question that Haiti has become a significant conduit for illegal drug trafficking. That is not my conclusion. That is the conclusion of those who follow these issues very, very closely. That has grown considerably, I am told, since the coup d'etat 2 years

ago when President Aristide was thrown out of the country. And the principal beneficiaries of that drug trafficking are the very people today that are in control of Haiti.

The implications of this amendment—putting aside other issues that have been addressed—the implications of denying us the opportunity to utilize resources to be able to deal with that very issue, I think, ought to be considered by our colleagues in weighing whether or not such an amendment ought to be approved.

Certainly, one would hope other means might succeed. But to deny us the opportunity to deal with that problem—as we have, by the way, in other countries in the hemisphere—by utilizing U.S. military forces, I think, would be a significant mistake. Not that we would jump to that alternative, but to deny us that alternative or deny the President that alternative seems to me to be a mistake of significant consequences.

President Aristide specifically raised this issue in our meeting with him this afternoon. And I note that the Presiding Officer was also present today at that meeting, along with others who heard him talk about the serious implications of the pending amendment.

They say there is no U.S. interest here at all—that is the statement of the authors of this amendment. One of the major transit points of drug trafficking seems to me to be an interest. It is an interest of people in my State, and I presume it is an interest of people in every State in this country.

To deny the President of the United States one of the means available to him for dealing with that issue would be, I think, a significant error to make.

Second, I note that in the last 2 years, 40,000 Haitians have fled Haiti, many of whom have sought refuge in this country. Obviously, we cannot absorb every refugee who seeks to come to the United States.

I do not think it is an exaggeration at all, Mr. President, to suggest that if this amendment is adopted, if the force that today control Haiti remain in power, I think there is a very strong likelihood that we will once again revisit the kind of human floodtide that washed toward our country in the previous 2 years.

I note that during the 7 months of President Aristide's tenure, the departure of refugees from Haiti virtually stopped. In fact, emigration from this country to Haiti began to increase—people going back to their country that they had left—because they thought there was a future for them once again.

So, again, when the authors of this amendment say the United States has no interest, tell that to the people in this country who are already finding it hard enough to find jobs or keep jobs, when we find ourselves once again being inundated with refugees seeking political asylum.

I would argue that we would see that happen once again, were this amendment to be adopted. The message to General Cedras and Police Chief Francois, if they were to receive this evening the good news that the Helms amendment has been adopted: Relax; stay where you are. And the message to the people of Haiti would be: Pack your bags; leave. To the drug dealers: Relax; it's OK. Haiti is still a good place. Transit that illegal cargo to the United States.

I do not think anyone here wants to be a party to that. So, again, Mr. President, I urge the rejection of this amendment.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

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

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

Mr. WELLSTONE. Mr. President, I will just take a few moments to speak to the Helms amendment.

There have been a number of arguments made on the floor of the Senate, so I do not think I want to repeat those arguments. Some of them have to do with constitutional questions dealing with the balance of power between the executive branch and the congressional branch of Government. Some of them have to do with national interests and how we define national interests and how we define our goals.

There has been some fairly powerful discussion on the floor of the Senate about our national interest as defined. Both Senators from Florida talked about the number, really the floodtides, of men, women, and children coming here from Haiti, having to flee persecution—having to flee, I would argue, murder.

Argument was made by the Senator from Connecticut that, as we think about what has happened in Haiti, let us understand another definition of our national interest which has to do with the drug trafficking, much of it coming from that country. How do we intend to respond to that?

I would like to just add one more dimension to the definition of national interest. I really love this country and I really believe in the people in the United States of America. I think people in this country believe that it is in our national interest—and it is in our national character—to stop killers. That is exactly what we have right now when we look to Haiti: Coup leaders who are killers. They are murderers.

I simply argue, among the many, many problems with the amendment

on the floor is that right now we have 15 ships that are interdicting oil and arms sales to Haiti. That is the way it should be. By the way, that is a very bold action. If you look at that action with a sense of history, it is not insignificant. Whether or not it will be enough, I do not know. Whether or not poor people in Haiti, those who have nothing to do with the violence and the murders, will suffer—I worry about that, as a Senator. But the last thing in the world we want to do is to send a message to these murderers, to these killers in Haiti—and that is exactly who they are—that there will be no additional pressure beyond sanctions.

We do not know what the next step is yet. But the last thing we want to do is agree to an amendment that essentially says to them the role of the United States will be to take some action but no more, and they can continue with impunity murdering their own citizens.

I hope my colleagues will vote down this amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

RUSSIAN DUMPING OF LOW-LEVEL RADIOACTIVE WASTE IN THE SEA OF JAPAN

Mr. STEVENS. Mr. President, I want to take a few moments to alert the Senate to a serious environmental hazard that I think our Government should monitor. Last weekend a Russian naval vessel dumped nearly 2,000 tons of low-level radioactive waste in the Sea of Japan. This action, which was witnessed by representatives of Greenpeace and confirmed by top Russian officials, is in direct defiance of an international moratorium on such dumping, a moratorium, incidentally, that the former Soviet Union pledged to uphold. In fact, the dumping came less than a week after President Boris Yeltsin visited Japan and signed a declaration expressing concern about the dumping of radioactive waste.

It is time for our Government to express a greater level of concern on this issue. This is not the first time Russia has used the seas as a dumping ground for radioactive garbage. Last year, Congress included \$10 million, at my request, in the Defense appropriations bill to identify nuclear waste disposal by the former Soviet Union and determine what threat, if any, that waste poses to the United States.

Incidentally, those funds were the only resources that have been made available to our Government to make such an assessment. It is one of those notorious earmarks we have been hearing about today. Oversight of the investigation was headed by the Office of Naval Research, which we call ONR. What they have reported to us is most disturbing.

With the help of a report written by a committee led by Dr. Alexei Yablokov, Boris Yeltsin's environ-

mental adviser, ONR found that since 1950, the former Soviet Union dumped at sea: 13 nuclear reactors from submarines; one complete submarine with a liquid metal cooled reactor; three damaged reactors from the ice breaker *Lenin*; and more than 17,000 containers of liquid and solid radioactive waste.

ONR has documented that the Russian powerplants and nuclear plants have dumped untold amounts of radioactive contaminants into major rivers which flow into the world's oceans.

Last May, I met with Dr. Yablokov in Moscow, and he assured me that Russia was getting a better handle on its control of nuclear waste. Clearly, Russia has a long way to go to meet Dr. Yablokov's goals.

Our Government's preliminary investigation of this threat and the assessment of these wastes will continue, I hope, next year under another \$10 million that I have urged be set aside for ONR under this bill that is before us now. There may be additional dump sites that the United States will identify that contain radioactive waste dumped by the Soviet Union or Russia.

We are just now beginning to reveal the troubling history of what the former Soviet Union dumped. And, unfortunately, now Russia, as its successor, is dumping more.

When I learned of the Russians' latest action this last weekend, I had my staff contact an old friend in Alaska, Dr. Tom Royer, to determine whether any of that radioactive waste might come over to the North Pacific, over our way in the North Pacific. Dr. Royer is professor of marine science at the University of Alaska's Institutes of Marine Science. He is an expert in Pacific Ocean currents and circulation.

He predicted for me with amazing accuracy the path that the oil from the *Exxon Valdez* would take after the tragic spill in 1989. I might say, he predicted with amazing accuracy. He was really on point and told us where the oil would go, unfortunately.

Dr. Royer has sent me some maps which we have produced today. I want to call these to the attention of the Senate.

The first is Dr. Royer's map that shows that waste could be carried to the northeast where some of it would pass through the straits north and south of Hokkaido and will enter into the Oyashio Current. The Oyashio then goes on—and this is the second chart he sent to me—to join the northeastward flowing Kuroshio Current that eventually forms the sub-Arctic or North Pacific Current—which is this one—most important to us. This is the most important current to the North American Continent in the Pacific. That is the bad news.

This current carries water across the North Pacific where it splits. Some of it goes south down by California. The other goes up to the Alaska Current, up

into Alaska waters. It will go through Falls Pass and then up on into the Arctic. It will be regurgitated by the polar seas and then come back down south again. That is the bad news, Mr. President. This radioactive waste could eventually find its way into our waters.

The good news, Dr. Royer tells me, is that it probably will take several years to reach us and the level of radiation so far detected is low.

Mr. President, as Dr. Royer's analysis suggests, United States fisheries will not be affected immediately by this latest Russian dumping. But how many more times can we sit by and watch Russia dump more and more radioactive wastes into our oceans?

Today, we can boast in Alaska of the purest fish in the world. Our fish come from cold, clear, pure water. But I am afraid the Russian and Japanese fishermen will not now be able to make the same claim. That is not in our best interest. Fish caught in the North Pacific are the envy of the world, and I believe they should stay that way, not only for our North America, but for all the Pacific nations. We should join together and send a clear message to Russia that nuclear dumping in the North Pacific area will not be tolerated.

Russia's defense for this recent act is that the storage facilities on land—two in the North and two in the Far East—are full and there is no place else for them to dump this radioactive waste.

I am quite hopeful that we can secure the cooperation of the Secretary of State to ask for this administration's help to protect the fisheries resources of the North Pacific. We ought to put an end to this practice and protect the fisheries of the North Pacific for future generations.

I think that we ought to see to it and ask that the President put this issue on the next summit with Russia to raise the question. We really ought to open the eyes of the administration and the American people to the fact that this nuclear dumping now will continue. If what they tell us as their defense is true—that there is no storage space left for them on land; that there is no place else for them to dump spent radioactive fuel and they are going through this downsizing of their nuclear systems—we can expect more radioactive dumping, more and more and more.

This is an issue that cannot wait if we are to protect the fisheries of the North Pacific. I am pleased to see the current occupant of the chair, who I know is very, very interested in this issue, is here today to see these charts that have been sent to me by Dr. Royer.

As I said, I think he is the most eminent American scientist in knowledge of the currents of the North Pacific. He tells me that it is just a matter of

time—this dumping place, Mr. President, again was down here. As time goes by, the currents will carry it out across the Pacific where the current will split and take these wastes. The radioactivity of these wastes will come to us just as they did in the days gone by when the Russians had their nuclear test in the air.

I remember so well the problem of strontium 90 being found in the meat of caribou and reindeer being consumed by our Eskimo people. We wondered where it was coming from, and our studies showed the prevailing winds at that time brought the fallout of the nuclear tests in the air conducted by the Soviet Union to Alaska.

Eventually, unfortunately—I hope it is not too soon—the radioactivity of this spent radioactive fuel will come to the North Pacific and will come to our shores. We ought to make sure that this is the last; that they do not continue this ocean dumping of radioactive spent fuel.

Thank you, 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. HARKIN. 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. HARKIN. Mr. President, I would like to take some time to discuss some of my feelings about the situation in Haiti, perhaps to respond to some of the comments that have been made earlier on the floor of the Senate.

I understand at the present moment there is a briefing going on in S-407 by Under Secretary of State Watson regarding Haiti. I would like to be there for it, but I am told if I do not exercise my right to the floor at this time I may not get that right to speak about Haiti.

So while I wish to be involved in that briefing, I do want to talk about the situation in Haiti, what I think our interests are there, and to comment on some earlier statements made about President Aristide and the situations that occurred while he was in office.

I have been disturbed by some of these comments regarding our interests in Haiti. Some have effectively said we have no interest there. Some have said we have no interests worth pursuing even with the use noncombat U.S. military forces, even a statement somebody made that President Aristide is not worth one U.S. soldier's life.

Mr. President, if we cannot support a duly elected democratic government of a nation just 800 miles from our shores, what kind of a message does that send to other potential coup leaders, military leaders who might be considering the overthrow of other democratically elected governments? How can we turn

our backs on all those Haitians who have bravely backed the government of President Aristide through their votes, through their voices, and all too many with their lives?

At a recent briefing, President Aristide said that since the coup over 4,000 Haitians have been killed; just since the Governors Island accord this summer, over 100 Haitians have been killed by the killers, the thugs, the attachés and the members of the military in Haiti. So we cannot any longer turn our backs on the carnage that is happening there.

We must, indeed, stand up for the right of the people of Haiti to determine their own future. They did decide their future by electing President Aristide in an election that everyone has conceded was open and fair, in which the military—again I compliment General Cedras for that—did not intervene and in fact protected the people's right to exercise their vote. About 68 percent of the people voted for Mr. Aristide to be their President. As Ambassador Albright said, he received more votes than any other democratically-elected President in this hemisphere.

But to really understand Haiti one must understand a little bit of the history. The people of Haiti have never really had an elected government as we know it for almost two centuries. They received their independence in 1804 and the United States Marines occupied Haiti 18 years, from 1915 to 1934. When they left, they left behind a corrupt U.S.-trained military.

Again, I might add, Mr. President, that during all of our incursions in Haiti in the earlier parts of this century and since, our dealings with Haiti have been to prop up military rulers and other governments like Duvalier who basically did the bidding of certain private interests here in this country.

I am reminded of a comment that was attributed—I cannot say whether it is real or not—to a Marine general who had said, at least was purported to have said, that he spent all of his life in Haiti fighting for the United Fruit Co. No wonder the peasants and poor people of Haiti did not have too high an opinion of the United States of America, because for all those years we had propped up, recognized, dealt with governments that brutally repressed their people.

Haitians suffered for 29 years under the absolute dictatorship of a Duvalier, "Papa Doc" from 1957 through 1971, and his son "Baby Doc" from 1971 through 1986. Again, that whole history is one of torture, repression, and most violent kinds of acts by the Duvalier Tonton Macoutes against the people of Haiti.

But in 1986, after many years of struggle, the people of Haiti finally threw out the Duvalier regime. A new constitution was unveiled in 1987. Five interim governments were formed and

fell over the next 4 years because none were popularly based. In December 1990, Jean-Bertrand Aristide was elected President of Haiti with 67.5 percent of the vote, the largest majority any elected leader ever got in the Western Hemisphere. The U.S.-backed candidate—sort of backed by the United States—was far, far behind.

The election was widely held as fair and honest, with the 7,000-member Haitian military, effectively protecting the election process. A large contingent of international observers may have helped to constrain the military, the same mechanism proposed now to restrain the Haitian military when President Aristide is scheduled to return on October 30.

But after only 8 months in office, President Aristide was overthrown and sent into exile on September 30, 1991, by those same military forces. General Cedras, whom we have seen often on CNN lately, reportedly was a reluctant participant in that coup. He said that Aristide was deposed for "meddling in army affairs." Given all of the atrocities committed by the Haitian military over this century, obviously some meddling was definitely called for by the civilian elected President to make the Haitian military subservient to the President and accountable to the elected representatives of the Haitian people.

Now, some observers charge that President Aristide incited some of the violence during his brief 8 months in power. Some say that he even incited the members of the coup who forced him into exile.

Quite frankly, I have reviewed some of the speeches, not all of them, that Father Aristide gave during his Presidency. He gave some rather strong speeches as the leading opponent and critic of the Duvalier family dictatorship. I am sure his rhetoric made Duvalier sympathizers very uncomfortable, and some of it was pretty strong language. I have been known to use some pretty strong language myself in debates here in the United States, and certainly he did. But, again, when you look at the history of Haiti and what they had to overcome, you can understand strong language to get the people to understand that they did not have to live under the violence and terror of the Tontons, attachés, and the military of Haiti.

President Aristide wanted his people to join together because he understood that in unity there is strength and that it was the military and the attachés that continued to divide the people up so they could not form these strong popular organizations to protect and defend themselves.

But to blame President Aristide for inciting violence? That reminds me of J. Edgar Hoover's efforts to falsely charge that Rev. Martin Luther King,

Jr., started the violence that accompanied the civil rights movement. Both charges are outrageous.

During his 8-month government, President Aristide reduced crime in the city and started to bring the military under civilian control. More importantly, the civil society that sprang up in the rural regions of Haiti after 1986 flourished under President Aristide's rule. Again, he wanted people to have more power, to empower the poor, to give them some control over their lives. Peasant cooperatives, church groups, students, literacy programs, rural development programs, and other popular organizations began to take control of their own lives.

During the 8-month period of Aristide's government, there was a marked decline in violence and murders in Haiti. Only 25 deaths were recorded by human rights observers—25 during his 8-month period versus 241 murders in the 10 months of the Truillot government that preceded Aristide and 89 deaths recorded during the 10 months of the Avril government before that. Our State Department has stated that there were no reported cases of disappearances during Aristide's period in power whereas dozens of disappearances have occurred since the coup.

During the coup that overthrew Father Aristide on September 30, 1991, the State Department claims, over 300 were killed, while Amnesty International says the toll was well over 1,500 killed by the military during that coup.

Since President Aristide was driven from the nation that he was elected to lead, human rights violations escalated in Haiti. The Lawyers Committee for Human Rights stated, in September 1992, that "the human rights situation in Haiti is worse than at any time since the Duvalier era." Again, this report from the Lawyers Committee for Human Rights went on to say:

The military has executed, tortured, and illegally arrested countless Haitians. Government harassment and intimidation of journalists, human rights monitors and lawyers, priests, nuns, and grassroots leaders is intense. Popular expressions of support for ousted President Aristide are routinely met with violent reprisals by the military.

That is a report of the Lawyers Committee on Human Rights.

Similarly, Amnesty International stated, in October 1992:

The security forces and thousands of civilians acting in collusion with them carry out a wide range of abuses with total impunity. The old repressive structures, which the deposed [Aristide] government had partly succeeded in dismantling, are back in place.

Again, from Amnesty International.

Mr. President, these statistics on death do not begin to tell the full story of the horror ripping Haiti today, threatening it with a return to the Duvalier past. Fully 70 percent of Haitians live in rural areas. Although they pay most of the taxes, these impover-

ished citizens receive virtually no Government services.

After "Baby Doc" Duvalier was driven into exile by a popular uprising in 1986, the rural peasants began to organize. They began to build silos to store their grain until prices increased. They began literacy programs. They formed trade unions and even started independent radio stations. Church programs and self-help activities expanded. In other words, the Haitians began to construct a civil society.

Much of this newly developed civil society was a threat to the military elites who gained their power through control of the peasant population. After the September 1991 coup, the army systematically attacked this civil structure with arrests, beatings, torture, disappearances, and murder.

After the 1991 coup that sent President Aristide into exile, all meetings were banned. Grain silos that the peasants had constructed to store their grain were systematically destroyed. Rooms where these groups were meeting were gutted and doors torn off their hinges so they could not close the doors. The army stole the weapons of these peasant groups. I do not mean guns and weapons, because they did not have any. What the army took away from them were typewriters, printing presses, and other equipment that they used to communicate with the people.

Nine independent radio stations, the main vehicle of communication with the peasant population, were closed after the September 1991 coup. Nine radio stations just closed. Remaining radio stations are under Government control or no longer broadcast news or information critical of the military regime.

The popular organizations, which were the backbone of the support for President Aristide, were driven underground. Many have been meeting secretly in small groups, but most have disbanded, giving up the power over their own lives that they had gained. This, Mr. President, is the real tragedy of the military control of Haiti. The destruction of the civil society that is necessary for the self-development, self-rule, education, and economic development of the Haitian peasants.

Mr. President, let me turn now to the Governor's Island accord. As the violence grew and constant calls for President Aristide's return to power were ignored by the Haitian military and police, the July 3, 1993, agreement signed by President Aristide and General Cedras seemed to offer some hope. This 10-step program would require General Cedras and the more dangerous police chief, Col. Michel Francois, to step down and would lead to the return to power of President Aristide on October 30, just 10 days from now. The accord also called on the United Nations to provide training for both the military and the creation of a new police force.

While General Cedras signed this accord, as did President Aristide, Colonel Francois did not, and his 2,500-person police force and his thousands of quasi-police attachés have been responsible for another round of escalating violence.

Since the Governors Island accord was signed on July 3, over 100 Haitians have been murdered, including, as we know all too well, the public execution of Antoine Izmary, who was dragged out of church during mass and shot in cold blood while the military and police stood watching. And just recently, the Justice Minister Guy Malary was killed with his bodyguards and assistant; again, gunned down in cold blood. Worse yet, Duvalierists are filtering back into Haiti, ready to pick up where they left off in 1986, when "Baby Doc" Duvalier was overthrown.

Frank Roumaine, the former mayor of Port-au-Prince, returned in September. He has remained one of the most notorious members of the Tonton Macoutes, one of the most vicious of the killers in Haiti and Haitian history. He returned in September and, reportedly, is now organizing the old Tonton Macoutes. Reportedly, he was responsible for the attack on Father Aristide's St. Jean Rosco Roman Catholic Church that left 12 people dead.

An openly Duvalierist party has been formed, called the Front for Restoration of Democracy—how about that one for a play on words; it should be called the Front for the Restoration of Duvalierism—to restore the old Duvalier Tonton Macoutes regime.

Since General Cedras and Colonel Francois were not able to maintain order and quell the violence, the return of President Aristide is in great doubt.

At this critical juncture, some of my colleagues would have us throw in the towel and give up on the first democratically elected leader of Haiti—elected with 67.5 percent of the vote. Give up on democracy? Give up on the hundreds of thousands of Haitians who risked their lives to support President Aristide, who have worked for his return?

Mr. President, I do not believe that abandoning Haiti is in the best interests of our own national security. Haiti is no Somalia. We have no strategic interests in Somalia. Our military operation there was purely humanitarian, or should have been. Quite frankly, I was very proud almost a year ago when President Bush sent 25,000 American troops to Somalia to stop the starvation. And we did. I think that is a great story that we ought to be proud of, that we went there and stopped hundreds of thousands of people from starving to death. We have taken seed and fertilizer, and we have them growing crops in Somalia. We should have maintained a purely humanitarian effort in Somalia.

Be that as it may, Haiti is much more important to the United States of America. Haiti is in this hemisphere, 800 miles off the coast of Florida. Our national security would be degraded in at least three aspects if we let Haiti fall back into the hands of the murderers, the police, the military, and the Duvaliers.

First, a return to chaos would dramatically increase Haitian refugees beyond anything we have ever seen. Hundreds of thousands of Haitians are already preparing to flock to this country, flocking to airports to flee. Are we ready? Are we ready and prepared to clothe and feed a half million Haitian refugees? They will come. First of all, they will hit the Bahamas and sink them, and then move on to the United States.

Will President Clinton send destroyers out there to stop their boats, to sink them and let them drown? Will President Clinton turn them around and take them back to Haiti and dump them off? For surely he knows they will be killed. No, I do not think so. We would not stand for it.

What will happen when those 500,000 refugees come fleeing to America? Are we prepared to deal with that? In no way are we prepared. Again, Haiti is of great concern to our national interests.

Second, Haiti is a significant part of the drug highway from South America. A return to corruption and military rule will increase the flow of illegal drugs to our streets across America. Already, estimates are that over \$500 million a year goes into Haitian military coffers because of the illicit drug trade from Haiti into America.

Are those who say we have no interests there, and those who say that the return of President Aristide is not worth one American life, saying that stopping the flow of drugs into this country is not important and not worth the loss of one American soldier? Well, Mr. President, what about Panama? Why did we go there? Twenty-two American soldiers and three U.S. civilians lost their lives in Panama. Why? To go after Noriega and get him because he was sending drugs from South America to the United States. Twenty-five Americans lost their lives there.

American people and this Congress said that was all right because we were stopping the flow of drugs. The amount of drugs coming from Panama into the United States is minuscule compared to the amount of drugs coming through Haiti right now, this very minute, into the United States of America.

Who is behind it? It is not the peasants; they do not have the wherewithal. We know who it is. Our CIA knows, and so does the State Department. It is the military leaders and some of their friends in high places in the police forces that are conducting these drugs right into the streets of America, killing our young people.

Yes, Mr. President, we have a national security interest in Haiti; and, yes, we have a national interest in making sure that President Aristide is returned to power, if for no other reason, because President Aristide will stop the flow of drugs into this country. He will stop the drug trafficking.

We just learned that the President has seized or frozen all of the assets of their military in the United States. You wonder, because military people in Haiti, as I understand it, make less than about \$20,000 a year in United States money, how some of them have bank accounts in this country worth millions of dollars. That is quite a savings account. I do not know how you save up millions of dollars in bank accounts in this country when you are paid less than \$20,000 a year.

Where are they getting their money? We know where they are getting it. They are getting it from the drug trade. I say it is time to stop them. It was worth going after Manuel Noriega. It is worth 10 times as much to go after the ruthless killers and drug cartel in Haiti, who are shipping death and destruction to our streets in America even as we speak.

Third, Mr. President, if we abandon Haiti to the military dictators, we will be sending a strong signal to the rest of this hemisphere that the United States has lost the guts and the will to support and protect democratically elected governments in our backyard.

What they will learn is that all they have to do is send a few thugs to the docks to scare away the U.S. military, and we will turn around and run and tuck our tails between our legs. This is indeed a sad message for newly emerging democracies in this hemisphere and elsewhere around the world.

So, Mr. President, I oppose the underlying message and the substance of the Helms amendment. This amendment suggests that we should abandon Haiti at this critical juncture in its history; and, in our leadership in this hemisphere, abandon our efforts to stop the drug trade from coming into this country, as we surely know it is coming through Haiti.

This would send exactly the wrong message to the rest of our hemisphere. The President should have the option of using or threatening the use of force if the killers and thugs in Haiti's military and police forces continue their rampage in Haiti.

If we tie the President's hands at this point, then Haiti military will be given a green light to continue the torture and the murder with impunity. They will be given the green light to continue their drug trafficking to this country with impunity.

President Clinton must have the authority as Commander in Chief to protect the 1,000 or so Americans in Haiti. By leaving the President the option of using force to protect Americans, the

military leaders in Haiti will have cause for concern and may curb some of their worst excesses and I hope will lead to a reimposition of the Governors Island accord.

Mr. President, we have vital interests in what happens in Haiti. It is not like Somalia. And I daresay it is not even like Bosnia. While I abhor what happened in Bosnia, and I think we could have taken a different course of action a long time ago, we must, I think, put the burden on our European allies to pay attention to what is happening in Bosnia. That is in their national interest. But here Haiti is in our national security interest.

There has been a lot said about some words President Aristide has used in speeches he has given. I have tried to read as much as I can about President Aristide, who he is and what kind of an individual he is.

I have met him on two occasions. I was impressed at the time in my meetings with him by his intelligence, by his sincerity, and by his demeanor. He did not appear to me to be anyone who incited violence. But I heard so much about it I decided to start reading.

Mr. President, if you really want to know what someone is about, especially if it is someone who has attained a high position in life, a President, maybe a Senator, take a look at what they were before. What did they do? What has their life history been? Where did they come from? What has been their intellectual development?

I picked up this book called "In The Parish of the Poor." I recommend it to everyone. It was written by Jean-Bertrand Aristide before he was elected President of the Republic of Haiti. It was written while he was a parish priest. And I think if you read this you will get an idea of just who President Aristide is and where he is coming from.

I am going to read a small part of this because I think it is important. I cannot read the whole book, and I would not put the whole book into the RECORD, but I would recommend it for anyone to read. Basically the whole book is talking about his parish that he ran for the poor in Haiti and how the people were beaten and tortured, the disappearances, the murders, the brutal repression of the people in his parish. But I think there is one passage in here that sort of says something about who Aristide is. Remember, this was written before he was President, before he probably had any idea that he would ever be President.

I will not read the whole chapter, but he talks about the poor in Haiti, and he talks about Haiti as being the parish of the poor. He talks about being a Christian and what it means to be a Christian.

Here is, I think, the most telling passage:

Open your eyes with me, sisters and brothers. It is morning. The night has been a long

one, very long. Now, the dawn seems to be climbing up slowly from beneath the horizon. Wisps of smoke are rising up from the little houses of the village, and you can smell good cornmeal cereal cooking. The sky grows pink. An hour later, the children in their tidy, well-fitting uniforms run off to school, clutching new books in their arms. Women wearing shoes head off to market, some on horseback and donkey, others on motorcycle and bicycle. They all take the new paved road, down which buses take other women and men to market for the day. If you listen closely, you can hear the sound of running water, of faucets being turned on in houses. Then the men emerge, carrying shiny new tools, laughing together, their bodies strong and well fed. They head off for the fields. A new irrigation project has been installed and the crops are growing where before there was almost a desert. Throughout the village, you can hear laughter and the sound of jokes being told and listened to.

This is the village I call Esperancia. The day is coming when this village will exist, though now it is called Despair and its residents wear rags and never laugh. Yet when we look around this village I call Esperancia, we can see that not very much has changed since it was called Despair. This is what has changed: Everyone now eats a decent poor man's breakfast. There is a new road. The children now have books. The women have shoes. There is water, and running water. There is an irrigation project.

This is not very much to change. Yet just those few changes can turn Despair into Hope, and all it takes to change them is organization. In a year, the village of Esperancia could exist in any of our lands. Esperancia, El Salvador; Esperancia, Honduras; Esperancia, Guatemala. It is an honorable address in the parishes of the poor.

Let us leave our old homes of cardboard and mud floors. Let us make a plan to douse them with gasoline, and burn them to the ground. Let us turn our backs on that great fire and on that way of life, and hand in hand, calmly, intelligently, walk forward into the darkness toward the sunrise of Hope. Let us trust one another, keep faith with one another, and never falter.

That says more than anything who President Aristide really is, someone who wants to turn his back on the despair and ravages of the hundreds of years of hatred and violence, misery and suffering, and lead his people into a new village.

Mr. President, I would also suggest another book, "Jean-Bertrand Aristide, An Autobiography." I am only halfway through that. But again there is another passage in here I think that says something about who this individual is. He talks about Gandhi and Martin Luther King. He said that they are:

*** in a class I will never attain, and fighting for a long time, a very long time against the same enemy, but under other skies.

He is talking about Martin Luther King and Gandhi.

Both were killed by assassins.*** I do not aspire to martyrdom. Those heroes were not my contemporaries, but my strategy is the same as theirs: nonviolence. Nonviolence is collective resistance, not resignation.

A good lesson, right? Nonviolence is collective resistance, not resignation.

The gospel demands it. I very quickly discovered the congruence between the attitude

of Jesus and nonviolence: his way of loving his enemies, his way of giving dignity to the outsiders, of pardoning those who injured him, of speaking a word of truth whether it was pleasant or not—all of these things harbor an unbelievable power.

So again, someone who admires Gandhi and Martin Luther King preaching the gospel of nonviolence. It does not say resignation. Martin Luther King never preached that either. He did not say to the African-Americans of this country: Just sit down and go home, do not demonstrate, do not sit in the front of the bus, do not demand your rights as human beings and as citizens of this country.

Through the nonviolence demonstration of collective power, Martin Luther King organized black Americans to demand their rightful place in our own country. Yet it was Bull Connor and so many others and even, yes, J. Edgar Hoover, the head of the FBI, accusing Martin Luther King of inciting the violence.

It was not Martin Luther King that incited the violence, it was the segregationists. It was those who wanted to keep black Americans in a lower level, who did not want them to exercise not only their God-given rights, but their constitutional rights in the country. They were the ones inciting the violence, not Martin Luther King.

It is the military in Haiti, it is the police in Haiti, it is the attachés and the Tonton Maacoutes Duvaliers who are inciting the violence. It is not President Aristide. President Aristide is simply showing a nonviolent way of giving dignity and hope to the Haitian people.

Mr. President, earlier today the Senator from North Carolina took the floor. I was watching with interest in my office as the Senator alluded to a speech given by President Aristide on September 27, 1991, given in Port-au-Prince at the National Palace. References were made at that time about President Aristide talking about using necklacing—putting rubber tires around people's necks and dousing them with gasoline and lighting them.

I think the remarks made at that time and that were attributed to President Aristide were as if President Aristide said that this is what we should do. There were allusions made to "Isn't it a wonderful smell and a pretty sight."

Later, about an hour ago, I went to the recording studio to view a videotape that the Senator from North Carolina had. He was kind enough to let me see it. I wanted to see the actual speech of President Aristide where he said we should use necklacing.

Well, I watched it. It is not a very good tape. What is interesting is the tape is spliced with speeches—a part of a speech by President Aristide and then a picture of burning tires. There are some other pictures, of a mutilated human body. I could not quite tell. It

was pretty gruesome. Then there was some part of a McLaughlin Group and a short speech by Pat Robertson. I did not watch it beyond that. But I listened to the speech and, of course, I do not understand Creole, so there was a translation put at the bottom of bits and pieces of the speech.

Mr. President, I have here in my hand the translation of that speech given by President Aristide on September 27, 1991, given on the occasion of his return from the United Nations to Haiti. Remember, it was only 4 days after he gave this speech that the coup occurred. And remember that at this time the coup was really already underway. The coup was already underway when President Aristide returned to Haiti on that day on the 27th of September 1991. So what I have here is a translation by FBIS, that is the Foreign Broadcasting Information Service, by our State Department. I cannot vouch for anything more than the translations they have given us. And so here is all the speech.

I ask unanimous consent that this FBIS translation of the speech of President Aristide on September 27, 1991 be printed at this point in the RECORD.

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

ARISTIDE ADDRESS AFTER VISIT TO UN

[Address by President Jean-Bertrand Aristide at the National Palace in Port-au-Prince on 27 September, on his return from the United Nations—live or recorded]

[Excerpts] [passage omitted including indistinct portions] to repent and say: I acknowledge that I made this money through malpractice and, from now on, watching the national pride dancing like a flag. I will cooperate by using the money [word indistinct] to create work opportunities, and to invest in economic activity so more people can get jobs.

If you [referring to bourgeoisie] do not do so. I feel sorry for you. Really I do. [laughter from crowd] It will not be my fault because this money you have is not really yours. You acquired it through criminal activity. You made it by plundering, by embezzling. You got it through the negative choices you made. You made it under oppressive regimes. You acquired it under a corrupt system. You made this money through means that you know were wrong. Today, seven months after 7 February, on a day ending in seven, I give you one last chance. I ask you to take this chance, because you will not have two or three more chances, only one. Otherwise, it will not be good for you. [applause]

If I speak to you this way, it is because I gave you a seven-month deadline for making amends. The seven-month deadline expires today. [applause] If I speak to you this way, it does not mean that I am unaware of my power to unleash public vindication, in the name of justice, against all these thieves, in an attempt to recover from them what is not theirs. A word to the wise is enough. You understand me because you and I speak Creole. [applause]

The saying goes: God's justice is slow. It appears that justice is going too slow. It is, however, a reasonable justice because seven months—during which people have been hungry and unemployed, while you had the

power to reduce unemployment and hunger—have passed. As I told you, the deadline expires today. The ball is in your court. The 7 February ball is at your feet. If you want to shoot; go ahead. [applause]

Did all of the bourgeoisie make their money through ill practices? [crowd shouts "no"] [repeats sentence twice] Congratulations, intelligent people! [repeats sentence three times] [applause] We call the bourgeoisie who made their money through foul practices, and who refuse to invest in the country, false patriots [patriot]. We call the bourgeoisie who earned their money through honest work, and who are cooperative, patriots. [applause] Congratulations to the patriotic bourgeoisie. Congratulations to the bourgeois patriots. They are few. Unfortunately, they are not the majority. Nevertheless they do exist. [passage omitted]

I want to use this very occasion to also address political parties. I want to hail and encourage them to walk on in unity—unity among them and with the entire population—to consolidate themselves so that, in accordance with the Constitution, we will build together a strong opposition on the basis of the law. We will thus foster democracy, unity in political pluralism, unity in political diversity.

Therefore, political leaders, I am passing to you the ball of understanding with great love as usual. If you do not catch the ball, dribble, and score goals, do not later accuse me because you will have failed to live up to expectations in order to gain in popularity that you [word indistinct]. [crowd cheers] I wish you all good luck, good luck to all the [words indistinct] parties.

I hope that deputies and senators will continue to work together with the people in order to personally feel the joy of working to satisfy the aspirations of the masses, because we prefer to fail with the masses than succeed without them, but with the masses, we cannot fail. [crowd cheers] I am encouraging all the ministers [crowd cheers] I know, I know, all right! For those of you who are outside the palace, the brother here said that the deputies cannot do me any harm. I told them I know that. [loud cheers from crowd]

I am encouraging every minister to continue with the purge that we have already started. I am also encouraging each state employee [words indistinct] because you are the ones pressing on the economic pedal now, so that the economic car can run twice as fast. I am encouraging each state employee—please, I am speaking to you as a brother of yours—I encourage you to realize that, as a state employee, you must work twice as much so that the job can be done well and fast. You will thus increase, if not double, the output of public administration. We will all benefit from the increased effort that you all make. I encourage you to do so in the provinces and in the capital, wherever state employees work. If you feel that your work goes slowly, speed it up. You do not need anyone to supervise you. Be your own supervisor. This is because contrary to the past, when people used to say that embezzling state money is not stealing, today we know very well that diverting state money is stealing, and thieves do not deserve to stay in public administration. [crowd cheers] [passage indistinct].

You must greet visitors in the same warm way that Haitians are greeted—with the type of welcome we received abroad. Greet people with a smile in state offices. Give people the information that they need with a welcoming smile of understanding. You too, address the state employee with great courtesy so

that we will make double economic effort. [passage omitted]

However, if I catch a thief, a robber, a swindler, or an embezzler, if I catch a fake lavalas, if I catch a fake. . . [changes thought] If you catch someone who does not deserve to be where he is, do not fail to give him what he deserves. [crowd cheers] Do not fail to give him what he deserves! Do not fail to give him what he deserves! Do not fail to give him what he deserves!

Your tool is in your hands. Your instrument is in your hands. Your Constitution is in your hand. Do not fail to give him what he deserves. [loud cheers from crowd]. That device is in your hands. Your trowel is in your hands. The bugle is in your hands. The Constitution is in your hands. Do not fail to give him what he deserves.

Article 291 of the Constitution, which is symbolized by the center of my head where there is no more hair, provides that macoutes are excluded from the political game. Macoutes are excluded from the political game. Macoutes are excluded from the political game. Do not fail to give them what they deserve. Do not fail to give them what they deserve. You spent three sleepless nights in front of the National Penitentiary. If one escapes, do not fail to give him what he deserves. [loud cheers from crowd]

You are watching all macoute activities throughout the country. We are watching and praying. We are watching and praying. If we catch one, do not fail to give him what he deserves. What a nice tool! What a nice instrument! [loud cheers from crowd] What a nice device! [crowd cheers] It is a pretty one. It is elegant, attractive, splendid, graceful, and dazzling. It smells good. Wherever you go, you feel like smelling it. [crowd cheers] It is provided for by the Constitution, which bans macoutes from the political scene.

Whatever happens to them is their problem. They should not look for it. [crowd cheers] As such, under the same flag of pride, dignity, and solidarity, and hand in hand, we will encourage one another, so that starting today, we will all receive due respect—the type of respect I share with you—and fulfill common aspiration for justice. Words will thus cease to be just words and will instead be translated into action.

Action on the economic front required me to get the ball and pass it over to you. You should dribble and kick hard at the ball once you are in front of the goal, and make sure to score a goal because if the people do not see the ball in the net, as I told you, it would not be my fault if you are given what you deserve, as provided for in the Constitution. Alone we are weak, together we are strong, tightly united we are an avalanche. Are you feeling proud? Are you feeling proud? Go home now as your hearts are full of happiness, energy, and joy and show that you are working for the progress of the country, and to make it elegant, graceful, and dazzling, show that you want to restore its former image. [loud cheers from crowd]

(Mr. CAMPBELL assumed the chair.)

Mr. HARKIN. Mr. President, it is quite a rambling speech. Obviously, he was not speaking from a prepared text. But I want to read some parts of it to put it in context.

He said:

I want to use this very occasion to also address political parties. I want to hail and encourage them to walk on in unity—unity among them and with the entire population—to consolidate themselves so that, in

accordance with the Constitution, we will build together a strong opposition on the basis of the law.

Let me repeat that—

We will build together a strong opposition on the basis of the law. We will thus foster democracy, unity in political pluralism, unity in political diversity.

Does this sound like someone who wants to take over and be a dictator and burn people with tires? He is telling people to form political parties.

He says:

Therefore, political leaders, I am passing to you the ball of understanding with great love as usual. If you do not catch the ball, dribble, and score goals, do not later accuse me because you will have failed to live up to expectations in order to gain in popularity * * * I wish you all good luck, good luck to all of the parties.

Now I have heard it said that President Aristide did not want other political parties forming. He just said there he wished them luck.

But let me get to the part that has been misinterpreted, I believe, as saying that somehow he was encouraging necklacing, this idea of putting rubber tires around people's heads and burning them.

I asked President Aristide about this situation. He said that he never advocated that, and, second, during his 8 months as President, there was not one recorded incident of necklacing. Let me repeat that. During President Aristide's 8 months as President, there was not one recorded incident of necklacing. We have challenged the State Department and everyone else to find it. No one can find any instance of necklacing. There was some before he came to power, before he became President, but not while he was President.

But I want to read this passage, because I believe it was not only taken out of context, words were taken out. Let us look at the exact translation. He said:

However if I catch a thief, a robber, a swindler, or an embezzler, if I catch a fake lavalas.

That is someone belonging to his party—

If you catch someone who does not deserve to be where he is, do not fail to give him what he deserves. Do not fail to give him what he deserves. Do not fail to give him what he deserves. do not fail to give him what he deserves.

Your tool is in your hands. Your instrument-is in your hands. Your Constitution is in your hand.

This phrase "Your Constitution is in your hand" is left out. That is what is conveniently left out every time I have seen this speech repeated. There is this illusion of your tools in your hands, your instruments in your hands, give them what he deserves, but that part is left out.

Your Constitution is in your hand. Do not fail to give him what he deserves. That device is in your hands. Your trowel is in your hands. The bugle is in your hands. The Constitution is in your hands. Do not fail to give him what he deserves.

Article 291 of the Constitution, which is symbolized by the center of my head where there is no more hair, provides that macoutes are excluded from the political game. Macoutes are excluded from the political game. Do not fail to give them what they deserve. Do not fail to give them what they deserve. You spent three sleepless nights in front of the National Penitentiary. If one escapes, do not fail to give him what he deserves.

Then he goes on to say this:

What nice tool! What a nice instrument. What a nice device. It is a pretty one. It is elegant, attractive, splendid, graceful, and dazzling. It smells good. Wherever you go, you feel like smelling it. It is provided for by the Constitution, which bans macoute from the political scene.

I asked President Aristide about this. He said you must understand that in Creole we speak in poetic terms. And when I read his book "In the Parish of the Poor," there is a lot of poetry, speaking in poetic terms. So when he was talking about the tool, it was the fact that the Constitution—the Constitution—banned the Tonton Macoutes from political power. And he said, "Isn't it wonderful? Isn't it dazzling? It smells good. It is graceful. It is dazzling that finally our constitution bans those murderous Tonton Macoutes from our political structure?" He says, "It is provided for by the constitution, which bans macoutes from the political scene."

Yet, those who would continue to support the military in Haiti, who would support those who traffic in drugs, I know unknowingly—no one here would support anyone who traffics in drugs, but it is well known that the military in Haiti do traffic in drugs—but they have taken this speech of Aristide and they have made a mockery of it by taking it out of context. If you read it, you can see what he was talking about.

But if there are those who say that Aristide was provoking violence, promoting violence, read the last sentence of his speech. Mind you, he is standing in the National Palace. He has a huge crowd around him. The coup was already basically underway. He has just returned from the United Nations. He has told the people go out and organize political parties, it is your right. He has told them you have the constitution in your hands, it bans the Macoutes from the political process. And then what does he tell them? Does he tell them to go out and riot? Does he tell them to go out and kill people? No. Listen to this. He says:

Action on the economic front required me to get the ball and pass it over to you. You should dribble and kick hard at the ball once you are in front of the goal and make sure to score a goal because if the people do not see the ball in the net, as I told you, it would not be my fault if you are given what you deserved as provided for in the Constitution. Alone we are weak. Together we are strong, tightly united we are an avalanche. Are you feeling proud? Are you feeling proud? Go

home now as your hearts are full of happiness, energy, and joy, and show that you are working for the progress of the country, and to make it elegant, graceful, and dazzling; show that you want to restore its former image.

Does this sound like someone inciting his people to violence? He tells them to go home with your hearts full of pride, with the constitution in your hands. He says, "Go home."

He did not say march down the street. He did not even tell them that. And, yet, this is the very speech we are told incited the military to overthrow him and send him out of the country. I am glad we got the translation. I am glad we have this, because if we did not have this, all we would have is some of the interpretations by those who obviously do not want to see President Aristide returned to his rightful place as the elected President of Haiti.

Oh, yes, one other thing. Earlier today the Senator from North Carolina put a picture on an easel over there. I saw it on my television screen in my office. It was a picture of a chair with some burning tires in front of it, a bottle that reportedly contained gasoline, a book of matches, a fire, a picture of Aristide over in one corner, some writings. It was kind of a montage. I do not see it here now.

A couple of hours ago I asked President Aristide about that picture. He absolutely had no knowledge of it.

I asked Ambassador Bob White. I called him up at that time and I said, "Had you ever visited President Aristide when he was in office as President, during his 8 months?"

He said, "Many times I have been in his office at Port-au-Prince."

I told him about this painting. "Have you ever seen a painting like this in his office?"

"To the best of my recollection I have never seen anything like that. If I had, I probably would have asked him about it."

President Aristide says it never was in his office. So I do not know where this picture comes from.

Again, I think perhaps the picture was given to the Senator from North Carolina, by those who do not have the best interests, of this country at heart in terms of making sure that President Aristide is returned to his rightful place as President of Haiti.

I wanted to take this time, first of all, to describe, why we have a national interest, a security interest in Haiti; why the Helms amendment ought to be defeated overwhelmingly; and, lastly, why I believe we ought to, again, fall back on the Governors Island accord.

This summer, in July, President Aristide and Lt. Gen. Raoul Cedras, commander in chief of the Armed Forces of Haiti, signed an agreement. It has 10 steps to it. To this date and at this point in time, this Governors Island accord has never been overtly thrown out by General Cedras or the

military. There has been no overt rejection of the Governors Island accord by the Haitian military. So as far as this Senator is concerned it is still in force and effect. It was signed by President Aristide. It was signed by General Cedras.

I think it was wrong, I think it was absolutely wrong, for President Clinton to order that ship, the *Harlan County*, to turn around.

I read in the New York Times just about that same time, that the U.N. commanders had given orders to our forces and to their forces down there that, at the first sign of trouble, they were to turn away from it and run. All I can say is I am proud I was in the U.S. military at a time when we were not told to turn and run. The sight of that ship leaving—because of a few thugs on the dock creating a little disturbance—sent the wrong signal. I think it was a terrible mistake for President Clinton to do that. It not only sends the wrong message, I think it demoralizes our military.

But it is not too late. I speak directly to the President of the United States. President Clinton, it is not too late. Pick up the ball where you left off. The Governors Island accord is still in force and effect. It provides for the introduction of U.N. forces and for security forces into the Republic of Haiti. It provides that we can also send our forces to Haiti. I will read this right here.

Implementation, following the agreements of the constitutional Government, of international cooperation:

(a) technical and financial assistance for development;

(b) assistance for the administrative and judicial reform;

(c) assistance for modernizing the Armed Forces of Haiti and establishing a new Police Force with the presence of United Nations personnel in these fields.

It is still in force and effect.

So I say to President Clinton, pick it up. This is what we have to do—pick up the Governors Island accord, get the U.N. forces back there, put our engineers back there again.

But the Governors Island accord envisions a security force, a security force to basically do two things: Protect the people of Haiti from the military and the police, but also to protect the military from the people of Haiti. It is in everyone's best interests.

We can send our forces back there with the United Nations, send our engineers back and our trainers back, but send them back with United States military personnel, well armed, only to protect them—not to engage the Haitians in military activities; not to shoot Haitians; but United States military personnel to make sure that none of them shoot us.

If we do that, then I believe the Governors Island accord can go forward. I believe some of the well-meaning people who are in the military of Haiti

will come forward because then they know they are going to be secure and they will not be afraid. There are good Haitians in the military. There are some good Haitians in the police. But they are afraid to act. They are afraid to come forward.

So this really is our course of action. Reject the Helms amendment.

I understand the leader will be offering a leadership amendment after that dealing with Haiti.

I read it, and I believe that it provides for the President of the United States, as I said, to pick up the Governors Island accord and to implement it. It is not dead. It was put on hold for a while because of the *Harlan County* being turned around, but it is not dead. I hope that the President will pick it up and reimplement it.

I think now is the time for President Clinton to look beyond the opinion polls and to realize that we have serious interest in Haiti, very serious interest in Haiti. It is time for the President of the United States to pick up the Governors Island accord and act accordingly by, once again, introducing the U.N. forces that are called for, our forces that are called for, for training and modernizing the police and also sending the requisite number of United States military forces to protect those of our forces that are there, so that we do not run into the situation like we ran into in Somalia.

I see the majority leader wanting the floor. I wanted to take this time to express my thoughts on Haiti and to correct some of the misperceptions and some of the misstatements made about President Aristide, to put into the RECORD the full translation of the speech he gave on September 27, 1991.

Mr. President, with that, I hope we can defeat the Helms amendment and adopt the bipartisan, leadership amendment that will be offered.

Mr. MITCHELL addressed the Chair. The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that Senator HELMS' amendment be temporarily laid aside; that Senator MITCHELL be recognized to offer an amendment on behalf of himself, Senator DOLE, and others, on Bosnia; that there be 40 minutes, equally divided between the two leaders, for debate on the Bosnia amendment; that upon the conclusion or yielding back of time, the Senate vote on the amendment; that upon the disposition of the Bosnia amendment, Senator DOLE be recognized to offer an amendment, on behalf of himself and Senator MITCHELL and others, on the subject of Haiti; that there be 60 minutes for debate tonight on both the Helms and Dole Haiti amendments, equally divided between Senators DOLE and HELMS; that when the Senate resumes consideration of the Department

of Defense appropriations bill tomorrow at 9:30 a.m., there be 90 more minutes for debate on both the Dole and Helms Haiti amendments, equally divided between Senators DOLE and HELMS; that at the conclusion or yielding back of that time, the Senate vote on the Helms amendment No. 1072, followed by a vote on the Dole-Mitchell Haiti amendment; that no other amendments or motions be in order prior to the disposition of these three amendments; that the preceding all occur without any intervening action or debate.

Mr. GORTON. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Reserving the right to object, Mr. President, I say to the majority leader that this Senator has been here for some time wishing to speak on the Helms amendment, almost certainly on the same side of that issue represented by the Senator from Iowa and by the majority leader. But this Senator wants to make it very, very clear, while he will vote the same way the Senator from Iowa will, that he disagrees quite profoundly with the rationale which has been expounded at length by the Senator from Iowa.

The Senator from Washington does not find anything in the unanimous consent agreement that will allow him, will guarantee him that ability, a time relatively close to the time which the Senator from Iowa has spoken.

Under those circumstances, at least for a relatively brief period of time, this Senator will have to object, unless the distinguished majority leader would be willing to make the effective time of his unanimous consent agreement, say, to begin in 10 minutes or so, during which the Senator from Washington can easily conclude his remarks.

Mr. MITCHELL. Mr. President, I have no objection to that. This has been drafted to accommodate Senators on the Republican side. If the Senator wants to speak for 10 minutes now and delay the implementation of this for 10 minutes, push everything back 10 minutes—

Mr. DOLE. Why do we not just give you 10 minutes—I will give him 10 minutes out of the Bosnian time, because many of our colleagues have appointments starting at about 7. So we are trying to accommodate about 15 people.

Mr. GORTON. The remarks of this Senator are not on Bosnia.

Mr. DOLE. You can make them on anything. The Bosnia amendment will be pending.

Mr. GORTON. If the minority leader wants to take 10 minutes of his time immediately or very shortly after this unanimous-consent agreement to give me to speak on an entirely different subject, I think he may be accommo-

dating other Members. The Senator from Washington is willing to accept that and thinks it probably would be preferable if he spoke now before this began.

Mr. DOLE. I think in the long run, it will be accommodating more Senators.

The PRESIDING OFFICER. Is there objection?

Mr. GORTON. Excuse me, reserving the right to object, am I to understand then the distinguished minority leader will yield me his first 10 minutes as soon as this debate begins?

Mr. MITCHELL. We will do better than that. As soon as I offer the Bosnia amendment, I will not say a word. The Senator from Washington then can have 10 minutes.

Mr. GORTON. That is certainly a fine accommodation to the Senator from Washington.

Mr. MITCHELL. My life is one of accommodations. I renew my request.

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

AMENDMENT NO. 1073

(Purpose: To express the sense of Congress on funding for United States Armed Forces in Bosnia-Herzegovina)

Mr. MITCHELL. Mr. President, in accordance with the prior agreement, in behalf of myself, Senator DOLE and others, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for himself, Mr. DOLE, Mr. THURMOND, Mr. SIMPSON, Mr. WARNER, Mr. DOMENICI, Mrs. Hutchison and Mr. D'AMATO, proposes an amendment numbered 1073.

Mr. MITCHELL. Mr. 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:

SEC. . (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, it is said that in public policy, as in science, nature abhors a vacuum. I believe it is the existence of that vacuum in public policy which has caused so much of the time of this Senate to have been devoted during the last 2 weeks or so on a defense appropriations bill on military and foreign policy questions.

To be very blunt, the military foreign policy of the Clinton administration has been, at the very least, an uncertain trumpet. As a consequence, we have debated or will debate extensively our policies in Bosnia, in Somalia, and now in Haiti.

In Somalia, which we debated last week at length, for example, there have apparently been five switches in the number of our armed services sent to or withdrawn from that unhappy nation during the course of the last 2 weeks, and almost as many changes in the instructions with which they were burdened during their stay. And yet, Mr. President, we have had, we have debated here, we have largely agreed on a set of rules which ought to be considered and adopted by the people of the United States before they put the men and women of our armed services at risk, which are essentially those established by Secretary of Defense Weinberger a number of years ago.

To paraphrase the most important of them, first, before such a risk is undertaken, we must find that the country in question represents a vital national security interest to the United States.

Second, of course, we need clear and attainable goals, both as we go in, as we determine what we have accomplished and with a very clear way to get out of such engagements.

Third, and quite obviously, there should be no reasonable alternative, no other successful alternative to the risking of the lives of our men in uniform who have enlisted in the armed services.

And fourth, it is obvious that once we go in, we have to use force that is amply sufficient to meet those goals, not send people in under restrictive instructions in dribs and drabs risking them without the ability to attain their goals.

Mr. President, it is the view of this Senator and of many others that not one of those considerations was present with respect to our intervention in Somalia, at least after it moved from providing food for the starving to creating a new and different political atmosphere in that nation.

On the other hand, and I think relevant to this debate, there is a very considerable difference with respect to Haiti. Vital interests of the United States are clearly present in that nation. It is relatively close to our shores, and overwhelmingly the disturbances, the violence, the lack of security in Haiti threatens the United States with the onset of literally hundreds of thousands of refugees seeking freedom, seeking security in a way with which we all sympathize but in a place which simply does not have room for them. We cannot be the recipient of literally hundreds of thousands of people from one small country when there is any remote other alternative to provide security there.

Second, there is at least some goal which this administration has articulated in this case, the restoration of an elected government for a government which took power by a military coup.

It is in this respect that I want to disagree respectfully but most profoundly with the extended statements of the junior Senator from Iowa, who almost sanctified President Aristide of that country in a way with which this Senator rather profoundly disagrees. This Senator is not at all certain that the situation in Haiti will be any more peaceful, that there will be any more justice in Haiti after the restoration of President Aristide than there is today. But he was the duly elected President of that country, and there is at least some chance that some change might take place, so it does seem to me that that is an appropriate goal.

Whether or not there is no alternative to military intervention is an open question, and clearly the administration in its abortive attempts of a week or so ago did not provide amply sufficient force to enforce the Governors Island decision. The disgraceful dispatch of some 200 American troops unarmed in an unarmed ship to Haiti and its withdrawal in the face of a mob is discreditable to this administration and shows a lack of foresight or concern for the fate of our Armed Forces that is reprehensible.

Now, having said all of this, dealing with vacillation in Haiti, in Bosnia, in Somalia, one would think, I suppose, that this Senator would speak in favor of the Helms amendment, but he does not. He finds the Helms amendment much too drastic, greatly oversimplified, not itself reflecting the considerations, the multiple considerations, of the Weinberger rules or of any appropriate substitute for those Weinberger rules.

This Senator believes that the President of the United States would be very well advised to seek authority from this Congress before he attempts to put any of our Armed Forces at risk in that country. It would be wise for him to seek the advice and consent of the Senate and of the Congress as a whole.

But at the bottom, it seems to me far more likely that we can find an alternative which does not risk our soldiers, our sailors, our marines, and our airmen if we do not tie the hands of the President in the way in which the Helms amendment does. If we do not require it, he does have more flexibility. I wish I had a greater degree of confidence in the ability of this President to conduct foreign policy of this sort than I do. But I do recognize the fact that we have only one President. I voted and spoke for the immediate withdrawal of our troops from Somalia because they were at risk and are at risk there today. Right now, American men and women in uniform are not at

risk in Haiti. As a consequence, I think the President ought to have the broadest possible authority to see to it that we can succeed in reaching our goals in Haiti without their use.

I hope he will come to us and ask for our permission to use them if he deems that necessary and that he comes with a plan in which we can have a degree of confidence. But each of those is more likely to be the case if we reject the Helms amendment and take a somewhat more moderate and somewhat more bipartisan action.

For those reasons, I will oppose the Helms amendment.

Mr. DODD. Will my colleague yield at this point?

Mr. GORTON. I certainly will.

Mr. DODD. I wish to commend my colleague from Washington. I agree with his analysis on this. I have no reason not to believe that President Clinton would certainly consult with Congress before taking any dramatic action in Haiti or any action militarily. But the Senator's analysis of the particular approach being advocated by our colleague from North Carolina is that it would have the opposite effect. So I just wanted to associate myself with his remarks and approach on this.

Mr. GORTON. I thank my friend.

Mr. HARKIN. If the Senator will yield again, I wish to compliment the Senator, my good friend from Washington, for a very thoughtful statement.

I guess we are under some time constraints. I wish we were not.

The Senator from Washington is a very thoughtful, considerate individual. Quite frankly, I do not disagree with anything he said either. I do not think I am trying to sanctify anyone. I am just trying to give a different picture here of an individual through his writings and things.

But again I say to my friend from Washington, I would like to ask the Senator to take a look at the Governors Island accord, which it seems everyone supported on both sides of the aisle. The military signed off on it, Aristide. Everyone seemed to sign off on it. It seemed to point the way toward a more peaceful—I do not say totally peaceful—Haiti.

The PRESIDING OFFICER. The time of the Senator from Washington has expired. Who yields time?

Mr. GORTON. I do not mind having the Senator go on. I wish he would go on on the time of the other side.

Mr. HARKIN. Can I ask for 2 more minutes?

Mr. MITCHELL. Mr. President, we have time limited on the Bosnia amendment. Both Senators, from Iowa and Washington, have already talked on the subject of Haiti longer than the time that I have allotted to me on Bosnia.

I will yield to the Senator an additional 2 minutes out of my time with the understanding that this is the last

of this and we can get on to the pending amendment.

Mr. HARKIN. I just want to say I can associate myself with his remarks, too, because I thought them very thoughtful and very straightforward.

If the Senator wants to say anything else, I yield my 2 minutes to him.

Mr. GORTON. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. How much time remains on the pending amendment?

The PRESIDING OFFICER. The majority leader has 19 minutes 43 seconds. The Senator from Kansas [Mr. DOLE], has 9 minutes 29 seconds.

Mr. MITCHELL. Mr. President, I ask that the clerk read the pending amendment, which we interrupted to accommodate the Senator from Washington earlier.

The PRESIDING OFFICER. Without objection, the clerk will read the amendment.

The legislative clerk read as follows:

At the appropriate place in the bill insert the following:

SEC. (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

Mr. MITCHELL. Mr. President, there are two notable facts about this amendment. First, it is a sense-of-the-Congress amendment. It does not impose legally binding restrictions upon the President in advance. That is very significant, and it distinguishes this amendment sharply from the amendment previously debated, which attempts to do so in what I believe to be an unwise fashion.

The Congress regularly expresses its opinion in sense-of-the-Senate, sense-of-the-House, or sense-of-the-Congress resolutions. Everyone should understand that these are just that, opinions. They have no legally binding effect although obviously any Chief Executive should, and sensibly in his self-interest, will take into account the opinions of Congress.

So that should be clear. This amendment is a sense of the Congress. It is not a legally binding document.

The second is that this is consistent, where indeed responsive to the prior statements and requests of President Clinton himself.

Earlier today the President delivered to me a letter on this subject.

I ask unanimous consent, Mr. President, that this letter be placed in the CONGRESSIONAL RECORD at this point.

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

THE WHITE HOUSE,
Washington, October 20, 1993.

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

DEAR MR. LEADER: The violent conflict in the former Yugoslavia continues to be a source of deep concern. As you know, my Administration is committed to help stop the bloodshed and implement a fair and enforceable peace agreement, if the parties to the conflict can reach one. I have stated that such enforcement potentially could include American military personnel as part of a NATO operation. I have also specified a number of conditions that would need to be met before our troops would participate in such an operation.

I also have made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of U.S. forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

The conflict in Bosnia ultimately is a matter for the parties to resolve, but the nations of Europe and the United States have significant interests at stake. For that reason, I am committed to keep our nation engaged in the search for a fair and workable resolution to this tragic conflict.

I want to express my lasting gratitude for the leadership you have shown in recent days as we have worked through difficult issues affecting our national security. With your help we have built a broad coalition that should provide the basis for proceeding constructively in the months ahead. Once again you have earned our respect and appreciation.

Sincerely,

BILL CLINTON.

Mr. MITCHELL. Mr. President, I wish to quote from this letter. I will not quote the letter in its entirety but read what I believe to be the pertinent part.

In the letter addressed to me the President says:

The violent conflict in the former Yugoslavia continues to be a source of deep concern. As you know, my Administration is committed to help stop the bloodshed and implement a fair and enforceable peace agreement, if the parties to the conflict can reach one. I have stated that such enforcement potentially could include American military personnel as part of a NATO operation. I have also specified a number of conditions that would need to be met before our troops would participate in such an operation.

I also have made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of U.S. forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

The conflict in Bosnia ultimately is a matter for the parties to resolve, but the nations of Europe and the United States have significant interests at stake. For that reason, I am committed to keep our nation engaged in the search for a fair and workable resolution to this tragic conflict.

The letter continues but with provisions that are not immediately relevant to this discussion.

So, Mr. President, I hope our colleagues will support this amendment, both as an expression of congressional opinion, not as a legally binding prior restraint upon the President, and because the President himself has indicated both in prior oral statements, and today in a letter, that he welcomes and regards as helpful expressions of support from the Congress prior to any such participation by U.S. forces.

The amendment is simple. It is straightforward. It has the support of the President and the administration. It is authored by the majority leader and the minority leader. I hope very much that my colleagues will support the amendment.

Mr. President, I reserve the remainder of my time. I note the presence of the minority leader.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The minority leader, Mr. DOLE, is recognized. Mr. DOLE. Mr. President, I am sorry I did not hear all of the majority leader's remarks. We have been upstairs for a briefing in S. 407.

But I would just say initially we have been working for several days trying to narrow differences on this amendment and on the Haiti amendment. Obviously, the constitutional question is very difficult. They are not going to be resolved today. Maybe they will never be resolved. But we have come to an understanding on the Bosnian amendment, and I think also on Haiti.

In my view, the lesson of the Somalia debate and the Senate's vote last week is that congressional approval should be obtained in advance of a significant deployment, so that we avoid congressional moves to abruptly terminate an operation after our troops are already engaged in a mission.

Mr. President, I am not seeking to place a straitjacket on the President's powers as Commander in Chief, as some former executive branch officials have suggested. Indeed, I am trying to construct a political flak jacket to protect against congressional artillery once a deployment is underway.

Some have suggested that I am offering my amendments because there is a Democrat in the White House. Well, I would call to their attention an Associated Press story from November 13, 1990—a story which said a Senator called on the President to call Congress back into session and seek its approval for United States troop deployments in the Persian Gulf. The President was George Bush, the Senator was the Senate Republican leader. I said, "I think it ought to be put to the Congress, put up or shut up." It was my view that obtaining congressional support for our Persian Gulf policy would help build a consensus among the public. Mr. President, my views have not changed.

My amendments are not designed to tie the President's hands or to limit his ability to act in the protection of American interests. Having read their numerous editorials in support of thousands of pages of congressional restrictions on assistance to Nicaragua, and certifications on United States troops in El Salvador, I find it fascinating that the New York Times and the Washington Post are new converts to the doctrine of Presidential flexibility. It is certainly a 180-degree turnaround from their support for congressional amendments during the 1980's which precluded military, intelligence, and other options with respect to United States policy toward Central America. I do not know if the editorial writers read my amendments, but if they did, they ignored the flexibility in the text. In any case, I welcome the Post's and Times' conversion and hope it will continue when a Republican returns to the White House.

Mr. President, I do not believe that we should tie the President's hands, but I do not believe the Congress should sit on its hands, either.

It is a big, big responsibility; Congress has a lot of responsibility. If more people would listen to the briefing in S. 407, we would probably understand that responsibility more. I suggest to my friends who did not get the briefing today that you ought to get that briefing before we vote on any Haiti amendments.

What I am seeking to do is to find the right balance between Presidential prerogatives in committing U.S. forces to military operations, in particular, multilateral and peacekeeping operations, and congressional prerogatives in appropriating funds for those activities.

To remind those outside the Congress who are watching and commenting on this debate, it is the Congress which has the power of the purse. It is the Congress which appropriates funds for foreign aid, for military bases abroad, for NATO, and for the United Nations, among other things.

It has not been my intention to usurp the President's authority in foreign policy—and in my view even my original amendments did not do so. Indeed, I would not have directed my staff to meet with administration staff to listen to the President's concerns and to make changes in the amendments to address those concerns if that were the case.

But, as the debate last week on Somalia demonstrated, the Congress will not go along and quietly foot the bill, especially if Americans are sent into harm's way for missions that are questionable, unclear, or do not reflect United States interests.

Some of my colleagues say that the Congress should not seek to give approval prior to a deployment, that we should wait and pull the plug later, if

necessary. Mr. President, there is no constitutional requirement for Congress to wait for body bags before we make our views on a particular mission of operation known.

I cannot for the life of me say that we have a right to bring them home or to cut off funding, but we do not have the right to say they should not go in the first place. If it is a bad idea, if it is a bad operation, if it is putting Aristide back in power, for example, which has now been suggested, then I think we ought to speak up ahead of time. We ought to do it in advance, in fairness to the President, fairness to the American people, and certainly to all of us who should have a role in foreign policy as explained by many of my colleagues on both sides of the aisle in the past week.

Moreover, I believe that it is in the President's interest to have congressional approval in advance.

A few weeks ago, following his meeting with Bosnian President Izetbegovic, President Clinton was asked by reporters whether he would agree to the Bosnian Government's request for a guarantee of United States participation in implementation of a potential peace settlement. President Clinton responded and I quote:

I've been willing to do that since February. But in order to do it, we have to have a fair peace that is willingly entered into by the parties. It has to be able to be enforced or, if you will, be guaranteed by a peacekeeping force from NATO, not the United Nations, but NATO. And, of course, for me to do it, the Congress would have to agree.

Last week, the Foreign Relations Committee held a hearing on United States policy toward Bosnia and Herzegovina at which Assistant Secretary Stephen Oxman and Ambassador Victor Jackovich testified. The distinguished chairman of the Foreign Relations Committee, Senator PELL, offered to hold this hearing during the Senate's debate on the foreign operations appropriations bill. At that time, I was considering offering an amendment which would have called on the President to seek congressional approval prior to committing United States forces to implement a peace settlement in Bosnia.

The Chairman agreed to hold hearings.

In light of the distinguished chairman's offer to hold hearings on United States policy toward Bosnia, I decided not to offer my amendment. I would like to thank Senator PELL for acting so quickly. Unfortunately, in his testimony, Secretary Oxman seemed to walk back the President's remarks.

Mr. President, I believe that it is critical that the Congress thoroughly consider United States policy toward Bosnia, especially since the President has made a tentative commitment to send as many as 25,000 United States troops to enforce a possible Bosnian settlement. Such a debate, in addition

to congressional authorization would be necessary, in my view, even if a smaller number of ground troops were to be deployed.

And so, I am pleased that as a result of my discussions with the White House, the President has sent a letter to me which states that, and I quote:

I have also made clear that it would be helpful to have a strong expression of support from the United States Congress prior to the participation of United States forces in implementation of a Bosnian peace accord. For that reason, I would welcome and encourage congressional authorization of any military involvement in Bosnia.

In view of the President's letter welcoming congressional authorization prior to sending United States troops to Bosnia to implement a settlement, I have removed the funding prohibition from my amendment. Therefore, my amendment now states that it is the sense of the Senate that none of the funds appropriated by this bill should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia and Herzegovina, unless previously authorized by the Congress. It also states that such authorization should not apply to missions and operations initiated on or before today, such as the humanitarian airlifts into Sarajevo, the NATO no-fly zone, current NATO overflights, or NATO airstrikes designed to stop the shelling of Sarajevo, which has dramatically increased over the past few days.

Mr. President, I believe that I was not alone in thinking that the President had committed to seeking congressional approval, and, I believe that I am not alone in thinking that the President should receive congressional approval in advance of sending United States ground forces to Bosnia. I am pleased that the President has taken the same view.

Mr. President, sending 25,000 troops to Bosnia is not a minor matter. This is a massive undertaking which would put American lives in harm's way for a dubious and, in my view, unprincipled purpose. This proposal must be thoroughly considered by the Congress and voted on.

I have long believed that the United States has clear interests in Bosnia and Herzegovina. I believe that the integrity of international laws and principles, including the Helsinki accords and the United Nations Charter, are at stake in Bosnia. I believe that regional stability is also at stake in Bosnia.

However, I do not believe that the current Owen-Stoltenberg plan protects or promotes those interests. This U.N.-mediated plan rewards aggression—and in so doing, it undermines the international order and fundamental international principles, such as the territorial integrity of internationally-recognized states.

And so, if the Bosnians succumb to international pressure and agree to

this plan, what the Congress will have to decide is whether to send thousands of American men and women into a dangerous environment, to protect territorial gains made through the most deplorable means of ethnic cleansing.

Mr. President, my hope is that as we discuss this issue further, the administration will realize what some of us here already realize: that the Owen-Stoltenberg plan is fatally flawed, but that there are still other options—options which would support the sovereignty of the Bosnian State, promote its survival, are less costly in lives and in dollars, and which would not undermine the very values and principles that this country stands for.

There have been consultations with the Congress on Bosnia, and in those meetings, Members have raised moral, political, and military concerns about the current Owen-Stoltenberg plan. Yet, in those same meetings and in House and Senate legislation, the Congress has supported the President on lifting the arms embargo—unilaterally, if necessary—and we have authorized the necessary funds to provide arms and other military equipment to the Bosnian Government. It seems to me that the administration, until recently, has listened more to the United Nations and Europeans, and less to the Congress.

I hope that through this amendment, and my amendment on Haiti we will have started a process of genuine consensus-building between the executive branch and the Congress, not just on Bosnia and Haiti, but on all of these difficult post-cold-war foreign policy matters. I hope that we can come to a mutual understanding on the appropriate role of the United Nations in U.S. foreign policy, as well. I would like to thank the President and his staff for working with me on these amendments and look forward to continuing such a dialog and constructive relationship on foreign policy in the future.

I guess the final point I would make, this is a very, very gray area. It is not going to be easily resolved. But Congress does have some authority. I do not fault the President of the United States. Every President of the United States has always said that any encroachment upon his power as Commander in Chief or President of the United States as outlined in article 1 of the Constitution, would be inappropriate, whether it is President Bush, or President Carter or, I suppose it goes back to George Washington.

If we are talking about sending 25,000 Americans to Bosnia to keep a peace, that may be forced on this small country of Bosnia at a cost of a couple billion dollars a year, if Congress does nothing, if we do not have something on the record to indicate at least we wanted prior authorization, then I believe we would be making a mistake.

And then I believe the American people can properly say, "Where was Congress? They waited until the 25,000 Americans were there. They waited until some were killed, or wounded, and then they said, 'Bring them home.'"

My view is that it helps the President, and it also brings together the American people, just as it did in the gulf crisis when we voted to authorize the use of U.S. military force in that region.

So, Mr. President, I do not want to overuse my time, but I think the majority leader discussed the President's letter, and I appreciate that very much.

This is a sense-of-the-Senate resolution, not a statute, but it is still a very clear message from the Congress on what we believe should happen. I have every confidence that the President will respect that.

We have changed the amendment, and I thank my colleague, the majority leader for his initial efforts and for the efforts of the past couple of days. We make it very clear what missions this does not apply to in our amendment. It does not apply to humanitarian airlifts in Sarajevo, the NATO no-fly zone, current NATO overflights, or NATO air strikes, which have been talked about by the administration, to stop the shelling into Sarajevo, which has increased in the past few days.

I reserve the time I have left.

Mr. MITCHELL. Mr. President, the Constitution assigns to the President the sole authority as Commander in Chief of the Armed Forces of the United States. The very same Constitution assigns to the Congress the sole authority to declare war and the authority to raise, in our terminology, "appropriate" funds for the maintenance of any Armed Forces.

This is one part of an overall constitutional scheme that is intended to prevent the accumulation of power in any one branch of Government, in any institution, or individual. The war-making power cannot be properly evaluated in isolation from the entire division of the powers which underlies the entire Constitution.

The men who wrote the American Constitution had as their central purpose the prevention of tyranny in America. They were brilliantly successful, and in more than 200 years of national history, we have had 42 American Presidents and no American kings. But, inevitably, the division of power creates ambiguities, it creates problems and inefficiencies that lead to tension and conflict between the two branches of Government, and nowhere has that tension been repeated more often, and been less capable of final resolution than in the area of war-making powers.

It has been especially a problem in recent years when we have repeatedly

encountered circumstances in which conflict occurs, but falls short of a general war. The War Powers Resolution, adopted by the Congress in 1973, was an attempt to bring the war-making powers of the Constitution up to date. It was a well-intended, well-meaning effort; it plainly was defective. No President, Democrat or Republican, has ever acknowledged the validity or the effectiveness of the act, and no Congress has been able to implement the act in all the time since then. The result is that we now have the current situation.

I support this amendment because it is an expression of congressional opinion, a right which every Congress, of course, has, indeed, every American has. I also support it because it does not purport to impose prior restraints upon a President performing the duties assigned him under the Constitution. Any President acting in self-interest and in the interest of the country, must and will take into account the views of Congress—that is just plain common sense—as I am confident this President will.

But I think it is a very different matter, and everyone should understand the significance of the difference, for the Congress to say, "Mr. President, here is what we think you ought to do." It is very different for the Congress to say, "Mr. President, by law, we prohibit you from doing this." This falls in the former category. This is not a prior restraint. I do not favor prior restraints. I believe they plainly violate the Constitution.

But this is an important matter. This is an area of substantial conflict, and it is conceivable that Americans may be called upon to participate in the implementation of a peace settlement there. The President has said, both orally and today in writing, that he welcomes congressional support prior to any major action and, therefore, this amendment is not only appropriate as an expression of congressional view but is consistent with the previously expressed view of the President himself.

I think we all ought to be careful when we get into the areas of trying to legislate, by law, prior legal restraints upon a President's authority. And so, Mr. President, I hope very much that Members of the Senate will support this amendment in the context, and in the spirit, which I have described and in which it has been offered.

I say further that a few years ago, I, and a group of other Senators, proposed a series of substantive changes to the War Powers Resolution. Senator BIDEN, who is present on the floor, is perhaps the Senate's leading expert on the subject, and he himself had other suggestions with respect to that same resolution. I hope before we finish, we will take action on an expression by the Senate of our desire to revisit that subject in the light of what is occurring in the world today.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The majority leader has 8 minutes 10 seconds.

Mr. MITCHELL. I would like to comment on that, if I might, in a minute. If no other Senator wishes to use part of my time on this subject, otherwise—

Mr. NUNN. I wanted to comment on the War Powers Act.

Mr. MITCHELL. I will make a brief further comment on that, Mr. President. I believe this to be particularly significant in light of the unique situation in world history and the unique status of the United States in the world.

The United States now has the most powerful military force in the world. Indeed, it is the most powerful military force in all of human history. The United States is regularly referred to as the sole superpower, and that is clearly the case.

If you go back through history, the time of domination of the so-called British Empire, the Hapsburg Empire, the Ottoman Empire, Roman Empire, rarely, if ever, in history, has the dominant military power been invited by other countries to send its military forces onto their lands. Indeed, almost always throughout history, the dominant military power had to fight its way onto other's soils. It had to gain control of other peoples by force and maintain control by force.

Because of what I believe to be the greatness of American ideals, because of the greatness of America as a country which does not seek control and dominion over other people, people the world over trust us.

I have met with the leaders of almost every country in Europe, including the leaders of the current Republics that used to make up the Soviet Union. I asked each of them since the Soviets are withdrawing their forces from Western Europe, do they believe Americans should withdraw military forces from Western Europe. The answer unanimously has been "No." They want American military forces on their soil.

It is a situation unique in history, but it also is one that means we are going to be called upon over, and over, and over again to deploy forces to other countries, and we have to think about that very carefully. We have to try to devise standards or criteria by which we can measure such requests, to be able to say "no" when it is appropriate, to be able to say "yes" when it is appropriate.

That is why I think we want to get back to a careful and thorough review of the War Powers Resolution. I hope we will do that.

Before I use up my time, I yield 2 minutes to the Senator from Georgia.

The PRESIDING OFFICER (Mr. WOFFORD). The Senator from Georgia.

Mr. NUNN. Mr. President, I commend the majority leader for his leadership in working this matter out. I, myself, if I had my preference, I see no need to legislate on Bosnia because the President of the United States has made a public commitment that he is going to seek the authority of the Congress before he makes a large troop deployment in Bosnia. He has made that commitment. He has reiterated this in a letter that I believe the majority leader has already put in the RECORD. But if we are going to speak on this subject, I think this is the way to do it: A sense-of-the-Senate resolution.

This is not a part of law, but it is part of a political statement and an expression of expectations by the United States Senate that I think has a considerable amount of sway and certainly reiterates what the President of the U.S. has already committed in this respect.

So if we are going to speak on the subject, the sense-of-the-Senate resolution, I think, is the appropriate way to handle it.

On the War Powers Act, the majority leader, Senator MITCHELL, and I, Senator BYRD, and Senator WARNER—and I believe Senator LUGAR and others—about 2 years ago introduced a revision, a very substantial revision of the War Powers Act. I welcome the opportunity to revisit that legislation and to see if it is appropriate for the circumstances today.

But one thing is for sure, Mr. President: The War Powers Act, as it is now constructed, will never work, because the War Powers Act basically says if Congress does not act, the President of the United States has to remove American forces from countries where they are to be committed. In other words, the omission by Congress, or the non-feasance by Congress, would require the executive branch to make troop movements out of a commitment already made by the Commander in Chief.

If Congress is going to deal with these matters, we have to deal with them by affirmative action, and I think that is the heart of the revision we need to think about on war powers. Plus, we need to strengthen the consultative mechanism so we have much more consultation between the executive branch and Congress.

Mr. President, I thank the majority leader, and I yield back any time I have.

The PRESIDING OFFICER. The majority leader.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Mr. President, I yield 2 minutes to the Senator from Delaware.

Mr. BIDEN. Mr. President, I thank the majority leader. I will just take 30 seconds.

I share the view expressed by everyone here on the floor that it is time for us to address in an institutional sense the relationship between the executive and legislative branch relative to the conflict in the Constitution. We tried it through the War Powers Act.

For all the reasons the majority leader said, it has not functioned; it has not worked. Our discussions, all of us on this floor, with the administration, as well as among ourselves, has led us to the conclusion this is a propitious time for us to revisit that subject, and it should be done in that comprehensive manner.

I wish we were not even doing these piecemeal efforts here. They are necessary as a political requirement, as well as a substantive requirement. But I hope tomorrow we will have available for the Senate a similar resolution calling on the Congress, with the consent of the administration, to work out a new mechanism over a period of time resulting in a piece of legislation to come back at some point for the consideration of the Senate.

I thank the leader. I appreciate his yielding me the time.

I yield the floor.

Mr. DOLE. Mr. President, do I have any time remaining on this side?

The PRESIDING OFFICER. The Senator has 51 seconds.

Mr. DOLE. Mr. President, I want to quote from a letter from the ACLU, which I have rarely done in my lifetime. In fact, they will probably close up if I do this.

But this is what the paragraph says:

The ACLU believes that the Constitution requires prior congressional authorization for the President to use any type of military force in Haiti—

The same to apply to Bosnia—

other than in self-defense or to protect the lives of Americans. The general constitutional war powers embodied in Article I, section 8, clause 11—which grants to Congress "the power to declare war [and] grant letters of marque and reprisal"—applies to all situations in which U.S. forces are authorized to use military force abroad, except "to repel sudden attacks."

The Clinton Administration has suggested that any congressional limitation on the use of force would interfere with the President's Commander in Chief powers. The President claims that the "Constitution leaves to the President, for good and sufficient reasons, the ultimate decision-making authority" on when to use force. This is a gross misinterpretation of the Constitution. The decision on whether to commit the United States to military action abroad is explicitly Congress's to make. Once the initial decision has been made, then the President does have full authority as Commander in Chief to decide how to use them. In addition, the President can act unilaterally in emergency situations involving attacks on U.S. territory, U.S. forces, or U.S. persons held abroad.

This is the last time I may quote the ACLU for some time.

I ask my colleagues to weigh their opinion very carefully, because it is precisely what we suggest in our amendment.

Mr. LEVIN. Mr. President, I support this sense-of-the-Senate resolution on the subject of potential deployment of United States Armed Forces as part of any effort to support a peace accord in Bosnia and Herzegovina.

Relative thereto, I believe that President Clinton has made it very clear that he would consult fully with Congress and would seek expression of support from Congress.

I also believe that this resolution's goals would be satisfied if President Clinton makes a good faith effort to give Congress a chance to approve or disapprove any deployment of U.S. forces if Congress is not in session at the time, by giving the congressional leadership an opportunity to call Congress back into session for that purpose.

If a majority of Congress supports a deployment or shows an unwillingness to disapprove a deployment, I believe that would also constitute good faith compliance with the intent of this amendment. Otherwise, a filibuster in the Senate could deny the President the expression of majority sentiment this resolution contemplates.

Mr. WARNER. Mr. President, I am pleased to support the Dole-Mitchell amendment, which expresses the sense of the Congress that the President should seek prior congressional approval for any deployment of United States troops to participate in the implementation of a peace settlement in Bosnia.

I have long advocated a cautious approach to United States military involvement in the tragic civil war in Bosnia. United States military personnel should not be put at risk in Bosnia unless Congress authorizes United States military involvement.

If the three warring factions in Bosnia are able to conclude a peace agreement—and they are truly committed to implementing it—the United States should consider providing troops, along with our allies, to help monitor the implementation of that peace plan.

Congress must play a major role in making any decision to commit United States forces to Bosnia to implement a peace agreement, because those troops may find themselves in harm's way.

The administration has discussed the possibility of sending 25,000 United States troops to Bosnia for such a peacekeeping mission. The administration has conditioned U.S. troop participation in such an operation on a number of factors, including the following: NATO command and control for the operation; an agreed exit strategy; an understanding about which nations will contribute forces and who will bear the financial responsibilities for the operation;

and congressional authorization prior to the deployment of United States ground troops to Bosnia.

Regardless of the fact that U.S. troops participating in a peace plan implementation mission would technically be considered peacekeepers, peacekeeping troops in volatile situations can quickly find themselves in a hostile and deadly environment.

The Dole amendment is intended to allow the Congress to play its appropriate role in the decision to deploy U.S. troops to such a hostile environment.

When and if all sides in Bosnia agree to a peace plan, the President should present his plan for United States troop deployments to the Congress for approval.

As the Republican leader noted, debate has occurred for 200 years over the respective military and foreign affairs powers of the President and the Congress under the Constitution. He referred to this as a gray area. I see it as an area of shared powers. Our goal is to find the best way to advance the Nation's interest through the coordinated exercise of these shared powers. The Dole-Mitchell amendment is designed to accomplish this on the question of support for implementation of a peace plan for Bosnia. I urge support of the Dole-Mitchell amendment.

Mr. MACK. Mr. President, I want to be clear about my reasons for supporting this amendment.

I recognize and support absolutely the power of the President to make and carry out foreign policy. However, I am mindful of the consequence of this particular action by the Senate.

This amendment represents the sense of Congress. It lacks the force of law. Thus, it is utterly devoid of meaning insofar as it restricts the ability of the President to act as he sees fit. However, the message behind this action is unmistakable.

The President has lost the confidence of the Senate and the American people in his ability to create and administer foreign and military policy. In coming to this judgment, I am filled with sadness and anger that the brave men and women of the U.S. Armed Forces should be sent into harm's way under these conditions.

This amendment, though toothless, is a clear warning shot directed at the Clinton administration's foreign and military policy team. They would do well not to try the patience of the Congress and American people any further.

The PRESIDING OFFICER. The majority leader.

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

The PRESIDING OFFICER. One minute.

Mr. MITCHELL. Mr. President, I conclude by thanking the Republican leader for his cooperation on this matter, and the Senators involved—Senator

BIDEN, Senator DODD, Senator NUNN, Senator GRAHAM, and Senator PELL, who has been very much involved in this effort in a most constructive way—and many others.

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

The PRESIDING OFFICER. The question occurs on amendment No. 1073, offered by the Senator from Maine [Mr. MITCHELL]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

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

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 320 Leg.]

YEAS—99

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

NAYS—1

Hatfield

So the amendment (No. 1073) was agreed to.

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

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Ohio.

ORDER OF PROCEDURE

The PRESIDING OFFICER. Under the previous order, the Republican leader is to be recognized to offer an amendment on Haiti on which there will be 60 minutes of debate tonight.

The majority leader is recognized.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period of morning business for 15 minutes, with Senators permitted to speak therein for up to 5 minutes each.

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

The Senator from Arizona.

FREEDOM OF THE PRESS

Mr. DECONCINI. Mr. President, there is no doubt President Yeltsin faced a grave crisis 2 weeks ago when armed insurgents threatened to take Moscow by force, but the army's backing of Yeltsin demonstrated that he has the power to crush his opposition. There is also no doubt that Mr. Yeltsin retains real popularity among most Russians while his opponents in the Parliament were held in very low esteem.

Mr. President, as history clearly demonstrates, power and popularity will not necessarily lead to democracy and reform. I regret Mr. Yeltsin has been acting very much the authoritarian in dealing with the opposition party. One specific instance is a government decree that has closed 13 opposition newspapers. Two other newspapers have been ordered to change their names and to fire their editors.

Granted, some of these newspapers were detestable, filled with rabid nationalist and antisemitic ravings. But there are laws in Russia to deal with slander and libel and such matters should be handled by an independent judiciary, not executive fiat.

These moves against the press and the barring of certain parties from participating in the upcoming parliamentary elections are ominous. As chairman of the Helsinki Commission, I urge Mr. Yeltsin to reconsider these ill-conceived and undemocratic attempts to silence his opposition.

I fully recognize the nature of the provocation and danger that President Yeltsin has faced. Even much better established democracies ban political parties on occasion. Germany does not allow the Nazi party to function, and last spring banned several neo-Nazi parties after antiforeign violence and criticism outside Germany of judicial leniency toward pro-Nazi perpetrators was paramount.

Much of the international community welcomed these moves, but Germany did not confront an armed attempt to overthrow the state, as took place in Moscow on October 3 and 4. It is understandable that the urge to push such fringe groups and individuals out of the political process will be much stronger in Russia. But President Yeltsin must distinguish between truly marginal hate groups and those that represent more serious constituencies and political perspectives that simply are at variance with his own. Despite Yeltsin's disapproval, Pravda, for ex-

ample, is a mainstream publication even if it longs for the U.S.S.R., a planned economy and social guarantees.

The issues Pravda addresses speaks to many Russian citizens whose living standards have plunged. Yeltsin's planned reforms, which will lead to bankruptcies of large state enterprises and unemployment, affect millions of people who have the right to voice their disagreement, plain and simple, and Pravda was that voice.

Merely demanding that editors step down will not change that fact. I firmly believe President Yeltsin still offers the best hope for reform. The reform process itself must be driven objectively, in my judgment, in order to have credibility with the United States and other foreign nations.

For that reason, Congress and the administration must voice concern when Russia's reformer No. 1 uses unacceptable means to achieve those reforms.

A Washington Post article quoted the head of Mr. Yeltsin's security ministry—formerly the KGB—as saying that “his agency would monitor political opponents more carefully.” This is an unpromising beginning and a dangerous thing. If we do not say so, we will not help Yeltsin and could, in fact, strengthen the hardliners.

The critical preelection period should be an open political process. Opposition parties must be allowed to freely conduct their campaigns within the limits of Russian law. The Helsinki Commission, like many other election monitoring groups, will observe the balloting on election day. But the Commission also intends to send staff to Russia before voters go to the polls to study the opportunities candidates have to campaign freely.

President Yeltsin has often demonstrated his courage in the past. I urge him now to demonstrate his leadership by restoring an essential component of any democracy and any reform process—freedom of the press—to Russia. Without this, I see little hope that the upcoming Russian elections will yield anything more than further instability in that troubled country. The dreams and talents of the Russian people deserve better.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that “Reagan ran up the Federal debt” or that “Bush ran it up,” bear in mind that it was, and is, the constitutional

duty of Congress to control Federal spending. Congress has failed miserably in that task for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,403,899,372,803.47 as of the close of business yesterday, October 19. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$17,145.20.

A TRIBUTE TO BROTHER AUGUSTINE PHILIP NELAN, FSC

Mr. D'AMATO. Mr. President, on October 5, 1993, Brother Augustine Philip Nelan, FSC passed away in New York at the age of 88 years. Brother Philip had returned to Manhattan College in New York City from Washington last November after completing his work as an adviser to the National Restaurant Association on the hiring of the handicapped in the food service industry. For 14 years, Brother Philip worked closely with food service companies, State vocational rehabilitation programs, and private training agencies to encourage the employment of people with disabilities. He testified before Congress during the consideration of the Americans With Disabilities Act and served on the President's Committee on Employment of People With Disabilities. His contributions to advancing the cause of handicapped workers were great, but they were only one part of a lifetime vocation to serve.

Brother Philip returned to Manhattan College to pursue his fourth career as art curator. In this capacity Brother Philip worked to catalog and prepare for sale art that had been donated to the college in order to further Manhattan's role as a first class institution. At the end of the summer Brother's health began to fail and after a courageous fight to recover he passed from us. At Brother Philip's wake his good friend Brother Luke Salm, FSC delivered a beautiful eulogy that I ask unanimous consent to be included in the RECORD.

BROTHER AUGUSTINE PHILIP NELAN, FSC

It is common at the wake of elderly persons to hear that death has come as a mercy, sometimes even with the implication that the entry into the possession of an eternal reward was long overdue. Except for the last week or two, that was hardly the case with Brother Philip Nelan. His rapid decline and sudden death come as a shock to us who knew so well his vigor and vitality, his wide-ranging interests, and his zest for life. It is as if we were mourning the loss of a young man cut down in his prime.

Brother Philip did not speak very much about his early childhood. An outsider can only reconstruct what the source of young Thomas Nelan's zest for life must have been in the family of his parents, Philip and Hannah Nelan. The subsequent history of the siblings gives a clue: witness the religious vocations of his sister Margaret and his brother Fred, the vibrant families raised by his sister Helen and her husband Stephen

Schweitzer, those of his brothers and their wives, John and Kathleen, Philip and Mae, Joseph and Marie, Raymond and Marguerite. The Nelan grandchildren now grow in the glow of ancestral love and life.

Baptized in the Church of the Ascension and educated in Holy Name School, Thomas Nelan must have developed something of his competitive edge in the famous rivalry that developed between those two New York Irish parishes. Upon graduation from Holy Name School in 1920, he responded with typical and youthful generosity to God's call to share in the mission entrusted by the Church to the Institute of St. John Baptist de La Salle. After two years in the Juniorate at Pocantico Hills, he entered the Novitiate and on September 7, 1922, was invested with the religious habit, and given the name Brother Augustine Philip. In those days it was not uncommon for Brothers to be given names like Aquilinus or Berthulian or Castoris. But Brother Philip was lucky, and all his life he preferred to sign himself and be known as Augustine Philip.

It didn't take long for the superiors to recognize that they had a talented young man on their hands. After only one year of teaching grade school in Newburgh, Brother Philip was assigned to the big time. At Bishop Loughlin High School in Brooklyn (later named St. Augustine's), a scholarship school, he joined a distinguished faculty, many of whom later became his confreres at Manhattan College. In the course of seven years in Brooklyn in an age before specialization, the record shows that he taught courses in math, chemistry, English, Latin, and, of course, Religion. Teaching religion, and teaching it with creativity and verve, remained a passion with him right through his college teaching career.

In 1933 he came to Manhattan College. For the next thirty years, he exercised his talent for vigorous and imaginative leadership. As professor and chair of the English department, executive vice-president, and then president, he used his intelligence, vision, and clout to bring into being an impressive list of new academic ventures: the innovative program in the liberal arts, the beginnings of the full time faculty in theology, an independent department of psychology, a program in nuclear physics, a new department of chemical engineering, a program in forensic psychology for the police, and the air force officers training program. In the days of fiscal conservatism he prevailed over the nervous nellys among the higher superiors and his own financial officers to build Jasper and Thomas Hall.

In the midst of all this, he never lost his love of learning and letters. Ever the omnivorous reader, for more than thirty years he met regularly and informally with a circle of faculty, their wives, and some of the Brothers to discuss and dissect everything from Oedipus to Undset.

As Director of the Brothers' community, Brother Philip was considerate of the needs of the Brothers and, despite the pressures of college affairs, was ever available to them. His Sunday morning conferences to the community were well prepared and models of their kind. He had the courage and the tact to deal effectively with the divisions among the Brothers, the faculty, and the resident clergy over the issues that surfaced during the McCarthy hearings. At the end of his term as president and Director in 1962, he could look backward on a mighty achievement and would have been excused if he sought a sinecure assignment to disguise a well deserved retirement.

But retirement was not on his mind. His experience was at first brought to bear on a proposal for a new college in the LI-NE District. When that project, through no fault of his, came to naught, he answered the call of the Pacific to become Auxiliary Visitor in charge of the Philippines. Shaken out of their complacency, both the missionary and the Philippine Brothers entered into a period of modernization and development that has yet to run its course. Back in the States, Brother Philip turned his experience, his faith, and zeal to direct the Foreign Services Council (FSC) designed to assist the missionary activities of the Brothers in Latin America, Asia, and Africa. In that capacity he participated actively in the mission commission of the 1967 General Chapter.

Brother Philip celebrated his golden jubilee in 1972. No sign of retirement. Soon he was actively engaged in bringing to a successful conclusion the negotiations for the sale of De La Salle College, Washington. In 1978 at the age of 72 he became involved with the National Restaurant Association and its programs for rehabilitating the handicapped. For the next fourteen years, with amazing determination and energy, he logged tens of thousands of miles annually, flying from coast to coast and remote places in between, to find jobs for the handicapped in the food industry. Not only did this effort restore a sense of usefulness and dignity to countless handicapped persons nationwide, but the restaurant owners and managers themselves were enriched by the presence of this black-suited witness to the living Christ. We can be sure Saint De La Salle would have approved.

In 1992 Brother Philip returned to Manhattan, but not to retire. He was able and anxious to help in the development program and agreed as well to take charge as curator of the College's art collection. He continued his daily walks, to read everything he could get his hands on, and would enter into earnest conversation with anyone who will listen. One would have thought that he could live forever.

Joining last August with a group of Brothers in a week of relaxation at Montauk, Brother Philip began to experience weakness and loss of appetite. The eventual diagnosis indicated by-pass surgery, which, at 87 years old, he survived with remarkable resiliency and so pursued an apparently successful program of rehabilitation. Meanwhile, the doctors prescribed a new course of treatment for a chronic skin problem. The side effects of the medication proved to be painful and debilitating and ultimately too much for his noble heart.

The theme that was stressed in the celebration of Brother Philip's 70th anniversary a year ago was vision and vitality, his zest for life. Despite his death, these endure. His vision, we believe in faith, must now be beatific, his life now eternal, his zest for life fulfilled in the full possession of the dynamic life of his living and ever-loving God.

LUKE SALM, FSC.

TRIBUTE TO MR. ARCHIE D. GRIMMETT

Mr. SIMON. Mr. President, I rise today to salute my constituent Archie D. Grimmatt on the occasion of his retirement from the Federal Government.

Mr. Grimmatt, a native of East St. Louis, IL, will retire as Assistant Deputy Chief of Staff, Civilian Personnel, of the U.S. Army, Europe and 7th Army

Unit 29351 this week. The Federal personnel community is indeed far richer as a result of Mr. Grimmatt's contributions. From his early days at the U.S. Commission on Civil Rights to his many programmatic innovations while at Army, Mr. Grimmatt has embodied what it means to be a true human resource professional.

A culminating achievement of Mr. Grimmatt's outstanding career as a Federal executive is the way in which he has supported the drawdown of our forces in Europe. His humanity and concern for people marked every phase of the initiative, requiring a complete reorganization of the civilian personnel office structure to support the entire effort. All of this was achieved in a climate of caring and concern, with people's needs being the primary value. This was indeed a true accomplishment in a difficult time.

Mr. Grimmatt is one of those very special people who exemplifies the spirit of what it means to be a public servant to America. I would like to offer my sincere congratulations and thanks to him for his enormous contribution over a distinguished career and I wish both him and his family well in their future endeavors.

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 sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:22 a.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 bill, in which it requests the concurrence of the Senate:

H.R. 914. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes.

The message also announced that the House agrees to the report of committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and

offices for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 18, 57, and 129 to the bill and agrees thereto; and that the House recedes from its disagreement to the amendments of Senate numbered 38 and 113 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate.

The message further announced that pursuant to the provisions of section 3(a) of Public Law 86-380, the Speaker appoints to the Advisory Commission on Intergovernmental Relations the following Members on the part of the House: Mr. PAYNE of New Jersey, Mr. MORAN, and Mr. SCHIFF.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that the following Members be appointed as the managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the entire House bill and the entire Senate amendment, and modifications committed to conference: Mr. DELLUMS, Mr. MONTGOMERY, Mrs. SCHROEDER, Mr. HUTTO, Mr. SKELTON, Mr. MCCURDY, Mrs. LLOYD, Mr. SISISKY, Mr. SPRATT, Mr. MCCLOSKEY, Mr. ORTIZ, Mr. HOCHBRUECKNER, Mr. TAYLOR of Mississippi, Mr. ABERCROMBIE, Mr. ANDREWS of Maine, Mr. EDWARDS of Texas, Mr. UNDERWOOD, Ms. HARMAN, Mr. SPENCE, Mr. STUMP, Mr. HUNTER, Mr. KASICH, Mr. BATEMAN, Mr. HANSEN, Mr. WELDON, Mr. KYL, Mr. RAVENEL, Mr. DORNAN, Mr. HEFLEY, and Mr. MACHTLEY.

As additional conferees from the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 2 of rule XLVIII: Mr. GLICKMAN, Mr. RICHARDSON, and Mr. COMBEST.

As additional conferees from the Committee on Banking, Finance and Urban Affairs, for consideration of sections 812 and 1316 of the House bill and sections 1087, 2854, and 2908 of the Senate amendment, and modifications committed to conference: Mr. GONZALEZ, Mr. NEAL of North Carolina, Mr. KANJORSKI, Mrs. ROUKEMA, and Mr. RIDGE.

As additional conferees from the Committee on Education and Labor, for consideration of sections 373, 1303, 1331, 1333-1337, 1343, 1344, and 3103 of the House bill and sections 338, 532, 1088,

and 2853 of the Senate amendment, and modifications committed to conference: Mr. FORD of Michigan, Mr. CLAY, Mr. WILLIAMS, Mr. PETRI, and Mr. GOODLING.

As additional conferees from the Committee on Energy and Commerce, for consideration of sections 267, 382, 601, 1109, 1314, 2816, 2822, 2829, 2830, 2839, 3105 (b) and (c), 3132, 3137, 3140, and 3201 of the House bill and sections 322, 325, 327, 705, 822, 1088, 2802, 2803, 2833, 2842, 2844, 2913, 3106 (c), (d), (j), and (l), 3131, 3132, 3133, 3136-3147, 3149, 3150, 3201, and 3202 of the Senate amendment, and modifications committed to conference: Mr. DINGELL, Mr. SHARP, Mr. SWIFT, Mr. MOORHEAD, and Mr. OXLEY: Provided, That Mr. BLILEY is appointed in lieu of Mr. OXLEY solely for the consideration of sections 267, 601, and 1109 of the House bill, and sections 705 and 3106 of the Senate amendment: Provided further, That Mr. BILIRAKIS is appointed in lieu of Mr. OXLEY solely for the consideration of sections 1314, 3137, 3140, and 3201 of the House bill, and sections 322, 2802, 2803, 3132, 3136, 3139-3147, 3149, 3150, 3201, and 3202 of the Senate amendment: Provided further, That Mr. STEARNS is appointed in lieu of Mr. OXLEY and Mrs. COLLINS of Illinois is appointed in lieu of Mr. SWIFT solely for the consideration of section 822 of the Senate amendment: Provided further, That Mr. SCHAEFER is appointed in lieu of Mr. OXLEY solely for the consideration of section 3138 of the Senate amendment.

As additional conferees from the Committee on Foreign Affairs, for consideration of sections 234, 237, 241, 1005, 1008—relating to funding structure for contingency operations—1009—relating to report on humanitarian assistance activities—1021, 1022, 1034, 1038, 1041, 1043-1045, 1048, 1051-1055, 1105, 1107, 1108, 1201-1203, 1205-1208, 1360, 1501-1510, and 3136 of the House bill and sections 216, 221, 223, 224, 241-245, 547, 1041, 1042, 1051-1054, 1061, 1067, 1077, 1078, 1083-1085, 1087, 1093, 1094, 1101-1103, and 1105-1107 of the Senate amendment, and modifications committed to conference: Mr. HAMILTON, Mr. GEJDENSON, Mr. LANTOS, Mr. GILMAN, and Mr. GOODLING.

As additional conferees from the Committee on Government Operations, for consideration of sections 818, 829, 1023, 1050, 2816, 2821, 2823, 2839, and 3140 of the House bill and sections 825, 2843, 2844, and 2902-2908 of the Senate amendment, and modifications committed to conference: Mr. CONYERS, Mrs. COLLINS of Illinois, Mr. ENGLISH of Oklahoma, Mr. CLINGER, and Mr. MCCANDLESS.

As additional conferees from the Committee on the Judiciary, for consideration of section 262 of the House bill, and modifications committed to conference: Mr. BROOKS, Mr. SYNAR, Mr. BERMAN, Mr. FISH, and Mr. MOORHEAD.

As additional conferees from the Committee on the Judiciary, for con-

sideration of section 1022 of the House bill, and modifications committed to conference: Mr. BROOKS, Mr. SCHUMER, Mr. CONYERS, Mr. SENSENBRENNER, and Mr. FISH.

As additional conferees from the Committee on the Judiciary, for consideration of section 1082 of the Senate amendment, and modifications committed to conference: Mr. BROOKS, Mr. MAZZOLI, Mr. BRYANT, Mr. FISH, and Mr. MCCOLLUM.

As additional conferees from the Committee on Merchant Marine and Fisheries, for the consideration of sections 1351, 1352, and 1354-1359 of the House bill and sections 654 and 3501-3506 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mr. TAUZIN, Mr. LIPINSKI, Mr. FIELDS of Texas, and Mr. BATEMAN.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 265, 1314, and 3137 of the House bill and sections 328, 2841, 2851, 2915, 3103, and 3135 of the Senate amendment, and modifications committed to conference: Mr. STUDDS, Mrs. UNSOELD, Mr. REED, Mr. FIELDS of Texas, and Mr. BATEMAN.

As additional conferees from the Committee on Natural Resources, for consideration of section 2818 of the House bill and sections 2855, 3132, 3139, and 3147 of the Senate amendment, and modifications committed to conference: Mr. MILLER of California, Mr. VENTO, Mr. LEHMAN, Mr. YOUNG of Alaska, and Mrs. VUCANOVICH.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of sections 364, 901, 934, 943, and 1408 of the House bill and sections 523, 1064, and 3504 of the Senate amendment, and modifications committed to conference: Mr. CLAY, Mr. MCCLOSKEY, Ms. NORTON, Mr. MYERS of Indiana, and Mrs. MORELLA.

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 2816 and 2841 of the House bill and sections 1068, 1087, 2833, 2842, and 2917 of the Senate amendment, and modifications committed to conference: Mr. MINETA, Mr. APLEGATE, Mr. WISE, Mr. SHUSTER, and Mr. CLINGER.

As additional conferees from the Committee on Rules, for consideration of section 1008 (relating to funding structure for contingency operations) of the House bill, and modifications committed to conference: Mr. DERRICK, Mr. BEILENSEN, Mr. FROST, Mr. SOLOMON, and Mr. QUILLEN.

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 215, 262, 265, 1303, 1304, 1312-1318, and 3105 of the House bill and sections 203, 233, 235, 803, and 3141-3148 of the Senate amendment, and modifications

committed to conference: Mr. BROWN of California, Mr. VALENTINE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WALKER, and Mr. FAWELL.

As additional conferees from the Committee on Small Business, for consideration of section 829 of the House bill, and modifications committed to conference: Mr. LAFALCE, Mr. SMITH of Iowa, and Mrs. MEYERS of Kansas.

As additional conferees from the Committee on Veterans' Affairs, for consideration of sections 1071 and 1079 of the Senate amendment and modifications committed to conference: Mr. MONTGOMERY, Mr. SANGMEISTER, and Mr. STUMP: Provided, That Mr. SLATTERY is appointed in lieu of Mr. SANGMEISTER solely for the consideration of section 1079.

As additional conferees from the Committee on Ways and Means, for consideration of sections 653, 705, and 1087 of the Senate amendment, and modifications committed to conference: Mr. ROSTENKOWSKI, Mr. GIBBONS, Mr. PICKLE, Mr. ARCHER, and Mr. CRANE.

At 2:08 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House insists upon its disagreement to all amendments of the Senate to the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes, and asks a further conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. DIXON, Mr. STOKES, Mr. DURBIN, Ms. KAPTUR, Mr. SKAGGS, Ms. PELOSI, Mr. NATCHER, Mr. WALSH, Mr. ISTOOK, Mr. BONILLA, and Mr. MCDADE be the managers on the part of the House.

At 5:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2519) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes; it recedes from its disagreement to the amendments of the Senate numbered 7, 11, 62, 79, 80, 99, 120, 137, 145, and 171, and has agreed thereto; and that the House recedes from its disagreement to the amendments of the Senate numbered 3, 5, 10, 21, 22, 23, 27, 30, 31, 34, 37, 44, 52, 63, 64, 67, 71, 73, 75, 78, 81, 84, 93, 97, 101, 110, 111, 113, 114, 115, 122, 129, 130, 132, 133, 135, 138, 139, 140, 141, 142, 147, 148, 149, 150, 159, 161, 162, 166, 169, 170, 174, and 175 to the bill, and has agreed thereto, each with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following measure was read the first and second times by unanimous consent, and referred as indicated:

H.R. 914. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes; to the Committee on Energy and Natural Resources.

The following bill, previously received from the House of Representatives for concurrence, was read, and referred as indicated:

H.R. 2677. An act to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct the West Court of the National Museum of Natural History building; to the Committee on Rules and Administration.

The following concurrent resolution, previously received from the House of Representatives for concurrence, and referred as indicated:

H. Con. Res. 143. Concurrent resolution expressing the sense of the Congress concerning the historic opportunity for peace in the Middle East; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2351. An act to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act.

H.R. 2632. An act to authorize appropriations for the Patent Trademark Office in the Department of Commerce for fiscal year 1994.

H.R. 2840. An act to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes.

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-1657. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report of the study of buoy chain procurement practices; to the Committee on Commerce, Science, and Transportation.

EC-1658. A communication from the Acting Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report of abnormal occurrences at licensed nuclear facilities for the period April 1 through June 30, 1993; to the Committee on Environment and Public Works.

EC-1659. A communication from the Acting General Counsel, Department of Commerce, transmitting a draft of proposed legislation entitled "Fair Trade in Auto Parts Extension Act of 1992"; to the Committee on Finance.

EC-1660. A communication from the Chairman of the Merit Systems Protection Board,

transmitting, pursuant to law, a report entitled "Whistleblowing in the Federal Government: An Update"; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RIEGLE, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 483. A bill to provide for the minting of coins in commemoration of Americans who have been prisoners of war, and for other purposes.

S. 1159. A bill to require the Secretary of the Treasury to mint coins in commemoration of women who have served in the Armed Forces of the United States.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

William B. Gould IV, of California, to be a member of the National Labor Relations Board for the remainder of the term expiring August 27, 1993;

William B. Gould IV, of California, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1998;

John Calhoun Wells, of Texas, to be Federal Mediation and Conciliation Director; and

Martin John Manley, of California, to be an Assistant Secretary of Labor.

(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. WELLSTONE:

S. 1570. A bill to amend title 18, United States Code, to prevent persons who have committed domestic abuse from obtaining a firearm; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1571. A bill to improve immigration law enforcement; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 1572. A bill to amend the Family Violence Prevention and Services Act to authorize the Secretary of Health and Human Services to administer a Federal demonstration program to coordinate response and strategy within many sectors of local communities for intervention and prevention of domestic violence; to the Committee on Labor and Human Resources.

By Mr. SIMON:

S. 1573. A bill to provide equal leave benefits for adoptive parents; to the Committee on Labor and Human Resources.

By Mr. BRADLEY:

S. 1574. A bill to authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI:

S. 1575. A bill to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; to the Committee on Governmental Affairs.

By Mr. WOFFORD:

S.J. Res. 146. A joint resolution designating May 1, 1994, through May 7, 1994, as "National Walking Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WELLSTONE:

S. 1570. A bill to amend title 18, United States Code, to prevent persons who have committed domestic abuse from obtaining a firearm; to the Committee on the Judiciary.

THE DOMESTIC VIOLENCE FIREARM PREVENTION ACT OF 1993

• Mr. WELLSTONE. Mr. President, today, I am introducing a bill to take guns out of the hands of people who are violent toward their spouse or children. The Domestic Violence Firearm Prevention Act is one more important step toward breaking the cycle of domestic violence. I am proud to say that Minnesota was the first State to enact this type of legislation on a State level.

This is critical legislation. We know that the only difference between a battered woman and a dead woman is a gun. According to the FBI a woman is beaten every 12 seconds in the United States. Over 4,000 women are killed each year at the hands of their batterers. An estimated 150,000 incidents of domestic violence involve a weapon. A recent study in the New England Journal of Medicine found that battered women and others who have been physically abused in a previous family fight are almost five times more likely to be murdered or involved in a fatal shooting.

Currently, under Federal law, there is a list of circumstances, including conviction of a felony and mental incompetence, that prevent individuals from legally owning a gun. This legislation would add to that list those who have been convicted of domestic violence. Under this bill, anyone who has been convicted of abusing their spouse or child, or who has a restraining order issued against them because of threatened abuse, would be prohibited from obtaining a firearm. This bill would also prohibit anyone from selling or giving a gun to someone they know, or should know, is a perpetrator of domestic violence or has a court issued restraining order.

Just this past weekend in Minnesota, it was reported that a man fatally shot his girlfriend at his apartment after

she tried to break up with him. He then shot and killed himself.

Representative TORRICELLI, along with Representatives SCHROEDER, LOWEY, and DELAURO, is introducing a companion bill in the House of Representatives.

My wife Sheila and I have worked together over the past several years on strategies to protect victims of domestic abuse and to break the cycle of violence.

Earlier this year I introduced two other bills that deal with prevention of domestic violence—the Child Safety Act, S. 870, a bill to establish supervised visitation centers for families that have a history of violence, and the Violence Reduction Training Act, S. 869, a bill to train health care providers to identify and refer victims of domestic abuse.

Next week we are having a hearing on domestic violence. One of the witnesses was herself a victim of domestic violence. She was shot by her ex-husband as was her 6-year-old son. She now lives with an artificial leg as a result.

Next week Sheila and I are sponsoring an art exhibit from Minnesota called the Silent Witness. This exhibit is an extraordinary visual display of the impact of domestic violence. It is a traveling memorial honoring the 26 women who were murdered in Minnesota during 1990 in acts of domestic violence. The exhibit is made up of 27 life-size silhouettes. Twenty-six of them represent women whose lives ended violently at the hands of a husband, ex-husband, partner, or acquaintance. The 27th figure represents those uncounted women whose deaths went unreported or unacknowledged. Ten of the twenty-seven died from gunshot wounds.

We must stop the violence—in homes as well as in the streets. This bill takes a strong step toward stopping the crime of domestic violence.

I urge my colleagues to join me in sponsoring this important legislation.

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

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

S. 1570

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 "Domestic Violence Firearm Prevention Act".

SEC. 2. FINDINGS.

The Congress finds that—

- (1) domestic violence is the leading cause of injury to women in the United States between the ages of 15 and 44;
- (2) firearms are used by the abuser in 7 percent of domestic violence incidents; and
- (3) individuals with a history of domestic abuse should not have easy access to firearms.

SEC. 3. PROHIBITION AGAINST DISPOSAL OF FIREARMS TO, OR RECEIPT OF FIREARMS BY, PERSONS WHO HAVE COMMITTED DOMESTIC ABUSE.

(A) PROHIBITION AGAINST DISPOSAL OF FIREARMS.—Section 922(d) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting "; or"; and

(3) by inserting after paragraph (7) the following:

"(8)(A) has been convicted in any court of the United States of an offense that—

"(i) has as an element the use, attempted use, or threatened use of physical force against a spouse, former spouse, domestic partner, child, or former child of the person; or

"(ii) by its nature, involves a substantial risk that physical force against a spouse, former spouse, domestic partner, child, or former child of the person may be used in the course of committing the offense; or

"(B) is required, pursuant to an order issued by a court of the United States in a case involving the use, attempted use, or threatened use of physical force against a person described in subparagraph (A), to maintain a minimum distance from the person so described."

(b) PROHIBITION AGAINST RECEIPT OF FIREARMS.—Section 922(g) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (6);

(2) by inserting "or" at the end of paragraph (7); and

(3) by inserting after paragraph (7) the following:

"(8)(A) has been convicted in any court of the United States of an offense that—

"(i) has as an element the use, attempted use, or threatened use of physical force against a spouse, former spouse, domestic partner, child, or former child of the person; or

"(ii) by its nature, involves a substantial risk that physical force against a spouse, domestic partner, child, or former child of the person may be used in the course of committing the offense; or

"(B) is required, pursuant to an order issued by a court of the United States in a case involving the use, attempted use, or threatened use of physical force against a person described in subparagraph (A), to maintain a minimum distance from the person so described."•

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1571. A bill to improve immigration law enforcement; to the Committee on the Judiciary.

IMMIGRATION LAW ENFORCEMENT ACT OF 1993

Mrs. FEINSTEIN. Mr. President, I rise today to introduce to the Immigration Law Enforcement Act of 1993, which sets forward a plan for the Federal Government to effectively enforce our Nation's borders.

Mr. President, I am proud that this legislation is coauthored by my colleague and friend, Senator BARBARA BOXER.

A few days prior to July 4, I think a very special holiday for all of us in America because we celebrate our heritage of independence and the growth of our Nation, I first spoke out on the

issue of immigration, an idea which is really at the core of our Nation's identity.

I spoke out for one fundamental reason: Concern that America's inability to control her borders, to adequately deter and prevent illegal immigrants from flocking to the United States, could—and most probably would—cause a backlash against all immigrants.

According to a House Government Operations Committee report released in August of this year, 77 percent of all of the legal immigrants of this country reside in six States. They are California, Texas, New York, Florida, Illinois, and New Jersey.

So, essentially, six States are home to 77 percent of all of the immigrants in our country.

It is also estimated that almost 9 million, 8.9 million, people have come to this country legally over the past 10 years. But another 3 million have entered our country illegally. According to unofficial Census Bureau figures, California is home to 52 percent of all of the undocumented immigrants of this Nation. That is 2,083,000 illegal immigrants in my State alone.

This steady stream of illegal immigrants across our borders, particularly in the Southwest region, has resulted in many immigrants, including those here quite legally, feeling decidedly unwelcome.

To encourage a rational discussion of what is an emotionally charged issue, I advanced seven moderate steps this summer to enforce our borders, to begin to streamline the asylum process, and to deport illegal immigrants convicted of aggravated felonies to serve their prison time in their country of origin rather than in our jails.

I have discussed these proposals with the President, the Attorney General, INS Commissioner-designee Doris Meissner, my colleagues on the Senate Judiciary and Appropriations Committee, Hispanic-American and Asian-American elected officials and community leaders, and many others.

Additionally, I have written to President Salinas of Mexico urging that his country to step up efforts, which are now nonexistent, to enforce its borders and received a response stating that the Mexican Government is amenable to discussing these matters. I ask unanimous consent that a copy of this letter and the Mexican Government's response be printed in the RECORD following my remarks.

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

WASHINGTON, DC,
August 17, 1993.

His Excellency, CARLOS SALINAS DE GORTARI,
President of the Republic of Mexico, Mexico
City, Mexico.

DEAR MR. PRESIDENT: On June 30th of this year I took the floor of the United States Senate to speak at length about immigra-

tion, a subject of great importance to the United States and my State of California. As the daughter and granddaughter of immigrants, I expressed concern that—unless the United States took immediate and effective steps to control illegal immigration—frustration with the economic burden of that influx could cause a retreat from our nation's longstanding commitment to legal immigration.

It is the responsibility of our respective governments to prevent such a tragedy, Mr. President. That is why I have written to you today.

According to United States Census figures just released, of the 4 million undocumented persons now estimated to be living in the United States, over half (2.083 million or 52%) are living in California. Moreover, the U.S. Immigration and Naturalization Service reported in 1992 (the last year for which figures are now available) that 95.8% of all persons apprehended entering the United States illegally were Mexican citizens.

We both understand the tremendous economic burden of caring for these people placed upon border states like California. I respectfully submit, Mr. President, that neither of our nations can tolerate any longer the inadequately regulated illegal outflow of Mexican citizens into the United States.

As detailed in my recent remarks, a copy of which are attached, I will continue to work to build further support in Congress for the expansion, equipment and professionalization of the United States Border Patrol. It is clear to me that the United States cannot—and, frankly, should not—unilaterally bear the burden of substantially curtailing illegal immigration from Mexico.

Consequently, I have urged President Clinton and Ambassador Kantor to make Mexico's affirmative commitment to help control the border with the United States a precondition of America's endorsement of the North American Free Trade Agreement. Such a commitment would, I believe, facilitate Senate ratification of the Agreement. It certainly would encourage my affirmative support.

As a matter of equity and economics, Mr. President, I feel strongly that working together to control our border is the right thing for both of our nations to do. Accordingly, in my capacity as an individual Member of Congress, I respectfully ask that you and your government make control of our mutual border as high a priority in Mexico as it clearly has become, and will remain, in the United States today.

If I or my staff can assist you in any way, Mr. President, please do not hesitate to call on us. I look forward to an ongoing and productive dialogue with you on this and other matters of common concern.

Respectfully yours,

DIANNE FEINSTEIN,
U.S. Senator.

EMBASSY OF MEXICO,

Washington, DC, September 15, 1993.

Hon. DIANNE FEINSTEIN,
Senate Hart Office Building,
Washington, DC.

DEAR SENATOR FEINSTEIN: Please find enclosed a letter addressed to you by Mr. Fernando Solana, Secretary of Foreign Relations of Mexico.

Yours sincerely,

JORGE MONTAÑO,
Ambassador.

[Translation]

SECRETARY OF FOREIGN RELATIONS,

Tlatelolco, Mexico, September 10, 1993.

Hon. SENATOR FEINSTEIN: I am writing in reference to your considerate letter of August 17th, in which you addressed your concerns with respect to the migration of illegal immigrants from Mexico to California.

Mexico respects the right of Mexicans to emigrate as a constitutional guarantee. At the same time, however, the Mexican government wants to export merchandise to the United States, not people. This goal was essential in the decision to open up negotiations for a North American Free Trade Agreement. Only through the advancement of mutual prosperity can we administer, together, this purpose.

We should recall that the report by the Bipartisan Commission of the United States Congress on the Study of International Migration and Cooperative Economic Development of July 1990, shows the economic aspect as one of the principal causes of the problem.

Nevertheless, my government has been and is in the best disposition to continue an honest and open dialogue with the government of the United States to confront the immigration problem while protecting the human rights of the Mexican migratory workers.

In sum, through the Group on Immigration Issues of the Binational Mexican-American Commission, the Mexican Government will continue to maintain high level contact with the government of the United States and is also disposed to continue a dialogue with you and other Congressional Representatives as well as the Executive Body of the State of California with respect to this issue.

Cordially Yours,

FERNANDO SOLANO.

I have also made two visits to the border in the past 4 months, one with Attorney General Janet Reno and Senator BARBARA BOXER. Both trips have reinforced the need for Federal action.

There I saw literally hundreds of illegal immigrants lined up on one side of the border, waiting for night to fall to play a cat-and-mouse game with a vastly outnumbered Border Patrol. In many places on that border, a single Border Patrol agent is responsible for securing up to 3 miles of border with literally hundreds of people standing atop buildings waiting to see when his back is turned so that they can sneak across. And about 2,000 a day do just that.

I saw helicopters, 25 years old and so rickety that the Border Patrol would not take a civilian up in them.

I saw an underground tunnel, 65 feet deep with air-conditioning and lighting, going from the inside of a warehouse on one side of the border to the inside of another warehouse on our side of the border, built for one purpose: to smuggle drugs from Mexico to the United States.

I saw border gates at San Diego running at half staff—just 12 out of the 24 lanes in use—with miles of backed-up traffic pumping pollution into the air, costing untold dollars as people waited hour after hour to be legally authorized to cross the border.

The facts are clear: Our immigration laws are meaningless without the resources to enforce them. And the resounding conclusion is that the men

and women of the Immigration and Naturalization Service, its Border Patrol, and the Customs Service—the three agencies primarily responsible for enforcing our borders—are overwhelmed.

During testimony earlier this summer, before a House committee, I heard Henry Wray, of the General Accounting Office, state:

We have effectively lost control of the Southwest border, and I think there are tremendous shortages in staff on the part of the Border Patrol.

The recent Operation Blockade experiment in El Paso, where 450 agents working overtime saturated a 20-mile strip of border, has shown that illegal immigration can be reduced. It is simply not true that we cannot enforce our borders. Arrests have dropped substantially, from about 1,000 a day to just about 100.

While I would like to see a variation of Operation Blockade along the southwest border in California as an interim measure, I think the long-term Federal Government solution must be a different one.

I rise today, therefore, to introduce the Immigration Law Enforcement Act of 1993, which is designed both to implement a number of proposals that I made this summer and to complement President Clinton's asylum reform and antismuggling initiative introduced by Senator KENNEDY in late July.

First and foremost, this legislation will provide the resources clearly needed to enforce our borders. Specifically, in addition to the 700 new agents for which we have obtained funding in this year's appropriations cycle, it would add 1,400 Border Patrol agents over the next 2 fiscal years.

It would dedicate a lion's share of the new agents to the southwest border.

It would give bilingual applicants priority in the hiring process.

And it would authorize the Attorney General to obtain, from other Federal agencies and the private sector, aircraft, vehicles, detection devices, and other equipment needed for the Border Patrol to function effectively.

When I visited the border between San Diego and Tijuana, while 2,000 people were coming over illegally a night, there was just one infrared detection system available to the Border Patrol.

Second, it is my hope and expectation that this legislation will help reduce cases of abuse by the small minority of Border Patrol agents responsible for them. Reports by the American Friends Service Committee and Americas Watch documented over 1,000 incidents of abuse in immigration law enforcement over the last 3 years. These incidents involved verbal and physical abuse, illegal searches, and the destruction of property. They can and should be curtailed by the additional training-in-service ongoing of current agents and enhanced training of new

agents funded by this bill. In addition, the Attorney General will be required to report annually to the Congress under this legislation on the status of the Department of Justice's effort to reduce Border Patrol abuse.

Third, this legislation provides additional resources to boost efforts to interdict drugs along the border.

In 1990, along California's southern border, the INS, Customs, and Drug Enforcement Agency, working together in Operation Alliance, seized nearly 400,000 pounds of marijuana with a minimum street value of \$1.2 billion and 34,000 pounds of cocaine conservatively valued at \$326 million if sold on our streets. In just one night at the border, I myself saw a car that had just attempted to enter the United States whose entire interior was rimmed with kilos of marijuana.

The legislation I am introducing today authorizes additional funds, to be spent at the discretion of the Attorney General, for the Organized Crime Drug Enforcement Task Force program. Since its inception in 1982, this interagency program has put almost 25,000 drug traffickers and criminals behind bars and seized cash and property worth more than \$2.5 billion. It is exactly the kind of interdiction effort worth an additional investment by our Government, an investment that this bill can help fund.

Fourth, this legislation will speed legal crossings at all land borders of our country by fully staffing existing border gates and authorizing the construction of new facilities needed to handle the transborder crossing volume.

Today in San Diego, commuters and tourists often wait 2 and 3 hours to pass through our busiest port of entry—often times, because only half of the available gates are staffed.

This legislation would provide for the staffing of all land border crossing lanes along the southwest border during peak hours within 3 years; established lanes for frequent border crossings; build additional facilities, if needed, to speed border crossing; and fund construction of the fences, buildings and infrastructure needed by the INS, Customs and DEA to more effectively monitor the border.

Fifth, the Immigration Law Enforcement Act compliments the President's asylum reform efforts by revoking part of the 1990 Executive order granting enhanced consideration in the political asylum process for persons claiming that they are fleeing restrictive birth control policies.

In other words, now all somebody has to do is say "abortion," and they are granted political asylum. That is not what political asylum was meant to be. Such persons, in my opinion, are not the refugees that the asylum process was meant to shelter.

Sixth, this legislation addresses a costly problem that affects prisons in

several States. Today, if an illegal immigrant is convicted of an aggravated felony and sentenced to our prison system, the prisoner can veto any attempt by our Government to deport him or her, even if we have a reciprocal treaty with the prisoner's country of origin to do so. That option should be removed, and prisoner transfer treaties negotiated or renegotiated with our neighbors and other nations, so that convicted alien felons can be returned to their countries of origin to serve their prison time.

The California Department of Corrections reported on January 7 of this year that over 21,000 of the 109,000 inmates in California prisons are foreign born, and an estimated 16,000 of these inmates are subject to deportation once they complete their sentences. In 11 percent of the cases, the criminal aliens are in prison for murder, while 37 percent have been found guilty of the sale, manufacture, or possession or sale of drugs.

Almost 50 percent of them therefore, either committed murder or sold drugs. The Los Angeles County Board of Supervisors estimates that criminal aliens account for about 11 percent of the L.A. County jail population, resulting in over \$75 million a year in criminal justice system costs. I say that it is time to help local government and require that illegal immigrants, convicted of aggravated felonies—murder, gun or drug trafficking, or any violent crime that carries a prison sentence of 5 years or more—serve their jail time in their countries or origin.

This legislation addresses this problem in two ways. It allows Federal judges, at the time of sentencing, to authorize the deportation of illegal immigrants convicted of these crimes once they serve their time in an American prison. Believe it or not, today, there must be a second deportation hearing often held after the prisoner has been released.

Also, it would empower the Secretary of State and the Attorney General to negotiate agreements allowing the United States to return for incarceration in their home countries any illegal immigrants convicted of a deportable offense.

Seventh, the Immigration Enforcement Act also includes a funding mechanism, a modest and reasonable border crossing fee, to make these improvements. The bill establishes a revolving fund within the Treasury to accept revenues generated by a border crossing fee of \$1 to be paid by anyone, whether citizen, tourist or immigrant, entering the United States at any land border crossing or seaport: north, south, east, or west.

Based on 1992 Customs Service figures, a dollar crossing fee could raise more than \$400 million annually. This bill also provides the Attorney General with the authority to adjust the fee

from time to time and to institute discount fee programs for frequent border crossers.

I am pleased to say that the border fee concept is under serious consideration by the administration, has been endorsed by newspapers such as USA Today and the Los Angeles Times; my colleague, Senator BARBARA BOXER; the Governor of the State of California; California Treasurer, Kathleen Brown, and the Boards of Supervisors of Los Angeles and San Diego County. A recent Los Angeles Times poll shows that more than 70 percent of the people of the State of California support such a fee.

Finally, in addition to accomplishing the primary purposes of the bill just outlined, the Immigration Law Enforcement Act also authorizes the use of border fee revenues to fund asylum reform and antismuggling measures in the administration's proposals, if needed. Funds may also go to fight drug smuggling and to assist legal immigrants to become naturalized American citizens—something we should all want to see.

When I took the floor on June 30 to address the importance of preserving legal immigration by controlling illegal breaches of our borders, and to outline the program which is now at the core of the Immigration Law Enforcement Act, I did so not simply as a U.S. Senator, but as the daughter of an immigrant and the granddaughter of immigrants.

It is my belief that this legislation, in conjunction with the administration's complimentary efforts to remake our troubled asylum system, and to heavily punish alien syndicate smugglers, constitutes a substantial step toward regaining control of our borders. Such control is a prerequisite to silencing the anti-immigration rhetoric now being heard from California to Washington.

I urge my colleagues to join me in supporting this legislation and, in doing so, to protect the thousands of men and women who risked everything to make America their own.

By Mr. HATFIELD:

S. 1572. A bill to amend the Family Violence Prevention and Services Act to authorize the Secretary of Health and Human Services to administer a Federal demonstration program to coordinate response and strategy within many sectors of local communities for intervention and prevention of domestic violence; to the Committee on Labor and Human Resources.

DOMESTIC VIOLENCE COMMUNITY INITIATIVE ACT

Mr. HATFIELD. Madam President, today I am introducing legislation that speaks to one of the most pervasive and devastating of the root causes of crime and violence in our society: violence in the home. Throughout history we have known that violence begets vi-

olence. This truth was illustrated sharply in a comprehensive study last year by the National Institute of Justice which stated that being abused or neglected as a child increased the likelihood of arrest as a juvenile by 53 percent, and increased the chance of arrest for violent crime by 38 percent.

Domestic violence is the single largest cause of injury to women in America—up to 4 million women suffer its consequences annually; every 15 seconds a woman is beaten in this country, and each day 10 women die from its effects according to a report by the Department of Health and Human Services. But, men are often its victims also. Violence can be initiated by or suffered by any member of the family. It does not limit itself within gender, racial, or economic lines. It is a disease that, in our society, is repulsively rampant.

In Portland this year, almost twice as many people have been murdered from domestic violence as those killed in gang-related murders. We like to cite statistics because they often prove useful in the business of setting national policies. However, these staggering statistics eventually begin to bounce off of us like so many nightly news tallies of the day's worldwide carnage. It is not easy to reach out, to get personally involved in a sensitive issue that welcomes denial. But, in this instance we must reach out—in our schools, our hospitals, our churches, and our civic groups. This is a problem national in scope but embedded in the most private of settings; the home. Without widespread individual involvement, any attempt by Government to tackle the issue will fail.

The Domestic Violence Community Initiative Act of 1993 which I introduce today would address a need currently unmet by any existing program. The purpose of this bill is to facilitate a coordinated community-based response to domestic violence. It would establish a Federal demonstration program authorizing grants to organizations in communities throughout the country to coordinate strategies amongst all sectors including the education community, health-care providers, the justice system, the religious community, business and civic leaders, State children services divisions, and domestic violence program advocates.

In meetings with community representatives in my State I found that there was a lack of interaction, communication, and coordination among the various sectors attempting to break this cycle of tragedy and violence. Each specialty area is working on a piece of the puzzle, but there is not a comprehensive approach to this problem which cuts across all specialties. For example, those in the medical and education communities tell me that there is now some training to recognize abuse, but that there is often no

coordination with other professionals on when, how, or to whom signs of abuse should be reported. Efforts at coordination are being made in many communities, but there is a noted lack of resources for such organization.

This proposal would tie these groups together to share information, enhance awareness of the problems surrounding this issue, and coordinate action plans for intervention and prevention of domestic violence. Specifically, it would authorize \$20 million to allow the Secretary of Health and Human Services to make grants to assist these efforts. This would enhance the effectiveness of current statewide programs which focus on providing shelter and counseling. And, as with other programs under the Family Violence Prevention and Services Act, this demonstration project would be periodically evaluated for effectiveness by the Secretary of HHS. The eventual goal is to form a commitment by communities and the families who live in them to take positive action to stop this cycle of abuse.

The extent of family violence is frightening. In Oregon, domestic crisis centers take over 51,000 crisis calls per year. In Multnomah County alone, shelters and hotlines logged over 13,000 domestic violence crisis calls. Even more horrifying is the fact that over 40 percent of child fatalities in Oregon occur in homes where there is adult domestic violence. When I visit shelters in Oregon I am struck by the tragedy of women trying to keep their lives together, by the faces of the innocent children at the shelter who feel the effects of this violence so poignantly, and by the knowledge that these are the lucky ones—that Portland area shelters must turn away 9 of 10 requests for help because they are filled to capacity.

In recent years we have made some progress in recognizing the extent of this problem. In the Appropriations Committee we have overseen an increase in funding for shelter and counseling programs from \$8.2 million in 1989 to \$24.7 million last year. All across the country during the month of October an effort is being made to enhance the awareness of domestic violence. Upon this foundation of will, we must continue to build our resolve to eradicate violence in the home.

I am also a cosponsor of the Violence Against Women Act and applaud the general funding for domestic violence programs included in that bill by Chairman BIDEN and others. The bill I introduce today is a natural enhancement to those proposals in that it specifically focuses on the concept of active involvement by all sectors of a local community. This is an idea that should be tested in a variety of forms in many different States. I welcome the support of my colleagues and hope that you will join me in this effort.

I ask unanimous consent that the letters from community groups supporting the need for this demonstration program be printed in the RECORD immediately following my remarks. I also ask unanimous consent that the bill be printed in the RECORD.

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

S. 1572

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 "Domestic Violence Community Initiative Act of 1993".

SEC. 2. ESTABLISHMENT OF COMMUNITY PROGRAMS ON DOMESTIC VIOLENCE.

The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following new section:

"SEC. 316. DEMONSTRATION GRANTS FOR COMMUNITY INITIATIVES.

"(a) IN GENERAL.—The Secretary shall provide grants to nonprofit private organizations to establish projects in local communities involving many sectors of each community to coordinate intervention and prevention of domestic violence.

"(b) ELIGIBILITY.—To be eligible for a grant under this section, an entity—

"(1) shall be a nonprofit organization organized for the purpose of coordinating community projects for the intervention in and prevention of domestic violence;

"(2) shall include representatives of pertinent sectors of the local community, including—

- "(A) health care providers;
- "(B) the education community;
- "(C) the religious community;
- "(D) the justice system;
- "(E) domestic violence program advocates;
- "(F) human service entities such as State child services divisions; and
- "(G) business and civic leaders;

"(c) APPLICATIONS.—An organization that desires to receive a grant under this section shall submit to the Secretary an application, in such form and in such manner as the Secretary shall prescribe through notice in the Federal Register, that—

"(1) demonstrates that the applicant will serve a community leadership function, bringing together opinion leaders from each sector of the community to develop a coordinated community consensus opposing domestic violence;

"(2) demonstrates a community action component to improve and expand current intervention and prevention strategies through increased communication and coordination among all affected sectors;

"(3) includes a complete description of the applicant's plan for the establishment and operation of the community project, including a description of—

"(A) the method for identification and selection of an administrative committee made up of persons knowledgeable in domestic violence to oversee the project, hire staff, assure compliance with the project outline, and secure annual evaluation of the project;

"(B) the method for identification and selection of project staff and a project evaluator;

"(C) the method for identification and selection of a project council consisting of representatives of the community sectors listed in subsection (b)(2);

"(D) the method for identification and selection of a steering committee consisting of representatives of the various community sectors who will chair subcommittees of the project council focusing on each of the sectors; and

"(E) a plan for developing outreach and public education campaigns regarding domestic violence; and

"(4) contains such other information, agreements, and assurances as the Secretary may require.

"(d) TERM.—A grant provided under this section may extend over a period of not more than 3 fiscal years.

"(e) CONDITIONS OF PAYMENT.—Payments under a grant under this section shall be subject to—

"(1) annual approval by the Secretary; and

"(2) availability of appropriations.

"(f) GEOGRAPHICAL DISPERSION.—The Secretary shall award grants under this section to organizations in communities geographically dispersed throughout the country.

"(g) USE OF GRANT MONIES.—

"(1) IN GENERAL.—A grant made under subsection (a) shall be used to establish and operate a community project to coordinate intervention and prevention of domestic violence.

"(2) REQUIREMENTS.—In establishing and operating a project, a nonprofit private organization shall—

"(A) establish protocols to improve and expand domestic violence intervention and prevention strategies among all affected sectors;

"(B) develop action plans to direct responses within each community sector that are in conjunction with development in all other sectors; and

"(C) provide for periodic evaluation of the project with a written report and analysis to assist application of this concept in other communities.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) \$20,000,000 for fiscal year 1994; and

"(2) such sums as are necessary for each of the fiscal years 1995, 1996, and 1997,

to remain available until expended.

"(i) REGULATIONS.—Not later than 60 days after the date of enactment of this section, the Secretary shall publish regulations implementing this section. Not later than 120 days after the date of enactment, the Secretary shall publish final regulations implementing this section."

CITY OF PORTLAND, OR,
BUREAU OF POLICE,
Portland, OR, April 2, 1993.

Senator MARK O. HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: This is a letter of support from the Portland Police Bureau's Family Services Division for the proposed Community Initiative to End Domestic Violence.

It is the immediate intention of the Police Bureau to provide some enhanced service and support to the victim's of domestic abuse. We will investigate for prosecution more cases, and certainly concentrate on cases with serious indications for future violence. In our planning, it became immediately obvious that there is an important need for coordination of all components of the domestic violence systems and for heightened public awareness and support. We believe Federal assistance is necessary to the success of our system.

Law enforcement is only one piece of the answer to domestic violence in Portland. We support the initiative and request for consideration.

If you have any questions about police response to domestic violence, please call (503) 796-3161.

Sincerely,

ROBERT BROOKS,
Captain, Family Services Division.

OREGON MEDICAL ASSOCIATION,
Portland, OR, February 8, 1993.

Hon. MARK O. HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: The Oregon Medical Association is committed to the prevention of domestic violence, and to that end, supports the "Community Initiative to End Domestic Violence" proposal.

Oregon physicians have identified domestic violence as a priority public health issue because of its high cost to the health care system and adverse impact on families. In fact, the issue is so important to our members, we have formed a Task Force on Family Violence and become involved in a community-based coalition of groups, "Professionals in Partnership." This group is comprised of health care and domestic violence representatives committed to educating health care professionals about their role in prevention.

As successful as the efforts of "Professionals in Partnership" are, it is limited to health care. The "Community Initiative to End Domestic Violence" is a comprehensive plan integrating all sectors of the community. The Oregon Coalition Against Domestic & Sexual Violence has done an excellent job in bringing together key community organizations in this first-of-its-kind effort. Without federal funding, this broad-based solution to the domestic violence crisis will not be possible.

OMA is supportive of an initiative that will develop a coordinated, systemic, proactive response to eliminating domestic violence. We thank you for your efforts to make this project reality. With your help, we have the opportunity to prevent countless women and children from needless harm.

Sincerely,

JAMES A. CROSS, M.D.,
President.

PORTLAND PUBLIC SCHOOLS,
Portland, OR, March 29, 1993.

Re Proposed Community Initiative to End Domestic Violence.

Hon. MARK O. HATFIELD,
Hart Senate Building,
Washington, DC.

DEAR SENATOR HATFIELD: Portland Public Schools wholeheartedly supports the Community Initiative to End Domestic Violence proposal. We encourage your energy in working toward an appropriation to meet the goals of this proposal for the next three years.

Educators grades K-12 recognize the correlation between domestic violence and its impact on children. We are reminded daily that domestic violence and the physical abuse of students go hand in hand: our school police investigated 258 allegations of physical abuse of students between July 1992 and the end of February 1993. They estimate most of this abuse occurs in conjunction with domestic violence, and this figure is an increase over the 1991-92 school year.

The emotional and physical trauma these youngsters face when domestic violence occurs is an enormous barrier to their school

success. Attendance, interpersonal skills, and academic progress all suffer. School staffs spend many hours with students and families trying to counteract the negative impact on both the total learning environment and individual student achievement. Unfortunately, we find only a tiny number of women turn to shelters or have access to resources to get them and the family away from their home violence. Our experience is that neglect is also correlated to domestic violence, and we find there are even fewer community resources for this type of child abuse.

Finally, domestic violence increases the likelihood that students will resort to violence at school to settle problems. To offset this we allocate many resources to keep schools a safe place in which to learn by teaching and modeling peaceful problem solving skills.

At a time when community resources for families are dwindling, including school resources, more than ever before there is a greater need for integrated services between community agencies. An important strength of this proposal is that it insures planning and collaboration between seven community sectors to bring intervention and prevention programs to our community.

Thank you for your personal efforts and involvement addressing this community problem.

Sincerely,

CAROLYN SHELDON,
Assistant Director,
Student Services Department.
CATHRYN C. SCHAR,
Supervisor,
Student Discipline Programs.

ECUMENICAL MINISTRIES OF OREGON,
Portland, OR, May 20, 1993.

Hon. MARK HATFIELD,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR MARK: On behalf of Ecumenical Ministries of Oregon, I wish to express our active interest in the proposed Coordinated Domestic Violence Intervention Initiative that you proposed. Our strong support has roots in our growing awareness of the incidence of violence in our communities. Our empirical knowledge comes from our observation of the Oregonians seeking services from our medical, treatment and socialization programs. It also comes from the experience of our 17 denominations and approximately 2000 congregations with their own members and with the wider parish, the neighborhoods in which they have facilities.

We acknowledge the need for prevention, intervention and treatment. We recognize our responsibility to be part of the response. We share your concern about the widespread tragedy of violence in the family and believe it is essential for the religious community to be a motivating factor in the development of an effective community response. Through our representative, Ellen Lowe, we have been involved in the planning and development of the Initiative.

As you know, we have enthusiastically agreed to sponsor the project. We believe this will promote the participation of the religious community. We also know that for there to be a significant impact on this problem, the whole community must mobilize. The initiative will enable us to do that. I understand the Initiative will be a model of community coordination and mobilization around domestic violence. There couldn't be a better place to do it than Portland, as many of us have developed cooperative rela-

tionships in addressing other community needs. As a statewide organization, we also believe we can share our expanded knowledge through congregations in all parts of Oregon. Our Community Ministries Commission has established sexual and domestic violence as its highest priority.

Your long history of supporting peace and justice efforts makes your leadership in this endeavor most important. Your acknowledgement of the importance of the family to a just community and, ultimately, to a just world is welcome leadership. The Initiative will be a significant step in our long quest for justice, equity and harmony.

Thank you for your continuing efforts on behalf of Oregonians.

Sincerely,

The Reverend RODNEY I. PAGE,
Executive Director.

U.S. BANCORP,
Portland, OR, January 27, 1993.

Hon. MARK O. HATFIELD,
U.S. Senate, Senate Hart Building, Washington,
DC.

DEAR SENATOR HATFIELD: As you know, U.S. Bancorp actively participates within the communities where we do business to make Oregon a better place for all citizens. This letter is to convey to you U.S. Bancorp's support for a community wide initiative to end domestic violence.

Violence inflicted on women and children in family settings is a prevalent and serious societal problem that touches the lives of too many. Up to 50% of all women will be battered in an intimate relationship at some time in their lives. These women are employees, neighbors, friends and family members. It is a problem that results in homelessness, death, psychological and physical injury for a significant number of them. The cost to society has to be enormous. Yet, current programs and services are very poorly funded, both nationally and locally. With cutbacks in all sectors, the picture will only get worse unless we come together as a community to initiate change.

U.S. Bancorp has supported the Oregon Coalition Against Domestic and Sexual Violence (OCADSV) with monetary contributions as well as the support of staff. Our intent is to provide continued support. In addition, we would like to see a concerted effort on the part of business, in partnership with other community groups, to end the problem of domestic violence.

To gain momentum for such a project, federal leadership is needed. We urge you to consider and work for such an initiative. Without strong support from all sectors, too many women and children will continue to become victims with no place to turn.

Sincerely,

JUDITH R. RICE,
Executive Vice President.

JEWISH FEDERATION
OF PORTLAND,
Portland, OR, May 18, 1993.

Senator MARK HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: We are pleased to learn about the Coordinated Community Domestic Violence Intervention Initiative that is being developed as a result of your interest.

Domestic violence is a real problem which must be addressed. While small grassroots organizations have worked untiringly on the issue for nearly two decades, the community as a whole has not assumed responsibility for it.

The Community Initiative will mobilize all sectors of our community to determine what can be done to end domestic violence. It will also provide a way for all sectors to share information and ideas and work together in a coordinated fashion. The Community Relations Committee of the Jewish Federation of Portland supports this initiative. The project has great potential for significantly impacting the longstanding and tragic problem of domestic violence in our community.

Given the fiscal climate here in Oregon, we cannot hope to undertake this endeavor without national resources and leadership. We appreciate your leadership in helping to find solutions to this most serious and devastating problem.

Sincerely,

PENNY ROBERTS, Chair.

PORTLAND PUBLIC SCHOOLS,
Portland, OR, April 1, 1993.

Re: Proposed Community Initiative to End Domestic Violence.

Hon. MARK O. HATFIELD,
Hart Senate Building,
Washington, DC.

DEAR SENATOR HATFIELD: I join with many others in lending my whole-hearted support for the proposed community initiative to end domestic violence.

As a teacher and school administrator for many years and as the current administrative supervisor of the Portland Public Schools Police Department, I have long been concerned about the impact on children and their ability to learn caused by domestic violence. First hand observation of young victims dramatically illuminates the harrowing reality embodied in our national statistics on violence in American homes.

It is time for our community to take the step of bringing together organizations and leaders throughout the community to address this problem on a large scale. The proposed initiative presented to you recently is well conceived and offers real promise to not only make domestic violence a priority in this community, but also to take strong and positive action.

To succeed, this project requires staff and will incur some expense. We sincerely appreciate your efforts in working toward an appropriation to accomplish this goal for the next three years.

If I can be of assistance in any way, please let me know.

Sincerely,

JOHN LASHLEY,
Director.

OREGON DEPARTMENT OF
HUMAN RESOURCES,
Salem, OR, January 29, 1993.

Hon. MARK O. HATFIELD,
U.S. Senate,
475 Cottage NE, Salem, OR.

DEAR SENATOR HATFIELD: I support the proposal by the Oregon Coalition Against Domestic and Sexual Violence to develop the community infra-structure necessary to support and coordinate prevention and intervention services for victims of domestic violence.

I am the state coordinator for one source of funds for the domestic violence shelters, safe home networks and crisis lines in Oregon. Through my contact with these programs, I see the strong need for increased advocacy for ending domestic violence. Too often, violence is still seen by the public and other agencies as a family problem or domestic dispute without a recognition of the seriousness of the problem.

I also see the strong need for increased support for the domestic violence programs themselves. They are providing direct services to victims of domestic violence, both those who come to shelter as well as those in the community, and they are educating the community and other professionals. There is a definite lack of understanding of the issue or commitment within some sectors of the community. There is also the need for better coordination of all the players involved. It is a daunting task and the domestic violence programs lack the staff and resources to adequately take this on.

The Federal Government, through funding this project, can take a leadership role in stressing the importance of taking domestic violence seriously and through helping develop a model of a coordinated system. Even when agencies and professionals understand the issue and want to effect change, their resources are often stretched beyond the ability for them to act as the primary change agent. The project can mobilize and maximize the resources of the agencies and build additional support.

Children's Services Division is in a unique position. Our agency administers one source of funding for domestic violence programs. We work closely with an Advisory Committee with domestic violence program providers and interested community people. Additionally, we are the child protective services agency and witness the effects of domestic violence on children and our workload. We support the call for increased coordination and believe this project will positively impact the delivery of services.

Sincerely,

BONNIE JEAN BRAEUTIGAM,
Resource Development Unit.

MULTNOMAH COUNTY,
LEGAL AID SERVICE,
Portland, OR, January 26, 1993.

Re Coordinated Domestic Violence Intervention Initiative.

Senator MARK HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing to indicate Multnomah County Legal Aid's strong support for the Coordinated Domestic Violence Intervention Initiative. The project will stimulate community initiative to develop a coordinated, systemic, proactive response to domestic violence. The project includes all sectors of the community, including health care, the courts, the religious community, victim and offender programs, and other human service providers, business and civil leaders, the education system and the media.

Multnomah County Legal Aid Service (MCLAS) has worked on domestic violence issues for over 20 years, providing representation to victims, education to the courts, and public advocacy. For many years, we have worked in conjunction with the Oregon Coalition Against Domestic and Sexual Violence and local grassroots domestic violence programs. One of the landmarks in this work was the formation of the Multnomah County Family Violence Steering Committee (consisting of service providers and policymakers in the legal system). The Steering Committee conducted a needs assessment and produced a report showing a 90% turnaway rate for domestic violence shelters. The report recommended developing coordinated community intervention as an important next step in ending family violence. Through the Steering Committee, MCLAS and other participants have learned the value of coordi-

nating the community's response to family violence. The Steering Committee has laid the groundwork for the Coordinated Domestic Violence Intervention Initiative effort and will be able to influence participation of other community sectors.

The Steering Committee, on which MCLAS is represented, has been involved in the development of the Coordinated Domestic Violence Intervention Initiative and will continue to be actively involved in the project. We support this project because it is an important project with great potential for having a significant impact on domestic violence and the ways in which the community deals with crime and social problems. What is learned from this project should be transferable and transferable to other geographic and social problem areas.

However, without federal funding, there is little likelihood that this project will be able to advance. We appreciate your past efforts in this area and hope that you will support the Coordinated Domestic Violence Intervention Initiative.

Very truly yours,

TERRY ANN ROGERS,
Executive Director.

—
RAPHAEL HOUSE OF PORTLAND,
Portland, OR, January 28, 1993.

Senator MARK HATFIELD,
U.S. Senate, Hart Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by the Oregon Coalition against Domestic and Sexual Violence and other local groups.

There are many important projects being developed in this area which will impact services for domestic violence victims and perpetrators. It is critical that all of these projects and groups work together to make the prevention of domestic violence a priority in this area. The Community Initiative to End Domestic Violence would be a significant factor in coordinating the existing projects and in stimulating other necessary community action.

I am particularly excited about the involvement of Ecumenical Ministries of Oregon in this project and the goal to educate religious leaders about domestic violence. Raphael House is looking forward to working with the Initiative.

Thank you for your continuing interest in and concern for victims of domestic violence.

Sincerely,

MITCHELL JACOVER,
Executive Director.

—
CIRCUIT COURT OF OREGON,
FOURTH JUDICIAL DISTRICT,
Portland, OR, January 26, 1993.

Re Proposed Community Initiative to End Domestic Violence.

HON. MARK O. HATFIELD,
Hart Senate Building,
Washington, DC.

DEAR SENATOR HATFIELD: I join with many others in lending my whole-hearted support for the proposed community initiative to end domestic violence.

I first became interested in this issue a little over five years ago when I was asked by the National Council of Juvenile and Family Court Judges to chair the first of several national projects aimed at improving court and community response to domestic violence. As part of that project, I convene a multidisciplinary group in Multnomah County which has evolved to become the Multnomah

County Family Violence Steering Committee.

It is now time for this community to take the additional step of bringing together organizations and leaders throughout the community to address this problem on a larger scale. The proposed initiative presented to you a month or so ago is well conceived and offers real promise to not only make domestic violence a priority in this community, but to take strong and positive action.

To succeed, this project requires staff and will incur some expense. We sincerely appreciate your efforts in working toward an appropriation to accomplish this goal for the next three years.

If I can be of assistance in any way, please let me know. Best personal regards.

Cordially yours,

STEPHEN B. HERRELL,
Judge.

—
CITY OF PORTLAND, OR,
DEPARTMENT OF PUBLIC UTILITIES,
Portland, OR.

OREGON COALITION AGAINST DOMESTIC AND SEXUAL VIOLENCE,
Portland, OR.

DEAR COALITION MEMBERS: I am writing in enthusiastic support for the proposal which has been developed to submit for a federally funded pilot project on domestic violence intervention strategies for our area. I think it a particularly propitious time for this project to come forward. Locally I hear increasing concerns about the interrelated impacts of violence in the home—impacts felt in our corrections systems, in alcohol/drug problems, in the stability of our children's lives, and in the safety of our schools and neighborhoods.

Although concern about family violence has been with some of us for more than twenty years, the problem has finally come out of the "domestic" and into the public policy sphere. At a recent briefing on the police budget, the topic of family violence came up in several ways. Clearly, we cannot make significant headway on preventive measures until we are willing to deal directly, comprehensively, and resourcefully with relationship violence.

In recognition of the connection between family violence and public safety issues, the City Council allocated resources for shelter beds and program development for the first time this year. Although the amount was small (\$95,000) it was significant given the competition for funding and the impending cuts. The Council based its decision on the local study *From Harassment to Homicide* produced by a local volunteer committee. As I understand the proposal you have developed, the project will build on and extend what we have been struggling to achieve here.

I deeply hope for your success. Please let me know if there is anything I might do to further that possibility.

Sincerely,

GRETCHEN KAFOURY,
Commissioner.

—
MICHAEL D. SCHRUNK,
Portland, OR, February 10, 1993.

Senator MARK O. HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: I'm writing in support of the proposed Community Initiative to End Domestic Violence, which evolved from an Issue Day on Domestic Violence you held in Oregon last fall.

My office has participated in the Multnomah County Family Violence Steering Committee for over 5 years, helping produce the

report "Free Harassment to Homicide" which delineated the great need for collaborative efforts to address this problem. One example of a project that resulted from collaborative efforts is the deferred sentencing program for batters which we implemented in June of 1992. Eligible offenders can now enter a six-month treatment program. While in treatment the offenders are closely supervised by probation officers. Upon successful completion criminal charges are dropped. To set up and operate this program, we worked with domestic violence shelter providers, police, the court, and parole and probation, among others.

The Steering Committee's work demonstrates the success of cooperative models as well as the need to involve all relevant sectors of the community in addressing the tragic problem of domestic violence. The Community Initiative will allow Multnomah County to extend efforts begun by the Steering Committee to the religious, educational, health care and business sectors in a truly innovative approach to the problem. My office is eager to participate in this next important step.

The Community Initiative is a logical next step, but one we cannot take without federal assistance. I appreciate your personal concern and involvement in this community problem.

Very truly yours,

MICHAEL D. SCHRUNK,
District Attorney.

U.S. WEST COMMUNICATIONS, INC.,
Portland, OR, February 2, 1993.

Hon. MARK HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am pleased to learn that you have been in contact with the Oregon Coalition Against Domestic and Sexual Violence for a community initiative to deal with the crisis of spousal and family abuse.

Cooperation of all sectors of the community is necessary to address this complex and far reaching problem. Federal-level leadership could build the environment and direction for local business and civic involvement as well as offset diminishing local funding.

As a company, we are considering how we can most productively join in a leadership role as this project develops.

We at U.S. West recognize the value of addressing these issues in a cooperative undertaking with community-based organizations. For example, domestic violence victim advocates have been active participants in the development of Caller I.D. service for Oregon telephone users.

Please accept my thanks for launching this project.

Sincerely,

MARSHA B. CONGDON,
Vice President and CEO.

MULTNOMAH COUNTY, OR,
DEPARTMENT OF SOCIAL SERVICES,
Portland, OR, January 29, 1993.

Senator MARK HATFIELD,
U.S. Senate, Hart Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by the Oregon Coalition Against Domestic and Sexual Violence and other local groups.

Multnomah County Housing and Community Services Division recognizes the widespread, negative impact that domestic vio-

lence has on our community. We are committed to advocating for the prevention of this violence, and see a coordinated, community initiative as a critical step in ending domestic violence.

The Housing and Community Services Division will support this initiative in whatever way we can and hope to be involved in its implementation. Thank you for your continuing interest in and concern for victims of domestic violence.

Sincerely,

NORM MONROE,
Director.

BRADLEY-ANGLE HOUSE,
Portland, OR, January 28, 1993.

Senator MARK HATFIELD,
U.S. Senate, Hart Building,
Washington, DC.

DEAR SENATOR HATFIELD: I am writing in support of the proposed Community Initiative to End Domestic Violence, a project developed by Oregon Coalition against Domestic and Sexual Violence and other local groups.

Currently, in the Tri-Country area of Oregon, there are important projects being developed which will impact services for domestic violence victims and perpetrators. It is critical that all of these projects and the groups which are developing them communicate and work together to make prevention of domestic violence a priority. The Community Initiative to End Domestic Violence would be a significant factor in coordinating the existing projects and in stimulating other necessary community action.

Bradley-Angle House is currently working with several groups in the community to expand services to domestic violence victims. These groups include: Health Care Professionals, including the Oregon Medical Association, Oregon Nursing Association, staff from Oregon Health Sciences University, to develop protocols for emergency room and medical offices to assess and intervene with domestic violence victims and to develop training materials and workshops to present this information.

Portland Public Schools, through a grant from Department of Health and Human Services, Administration for Children and Families, Family Violence Prevention funds, to develop curricula for elementary, middle and high school students on domestic and dating violence.

Portland Police Bureau, Multnomah County Corrections and District Attorney's office and other criminal justice officials, through the Portland Family Violence Steering Committee.

El Programa Hispana, a Gresham-based, Catholic Community Services program for the Hispanic community, to develop support groups, case management and outreach projects.

I have worked in the field of domestic violence intervention and prevention in several capacities for the last 13 years. During that time, I have seen an increase in the number and severity of assaults. I have also seen many women and men work hard to prevent this violence and to provide safety and support for women who have been assaulted. I believe that only through a coordinated, community-wide commitment to ending domestic violence will this violence eventually decrease.

I and other members of the staff and Board of Bradley-Angle House would be excited and pleased to work with the Community Initiative to End Domestic Violence, when it is

funded. This is an important project, which needs your support.

Sincerely,

CHIQUITA ROLLINS,
Executive Director.

OREGON DEPARTMENT OF
HUMAN RESOURCES,
Portland, OR, February 3, 1993.

Senator MARK O. HATFIELD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: This letter is written to support the proposal for a Community Initiative to End Domestic Violence in Multnomah County. Metro Region, Children's Services Division is supportive of this project because of the plan to involve key sectors of the community in a coordinated effort to address family violence.

Most significant to the Children's Services Division (CSD) is the opportunity to address the correlation between wife abuse and child abuse. Last year in Oregon, 27 children died from abuse and neglect. In almost half the cases, domestic violence was also confirmed and may have occurred in several more. This reflects national studies showing that domestic violence was present in anywhere from 40% to 75% of child abuse cases.

The opportunity for collaboration between child abuse experts and domestic violence experts holds great potential for significantly impacting both problems. CSD eagerly looks forward to participation in the Community Initiative. However, with decreasing state resources, this project cannot be undertaken without assistance from the federal government. We greatly appreciate your efforts to help us address these tragic social problems which affect all Oregonians.

Sincerely,

KAY DEAN TORAN,
Regional Administrator.

COMMUNITY ADVOCATES,
Portland, OR.

I am writing in support of the "Community Initiative to End Domestic Violence." I strongly support the initiatives' goal of making the prevention of domestic violence a priority in our community.

Community Advocates is a Portland area non-profit whose programs work to prevent violence against women and children through community education. Through our violence prevention programs, we know that there is a great need in the community for further education about domestic violence, coordination of services and resource-sharing. I believe that the Community initiative would enable education and much needed collaboration to take place.

The entire community needs to work together to end family violence. Community Advocates would welcome the opportunity to participate with local agencies in this effort. I believe that this initiative has the potential to greatly improve services to battered women and abused children and it will ultimately help us create a community with less family violence. Please don't hesitate to call me if you have any questions.

Sincerely,

BELLE BENNETT,
Executive Director.

By Mr. BRADLEY:

S. 1574. A bill to authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

NEW JERSEY COASTAL HERITAGE TRAIL FUNDING
REAUTHORIZATION ACT OF 1993

● Mr. BRADLEY. Mr. President, I introduce a simple funding reauthorization for the New Jersey Coastal Heritage Trail. This bill brings forth the funding authorization, which was for the first year's efforts, up to date and allows for future needs.

Since 1988, the National Park Service has been working with other Federal agencies, the State of New Jersey, and local officials and citizens. Right now, the Park Service is putting the finishing touches on a series of trails that will link sites of special interest by one of several themes. These trails, which will be identified by maps, road signs, and wayside exhibits, will create a force that will add meaning and vitality to critical landmarks that too often become lost or overlooked.

Mr. President, this effort is a pioneering one to preserve and strengthen key elements of our collective heritage without an intensive Federal role or ownership. This is a new approach and is the first of its kind. It has taken time and resources. But, I feel strongly that the return to the public will more than compensate for the Federal expenditures. I urge the passage of this increased authorization.

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

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

S. 1574

Be it enacted in the Senate and the House of Representatives in the United States of America in Congress assembled, That section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended by striking "\$250,000" and inserting in lieu thereof, "\$2,500,000".

By Ms. MIKULSKI:

S. 1575. A bill to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; to the Committee on Governmental Affairs.

FEDERAL EMPLOYEES CLEAN AIR INCENTIVES
ACT

● Ms. MIKULSKI. Mr. President, I introduce the Federal Employees Clean Air Incentives Act. A companion bill was introduced today in the House of Representatives by Congresswoman ELLEANOR HOLMES NORTON.

This legislation gives Federal agencies the ability to offer public transportation benefits to their employees. It reauthorizes a program which I sponsored in 1990 and which expires December 31, 1993.

I believe it is appropriate for public and private employers to encourage those employees who are able to do so to ride public transportation instead of driving to work. Increased commuting by public transportation reduces wasteful energy use, air and noise pol-

lution, and congestion on our roads and highways.

Private employers can take advantage of a provision in the tax law which allows up to \$60 a month in public transportation benefits to be offered to an employee tax-free. Many Federal employers offer these benefits as well, but they need this reauthorization legislation to continue to do so.

Mr. President, I ask unanimous consent that the text of this legislation appear in the RECORD at the conclusion of my remarks.

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

S. 1575

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

SECTION 1. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the "Federal Employees Clean Air Incentives Act".

(b) PURPOSE.—The purpose of this Act is to improve air quality and to reduce traffic congestion by providing for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles.

SEC. 2. AUTHORITY TO ESTABLISH PROGRAMS.

(a) IN GENERAL.—Chapter 79 of title 5, United States Code, is amended by adding at the end the following:

"§ 7905. Programs to encourage commuting by means other than single-occupancy motor vehicles

"(a) For the purpose of this section—

"(1) the term 'employee' means an employee as defined by section 2105 and a member of a uniformed service;

"(2) the term 'agency' means—

"(A) an Executive agency;

"(B) an entity of the legislative branch; and

"(C) the judicial branch;

"(3) the term 'entity of the legislative branch' means the House of Representatives, the Senate, the Office of the Architect of the Capitol (including the Botanic Garden), the Capitol Police, the Congressional Budget Office, the Copyright Royalty Tribunal, the Government Printing Office, the Library of Congress, and the Office of Technology Assessment; and

"(4) the term 'transit pass' means a transit pass as defined by section 132(f)(5) of the Internal Revenue Code of 1986.

"(b)(1) The head of each agency may establish a program to encourage employees of such agency to use means other than single-occupancy motor vehicles to commute to or from work.

"(2) A program established under this section may involve such options as—

"(A) transit passes (including cash reimbursements therefor, but only if a voucher or similar item which may be exchanged only for a transit pass is not readily available for direct distribution by the agency);

"(B) furnishing space, facilities, or services to bicyclists; and

"(C) any non-monetary incentive which the agency head may otherwise offer under any other provision of law or other authority.

"(c) The functions of an agency head under this section shall—

"(1) with respect to the judicial branch, be carried out by the Director of the Administrative Office of the United States Courts;

"(2) with respect to the House of Representatives, be carried out by the Committee on House Administration of the House of Representatives; and

"(3) with respect to the Senate, be carried out by the Committee on Rules and Administration of the Senate.

"(d) The President shall designate 1 or more agencies which shall—

"(1) prescribe guidelines for programs under this section;

"(2) on request, furnish information or technical advice on the design or operation of any program under this section; and

"(3) submit to the President and the Congress, before January 1, 1995, and at least every 2 years thereafter, a written report on the operation of this section, including, with respect to the period covered by the report—

"(A) the number of agencies offering programs under this section;

"(B) a brief description of each of the various programs;

"(C) the extent of employee participation in, and the costs to the Government associated with, each of the various programs;

"(D) an assessment of any environmental or other benefits realized as a result of programs established under this section; and

"(E) any other matter which may be appropriate."

(b) CHAPTER ANALYSIS.—The analysis for chapter 79 of title 5, United States Code, is amended by adding at the end the following:

"7905. Programs to encourage commuting by means other than single-occupancy motor vehicles."

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on January 1, 1994.●

ADDITIONAL COSPONSORS

S. 327

At the request of Mr. MURKOWSKI, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 327, a bill to amend the Internal Revenue Code of 1986 to permit rollovers into individual retirement accounts of separation pay from the Armed Services.

S. 691

At the request of Mr. MURKOWSKI, the name of the Senator from Tennessee [Mr. MATHEWS] was added as a cosponsor of S. 691, a bill to terminate certain economic sanctions against Vietnam, to provide for less restrictive controls on exports of sensitive technology, material, and data to Vietnam, and to increase access by United States citizens to the territory of Vietnam in order to obtain a fuller accounting of the fate of certain American servicemen from the Vietnam war.

S. 732

At the request of Mr. KENNEDY, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 732, a bill to provide for the immunization of all children in the United States against vaccine-preventable diseases, and for other purposes.

S. 815

At the request of Mr. LIEBERMAN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 815, a bill to amend the

Federal Water Pollution Control Act to provide special funding to States for implementation of national estuary conservation and management plans, and for other purposes.

S. 839

At the request of Mr. HOLLINGS, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 839, a bill to establish a program to facilitate development of high-speed rail transportation in the United States, and for other purposes.

S. 1040

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1040, a bill to support systemic improvement of education and the development of a technologically literate citizenry and internationally competitive work force by establishing a comprehensive system through which appropriate technology-enhanced curriculum, instruction, and administrative support resources and services, that support the national education goals and any national education standards that may be developed, are provided to schools throughout the United States.

S. 1458

At the request of Mrs. KASSEBAUM, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 1458, a bill to amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes.

S. 1478

At the request of Mr. PRYOR, the names of the Senator from Montana [Mr. BURNS] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 1478, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to ensure that pesticide tolerances adequately safeguard the health of infants and children, and for other purposes.

S. 1511

At the request of Mr. DORGAN, the name of the Senator from Ohio [Mr. GLENN] 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.

SENATE JOINT RESOLUTION 98

At the request of Mr. MITCHELL, the names of the Senator from Connecticut [Mr. DODD] and the Senator from Texas [Mrs. HUTCHISON] 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 118

At the request of Mr. LAUTENBERG, the names of the Senator from Arizona

[Mr. DECONCINI], the Senator from West Virginia [Mr. BYRD], the Senator from Ohio [Mr. METZENBAUM], the Senator from Michigan [Mr. RIEGLE], the Senator from Nebraska [Mr. KERREY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Massachusetts [Mr. KERRY], the Senator from Hawaii [Mr. INOUE], the Senator from Idaho [Mr. CRAIG], the Senator from Connecticut [Mr. DODD], the Senator from North Dakota [Mr. CONRAD], the Senator from Alabama [Mr. HEFLIN], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Michigan [Mr. LEVIN], the Senator from Tennessee [Mr. SASSER], the Senator from Utah [Mr. HATCH], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Illinois [Mr. SIMON], the Senator from Pennsylvania [Mr. WOFFORD], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. MOYNIHAN], the Senator from Virginia [Mr. WARNER], the Senator from Nebraska [Mr. EXON], the Senator from Iowa [Mr. GRASSLEY], the Senator from Rhode Island [Mr. PELL], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Oklahoma [Mr. BOREN], were added as cosponsors of Senate Joint Resolution 118, a joint resolution to designate the week of October 17, 1993, through October 23, 1993, as "National Radon Action Week."

SENATE JOINT RESOLUTION 130

At the request of Mr. KEMPTHORNE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Joint Resolution 130, a joint resolution designating October 27, 1993, as "National Unfunded Federal Mandates Day."

SENATE JOINT RESOLUTION 140

At the request of Mr. LAUTENBERG, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Wisconsin [Mr. KOHL], and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of Senate Joint Resolution 140, a joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day."

SENATE CONCURRENT RESOLUTION 35

At the request of Mr. WOFFORD, the names of the Senator from Utah [Mr. HATCH], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Arkansas [Mr. PRYOR], the Senator from Wisconsin [Mr. KOHL], the Senator from Tennessee [Mr. MATHEWS], the Senator from New York [Mr. MOYNIHAN], the Senator from New Jersey [Mr. BRADLEY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Washington [Mr. GORTON], the Senator from Nebraska [Mr. EXON], the Senator from Alabama [Mr. HEFLIN], the Senator from South Dakota [Mr. DASCHLE], the Senator from Maine [Mr. COHEN], the Senator from Oregon [Mr.

PACKWOOD], the Senator from Alabama [Mr. SHELBY], the Senator from Tennessee [Mr. SASSER], the Senator from Texas [Mrs. HUTCHISON], the Senator from Maryland [Mr. SARBANES], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Kentucky [Mr. FORD], the Senator from Hawaii [Mr. INOUE], the Senator from South Dakota [Mr. PRESSLER], the Senator from Illinois [Ms. MOSELEY-BRAUN], were added as cosponsors of Senate Concurrent Resolution 35, a concurrent resolution to express the sense of the Congress with respect to certain regulations of the Occupational Safety and Health Administration.

SENATE RESOLUTION 64

At the request of Mr. LUGAR, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of Senate Resolution 64, a resolution expressing the sense of the Senate that increasing the effective rate of taxation by lowering the estate tax exemption would devastate homeowners, farmers, and small business owners, further hindering the creation of jobs and economic growth.

SENATE RESOLUTION 70

At the request of Mr. DOLE, his name was withdrawn as a cosponsor of Senate Resolution 70, a resolution expressing the sense of the Senate regarding the need for the President to seek the advice and consent of the Senate to the ratification of the United Nations Convention on the Rights to the Child.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT OF 1994BRADLEY (AND SMITH)
AMENDMENT NO. 1070

Mr. BRADLEY (for himself and Mr. SMITH) proposed an amendment 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 34, line 13, strike out "\$785,000,000" and insert in lieu thereof "\$635,000,000".

MCCAIN (AND OTHERS)
AMENDMENT NO. 1071

Mr. MCCAIN (for himself, Mr. BINGAMAN, Mr. NUNN, Mr. THURMOND, and Mr. SMITH) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. No provision of this Act concerning programs, projects, or activities involving community adjustment assistance, research or development at colleges or universities, strategic environmental research, or environmental restoration 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 for a new

program, project, or activity; *Provided*, That it is the policy of Congress that contracts and grants for programs, projects, and activities funded by the Department of Defense should be awarded through merit-based selection procedures.

HELMS (AND BROWN) AMENDMENT NO. 1072

Mr. HELMS (for himself and Mr. BROWN) proposed an amendment to the bill H.R. 3116, *supra*; as follows:

At the end of the committee amendment on page 154, insert the following:

SEC. 8142. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the Armed Forces of the United States to conduct operations in Haiti unless (1) operations of the Armed Forces of the United States in Haiti are specifically authorized in a law enacted in advance of the operations, or (2) the President certifies in writing to Congress that United States citizens in Haiti are in imminent danger and that a temporary deployment of the Armed Forces of the United States into Haiti is necessary in order to protect and evacuate United States citizens in Haiti. In the event of a certification under clause (2) of the preceding sentence, funds referred to in that sentence may be obligated and expended for the Armed Forces of the United States to conduct operations in Haiti only to the extent necessary for the Armed Forces to provide the protection and complete the evacuation certified as necessary.

MITCHELL (AND OTHERS) AMENDMENT NO. 1073

Mr. MITCHELL (for himself, Mr. DOLE, Mr. THURMOND, Mr. SIMPSON, Mr. WARNER, Mr. DOMENICI, Mrs. HUTCHISON, and Mr. D'AMATO) proposed an amendment to the bill H.R. 3116, *supra*; as follows:

At the appropriate place in the bill insert the following:

SEC. . (a) It is the sense of Congress that none of the funds appropriated or otherwise made available by this Act should be available for the purposes of deploying United States Armed Forces to participate in the implementation of a peace settlement in Bosnia-Herzegovina, unless previously authorized by the Congress.

(b) It is the sense of Congress that the limitation set forth in subsection (a) should not preclude missions and operations initiated on or before October 20, 1993, including the provision of any humanitarian assistance by the Department of Defense.

DOLE (AND OTHERS) AMENDMENT NO. 1074

Mr. MITCHELL (for Mr. DOLE for himself, Mr. MITCHELL, Mr. GRAHAM, Mr. SIMPSON, Mr. THURMOND, Mr. WARNER, Mrs. HUTCHISON, Mr. D'AMATO, Mr. MURKOWSKI, Mr. DODD, and Mr. DOMENICI) proposed an amendment to the bill H.R. 3116, *supra*; as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF CONGRESS ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN HAITI.

(a) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) all parties should honor their obligations under the Governors Island Accord of

July 3, 1993 and the New York Pact of July 16, 1993;

(2) the United States has a national interest in preventing uncontrolled emigration from Haiti; and

(3) the United States should remain engaged in Haiti to support national reconciliation and further its interest in preventing uncontrolled emigration.

(b) LIMITATION.—It is the sense of Congress that funds appropriated by this Act should not be obligated or expended for United States military operations in Haiti unless—

(1) authorized in advance by the Congress; or

(2) the temporary deployment of United States Armed Forces into Haiti is necessary in order to protect or evacuate United States citizens from a situation of imminent danger and the President reports as soon as practicable to Congress after the initiation of the temporary deployment, but in no case later than forty-eight hours after the initiation of the temporary deployment; or

(3) the deployment of United States Armed Forces into Haiti is vital to the national security interests of the United States, including but not limited to the protection of American citizens in Haiti, there is not sufficient time to seek and receive congressional authorization, and the President reports as soon as practicable to Congress after the initiation of the deployment, but in no case later than forty-eight hours after the initiation of the deployment; or

(4) the President transmits to the Congress a written report pursuant to subsection (c).

(c) REPORT.—It is the sense of Congress that the limitation in subsection (b) should not apply if the President reports in advance to Congress that the intended deployment of United States Armed Forces into Haiti—

(1) is justified by United States national security interests;

(2) will be undertaken only after necessary steps have been taken to ensure the safety and security of United States Armed Forces, including steps to ensure that United States Armed Forces will not become targets due to the nature of their rules of engagement;

(3) will be undertaken only after an assessment that—

(A) the proposed mission and objectives are most appropriate for the United States Armed Forces rather than civilian personnel or armed forces from other nations, and

(B) that the United States Armed Forces proposed for deployment are necessary and sufficient to accomplish the objectives of the proposed mission;

(4) will be undertaken only after clear objectives for the deployment are established;

(5) will be undertaken only after an exit strategy for ending the deployment has been identified; and

(6) will be undertaken only after the financial costs of the deployment are established.

(d) DEFINITION.—As used in this section, the term "United States military operations in Haiti" means the continued deployment, introduction or reintroduction of United States Armed Forces into the land territory of Haiti, irrespective of whether those Armed Forces are under United States or United Nations command, but does not include activities for the collection of foreign intelligence, activities directly related to the operations of United States diplomatic or other United States Government facilities, or operations to counter emigration from Haiti.

the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold hearings on abuses in Federal student grant programs.

This hearing will take place on Wednesday, October 27, and Thursday, October 28, at 9 a.m. each day, in room 342 of the Dirksen Senate Office Building. For further information, please contact Eleanore Hill of the subcommittee staff at 224-3721.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 20, 1993, at 9:30 a.m. on TV violence and S. 1383, S. 973, and S. 943.

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

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on October 20, 1993, at 2 p.m. on S. 1427, Antarctic Scientific Research, Tourism and Marine Research Act.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WOFFORD. 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 Wednesday, October 20, beginning at 2 p.m., to hear—Mary Dolores Nichols, nominated by the President to be Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; and Jonathan Z. Cannon, nominated by the President to be Assistant Administrator for the Office of Administration and Resources Management and Chief Financial Officer, Environmental Protection Agency.

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

COMMITTEE ON FINANCE

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to consider legislation authorizing the fiscal year 1994 and 1995 budget for the U.S. Customs Service, and to consider recommendations for legislation to implement the North American Free-Trade Agreement.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized

NOTICES OF HEARINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. NUNN. Mr. President, I would like to announce for the information of

to meet during the session of the Senate on Wednesday, October 20, 1993, at 3:30 p.m. to hold nomination hearings on Larry Byrne, to be Associate Administrator for Finance and Administration of AID; and Jennifer Hillman, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Wednesday, October 20, 1993, at 10 a.m. to hold a hearing on Somalia, the United States, and U.N. peacekeeping.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, October 20, 1993, beginning at 9:30 a.m., in 485 Russell Senate Office Building on self-governance.

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

COMMITTEE ON JUDICIARY

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, October 20, 1993 to hold a hearing on the nominations of Martha Craig Daughtrey to be U.S. Circuit Judge for the Sixth Circuit, Thomas M. Shanahan to be U.S. District Judge for the District of Nebraska, and Lawrence L. Piersol to be U.S. District Judge for the District of South Dakota.

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

COMMITTEE ON THE JUDICIARY

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, October 20, 1993, at 9:30 a.m. to hold a hearing on interim national drug control strategy: "breaking the cycle of drug abuse."

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet on October 20, 1993, at 9:30 a.m., for an executive session to consider the Disadvantaged Minority Health Improvement Act of 1993; S. 1523, Stewart B. McKinney Homeless Assistance Reauthorization Act of 1993; and the nominations of William B. Gould IV to be Chairman of the National Labor Relations Board; Martin John Manley to be Assistant Secretary for the Office of the American Workplace at the Department of Labor; and

John Calhoun Wells to be Federal Mediation and Conciliation Director.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the nomination of Diane Frankel to be Director of the Institute for Museum Services, during the session of the Senate on Tuesday, October 20, 1993, at 2:30 p.m.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Health Alliances: Building a Structure for the Health Security Act, during the session of the Senate on Tuesday, October 20, 1993, at 10 a.m.

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

ADDITIONAL STATEMENTS

IF THE U.S. PUBLIC KNEW ABOUT ITS PRISONS

• Mr. SIMON. Mr. President, one of the most ridiculous and wasteful policies we have is to try to stop all crime simply by putting people in prison.

People who are violent should be in prison. Others who commit nonviolent crimes probably should have short stays in prison and then be compelled to do some type of work that benefits society, such as working in a home for the homeless.

But for us to have by far the highest ratio of prisoners per 100,000 people of any nation in the world, simply has been a flawed policy, and the statistics show it.

For some reason, it remains politically popular to do so.

Recently, I was pleased to read a column in the National Catholic Reporter by Father Robert F. Drinan, with whom I had the privilege of serving in the House.

He calls for some common sense in our prison policies.

I ask to insert the Drinan column into the RECORD at this point.

The column follows:

IF THE U.S. PUBLIC KNEW ABOUT ITS PRISONS
(By Robert F. Drinan)

Of all the developments in 12 years of Reagan and Bush, one of the least known is the astonishing increase of people in prison. The number of federal prisoners more than tripled, from 24,500 to 80,259. The total number of prisoners grew from 329,821 in 1980 to 883,593 in 1992—an increase of 167.9 percent.

The upward trend has not leveled off despite mounting criticism. In 1992, federal prisoners increased by 8,651, while there were 50,809 additional state prisoners. This trans-

lates into a need for 1,143 new prison beds each week. In 1990, more people were admitted to prisons for drug offenses than for property crimes.

All these factors make melancholy reading in a recent study by the U.S. Advisory Commission on Intergovernmental Relations.

Among the reasons for this increase is the abolition of parole by the federal government and several states, and the enactment of more laws requiring a mandatory sentence. There are now almost 100 federal laws whose violation requires a mandatory jail sentence.

Another reason is the increase in the number of federal prosecutors in the Reagan years.

Federal officials, moreover, in the 1980s concentrated on catching street criminals and putting drug users in prison. Although the framers of the Constitution and the conservative tradition in America never contemplated the federal government getting into local and neighborhood crime, the White House in the 1980s introduced that new and dangerous direction in law enforcement.

The United States with a ratio of 455 prisoners per 100,000 inhabitants and almost 1 million persons behind bars, can claim the distinction of being the world leader in both categories. In 40 states and the District of Columbia, courts have ruled that jail conditions violate federal or state constitutions.

Women have a particularly difficult time in prison. The numbers, now 6 percent of the total, have since 1980 been growing at a greater rate than men. New York is the only state that allows women to keep their babies with them in jail.

A 303-page book, *Global Report on Prisons*, recently published by the Human Rights Watch, reveals the grim conditions in prisons around the world. Prisoners are often treated in inhuman and degrading ways. Prisons usually fall below the level of decency required by the U.N. standard minimum rules for the treatment of prisoners. The report also finds that "pretrial inmates are generally confined in far worse conditions than those endured by prisoners convicted of the most heinous crimes."

It is obvious that appropriate treatment for serious crime has never been an easy question. But the simplistic solutions of the past decade have not brought about a decrease in crime nor have they diminished the drug problem on which the federal government alone spends \$11 billion each year.

Attorney General Janet Reno is beginning to urge a substantial change in the nation's programs and priorities on law enforcement. Although she was a prosecutor in Florida for 15 years, she sees the counterproductive effects of the draconian measures adopted in the past dozen years.

The most effective way to punish and deter crime is to educate and motivate those persons convicted of crime so they will abandon their evil ways. A big problem is the number of recidivists. The traditional objectives of imprisonment are deterrence, punishment and rehabilitation. There is little evidence that rehabilitation is being substantially achieved in today's prisons.

It is lamentable that religious groups are seldom involved in helping prisoners. Most jails have a chaplain, but support groups from local communities are discouraged. Indeed, prisons are kept largely invisible. Human Rights Watch makes one of its top recommendations a "general call to open the prisons to the public in every way possible."

If the public knew of the vast billions being spent on prisons and saw the meager

results, they would demand a thorough reexamination of imprisonment.

Dostoyevski once wrote that the morality of a civilization can be judged by the way it treats its prisoners. On that basis the United States has a long way to go.●

HONORING THREE NEW YORK HIGH SCHOOL STUDENTS, AND THEIR TEACHERS, WHO WERE AMONG 20 NATIONAL WINNERS OF NASA'S 13TH ANNUAL SPACE SCIENCE STUDENT INVOLVEMENT PROGRAM [SSIP] COMPETITION

● Mr. D'AMATO. Mr. President, I rise today to honor three fine young New Yorkers who were among the 20 national winners of NASA's 13th annual Space Science Student Involvement Program [SSIP] competition. The three students, along with their respective teachers, were honored here in Washington at the National Space Science Symposium, October 2-6.

The competition, which is cosponsored by NASA and the National Science Teachers Association, involves thousands of students annually. SSIP engages students with various academic strengths in a broad spectrum of competitions. Elementary, junior high, and high school students compete for all-expense-paid trips to NASA centers, 1-week internships, space camp scholarships, medals, ribbons, certificates, and other forms of national recognition, utilizing an impressive array of skills in mathematics, science, technology, art and creative writing.

Philip Chang, a resident of Brooklyn, and a junior at the Bronx High School of Science, was a national winner for his work entitled, "The Application of Neural Networks to Radiation Problems." Philip was accompanied by his teacher, Mitchell Fox.

Jeffrey D. Stanaway, a resident of Yorktown, and a junior at Lakeland High School in Shrub Oak, was a national winner for his project, which tested a wing design with enhanced maneuverability as a result of its being able to alter its profile during flight. Jeffrey was accompanied by his teacher, George Naumann.

Ryan E. Sours, a resident of Manlius, and a junior at Fayetteville-Manlius High School in Manlius, was a national semifinalist for his project entitled, "The Search for Gravity Waves." Ryan was accompanied by his teacher, Martin Alderman.

I would like to offer the highest commendation to these three fine young men. Their valuable work, and the recognition they have received, should serve as an inspiration to all of us. I am sure all New Yorkers join me in tipping our hats to these three winners.●

HURDLE TO PEACE: PARTING THE MIDEAST'S WATERS

● Mr. SIMON. Mr. President, recently, the New York Times had a front-page

story about water being an important factor for the future of the Middle East, and a few weeks prior to that, they had an interview with King Hussein, who said that if Israel and Jordan ended up in conflict, it would likely be over water.

Recently, the Jerusalem Report, a weekly magazine out of Israel, had a full-page ad titled, "Needed: Water on the Border."

The reality is that we have to move soon to escalate our research so that we find less expensive ways of converting salt water to fresh water. That is vital in the Middle East, it is vital in parts of Africa and South America.

It is important to the future of California, Florida, and other States.

The reality is the world population is growing and our water supply is not growing.

And yet, we find that except for drinking water, the two-thirds of the world surface covered by water is unusable.

We simply have to make a breakthrough.

I am pleased to have legislation pending that is cosponsored by Senators MOYNIHAN, BRADLEY, JEFFORDS, BRYAN, REID, SHELBY, LIEBERMAN, and ROBB.

I hope we can move soon on this and creatively use the brains of this country and of other countries to solve an extremely significant problem.

I ask to insert into the RECORD the New York Times story titled, "Hurdle to Peace: Parting the Mideast's Waters" written by Alan Cowell and the advertisement that appeared in the Jerusalem Report.

The articles follow:

[From the New York Times, Oct. 10, 1993]

HURDLE TO PEACE: PARTING THE MIDEAST'S WATERS

(By Alan Cowell)

KUTAYFA, JORDAN.—Beyond all the hopeful talk of peace in the Middle East, a battle is shaping over an issue as powerful as land, as basic as oil: the region is running out of water, and no one, Israeli or Arab, is prepared to do with less so others can have more.

In a region where barren deserts and cloudless skies make water life's most precious commodity, the dispute may prove even more complicated than the brave new steps promised by Israel and the Palestine Liberation Organization.

"At present it's a zero-sum game," Munther Haddadin, Jordan's chief negotiator on water rights, said in an interview in Amman. "What is taken by Israel is taken away from other people. And what is taken by other people is taken from Israel."

Since the Middle East peace talks began in 1991, regional discussions on water rights have proved frustrating and inconclusive. But the issue is gaining urgency as the agreement on Palestinian self-rule prompts Jordan, Syria and Lebanon to seek separate accommodations with Israel.

"We say, you will not take water from us," said the Israeli negotiator on water, Avraham Katz-Oz, who spars with Mr. Haddadin in the regional water talks that

are supposed to accompany progress toward a comprehensive Middle East peace. "But we are ready to work with you because water is money. We don't say, no, you will not get water. We say, yes, we can work together."

As might be expected in a region steeped in hostility and mistrust, the dispute is viewed through utterly different prisms.

What Arabs depict as Israel's disproportionate use—even theft—of water, Israelis portray as the result of foresight, technological advances like computerized irrigation and good management in securing and exploiting supplies.

And what some Arabs prefer to cast as a straight fight between them and Israel over water rights, Israelis and some foreign experts depict as a situation in which Arab has taken from Arab, where offers of regional cooperation have been spurned and even basic estimates of who gets what now are as deceptive as the starting price set by a rug-seller in a bazaar.

Whatever their differences, there is a profoundly held view, particularly in arid Jordan, that water sharing will be central to any peace deal beyond the accord signed in September by Israel and the P.L.O.

"If there's no agreement on water, there'll be no peace settlement," said Dr. Elias Salameh, a hydrologist at Jordan University in Amman. "Unless we come to terms on the redistribution of water, nothing will happen."

The reasons for worry are clear. The Israeli and Arab populations have expanded, but water resources have not.

In Jordan, Israel and the Israeli-occupied West Bank and Gaza Strip, rivers and aquifers have been so heavily tapped that some have been exhausted or spoiled. The desert horizons offer neither the prospect of more generous rain nor the terrain to utilize the rain that does fall.

When generous rains do come, as they did in 1991-92, they may offer only temporary respite because storage sites are limited and some aquifers are already brackish.

From the Arabs' point of view, the issue resembles their demand for territory in return for peace. To feed Tel Aviv and the Negev region, Israel consumes more than twice Jordan's supply from the same rivers—the Jordan and the Yarmuk—though the population of Israel outstrips its neighbor by only about one-third.

Under Israel's rationing system, according to Jordanian figures, each Israeli is entitled to almost four times as much water as a Palestinian on the West Bank—even though rain gathers in aquifers beneath the West Bank. Israel also controls water that rises in the Golan Heights, captured from Syria in 1967.

Though it acknowledges some disparities, Israel resents the suggestion that it is a water thief, arguing that its investment in water-management over the decades has totaled some \$30 billion, only to be challenged by interpretations of who is entitled to what.

"There is no reason for Palestinians to claim that just because they sit on lands, they have the rights to that water," Mr. Katz-Oz said. "The mountains do not own the water that fall on them. It's the same with Canada and the United States. It's the same all over the world."

But the pressure for concessions is growing. An agenda that was formally initiated by Jordan and Israel on Sept. 15 specifically identifies water rights as an issue that must be resolved in negotiations before a comprehensive peace treaty for the region can be reached.

THE VIEW FROM JORDAN: LACK OF WATER, RISKS
IN FARMING

In this farming area 20 miles southeast of Amman, where crops are coaxed from stubby land, Princess Nafaa Ali, has come to accept that neither wealth nor technology can produce water if there is none.

A member of Jordan's royal household who farms family holdings on a bald hillside, she sank a well two years ago to irrigate fields of barley to feed her sheep and garlic to send to market. Without the well, she said, there is no guessing how the spring rains might treat her crop. She has experienced everything from drought to flash floods that turn the dry stream-beds, or wadis, to sudden torrents.

Even with the well, whose waters are too steeped in iron for humans to drink, there is no guarantee how long the aquifer it taps will survive to feed the long, black lines that stretch across her fields to provide drip-irrigation to the seeds.

"It's still a gamble," she said.

Indeed, for the country as a whole, farming is a gamble with virtual no-win odds.

"The Jordanians have tapped most of the water in the country," a Western specialist said. "They have tapped the aquifers so that they are depleted or contaminated by over-pumping. The demand exceeds the known resources."

Dr. Salameh, the hydrologist at Jordan University, agrees.

"We are now living in a water crisis," he said in an interview in Amman, whose summer water supply is rationed to two days of pumping a week and is stored in tanks atop many homes. "It's not yet a catastrophe, but by the year 2010, we'll end up having nothing."

HISTORY OF THE DISPUTE: POPULATION GROWTH,
AND A NEW ENTITY

For centuries, water has set the rhythms of life in the Middle East, from the odysseys between oases of lean desert tribes to the lassitude of the Nile Valley. In this century, water has spawned tension as much as it has sustained life, as tribes and empires drew lines in the sand to mark the frontiers of modern statehood.

Nowhere is the struggle more evident than in the tiny triangle of land below the Sea of Galilee, where the Yarmuk and Jordan Rivers meet.

The natural expansion of populations had already strained those water resources. Then came an influx of hundreds of thousands of Soviet Jews into Israel beginning in the late 1980's. And in 1990-91, some 300,000 Palestinians arrived in Jordan after they fled or were expelled from Kuwait and other gulf states because of the P.L.O.'s support for Iraq in the Persian Gulf war.

"The population of Jordan increased at once by 12 percent," Dr. Salameh said, "and that's not easy to accommodate."

The demographics of war and peace now threaten to strain resources further. With talk of a new Palestinian authority rising in the occupied West Bank, after Israel's peace with the P.L.O., there will be another claimant to the same waters, seeking an increased share for economic and agricultural growth and for a population likely to be swollen beyond its current one million as refugees return home.

Even now, said Dr. Haddadin, the Jordanian negotiator on water rights, Israel provides its own population of about five million with nearly 400 cubic meters of water per person per year. But in the West Bank, he said, the water supply now amounts to about 115 cubic meters per person per year.

"Why should anyone entertain a disparity of that magnitude?" he asked. "There has been a unilateral usage by Israel of the entire flow of the Jordan River."

A new Palestine authority would almost certainly demand the right to tap more deeply into the aquifers of the West Bank to promote its agricultural potential than Israel now allows the Palestinians to do. The Palestinians, possibly in tandem with Jordan, would also urge Israel to release more water into the Jordan River from the Sea of Galilee, which Israel uses as its main water reservoir.

At the same time, water is running out for the 800,000 Palestinians of the barren Gaza Strip, which has been linked with the West Bank town of Jericho as the embryo of a future Palestinian government. Arab specialists say because the aquifers beneath Gaza, which are sapped by the burgeoning population above, have been contaminated with salt water from the Mediterranean.

Israeli control over water is also a crucial issue for Syria because one of the three main streams of the Jordan River—the Bajias—rises in the Golan Heights, annexed by Israel in 1981.

THE SOURCES: PRESSURE EXERTED FROM ALL
SIDES

Just a glance at the region's water sources suggests the complexity of the struggles to come.

Israel taps the Jordan River, the Sea of Galilee and the Yarmuk River to pump supplies to Tel Aviv through the National Water Carrier, a system of pipelines. It also draws on rain-fed aquifers that run beneath the West Bank toward the Mediterranean. Supplies to the West Bank are limited by regulations covering the depth and use of Arab wells.

Syria has access to the Euphrates in the north and to the Yarmuk in the south where it has built dams that divert water from Jordan and Israel farther downstream.

For its agriculture in the Jordan Valley, Jordan depends on water from the Yarmuk, which it pumps into the East Ghor irrigation canal; on rain-fed aquifers further east, and on the small Zerga river, the only river that rises on its territory. Farmers in southern Jordan have stirred controversy by tapping nonrenewable fossil water lying under the border with Saudi Arabia, and the Saudis have drawn criticism for exploiting the same resource.

PLANS, PAST AND PRESENT: PROPOSED QUOTAS;
WINNERS AND LOSERS

A tentative plan for sharing water was first negotiated by the parties in 1953, when Eric Johnston, an envoy of President Eisenhower, visited the Middle East to broker an accord on the division of the Yarmuk and Jordan Rivers. The plan never went into effect because, the Jordanians said, the Arab League rejected it after a technical committee from the region's riparian countries accepted it.

The quotas proposed in the plan, however, serve as a yardstick for what has happened over the last four decades. According to the Jordanian study, both Syria and Israel have vastly increased the amount of water they take from rivers to which they have access.

According to a study published recently by Jordan's Royal Society for the Conservation of Nature, the Johnston plan allocated Israel 375 million cubic meters of water per year from the Jordan River and 25 million cubic meters from the Yarmuk. Israel now takes 650 million from the Jordan and 100 million from the Yarmuk, the study says.

The Jordanians were allotted 100 million cubic meters from the Jordan River and access to a flow of 377 million cubic meters from the Yarmuk.

Today, the study said, Jordan takes only about 100 to 110 million cubic meters from the Yarmuk and none from the Jordan River. Jordanian specialists attribute that limit primarily to the water's being contaminated by saline spring water pumped downstream from the Sea of Galilee by the Israelis.

Syria was allotted 42 million cubic meters from the upper Jordan River and 90 million from the Yarmuk. Today it takes twice its proposed share from the Yarmuk but none from the upper Jordan because of Israel's annexation of the Golan Heights. The Jordan rises in three main springs in the Golan, Lebanon and Israel.

"Jordan is the major loser and Israel is the major winner," the Jordanian report concludes.

There has been much talk in recent years of ambitious projects to pump water into the area from Turkey or Iraq. And Israel, which has access to the Mediterranean and is expanding its use of desalting, has suggested joint investment in desalting projects with Jordan to meet both countries' needs.

Wealthy gulf nations like Kuwait and Saudi Arabia already rely heavily on oil-powered desalting plants, which use a complex distillation process to turn seawater into drinking water.

Many experts say the desalting technology is still too expensive for countries like Jordan. A domestic consumer in Jordan would have to pay \$3 to \$5 for every cubic meter (about 264 gallons) of drinking water that is desalted, specialists there estimate.

Some experts argue that water supplies in the region could simply be used more efficiently. Jordan, for instance, could use its Yarmuk supply first for drinking water rather than for irrigation, and then recycle urban wastewater to keep the crops growing, as Israel does.

Israeli representatives assert meanwhile that the debate over water has been skewed by the Arabs' emphasis on disparities in consumption.

A person living in a high-rise apartment building in Tel Aviv with a sink, dishwasher, washing machine and toilet is likely to use a lot more water than someone in a Palestinian refugee camp where such amenities are minimal.

"I'm not saying that's good," said Mr. Katz-Oz, the Israeli negotiator. But that disparity, he said, is "a socioeconomic problem—it's not a water problem."

NEEDED: WATER ON THE BORDER

"In the Middle East, a reservoir is a precious resource," commented Caroline Krume, an American-born member of Kibbutz Neve Ur, located on Israel's border with Jordan. "However, to Israelis who depend on shared water sources with Arab countries, a reservoir also means survival," she asserts.

Ms. Krume is referring to the Neve Ur Reservoir, currently being built by the Jewish National Fund as an alternative water source to the Jordan River. Survival along the border depends on a reliable water supply. So when the region's supply came under constant threat, the Israeli government turned to the JNF.

Availability of water has always been a central problem for Israel, which is subject to seasonal rainfall as well as uneven distribution of that rainwater and periodic droughts. For years, the JNF has been finding solutions to Israel's water availability and conservation problems.

In the North, JNF built the reservoirs to meet the irrigation needs of 15 farming communities. In the South, JNF built storage dams to retain water from the winter rains and prevent them from causing flash floods that erode the soil and lose water to the sea. JNF is also involved in research to develop additional water sources and explore the better utilization of available sources.

JNF's work has become even more urgent in light of the current peace talks. Of all the countries in the Middle East, Israel and Jordan, which both rely on water from the Jordan River, have the most severe water problems. JNF is therefore building dams and reservoirs around the country, enabling Israel to capture and store run-off water and create reliable water sources.

Today, JNF is focusing on the communities along the borders of Israel, which critically need reservoirs. For over 40 years, Kibbutz Neve Ur has lived less than one mile from the border of Jordan, dependent on the water it receives from the Jordan River. Originally founded by a group of Iraqi immigrants, the current population is 420, including 165 children. Neve Ur absorbed nine Russian immigrant families in 1990.

Relying on the water from the Jordan River, the kibbutz has had constant disputes with Jordan over the water supply. In addition, it has had to contend with a decreased water supply from the river in the summer and destructive floods in the winter.

To alleviate this life-threatening situation, the JNF has started the construction of the Neve Ur Reservoir to ensure the water for Kibbutz Neve Ur and the entire Beit She'an Valley, south of the Sea of Galilee. Besides providing an alternative to the water supplied by the Jordan River, the Neve Ur Reservoir will alleviate the strain on Israel's National Water Carrier.

The reservoir will also aid the economy of Kibbutz Neve Ur, which is dependent on water. The fields of the kibbutz produce alfalfa crops, grapefruit, mangoes and dates. Kibbutz members also run a fish farm, raise cattle, and plan to establish recreational facilities around the new reservoir. These activities provide jobs and ensure the stability of communities in the Beit She'an Valley.

The reservoir, including service areas and ponds, will comprise 85 acres. Holding 800,000 cubic meters of water, it will allow 500,000 cubic meters for irrigation and the balance for fish farming. The projected investment in the Neve Ur project is 5 million dollars.

JNF regions around the United States have started campaigns to promote this crucial project. In partnership with its supporters, JNF of America plans to give the people in Kibbutz Neve Ur and the Beit She'an Valley the water they so desperately need.●

DOMESTIC ASSAULT AWARENESS MONTH

● Mr. RIEGLE. Mr. President, despite the profound gains American women have made toward equality in our society, violence against women is still a critical problem. Sadly, some Americans still believe that this type of violence is rare, and that when it does occur a woman is asking for it, and can easily leave if she wants to. Unfortunately, statistics show that domestic violence is shockingly common, affecting women in every social and economic strata.

An estimated 3 to 4 million American women are battered each year by their

husbands or partners. More than 1 million abused women seek medical help for battery injuries each year.

The FBI estimates that a woman is battered every 15 seconds in the United States.

Battery is the single major cause of women's injuries that require medical treatment—more prevalent than rape, muggings, and auto accidents combined.

Twenty percent of women seen in emergency rooms are victims of battery.

Thirty percent of female homicide victims are killed by their husbands or boyfriends.

Once violence begins in a relationship, it frequently escalates over time—trapping its victims through a pattern of terrorism. Sixty percent of battered women are beaten while pregnant. Many assaults last for hours. Many are planned. Clearly, society has underestimated and ignored this epidemic for too long. A comprehensive approach to dealing with domestic violence is critically needed.

Many people do not understand why it is so difficult for battered women to just pack up and go somewhere else. Every woman considering leaving her abusive partner must face the real possibility of further injury or even death. Oftentimes, the assailants have deliberately isolated their partners, depriving them of careers, educational opportunities, and job skill improvement. This isolation, combined with unequal job opportunities for women and the lack of affordable child care, can make it financially impossible for a battered woman to leave a violent relationship.

While many women do leave their abusers permanently, often it is not without extreme difficulty and danger. According to experts in this field, when a woman tries to leave a violent relationship, the perpetrator dramatically escalates his violence in order to reassert control and ownership. It is at this point that legal protection and institutional support are most ineffective—unfortunately, our communities and legal system are not adequately equipped to assist and protect battered women. In the past, police were reluctant to pursue to domestic assault cases, perceiving these situations as private matters. Even today, they are oftentimes only able to separate the couple temporarily, leaving the woman vulnerable to future violence.

Because of the current shortcomings within our legal system, some battered women have resorted to killing their abusers in self-defense. Usually, these women have tried repeatedly and unsuccessfully to obtain police protection from their abusers. A Police Foundation study in Detroit and Kansas City found that in 85 to 90 percent of partner homicides, police had been called to the home at least once during the 2 years preceding the incident; in more

than half of these cases they had been called five times or more. Without critically needed improvements in legal and community support, women will continue to be condemned to choose between victimization or imprisonment.

These are just some of the compelling reasons why I believe that Federal legislation must be passed to help victims and survivors of domestic violence. I am proud to be a cosponsor of the Violence Against Women Act (S. 11). This legislation, currently awaiting floor action, takes the following actions:

Authorizes funds for law enforcement and increased lighting in areas where women are most endangered;

Helps ensure women's safety on college campuses;

Extends civil rights protection to victims of gender-motivated crimes;

Establishes programs to educate judges and prosecutors on battered women syndrome;

Improves enforcement of protective orders for battered women; and

Increases funding for shelters.

It is crucial that the Violence Against Women Act becomes law this year. It is the least that our country can do to help women who suffer or who have suffered from domestic violence. For too many years, our idea of crime has allowed us to ignore the growing epidemic of violence against women. Congress must take a leadership role in changing this pattern.

Through the Violence Against Women Act, attention will be focused on this critical issue, and solutions will be provided that work toward aiding the survivors, increasing police and prosecutor responses, and breaking stereotypes which portray violence against women as less serious than other violent crimes. These measures are urgently needed, and are the necessary first steps toward eradicating violence against women in our culture, on our streets, and in our homes.●

NO PLACE TO RUN, NO PLACE TO HIDE

● Mr. SIMON. Mr. President, earlier this month the Chicago Tribune ran an editorial entitled, "No Place To Run, No Place To Hide." With this editorial, the Tribune continues to provide news coverage, focus, and leadership, as it has through its series, "Killing Our Children," in the area of violence against and among children.

The editorial begins by describing the deaths of several Illinois students—students who have met violent deaths in the suburbs, in small towns, in rural Illinois. The editorial asks, "How far from the city do you think you could move to make sure your family is safe from gun violence?" The reality is that there is no place immune to gun related violence any more. A Lou Harris

poll, commissioned earlier this year by the Chicago-based Joyce Foundation, found that a large majority of American teenagers believe they can get a gun whenever they want one. A even larger group said they feel endangered by guns in and around their schools and communities.

Illinois and the city of Chicago are attempting to come to grips with the escalation of gun related violence. Two bills are currently pending before the Illinois general assembly, bills that pattern efforts here in Congress. One would ban assault weapons in the State. The other addresses an issue I have been involved with—licensing of gun dealers. The city of Chicago has recently shut down a number of gun dealers because they failed to comply with local ordinances.

These kinds of reasonable efforts to stop gun related violence are going on across the country. I only hope Congress will follow the lead of many local and State governments. I urge my colleagues to read the editorial from the Tribune and ask that it be printed in full in the RECORD.

The editorial follows:

[From the Chicago Tribune, Oct. 4, 1993]

NO PLACE TO RUN, NO PLACE TO HIDE

How far from the city do you think you could move to make sure your family is safe from gun violence?

How about Du Page County, one of the nation's richest? How about sending your child to Hinsdale South High School, one of the state's finest?

Barrett Modisette, the student mascot of the Hinsdale South Hornets, was shot to death as he left a football game in Downers Grove. A fellow student is charged with shooting Modisette in the head with a .25-caliber semiautomatic handgun.

So that's not far enough. Perhaps you'd better go farther afield—say, to Plainfield. It's a booming community at the outer reaches of the metropolitan area, where new housing is ringed by cornfields.

Chris Pesavento was a star football player for Plainfield High School, headed for college on a scholarship. Now he is paralyzed, the result of a bullet from a .45-caliber semiautomatic handgun. Four local teens are charged in his shooting, which originated in a quarrel that didn't involve Pesavento.

No, there is no running away. Maybe you should get your own gun to protect your family.

Shannon Herrod took her mother's revolver from home to fend off some local bullies. When the 10-year-old Chicago girl pulled her gun on the boys, one of them pulled a gun in turn and she ran home. Shannon and her 14-year-old best friend turned to playing with the weapon; the game ended with Shannon dead.

In a nation with almost as many firearms as people, there is no place distant from guns and there are few kids who can't get their hands on one. To many adolescents, a handgun seems an increasingly tempting, easy way to gain the upper hand.

Modisette and Pesavento had expected the squabbles that ended in their shootings to be settled by fistfights. But fists and words are no longer the weapons of choice in adolescent duels. Not when a gun is so easy to come by—at home, from a friend, from a dealer with a trunkful to sell to any taker.

Federal, nationwide legislation to stem the avalanche of handguns and assault weapons holds the best promise of effective action. Congress, tragically, is still to cowed to take such a step. But public sentiment is growing for meaningful gun control, and those on Capitol Hill need to see and hear countervailing influences to the unduly powerful gun lobby.

In this regard, state action can play a valuable role. And if state measures are crafted pointedly, they hold the promise of making some dents in the gun trade, saving at least some lives—each one precious.

To this end, Illinois handgun safety and control advocates have fashioned a package of proposals to state legislators. Two that hold the most promise are a statewide ban on assault weaponry—similar to laws already passed by other states—and a measure to force licensed gun dealers to operate in the open.

An assault weapons ban—federal or state—should need no lengthy explanation. The firepower of these mini-machine guns makes them awesome instruments for killing and crippling people and offers no genuine sport to the serious hunter.

A less publicized problem is the ridiculous ease of getting a license to sell guns and the lack of limits that follow. For \$30, almost anyone can get a three-year federal firearms dealer license. More than 286,000 people hold licenses—nearly 11,000 in Illinois. Only about 7 percent sell from established stores; the rest deal from homes, offices, cars and street corners.

About 60 percent of the guns used in crimes in Illinois were bought legally in this state, according to the Federal Bureau of Alcohol, Tobacco and Firearms; 30 percent came from out of state, and only 10 percent were obtained by theft.

A proposal from the Illinois Council Against Handgun Violence would require gun sellers to operate from fixed store sites. This is a reasonable requirement that would help force gun dealing out into the public eye and provide penalties against those who peddle weapons on the sly.

The council also makes a good argument for a purchase tax—15 percent on handguns, 5 percent on long guns—that would go to compensate society somewhat for the costs of the predictable misuse of weapons.

Another citizens group, Handgun Control Inc., seeks a state law that would make adults responsible for securing weapons they own. Households with children under age 14 would have to store guns in a locked box, keep triggers locked or store weapons in a spot that a "reasonable person" would deem secure.

Opponents argue that present laws already provide punishment for adults who are lax in protecting children from harm. But punishment is not the real goal here. The aim is public education, in the way seatbelt and child-restraint laws carry the message on those basic precautions. A gun-safety bill coupled with a public campaign would have positive effect.

In a survey this year sponsored by the Joyce Foundation, a large majority of U.S. teens said they can get a gun when they want one; an even larger number said they feel endangered by guns.

It's something that we didn't think would ever happen in this area. Now it's always in the back of your mind," said Doug Sutor, dean of students at Sandburg High School in Orland Park.

A Hinsdale South mother said after Barrett Modisette's death: "It just was so

frightening that something hit so close to home. . . . The outside forces that we didn't think would enter our little world did."

This whole nation is one little world, interwoven and interlocked. None of us is out of firing range.●

UNDERGROUND RAILROAD DEDICATION IN BATTLE CREEK

● Mr. RIEGLE. Mr. President, I rise today in honor of the underground railroad dedication celebration taking place on October 24, 1993, in Battle Creek, MI.

The underground railroad was an illegal network of hiding places used in moving escaped slaves from the South into the North to safety and freedom. It is estimated that somewhere between 40,000 and 100,000 escaped slavery through this network. Hiding places were located about a day's journey apart. Peoples' homes, basements, barns, attics, and cellars were used as places of refuge for those who sought their freedom.

There were at least six underground railroad routes that crossed through southwestern Michigan. Battle Creek, MI, became a major hub in the underground railroad network as part of the Quaker, Chicago, and Michigan central routes to Canada. The stationmaster in Battle Creek was Erastus Hussey, a Quaker and abolitionist. With the help of his wife, Sarah, and daughter, Susan, Erastus Hussey helped transport over 1,000 fugitives to safety. It was through the strength and courage of individuals like the Husseys that hiding slaves seeking freedom were able to find food and shelter.

As a dedication to this strong commitment to human rights, a sculpture was commissioned to pay tribute to the slaves who sought freedom in the North as well as those who helped them in their escape. The sculpture to be dedicated this weekend is the largest sculpture in the Nation commemorating the underground railroad. This silicone bronze sculpture, which stands 14 feet high and is 28 feet long, was created by Ed Dwight, an African-American sculpture from Denver. It brings to life the story of an African-American family seeking safety in a hideout, and the people who courageously helped them to safety.

This new sculpture is not only a monument to those involved in the underground railroad network, but is also represents an ongoing effort in Battle Creek, MI, to the goal of guaranteeing human rights for everyone. Mr. President, I would like to commend all of those involved in this important project, and thank them for their efforts to commemorate this important part of our country's history.●

HONORING THE 120TH ANNIVERSARY OF THE POLISH ROMAN CATHOLIC UNION OF AMERICA

• Mr. RIEGLE. Mr. President, on the occasion of the 120th anniversary of the Polish Roman Catholic Union of America [PRCUA], I extend my warmest regards to its membership and salute its ambitious achievements during the 20th century.

Since its inception in 1873, the PRCUA has evolved into the largest Polish Roman Catholic fraternal organization in the United States. Today, the PRCUA's membership stands over 90,000 strong, of which more than 10,000 reside in my State of Michigan.

The PRCUA has a rich history. The organization, which held its first convention in Detroit in 1873, decided to assume a Catholic character. As Polish immigrants arrived in large numbers in the late 1800's the PRCUA was integral in helping them become acclimated to the American way of life. In 1891, the Polish Emigration House of S. Joseph was established in New York City as a haven for immigrants. During this difficult period, the suffering of the poor, widows, and orphans was eased through the group's generosity.

The PRCUA's dedication to the arts and enlightenment through education is equally impressive. In 1913, it opened a Polish library in its Chicago headquarters which has now become the largest collection of Polish works in the western hemisphere. Later, in 1935, the Polish Museum of America was established, offering Poles an opportunity to display a unique collection of rare treasures from Poland.

PRCUA remains as vivacious and active today as ever. It encourages all Americans of Polish descent to explore their Polish-Roman Catholic roots. Lessons in Polish language, folk dancing, singing, traditions, and customs are aimed to reinforce our knowledge of Polish heritage, diversify our culturally rich society, and from tighter bonds within the Polish-American community. I would particularly like to salute the 11 Polish dance schools currently operating in Michigan which PRCUA administers.

Civic and social activities are of equal importance to the PRCUA. Women's and children's groups have provided a constructive outlet for social work, brought members together, and forged lifelong friendships. The PRCUA often organizes special events for religious holidays dear to the Catholic faith, such as Easter and Christmas, in addition to dances, dinners, performances, and pilgrimages to the motherland.

Roman Catholicism plays a role in steering the organization's moral sense. The Catholic faith provides a strong ethical compass for the PRCUA's members. Historically, most Polish people have been staunch supporters of the Roman Catholic church,

a tradition carried on by the immigrants who settled in this great country. Even the darkness cast on Polish religious freedoms during the 40 years of Soviet totalitarian and atheistic rule was not sufficient to extinguish the spark of religious faith in the Polish heart.

The PRCUA's dedication of time, caring, and resources to young people is indeed a wise investment for the future. The PRCUA's goals of preserving Polish-American heritage while fostering greater appreciation of other nationalities and cultures is a powerful positive step in promoting greater understanding. The many achievements of the organization and its dynamic membership have made the people of Michigan and the other 23 States in which it operates more aware and appreciative of the Polish-American experience, and better citizens through participation in civic, social, and religious activities. As the Polish Roman Catholic Union of America continues in its second century of service, I wish its members continued success in meeting the challenges our modern society poses. •

UNANIMOUS CONSENT AGREEMENT—H.R. 2519

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate considers the conference report on H.R. 2519, the Commerce, State, Justice appropriations bill; that the yeas and nays be ordered on the conference report; that upon disposition of the conference report, the motion to reconsider be laid upon the table; that the Senate without any intervening action or debate concur en bloc in the House amendments to the Senate amendments; that the motions to reconsider be laid on the table en bloc; and that any statements thereon appear at the appropriate place in the RECORD as though read.

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

Mr. MITCHELL. Mr. President, it is my intention to call up this appropriations conference report tomorrow immediately following the votes that will occur on the Haiti amendments, pursuant to the prior agreement. So there will now be three votes occurring in succession in the morning. This will permit Senators who come for one vote to remain and be present for the three votes. That is my intention with respect to this Commerce, State, Justice appropriations bill.

I yield the floor, and 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. 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—INTERIOR APPROPRIATIONS CONFERENCE REPORT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the cloture motion I will shortly send to the desk on the Interior Appropriations Conference Report be in order, notwithstanding the fact that the Senate has not yet received the official papers from the House, and that the conference report is not now pending.

I further ask unanimous consent that there be 1 hour for debate tomorrow, October 21, following the votes now scheduled to occur at 11 a.m., equally divided between Senators BYRD and WALLOP or their designees, and 2 hours for debate on Friday, October 22, from 8 a.m. to 10 a.m., controlled in the same fashion just prior to the cloture vote with the mandatory live quorum waived.

Mr. WALLOP. Mr. President, reserving the right to object and I shall not object, this has been cleared on our side and is satisfactory.

I thank the majority leader. The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MITCHELL. Mr. President, in accordance with the agreement, I now send a cloture motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the conference report accompanying H.R. 2520, the Interior Appropriations bill:

Robert C. Byrd, Wendell Ford, Harry Reid, Claiborne Pell, Russell D. Feingold, J. Lieberman, Paul Simon, Patty Murray, Pat Leahy, D. Pryor, Ernest Hollings, Harris Wofford, Barbara Boxer, Edward Kennedy, Paul Sarbanes, Joe Biden, D. Inouye.

Mr. MITCHELL. Mr. President, I thank my colleagues for their cooperation.

There will be no further rollcall votes this evening. There will be the introduction of an amendment pursuant to the previous order and debate on that amendment.

I remind Senators that beginning at 11 a.m. tomorrow, there will under the current schedule be three votes. Senators should be aware three votes will occur beginning at about 11 a.m. tomorrow morning.

Mr. 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. MCCAIN. 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. MCCAIN. Mr. President, I rise to support, strongly, the amendment that is about to be offered by Senator DOLE and Senator MITCHELL. I understand that there are a couple of items to be worked out. I have read the amendment. I have had a chance to be involved in the formulation of it. I think it is a very important amendment and one that strongly expresses the emerging consensus in the Senate that the administration would be well advised to seek seriously the advice of Members before they embark on any new military adventures in Haiti or anywhere else.

I would like to point out that, again, my esteemed friend and colleague, Senator DOLE, has been involved in this issue. He is concerned about the possible risk of American lives, and I appreciate his efforts on this amendment. I also thank Senator MITCHELL, the distinguished majority leader, who again chooses to approach these issues of national security in a bipartisan fashion.

As my colleagues know, I have strong reservations about prospectively limiting the President's role as Commander in Chief. However, Senator DOLE's amendment avoids such constitutional pitfalls. It is a timely and constructive attempt to inject some much needed realism into the foreign policy formulations of the administration. His amendment strikes a fine balance between expressing concern over the direction of our policy toward Haiti, on the one hand, and preserving the prerogatives of the Commander in Chief on the other.

I commend the framers of this amendment, the sponsors of it, and the Republican leader for his statesman-like attempt to prevent the administration from recklessly stumbling into a foreign policy debacle like we have experienced in Somalia, the cost of which would be measured in American lives.

Senator DOLE has pursued this matter tirelessly. It is my sincere hope that his efforts, and the considerable support they have in Congress, have convinced the President that it is time to formulate a coherent foreign policy.

For evidence that such coherence has been wholly lacking from much of the administration's foreign policy to date

we need look no further than the front page of today's Washington Post. The administration has now determined to withdraw the U.S. Army Rangers from the conflict in Somalia. Two weeks ago, the President ordered the deployment of additional thousands of American troops to Somalia. Today, he is withdrawing the Rangers.

Apparently, the mission of the remaining thousands of American servicemen and women who are obligated to remain there until March 31, is to hunker down in enclaves to serve as targets for any Somali warlord who may crave a headline in the international press. Mr. President, I ask unanimous consent to insert into the RECORD a report in the Washington Post dated today, October 20, 1993, entitled: "U.S. Pulls Rangers Out of Somalia."

Such a confused, purposeless, and dangerous policy makes the most compelling case for Senator DOLE's efforts to bring the administration to the understanding that it urgently needs help in setting a sensible, hard-headed direction for its foreign policy in Haiti and elsewhere, a policy that is based on a realistic assessment of the national interests at stake and the prospects for protecting them through the use of force.

I believe the efforts of Senator DOLE have given the administration ample warning that before it commits troops, it better have the support of Congress and the American people.

The President should understand that the way to gain the support of the American people and their representatives in Congress, for any foreign policy initiative is to demonstrate a readily understandable connection to American national interests.

American service men and women understand the risks that their jobs entail. They volunteer to take these risks in service to our Nation. But before they are put in harm's way, they and their families deserve a clear explanation of how their mission will affect the interests of the Nation to which they have pledged their allegiance.

I do not believe that the administration has succeeded in making clear its case for our involvement in Haiti.

In considering the scope of our involvement in Haiti, we should remember the lessons of history. Our last military adventure in Haiti, which lasted 19 years, from 1915 to 1934, developed on an ad hoc basis. The development of that policy, and the difficulties faced by our marines in implementing it, illustrate the dangers that the direction of our current policy toward Haiti may entail.

Mr. President, there is an old saying that those who ignore the lessons of history are doomed to repeat it.

President Wilson had no intention of staying in Haiti for 19 years when he decided to intervene. The marines

landed in July of 1915 to protect American property and the lives of American citizens from the threat posed by violent civil disturbances and the collapse of governing institutions.

Our mission in Haiti during our previous involvement changed from one of protecting America interests, a legitimate reason for landing troops, to one of establishing order. It then changed once again to include creating a civilian government and supervising public works projects.

Our roughly 2,000 troops were engaged in policing the streets, creating an indigenous police force, and running the civilian government. Before they left in 1934, our marines had been dragged into a civil war and had established armed garrisons throughout the country.

And the results of our efforts and the sacrifice of our marines: In the Haiti of today, very much like the Haiti of 1915, political differences are settled at the whim of the mob, or the point of a gun, and government is rendered ineffective by massive corruption.

Intervention in the civil affairs of any nation should not be taken lightly. When we interfere in the internal affairs of other nations, we ask our service men and women in the field to acquire an understanding of an alien society, an understanding that policymakers in Washington, in the safety of their offices, have difficulty grasping.

It is not at all clear that given their history and their support for Aristide, a man with connections to democracy that are tenuous at best, the people of Haiti understand what democracy means. Democracy is considerably more complex than holding an election. The founding documents of our own democracy and the writings of our Founders are a testament to the many complex protections required to guarantee freedom.

In our zeal to promote democracy in Haiti, we should not confuse the popular mandate of Father Aristide with support for American or U.N. intervention to restore him to power. Restoring democracy is one thing, intervention is another. As evidenced by recent events in Somalia, despite hardships and tyranny, often a people care more about sovereignty than democracy. Often they care more about nationalism than the well-being of their own people.

Many of those Haitians who first supported our intervention in 1915 came to oppose it. Even the efforts of the marines to supervise public works projects met with the resentment of the Haitian people. Our effort to help was met with resistance and our efforts to cope with the resistance was met with armed conflict. It became impossible for our policymakers, and the Haitian people, to distinguish between armed conflict and assistance.

The result was a resentment toward the United States that continues today

as a principle aspect of our relationship with Haiti.

Before I support any United States action in Haiti, the President will have to convince me that our intervention has limited objectives and that it might do some good. The administration allowed our policy in Somalia to be determined in the United Nations, only to wake up and find that the mission had changed.

I have no intention of sitting quietly by while the administration engages our forces in Haiti in a ill-defined and constantly changing mission. Creating objectives and rationales after our troops are deployed will not win the confidence of Members of this body or of the American people.

Neither will I support a policy of idle threats. We cannot have a policy that proposes the use of force unless we are clearly committed to using it. Idle threats only undermine our credibility and our efforts to effectively use the threat of military force to achieve important foreign policy objectives.

To be effective and to gain the support of the American people, foreign policy must be purposeful, coherent, and forceful.

Again, Mr. President, I commend the Republican leader for his efforts to avoid further disasters abroad for the United States, with their consequent loss of American life, and to work in a nonpartisan manner with the administration to develop and implement a foreign policy that serves the values and the best interests of our Nation. I am pleased to support his amendment and I urge my colleagues to do likewise.

Mr. President, I commend to the attention of all of our colleagues a chapter from the history of the United States Marine Corps entitled "Occupying Haiti, 1911 to 1934." It has some very hauntingly familiar aspects that can be true today.

With all the best intentions, the United States entered Haiti with military force. They were welcomed. We set about forming a government, doing good works throughout the country. And then there was a group of Haitians who were called Cacos, much like the Tonton Macoute that are there today, who began to take up first civil and then military disobedience, and we ended up in a quagmire from which took us 19 years to extricate ourselves, the residue of which still exists in Haiti today.

So, I commend that chapter for reading by my colleagues because I think it is clear that we do not want to make that mistake again.

Again, I would like to thank Senator DOLE for his leadership, for his nonpartisan efforts on behalf of trying to help the administration and the American people see a clear and coherent policy toward Haiti.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, first, let me thank my distinguished colleague from Arizona, one of our true American heroes, who understands a lot more about this than anybody on the Senate floor. His endorsement and his support means a great deal to many of us on each side of the aisle.

As he has indicated, I think there has been bipartisanship, as there should be, in foreign policy. And there has been no effort to tie the President's hand or to put him in a straitjacket. As I said earlier, we are trying to protect him with a flak jacket. I think sometimes when Congress speaks out on these issues, it means a great deal to the President of the United States. I said back in 1990 that we should not be sending troops to the gulf without authorization by Congress, and eventually Congress did authorize use of force in the gulf, offensive force. It certainly is my view that from that day forward it changed the whole attitude of the American people toward our mission in the gulf.

I certainly hope and I do believe the President of the United States will accept what we are doing in the spirit in which it is done, not in any way to shackle the President of the United States. But we do have responsibilities under the Constitution. Congress has responsibilities. The President has responsibilities.

The President has responsibilities, and we tried to blend those two, without doing what the Senator from Arizona was concerned about, getting into some constitutional question where it might appear that Congress was usurping the rights that properly belong, in the Constitution, to the President.

The purpose of this amendment, to use Senator LUGAR's phrase, since we are not in an emergency circumstance in Haiti is to get sort of a time out; give us a chance to take a look.

After we have had a lot of discussion with the administration in the last few days, we made about a dozen changes in the amendment. There is still one change being contemplated as I speak. We hope we can make one additional change. We have removed the funding limitation; we have made this a "sense of the Congress." We did explicitly make sure the amendment does not cover the naval blockade—even though I am not convinced that the blockade is the best course—but the President has already deployed the forces. We fine-tuned the conditions, moved some paragraphs around and tried to accommodate as many concerns as possible.

With the events of the past 2 weeks, it is clear that United States troops should not casually be put in harm's way in Haiti—as trainers, construction engineers, or anything else. Two weeks ago—before the Haitian "rent-a-mob"

scene on the dock in Port-au-Prince—I urged the President not to deploy American troops, and to withdraw the advance team already there. That mission does not meet the President's own criteria for U.N. operations: What is the threat to international peace? That is the first thing he asked. What are the clear objectives? What is the end point, and what will it cost?

Had the mission gone forward, it would have virtually guaranteed American casualties for another questionable exercise in nation building.

It would have made more sense for the U.S. soldiers to wear targets than to wear camouflage. When we announce that United States troops will withdraw as soon as they are shot at, we ensure that any Haitian with a gun has an incentive to be the one that "chased out the Yankees."

When we announced that U.S. troops are only there to train and to build roads, the American people wondered why—why can we not train in the United States out of harm's way, and why AID or civilian contractors cannot build roads. With 80 percent unemployment in Haiti, someone might want to consider putting Haitians to work building roads.

My amendment lays down a marker for the administration: Tread very carefully in using American force in Haiti.

Mr. President, I am not certain what our policy in Haiti is. We seem determined to put Aristide back in power, and I say to my colleagues who have not seen the briefing up in S-407, you might want to. Even though the State Department recognizes that he incited mob violence while he was President, I am not certain someone is automatically a democrat—with a small "d"—just because they received a lot of votes. I do not think we ought to lose American lives to return him to power. Restoring democracy is one thing; restoring Aristide is quite a different matter altogether. The officer who wanted United States troops in Haiti for training—General Cedras—was supposed to retire last week, and we do not have any idea who will replace him.

America does have an interest in Haiti—in preventing the massive outflow of Haitians that seek to land in the United States. We all agree that democracy and economic growth in Haiti would be the best way to prevent such an exodus. But the problem is that Haitian history does not give many examples of good government. It would be a mistake to try to impose Aristide. Maybe what we need to do is step back in Haiti—maybe we could look at the Vatican for mediation, and we could look at an independent fact-finding commission. What we should not do is rush into military intervention. We tried that from 1915 to 1934, and the Senator from Arizona just

placed in the RECORD the history of that escapade. We tried it with the U.S. Marines, and we did not get a whole lot of nation-building done.

Finally, Mr. President, I want to make it crystal clear that nothing in my amendment should be read as any comfort to the bloodthirsty killers running wild in Haiti. I condemn, as I am certain every Member of this body does, political murder and intimidation in Haiti—and everywhere else. Unfortunately, political violence seems to be the rule and not the exception in Haiti.

This amendment puts the Congress on record before our troops are deployed in large numbers. It makes clear we want no confusion over the mission of our role next week or the week after that. The administration should view this as helpful to their position. They need the input of Congress at the front end. The amendment offered by myself, Senator MITCHELL, and colleagues on both sides of the aisle, would let everybody know where we stand. I urge my colleagues to support the amendment.

I will say one additional thing. There is a lot of question as to whether Congress has any right to act before somebody is deployed. It is a very close question. I read earlier from a legal opinion of the American Civil Liberties Union supporting my position. They do not do that too often. In fact, I do not think I have had many letters from the ACLU. I put it in the RECORD, I guess, because it agreed with my position. They say very flatly that we have the authority to determine, and then the Commander in Chief, the President, has the right to carry that out.

As I said in a statement on Bosnia, we do not have to wait until the body bags start coming back to America before we can say we made a mistake, or we have the wrong policy, or we are moving too fast, or someone messed up somewhere down the line.

So I believe that the amendment is offered in the spirit of cooperation and partnership with the President of the United States. It has the flexibility that he wanted. I thank Mr. Paster at the White House for his help, and I thank others in the Defense and State Departments, along with my colleagues on both sides of the aisle who have been involved in negotiating what we have now, and what we will have before the Senate in very short order.

I will send the amendment to the desk as soon as we resolve one small point.

Mr. KERRY. Mr. President, I would like to congratulate and thank the distinguished minority leader. I know he felt very strongly, as many Members here in the Senate do, that we do not want the troops placed unadvisedly in Haiti, and I think he felt very strongly about taking action to do that. Others here were clearly concerned about the constitutional prerogatives, and I

think that the Senator has worked extremely effectively. And there has been a good coming together, which allows the U.S. Senate and the country to speak with one voice. It allows the President to send the message that he has been sending, while simultaneously listening to the U.S. Senate.

I think that is the way it is supposed to be. It is in the best tradition that this House is to advise, sometimes to consent, and sometimes to dissent. Here I think we have advised, and we have advised well. We have said to Haiti that it is critical that all parties adhere to the Governors Island agreement. But we have also urged—and I think cautioned—what we will ask of all of our branches of Government in the effort to try to pull people together to have a consensus when and if we decide that other steps are necessary.

I also thank the distinguished Senator from Arizona, Senator MCCAIN, who has worked hard on this, and the majority leader and others who brought us together on it. I see the distinguished whip is on his feet.

I yield the floor.

Mr. SIMPSON. Mr. President, I thank my friend from Massachusetts. I have very much listened and have been attentive, and I thank Senator MCCAIN, Senator DOLE, and Senator KERRY for their remarks and, indeed, I think we are on the right track. I think that the language of the amendment will shortly be ready. I will therefore speak for just literally 3 or 4 minutes.

What is the situation regarding time on the floor?

The PRESIDING OFFICER. There is no limit on debate at this point.

Mr. SIMPSON. I thank the Chair. Mr. President, the amendment will be presented in moments. I think the pending amendment represents a very remarkable, good-faith effort to assure that Congress is heard and consulted in this vital policy area, while at the same time preserving in full the constitutional authority of the President.

I agree with Senator DOLE, we should heed the Senator from Arizona. He speaks from a position of experience and tragic circumstance that none of us can possibly discern.

I point out that this was a good-faith effort because I have taken careful note of the various critical and uncomplimentary things which have been written and said this week in the media about our fine Republican leader. From the start, Senator DOLE has approached this issue with the aim of protecting Presidential prerogatives, but there has been precious little recognition of that among many of the Nation's media.

I think that represents an astonishing shortness and shallowness of memory. It was just last week that Senator DOLE was leading the effort to preserve the President's flexibility in Somalia, to assist him mightily, as we recall.

This was, I might point out, an unpopular position among some in his own party. If he were of the mind to do the easy or the political thing, Somalia was just the place to do that. I can tell you that virtually all of our constituent phone calls were saying—and mine, too—“Get out of Somalia, now.” That sentiment was not rooted in partisanship. There were many people of good faith saying “do that.” There are those in our party who felt very strongly both ways, just as on the other side. But it would have been easy, if our leader were of a mind to score some easy political points, to do so last week during the Somalia debate.

It is singularly perplexing to me to see this week's debate about Bosnia and Haiti interpreted in the light of partisanship, or even as some serious power struggle between Republicans and the President. I can tell you there has been every single effort to accommodate the administration's legitimate concerns about preserving Presidential flexibility in the conduct of foreign policy. That may be very hard for the cynical and jaded to believe, especially if they have not been part of the discussion. But it ought to strike them as unlikely that Senator DOLE would be magically and inexplicably transformed from last week's statesman into this week's archpartisan. There must be a simpler explanation.

Let me just acquaint those critics with some of the very real concerns we have about Haiti. First, there is the fact that we allowed the United Nations to gradually change the nature of our involvement in Somalia and that Americans were killed, captured, and abused before Congress collectively rose in alarm to demand a more responsible use of American troops.

We saw similarly disturbing trends in Haiti. We saw a pathetic attempt to dock a small band of lightly armed Americans, when for weeks prior to this, incidents of mob violence and murder had been occurring in Haiti that ought to have served as an ample warning that this might not work.

It seems to me a legitimate question to ask whether we have to wait until Americans are killed or held captive before we become involved. We remember the debate from last week. We agreed we could not cut and run from Somalia, because we were already engaged. So if we cannot oppose our involvement after the fact, the only alternative is to try to do so before a crisis occurs. It seems to me a poor description of congressional authority to declare that Congress can only act subsequent to great tragedy, whether the loss of American lives, injuries to American personnel, or the capture of American soldiers.

Not everyone, even within my own party, agrees that Congress should have such a role before the fact. It is a postulation that concerns me as well,

just as it concerned our leader. That is why discussions occurred with the administration—to ensure that Presidential powers were upheld. In the end, it was deemed necessary to vastly reduce the binding effects of these amendments, both amendments, in the interest of the powers of this President as well as future Presidents.

So there has been a perfect and clear consistency on the part of our Republican leader throughout this process, even if the same cannot be said of the many detractors in the fourth estate. I would be most interested to know how many of the noted and biased columnists lambasting Senator DOLE over Haiti were just one decade ago explaining, in panting prose, why it was so marvelously appropriate to limit the President's powers to act in Nicaragua and El Salvador. I recall more than a few of those worthies took exactly that position.

So this amendment represents our best effort to ensure congressional participation in this debate before the fact of a crisis, while at the same time upholding in full the powers of this President.

I commend the efforts of those who, in a very remarkable bipartisan fashion, drafted this language, and I certainly urge adoption of the leadership amendment.

I thank the Chair.

The PRESIDING OFFICER (Mr. GRAMHAM). The Senator from Pennsylvania.

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

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

TAOS CONVEYANCE ACT

Mr. WOFFORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 59, H.R. 328, relating to a land conveyance in Taos, NM, that the bill be deemed read a third time, passed; that the motion to reconsider be laid upon the table; and that any statements relative to the passage of this item appear at the appropriate place in the RECORD.

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

So, the bill (H.R. 328) was deemed read a third time and passed.

MEASURE PLACED ON THE CALENDAR—H.R. 2351

Mr. WOFFORD. Mr. President, I ask unanimous consent that H.R. 2351, a bill to reauthorize the National Foundation on the Arts and the Humanities Act be placed on the calendar.

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

MEASURES PLACED ON THE CALENDAR—H.R. 2632 AND H.R. 2840

Mr. WOFFORD. Mr. President, I ask unanimous consent that H.R. 2632, the Patent and Trademark Office Authorization Act, and H.R. 2840, the Copyright Royalty Tribunal Act, just received from the House, be placed on the calendar.

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

Mr. WOFFORD. 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. PRESSLER. 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. PRESSLER. Mr. President, I would like to speak on the subject of Haiti.

I have been very troubled by our policy toward Haiti. It is a difficult issue to resolve. In foreign policy, there are no easy answers. This is an example of the struggle our country has with foreign policy.

I have been dissatisfied with the Clinton administration in terms of the process that has been followed with regard to both Haiti and Somalia.

Many years ago, I worked as a young lawyer in the State Department. I do not always agree with the State Department. I think the State Department frequently is not in touch with the rest of the United States. But, in any event, I worked as a young lawyer there, and I participated as a very junior grade assistant in a number of meetings. It was then that I became fascinated with the public administration and organization of foreign policy.

Having served as a member of the Senate Foreign Relations Committee since 1980, I have been fascinated with how we organize to formulate our foreign policy. Recently, on "60 Minutes," I addressed some problems that I thought existed regarding the United Nations in terms of how foreign policy is made.

I have discovered, with regard to Somalia and Haiti, that the normal meetings were not held in this administration they did not run the traps, so to speak.

There are deputies' meetings, where the Deputy Secretaries of the CIA and the Defense Department and the Joint Chiefs of Staff and the State Depart-

ment and the National Security Council are supposed to meet. And there they digest policy—at least they are supposed to—on Haiti or Somalia. Those meetings were not held.

I have been trying to hold hearings in the Foreign Relations Committee, of which I am a member. They have been refused by the administration and by the majority party in the Senate. One can only guess that they are trying to cover up what went on in the early days of Somalia. Those meetings are being held again now, but they were not held then.

There are also principals' meetings in which the Secretary of State, the Secretary of Defense, the National Security Adviser, the head of the CIA, the head of other intelligence agencies, and the Joint Chief of Staff meet. They are supposed to run the traps on a decision. Those meetings were not held on Somalia or Haiti. Both cases have produced foreign policy disasters in the early days of the Clinton administration.

Let me address Haiti first. In the case of Haiti, the United States finds itself supporting Aristide.

Now, who is Aristide? He was democratically elected. I will concede that. But so was Papa Doc, who preceded him. So was Adolf Hitler popularly elected.

Once Aristide was elected, he did not rule as if he believed in democracy. He did not behave as a democrat. And I am speaking with a small "d," a democrat with a small "d."

Indeed, Aristide proceeded to hold rallies in which he advocated the necklacing of his political opponents. Indeed, he held meetings in which he insisted on the death penalty for political opponents of his, rather than the 15-year sentence which was allowed under law.

There are many quotes that I can read about Mr. Aristide. According to newspaper reports, he reportedly ordered a murder. We want a hearing to find out if that is absolutely true. If that is true, U.S. troops are standing by to defend a murderer.

Let us think about that a little bit, and what kind of reaction that would produce.

The State Department and the Clinton administration are trying to cover up, to cover up these facts. But they are coming out in spite of the coverup.

We have repeatedly asked on my side of the aisle for hearings in the Foreign Relations Committee with the Secretary of State and the Secretary of Defense as witnesses to tell us about the principals' meetings, about the deputies' meetings, and why the formulation of these policies was not run through the traps. When did the President of the United States learn about Aristide's psychological problems? When did the President of the United States learn that he was a murderer, or

did he learn? On what date? Was he ever briefed?

Now, the Defense Department and the State Department seem to be ad-libbing. Nobody knows who is reporting to whom over there. We have people running about without responsibility for who is reporting to whom? Foreign policy decisions are not being made in a rational, staffed way. They are being made on a helter-skelter basis. Hopefully that is changing now.

We have had, in this Chamber, some debate on the Nickles amendment, the Dole amendment, and the Byrd amendment on the Democratic side, which I cosponsored and on which I helped Senator BYRD.

None of those amendments would be showing up if foreign policy was being formulated properly, if there were hearings being held up here, if the high-level people were showing up.

We did have a hearing in the Foreign Relations Committee at which a Principal Deputy Under Secretary of Defense and an Under Secretary of State testified. But neither one of them had participated in any of the other meetings. We cannot seem to get anybody who has actually been in the meetings to come up here and testify to Senators.

When did we learn that Aristide is a murderer, if he is? When did we learn that he has deep psychological problems, if he does? When did we learn that he advocated necklacing? Did the President of the United States know this when we embraced him? Have we sent warships down there to defend him, and are we on the brink of sending United States troops to Haiti to put this person into office? Let us think about our actions very carefully.

Who is President Aristide? I have before me a Washington Post article by Lally Weymouth, January 24, 1993. She says,

[If you see] a faker who pretends to be one of our supporters * * * just grab him. Make sure he gets what he deserves * * * with the tool you have now in your hands [the burning tire] * * * You have the right tool in your hands * * * the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it.

For everybody who does not know, necklacing is putting a tire around a victim's neck, pouring gasoline in it and lighting it. I had a necklacing amendment on the floor with respect to South Africa some years ago, everyone on the floor voted for it and I thank them. It is one of the most hideous of crimes. This gentleman who we are supporting and trying to put back into power in Haiti advocated necklacing. I have it here from Lally Weymouth's article.

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Salesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

These are quotes from Aristide.

Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves.

NOTE.—A reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.

According to newspaper reports he was murdered under the orders of Aristide whom the United States is protecting and wants to use U.S. troops to put back in power.

We should have discovered in the electoral campaign of this devil called Reagan, the satanic spirit was dancing in Reagan's head * * * The same spirit that Jesus chased while He was on Earth, forced these experts and Reagan to produce this document called Santa Fe * * * A bad spirit like this, don't you see, is the same bad spirit that danced in the heads of the Roman Emperors that Jesus fought.

This a quote from the man we expect young Americans to die for. He referred to Reagan as a satanic spirit.

Mr. MITCHELL. Mr. President, will the Senator yield? Could the Senator indicate how long he intends to proceed?

Mr. PRESSLER. I wish to proceed for as long as it takes me to finish this. I have the floor. If the Senator wishes to ask a question—I respect the majority leader very much—I will answer him. Does he want to ask me a question?

Mr. MITCHELL. No; I want to introduce the amendment and get a consent agreement regarding the schedule tomorrow; then have the Senate be prepared to go into recess. If the Senator will let me do that, the Senator can continue and I can leave.

Mr. PRESSLER. Can I have 3 more minutes and I will leave and let him do that? If the Senator will give me 3 more minutes, because I want to finish this particular line.

* * * what we need to destroy these people we do not yet have. The day will come when we will have it. Nicaragua had it in 1979. Cuba had it in 1958 and 59.

This is the man we are supporting. Next he said:

When you are sitting on top of the mountain teaching the peasants how to use necklacing, the peasant, having never seen a car before, having never seen a tire before, he will ask you, 'What is Necklacing?' He could also ask if the use of Necklacing is in the Constitution. You might answer, 'If the pressure of Necklacing in front of the Court-house on September 29 (the judgment day of Roger Lafontant) was not there, then he would not have received the life sentence. Instead, he would have only received 15 years!'

The three previous excerpts are from a transcript of a videotape of various Aristide speeches and sermons at Mass.

The 1991 State Department Human Rights Report said:

President Aristide appeared less concerned about prosecuting members of the military

accused of human rights abuses if they were supporters or appointees of his Government * * * President Aristide also failed to condemn categorically all recourse to popular justice through mob violence. The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning * * *

Mr. President, the only possible United States interest in Haiti would be to stop the flow of refugees into our southern border. The United States established three immigration centers in Haiti and they are working. Virtually all Haitian refugees who have come to the United States are economic refugees. If they were political refugees they would walk across the border into the Dominican Republic.

There is no justification to risk the life of even one United States soldier in Haiti now or in the future. Aristide, whom we support and whom the Clinton administration supports, is a human rights abuser. The State Department has admitted in Senate hearings that President Aristide incited mob violence and encouraged necklacing while in power. Father Aristide was suspended by the Catholic Church because of his activities. Aristide ordered the destruction of the Vatican Embassy.

About the practice of necklacing, Aristide said "it is beautiful, it is chic, it is elegant; you want to smell it everywhere you go". Aristide had a painting in his Presidential office glorifying necklacing.

Aristide has known ties to Fidel Castro and had some of his henchmen trained in Cuba. Aristide publicly cursed the United States and promised to give Haitians what Castro has given the Cuban people.

Mr. President, I could go on and on, and I planned to talk longer. Out of respect for the majority leader, I shall cease.

But what I am crying out for are hearings. I asked the chairman of the Foreign Relations Committee, today, for hearings tomorrow morning with people at the highest level of the administration to explain to us how these decisions were made.

What is taking place is a great deal of ad-libbing by Les Aspin and others without consulting with the CIA, without consulting with the military. There is a process—and I learned it as a young lawyer in Washington many years ago—that should have been utilized. If you are appointed Secretary of Defense or State, that does not mean you give your opinion to the President without consultation with the other pertinent agencies. You check with the CIA, the Joint Chiefs of Staff, and so on and so forth.

When I asked about public administration and the Deputies meetings in a Foreign Relations Committee hearing, I was told they would check on it. When all is said and done, the foreign policy of the Clinton administration

was formulated on a shoot-from-the-hip basis, on a basis that did not take into consideration the experts' opinions. We have been told, we have seen people in the Defense Department on TV say, "We learned lessons in Somalia." I served in the Army as a lieutenant in Vietnam. We learned those lessons there. The military knows those lessons and would have conveyed them if they had them in their meetings, but they were not included.

I can assure you that some of the things that have been published about Aristide never reached the President of the United States until some of us in this body started to protest.

I am very curious. I hope we have a hearing as to when the President of the United States learned these facts about Aristide and when the United States decided to support him and why. This is a very strange situation to be in. I am very worried about—I am not trying to put down the Clinton administration. As Members of this body know, I am considered to be bipartisan, and that has been one of my biggest problems.

But I will conclude.

I yield the floor.

Mr. MITCHELL. Mr. President, I just would like to make one comment, before my colleague leaves, on his remarks. There will be a full debate tomorrow morning on this subject, and I have no interest in debating the substance of his remarks, although I think it is very much open to debate.

Mr. PRESSLER. Will my friend yield for one brief question, respectfully? Would my friend support hearings at the highest level in the Foreign Relations Committee tomorrow or the next day as to how these decisions on Haiti were made?

We had a large meeting today, and I know the Secretary of State just left the country, but many of us want to help out. We want this President to be successful. I have helped the majority leader on many occasions. I like the majority leader, and I like the President. He has been my friend for 20 years.

The reason behind all of these resolutions being introduced on the floor is not that people want to hear constitutional arguments, it is because there is a sense that foreign policy formulation mechanisms of this country have broken down.

Mr. MITCHELL. Mr. President, it is to that precise remark to which I wish to address myself. The suggestion has been made, and just repeated, that the reason we have amendments relating to foreign policy and debate in the Congress and criticism of the administration's foreign policy is because that policy has broken down. The clear implication of that is that things are going well when Congress does not talk about foreign policy.

Mr. President, I say to my colleague, I have been in the Senate for 13 years.

In 12 of those years, we have had Republican Presidents, and every year I have been here, there have been amendments in Congress about foreign policy, debates about foreign policy, criticism over foreign policy. I cannot speak for the time earlier than when I arrived in the Senate, but my impression is the same. The suggestion that the existence of amendments and debates in Congress is in and of itself proof of a failure of foreign policy by the administration is simply incorrect. If that is the case, then every administration has failed because there is always debate and amendments and criticism in Congress.

If the Senator's remarks are friendly toward the President, I can only tell the President, with friends like that, he does not need enemies.

Mr. PRESSLER. If my friend will yield very briefly, I have been on the Foreign Relations Committee since 1980 and a little bit of the experience has rubbed off, not much. The Secretary of State would normally be up here within a day or two—especially after an incident in which many American lives were lost. We are told the Secretary of State will not be available until November 4. What is this Senator supposed to do until November 4 on Haiti and Somalia?

I ask my friend from Maine, whom I respect very much, who has been a Federal judge and who is the majority leader and who is very respected, when can we get some hearings up here so Senators can find out how this policy was formulated, whether Les Aspin consulted the Joint Chiefs, whether the CIA was consulted.

There is a we-they attitude in the Defense Department. In the State Department, nobody knows who is reporting to whom.

This is a subject that is of great concern to many of us. We are crying out for some help.

During the Bush and Reagan administrations, they would have had at least the Deputy Secretary up here the next day. We cannot even get the Deputy Secretary, and the majority party in the Senate is not demanding it. But the majority party did demand it then, when the Republicans were in the White House. Bush responded and Reagan responded. Now, we cannot get anybody above a Deputy Under Secretary up here to talk to us.

Mr. MITCHELL. Mr. President, if I might say, the Secretary of State left for Russia and other States of the former Soviet Union, I believe, within the past several hours. And so it is obvious that the Secretary of State on a trip long planned on other matters cannot be present—

Mr. PRESSLER. But would my friend just yield? The Secretary did not say that. He was scheduled to come up here on Tuesday, and he canceled for no reason. I think—this is my thought—the

President asked him to cancel because the administration would be embarrassed by their foreign policy disasters in Somalia and Haiti.

The Secretary of State was scheduled to come here on Tuesday. Why did he cancel?

Mr. MITCHELL. Well, Mr. President, I do not know and I submit neither does the Senator, and I think we would all be wise not to impute reasons or motives to others when we do not know the reason for it.

Second, I would just say that the Secretary of State in the previous administration, someone who I admire greatly, Secretary Baker, traveled much, much more than does Secretary Christopher, and so he was not available to testify when he was on a trip. Nobody got up here when he was in Europe or Asia or the Middle East and said, "Well, why won't the Secretary of State come here to testify?" And impute motives to him for not testifying.

I think the question of the hearings is best left to the chairman of the committee. Of course, that has always been my practice. I am asked almost every day on almost every subject to order some chairman to hold a hearing on some subject or other. I think it is best left to the individual chairmen. I have great confidence in the chairman of the Foreign Relations Committee.

If I might, Mr. President, without wanting to prolong this, I came very early this morning and if the Senator would permit I would like to get on with this and conclude. Then we can have this debate tomorrow.

I do want to make this one comment, unrelated to all of the charges. If we start requiring a psychological examination of every elected official in this country, I submit to my colleague from South Dakota a lot of Senators better start worrying. If we are now going to say that we are going to have psychological examinations by people who have never met us, and have these long distance psychological examinations read out, my gosh, I think it is something every Senator ought to be concerned about.

Mr. PRESSLER. My friend will have to yield to me once more. Yes, but we are not sending U.S. troops to South Dakota to keep U.S. Senators in office, yet.

Let me also say that Secretary Christopher was scheduled to testify here yesterday. He was not on a trip. He canceled. It is part of a pattern before our committees. We cannot get the administration to explain the process. I am not in the business of psychology.

If you read what has been written in the press about Aristide, it is pretty frightening that we support a fellow like this. I am very, very concerned.

Mr. MITCHELL. I understand the Senator's concern. But the Senator says he is not into the psychological business after having spent a great deal

of time in debate discussing psychological analyses. Precisely, what he is saying is I am not doing what I have just been doing.

Mr. PRESSLER. If the majority leader will yield, in regards to human rights abuses, what I said is the State Department's records show Aristide's violations of human rights and abuses. That is very serious. I take the State Department's human rights reports very seriously.

Senator SPECTER, who sits here, and I went to 8 African countries this spring armed with 8 human rights reports. Aristide exceeds—he is one of the leading human rights abusers in the world. He did not rule as a democrat with a small "d". My friend, the majority leader, is a Democrat with a large "D". But in any event, Aristide was not a democrat, even with a small "d." He was a dictator, authoritarian.

I ask unanimous consent, Mr. President, to place all these materials in the RECORD.

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

QUESTION FOR THE RECORD SUBMITTED TO WILLIAM LACY SWING, SENATE FOREIGN RELATIONS COMMITTEE, SEPTEMBER 29, 1993

Question. Did President Aristide incite mob violence when he was in power in Haiti?

Answer. There was evidence that President Aristide incited intimidating or violent behavior among his followers. This has been documented in our 1991 Human Rights report.

Our Ambassador at that time and other U.S. officials made clear to him our abhorrence of these tactics.

QUESTION FOR THE RECORD SUBMITTED TO ALEXANDER F. WATSON, SUBMITTED BY SENATOR HELMS, SENATE FOREIGN RELATIONS COMMITTEE, MAY 5, 1993

HAITI

Question. What information does the U.S. Government have regarding the human rights record of President Aristide?

Answer. There is evidence of several human rights violations under the Aristide presidency that we have spelled out in our annual Human Rights Reports.

These include condoning or failure to condemn mob violence and at least three incidents of politically motivated killings that may have been officially sanctioned.

Question. Would you agree with human rights activists that Aristide incited popular violence when he was in power?

Answer. There was ample evidence that President Aristide incited intimidating or violent behavior among his followers.

Our Ambassador and other U.S. officials made personally clear to him our abhorrence of these tactics.

1991 U.S. DEPARTMENT OF STATE COUNTRY REPORTS ON HUMAN RIGHTS

However, the Government proved to be unwilling or unable to restrain popular justice through mob violence and ensure the rule of law for all citizens irrespective of partisan interests.

President Aristide, however, appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his Government.

President Aristide also failed to condemn categorically all recourse to popular justice through mob violence.

The Aristide Government made no effort to identify and bring to justice those responsible for the wholesale killing, looting, and burning that occurred after the failed Lafontant coup in January.

The only response to three official requests to the Aristide Government for information on the status of the investigation into the death of an American citizen, Richard Andre Emmanuel, who was killed by mob violence in late February, was that the investigator "was still in progress."

However, there were several credible reports of torture and other abuse of detainees and prisoners both during the initial Aristide tenure and since the coup.

The Aristide Government repeatedly attempted to interfere with the judicial process or usurp it through "mob justice."

On August 13, the Parliament, as well as the offices of a number of the Aristide Government's critics—the labor union Autonomous Central of Haitian Workers (CATH), and the political organizations National Front for Change and Democracy (FNCD) and United Democratic Committee (KID)—were attacked by mobs who many observers believe were inspired by those close to the Administration.

The most serious 1991 violations of freedom of travel occurred shortly after President Aristide took office when hundreds of former official of previous governments were subjected to a constitutionally questionable ban on foreign travel.

After his election victory, President Aristide and his supporters often excluded or intimidated their political opponents or those perceived as such.

U.S. SENATE, COMMITTEE ON FOREIGN RELATIONS, Washington, DC.

ARISTIDE'S STATEMENTS ON NECKLACING

"What a beautiful tool! What a beautiful instrument! It's beautiful, it's cute, it's pretty, it has a good smell: wherever you go you want to inhale it. Since the law of the country says Macoutes aren't in the game, whatever happens to them they deserve. * * * This is the word of justice I share with you. I throw the ball to you. You dribble it. You shoot from the penalty box. * * * All alone we are weak, but together we are strong. Together we are the flood!" (Aristide Speech, Haiti, September 27, 1991)

Aristide, referring to wealthy Haitians who refuse to help Haiti's poor majority, repeatedly urged his listeners not to "neglect to give him [or her] what he [or she] deserves." (Aristide Speech, Haiti, September 27, 1991)—

"If you [nou in the original Creole—meaning either the plural form of "you" or "we"] catch a thief, if you catch a false Lavalassien [referring to the popular movement responsible for Aristide's election], if you catch someone who doesn't deserve to be there, don't neglect to give him what he deserves.

"Your tool is in your hand. Your instrument is in your hand. Your Constitution is in your hand. Don't neglect to give him what he deserves.

"Your equipment is in your hand. Your trowel is in your hand. Your pencil is in your hand. Your Constitution is in your hand. Don't neglect to give him what he deserves.

"Article 291 [of the Constitution, which bars from public office for ten years all torturers, 'zealous' Duvalierists, and embezzlers of public funds] is always on our minds. It says: No Macoutes, no Macoutes!

"Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves."

NOTE.—A presumed reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.

"Throughout the four corners of the country, we are watching, we are praying, we are watching, we are praying, when we catch one of them, don't neglect to give him what he deserves.

"What a beautiful tool! What a beautiful instrument! What a beautiful appliance! It's beautiful, it's beautiful, it's pretty, it looks sharp! It's fashionable, it smells good and wherever you go you want to smell it * * *"

During the trial of Lafontant and his accused co-conspirators, a crowd of two thousand had gathered around the courthouse, chanting and calling for a life sentence for Lafontant. A few people carried tires on their heads. Lafontant thereafter received a life sentence, even though the Haitian legal code allows a maximum of only fifteen years for those found guilty of plotting against state security, the offense with which Lafontant was charged.

On August 4, 1991, Aristide spoke with approval of the crowd's actions:

"When they spoke of 15 years inside the courthouse, according to the law," Aristide said, "outside the people began to clamor for Pere Lebrun, because the anger of the people began to rise a little. That's why the verdict came out as a life sentence."

Aristide: "Was there Pere Lebrun inside the courthouse?"

Students: "No."

Aristide: "Was there Pere Lebrun outside the courthouse?"

Students: "Yes."

Aristide: "Did the people use Pere Lebrun?"

Students: "No."

Aristide: "Did the people have the right to forget it?"

Students: "No."

Aristide: "Don't say it's me who said it. Pere Lebrun or a good firm bed, which is nicer?"

Students: "Pere Lebrun."

Aristide: "For 24 hours in front of the courthouse, Pere Lebrun became a good firm bed. The people slept on it. Its springs bounced back. They were talking inside the courthouse with the law in their hands; the people also have their own pillows. They have their little matches in their hand, they have their little gasoline not too far away. Did they use it?"

Students: "No."

Aristide: "That's because the people respect the Constitution. But does the Constitution tell the people they have a right to forget little Pere Lebrun?"

Students: "No."

Aristide: "Then, when they knew inside what was going on outside, inside they had to tread carefully [literally, walk on thirteen so as not to break fourteen]."

"Fourteen is the masses of the people. The masses have their own tool, their own secret way, their own wisdom. When they spoke of fifteen years inside the courthouse, according to the law, outside the people began to clamor for Pere Lebrun because the anger of the people began to rise a little. That's why the verdict came out as a life sentence."

"The people, who respect the law, who uphold the Constitution, when they heard 'life in prison' they forgot their little matches, little gasoline and little Pere Lebrun."

Students: "No."

Aristide: "But if it hadn't gone well, wouldn't the people have used Pere Lebrun?"

Students: "Yes."

Aristide: "That means that when you are in your literacy class and you are learning to write 'Pere Lebrun,' you are learning to think about Pete Lebrun, it's because you know when to use it, how to use it and where to use it."

"And you may never use it again in a state where law prevails (that's what I hope!) as long as they stop using deception and corruption. So, that's what they call real literacy!"

(Excerpts from Americas Watch, November 1, 1991)

If you see "a faker who pretends to be one of our supporters . . . just grab him. Make sure he gets what he deserves . . . with the tool you have now in your hands [the burning tire]. . . . You have the right tool in your hands . . . the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it." (Washington Post article by Lally Weymouth, January 24, 1993)

"What a beautiful instrument—what a beautiful device. It's beautiful—it's such a nice smell—you like to breathe it wherever you go." (Los Angeles Times article by William Eaton, October 5, 1991)

U.S. SENATE,

COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

ARISTIDE'S HUMAN RIGHTS RECORD

Aristide turned on his own church when Archbishop Francois Wolff Ligonde, in a New Year's homily in 1991, denounced him for installing a "bolshhevik government." Aristide's mobs destroyed one of Port-au-Prince's oldest cathedrals and the Nunciatura, the Vatican embassy. The Papal nuncio (ambassador) was stripped of his shorts and paraded through the streets; his assistant, a priest from Zaire, was gravely wounded by a machete blow. (The Vatican is the only government to accord recognition after the military coup of 1991. (The Plain Dealer, February 27, 1993))

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Silesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

In early October 1991 "an Aristide-inspired mob attacked Sylvio Claude, the founder of the Democratic Christian Haitian Party—a man who had been jailed and tortured by Duvalier but was a political opponent of Aristide. Although Claude sought shelter in a police station, he was turned over to the mob and burned to death." (Washington Post article by Lally Weymouth, January 24, 1993)

"According to senior U.S. government officials, Aristide also participated in a cover-up of the killing of five teenagers on July 26, 1991. Members of an anti-gang unit claimed the killings occurred when they became involved in a struggle with the youths as they tried to escape. Photographs, however, showed that the young men were severely beaten and shot at point blank range by several weapons. The Haitian armed forces—in particular Interim Commander-in-Chief Raoul Cedras—demanded that the incident be investigated. But Aristide, who had been building his own security forces outside the

military chain of command, tried to block the investigation and sided publicly with one of the officers involved in the slaying." (Washington Post article by Lally Weymouth, January 24, 1993)

"U.S. Government officials cite extensive evidence showing that Aristide personally gave the order to kill Roger Lafontant. . . ." In a December 1993 interview, Lt. General Raoul Cedras revealed that he has information "that Aristide intended to have other political prisoners killed, not just Lafontant: He [Aristide] gave the orders to kill around 20 people, but they had the courage to execute only Lafontant." (Washington Post article by Lally Weymouth, January 24, 1993)

"In August 1991, Haitian legislators met to deal with the government's abuses. They planned to question Prime Minister Rene Preval—who, according to the State Department human rights report, had personally interrogated political prisoners and denied them recourse to legal counsel—and then to consider censuring him. Before parliament met, shots were fired outside the headquarters of the National Front for Change and Democracy (FNCD)—a political party that had originally supported Aristide but had begun to criticize some of his actions. The home of an FNCD legislator was also stoned.

"When the parliament met, its members found themselves surrounded by about 2,000 demonstrators, many carrying burning tires. Under the threat of the mob, the legislators decided to recess." (Washington Post article by Lally Weymouth, January 24, 1993)

Cedras on Aristide, "He spent seven months violating the constitution of this country which he was there to guarantee." (Washington Post article by Lally Weymouth, January 24, 1993)

Aristide kept a color painting on the wall in his presidential office. The painting depicts the following: Aristide smiles down on a crowd brandishing auto tires; to the side is another pile of tires, a bottle of gasoline and a book of matches. [The poster further portrays the presidential chair atop the Haitian constitution, indicating that Aristide is "above" the constitution.] A poster in the background, in Creole, explains, "If our power is threatened Ti Tid [Little Aristide], if you have a problem, command us to march and solve them with necklacing."

Photographs reveal "how Aristide and his street mobs let 'Pere Lebrun' deal with political opponents. The body shown is that of Sylvio Claude, a Baptist minister and head of the Haitian Christian Democratic Party who had the temerity to oppose the 'populist priest.' In September 1991, the same night that the army moved against Aristide, a mob of the president's supporters set upon Claude and beat him senseless. Claude died an agonizing death. According to eyewitness accounts, an Aristide henchman then severed the penis from Claude's corpse, put it in his mouth, and danced derisively around his body. Next, an automobile tire filled with gasoline was draped around his neck and set ablaze. Confident that Aristide had survived the military's move against him, the henchman had a photographer record this moment of triumph." (Accuracy in the Media Report, August-A, 1993)

"[Aristide] sometimes brandished a machete from his pulpit and demanded violent revolution to physically eliminate the country's elite. Violence, he argued, was the only way to reform Haiti economically and socially. 'Revolution, not elections,' he would chant with followers." (Accuracy in the Media Report, August-A, 1993)

"A neurosurgeon and former dean at a Haitian medical school had Aristide as a student of neuro-psychology during the school year 1978-79. . . . According to a statement circulating among Haitian dissidents, the physician declared, 'I was especially attracted by the tremendous instability of personality of [Aristide]. . . . My ultimate diagnosis took the direction of the bipolar disease called 'psychotic manic depressive,' and I prescribed for Jean-Bertrand carbonate of lithium. . . . Haitian exiles say that some of Aristide's worst excesses come when he is not taking his lithium.' (Accuracy in the Media Report, August-A, 1993)

Aristide's accused violations of Haitian law:

Haitian constitution bars presidential paramilitary armies. Aristide created a force called "Special Intelligence for the President," or SIP, which was trained by French and Swiss military experts, and armed with weapons that bypassed the army when shipped into Haiti.

Aristide packed the Haitian Supreme Court with five new justices and refused to submit them to the Senate for confirmation. Contrary to law, he appointed several members of the electoral commission as ambassadors. When the Senate blocked the nomination of another commission member as ambassador to France, Aristide made him foreign minister. In towns in the interior, Aristide replaced elected mayors with his lavalas, and relied upon mobs to keep them in office.

When the Parliament resisted Aristide, his mobs appeared, tires and gasoline in hand. Several legislators were dragged out and beaten. Union offices and opposition political headquarters were torched.

Aristide is accused of ordering the murders of Roger Lafontant and Sylvio Claude the night he left office. They were murdered two days after Aristide's speech encouraging necklacing.

Aristide was the patron of an organization devoted to the welfare of children. VOAM, a Creole acronym for "send Haiti to the skies." At his request, Haitian refugees in the U.S. sent an estimated \$2 million to VOAM; the republic of China gave another \$6 million. According to Aristide's opponents, Aristide diverted \$4.5 million (or more) of these funds to his own projects.

But an older Haitian friend put it more realistically: "I hear that you Americans are going to force us to take back that dreadful man who says he wants to put flaming tires around our necks." (National Review, July 5, 1993)

WHO IS PRESIDENT ARISTIDE?

"[If you see] a faker who pretends to be one of our supporters . . . just grab him. Make sure he gets what he deserves . . . with the tool you have now in your hands [the burning tire]. . . . You have the right tool in your hands . . . the right instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it." (Washington Post article by Lally Weymouth, January 24, 1993)

According to the Catholic Standard of the Archdiocese of Washington, Aristide was suspended from the Salesian Order of the Catholic church in 1988 after being accused of "incitement to hatred and violence" and emphasizing "class struggle" in his sermons.

"Don't neglect to give him what he deserves. Three days and three nights you're keeping watch in front of the National Penitentiary (see Note). If someone escapes, don't neglect to give him what he deserves."

[Note: A reference to Roger Lafontant, who had begun to serve a life sentence in the penitentiary for attempting to overthrow the government. He was murdered two days later in his cell as the coup was beginning under circumstances that remain obscure.]

"We should have discovered in the electoral campaign of this devil called Reagan, the satanic spirit was dancing in Reagan's head . . . The same spirit that Jesus chased while He was on Earth, forced these experts and Reagan to produce this document called Santa Fe . . . A bad spirit like this, don't you see, is the same bad spirit that danced in the heads of the Roman Emperors that Jesus fought."

"What we need to destroy these people we do not yet have. The day will come when we will have it. Nicaragua had it in 1979. Cuba had it in 1958 and 59."

"When you are sitting on top of the mountain teaching the peasants how to use necklacing, the peasant, having never seen a car before, having never seen a tire before, he will ask you, 'What is Necklacing?' He could also ask if the use of Necklacing is in the Constitution. You might answer, 'If the pressure of Necklacing in front of the Court-house on September 29 (the judgment day of Roger Lafontant) was not there, then he would not have received the life sentence. Instead, he would have only received 15 years.'"

[The three previous excerpts are from a transcript of a videotape of various Aristide speeches and sermons at Mass.]

The 1991 State Department *Human Rights Report* said:

"President Aristide appeared less concerned about prosecuting members of the military accused of human rights abuses if they were supporters or appointees of his Government . . . President Aristide also failed to condemn categorically all recourse to popular justice through mob violence. The Aristide Government made no effort to identify and to bring to justice those responsible for the wholesale killing, looting, and burning . . ."

[From the Congressional Research Service, Library of Congress, Translation from the French]

GENERAL HEADQUARTERS,
ARMED FORCES OF HAITI,

Port-au-Prince, Haiti, October 14, 1993.

His Excellency JEAN BERTRAND ARISTIDE,
President of the Republic, Palais National

MR. PRESIDENT: I would be very grateful if you would give the necessary instruction to the responsible Government officials to begin the necessary proceedings for my anticipated retirement provided for in Point 8 of the Governors Island Political Agreement which I signed in good faith on July 3, 1993 to lift the blockade of the country and to preserve the institution of the military.

I believe that you, as well as I, are aware of the obligation parallel to this procedure of making all the necessary arrangements for granting amnesty by parliamentary law, as indicated in Article 5 of the Governors Island Agreements and Article 5 (paragraph ii) of the New York Treaty.

My concern is shared by the Prime Minister and the Special Envoy who agreed in the course of a tripartite meeting held at Mr. Malval's residence on Tuesday, October 7, 1993 to send you the Minister of the Interior for this purpose of choosing the Commander-in-Chief, according to the oath in the Constitution and the Armed Forces General Regulations and by personal letter of appointment, and the Senate ratification of the Commander-in-Chief.

I will then officially hand over the command of the Haitian Armed Forces to my replacement.

Sincerely yours,

RAOUL CEDRAS,

Lieutenant General, Armed Forces of Haiti, Commander-in-Chief.

Mr. MITCHELL. Mr. President, I think the point has been made.

Many of the assertions made by the Senator are, of course, open to dispute and refutation. I am sure they will be and have been, during the course of the debate. I have no wish to engage in that because that is not the matter which I am involved in at the moment.

I just simply repeat that if the notion that long-distance psychological examinations be made of elected officials, and that they be made public, knowing best, as I do, about Members of the U.S. Senate, we all should be very leery of that.

Mr. PRESSLER. Mr. President, will my friend yield for one more question?

Mr. MITCHELL. Certainly.

Mr. PRESSLER. I am not saying we are in the psychological business, but here is a case where we are committing the prestige of our Government to someone who, according to newspaper reports, had very severe problems; who according to newspaper reports, has committed murder; who according to our State Department has committed human rights abuses.

I want to make that clear. We are not in the business of psychologically evaluating people. But here we are putting the force of the U.S. Government, the U.S. taxpayers, the overburdened American people, behind this person.

Mr. MITCHELL. Mr. President, may I ask the Senator a question? The Senator has referred three times to newspaper reports.

Does the Senator from South Dakota hereby state that everything that ever appeared about human rights in newspapers is true?

Mr. PRESSLER. Absolutely not.

Mr. MITCHELL. I thank the Senator.

Mr. PRESSLER. But I have had to deal with the press. I hope we deal with these accounts.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I now ask unanimous consent that the previous consent granted governing the conference report accompanying H.R. 2519 be executed upon disposition of the Dole-Mitchell amendment relating to Haiti; and that it now be in order to request the yeas and nays on adoption of the conference report.

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

Mr. MITCHELL. I now ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are requested.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1074

(Purpose: To express the sense of Congress on funding for the deployment of United States Armed Forces in Haiti)

Mr. MITCHELL. Mr. President, in behalf of Senator DOLE, myself, Senator GRAHAM, Senator SIMPSON, Senator THURMOND, Senator DOMENICI, Senator WARNER, Senator HUTCHISON, Senator D'AMATO, Senator MURKOWSKI, and Senator DODD, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for Mr. DOLE, for himself, Mr. MITCHELL, Mr. GRAHAM, Mr. SIMPSON, Mr. THURMOND, Mr. DOMENICI, Mr. WARNER, Mrs. HUTCHISON, Mr. D'AMATO, Mr. MURKOWSKI, and Mr. DODD, proposes an amendment numbered 1074.

Mr. MITCHELL. Mr. President, I ask unanimous consent that 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:

Sec. . SENSE OF CONGRESS ON THE USE OF FUNDS FOR UNITED STATES MILITARY OPERATIONS IN HAITI

(a) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) all parties should honor their obligations under the Governors Island Accord of July 3, 1993 and the New York Pact of July 16, 1993;

(2) the United States has a national interest in preventing uncontrolled emigration from Haiti; and

(3) the United States should remain engaged in Haiti to support national reconciliation and further its interest in preventing uncontrolled emigration.

(b) LIMITATION.—It is the sense of Congress that funds appropriated by this Act should not be obligated or expended for United States military operations in Haiti unless—

(1) authorized in advanced by the Congress; or

(2) the temporary deployment of United States Armed Forces into Haiti is necessary in order to protect or evacuate United States citizens from a situation of imminent danger and the President reports as soon as practicable to Congress after the initiation of the temporary deployment; or

(3) the deployment of United States Armed Forces into Haiti is vital to the national security interests of the United States, including but not limited to the protection of American citizens in Haiti, there is not sufficient time to seek and receive Congressional authorization, and the President reports as soon as practicable to Congress after the initiation of the deployment, but in no case later than forty eight hours after the initiation of the deployment; or

(4) the President transmits to the Congress a written report pursuant to subsection (C).

(c) REPORT.—It is the sense of Congress that the limitation in subsection (b) should

not apply if the President reports in advance to Congress that the intended deployment of United States Armed Forces into Haiti—

(1) is justified by U.S. national security interests;

(2) will be undertaken only after necessary steps have been taken to ensure the safety and security of U.S. Armed Forces, including steps to ensure that U.S. Armed Forces will not become targets due to the nature of their rules of engagement;

(3) will be undertaken only after an assessment that—

(A) the proposed mission and objectives are most appropriate for the U.S. Armed Forces rather than civilian personnel or armed forces from other nations, and

(B) that the U.S. Armed Forces proposed for deployment are necessary and sufficient to accomplish the objectives of the proposed mission;

(4) will be undertaken only after clear objectives for the deployment are established;

(5) will be undertaken only after an exit strategy for ending the deployment has been identified; and

(6) will be undertaken only after the financial costs of the deployment are estimated.

(d) DEFINITION.—As used in this section, the term "United States military operations in Haiti" means the continued deployment, introduction or reintroduction of United States Armed Forces into the land territory of Haiti, irrespective of whether those Armed Forces are under United States or United Nations command, but does not include activities for the collection of foreign intelligence, activities directly related to the operations of U.S. diplomatic or other U.S. government facilities, or operations to counter emigration from Haiti.

Mr. MITCHELL. Mr. President, it is my understanding that under the order there would now be up to 60 minutes for debate on that amendment this evening, controlled by Senator DOLE and myself.

Is that correct?

The PRESIDING OFFICER. The Senator is correct; 60 minutes, equally divided.

Mr. MITCHELL. In behalf of Senator DOLE and myself, I now yield that time.

The PRESIDING OFFICER. Time has been yielded back.

ORDERS FOR TOMORROW

Mr. MITCHELL. I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Thursday, October 21; 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 now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 8:45 p.m., recessed until tomorrow, Thursday, October 21, 1993, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 20, 1993:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OLIVIA A. GOLDEN, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES. (NEW POSITION)

EXECUTIVE OFFICE OF THE PRESIDENT

JANE M. WALES, OF NEW YORK, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE J. THOMAS RATCHFORD, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be admiral

VICE ADM. WILLIAM A. OWENS, U.S. NAVY.

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

VICE ADM. THOMAS J. LOPEZ, U.S. NAVY.