SENATE—*Thursday, January 27, 1994*

(Legislative day of Tuesday, January 25, 1994)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the Honorable HERB KOHL, a Senator from the State of Wisconsin.

PRAYER

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

Let us pray:

Hear, O Israel: The Lord our God is one Lord: And thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy might. And these words, which I command thee this day, shall be in thine heart: And thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and, when thou risest up.—Deuteronomy 6:4–7.

God of Abraham, Isaac, and Israel, Moses lays down the foundation for a healthy society, a strong nation—to love God with our whole being and obey His Law. The home, the family, the community are indispensable to proper social order. The central reality: Love God with our whole being and instill this love in our children.

Help the people to recognize the futility of all that government can do if Moses' instruction is not heeded, and give them the will to take God seriously.

To the glory of God and for the sake of the Nation and the world. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 27, 1994.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

FOREIGN RELATIONS AUTHORIZATION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 1281, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1281) to authorize appropriations for the fiscal years 1994 and 1995 for the Department of State, the United States Information Agency, and related agencies, to provide for the consolidation of international broadcasting activities, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

(1) McCain Amendment No. 1262, to express the sense of the Senate that in order to maintain and expand further United States and Vietnamese efforts to obtain the fullest possible accounting of American servicemen unaccounted for during the war in Vietnam, the President should lift the United States trade embargo against Vietnam immediately.

(2) Kerry Amendment No. 1263 (to Amendment No. 1262), in the nature of a substitute.

(3) Smith Amendment No. 1266, to express the sense of the Senate relating to the lifting of sanctions on the Socialist Republic of Vietnam contingent upon a resolution of all cases or reports of unaccounted for United States personnel lost or captured during the war in Vietnam.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 45 minutes for debate to be equally divided and controlled by the Senator from Massachusetts [Mr. KERRY] and the Senator from New Hampshire [Mr. SMITH].

Who yields time?

Mr. SMITH addressed the Chair.

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from New Hampshire [Mr. SMITH].

Mr. SMITH. Mr. President, just one parliamentary inquiry. I assume that the time will continue to run if we go into a quorum call, is that correct?

The ACTING PRESIDENT pro tempore. Quorum calls will be charged against Senators who control that time. And the vote will occur at 10 o'clock.

Mr. SMITH. Thank you, Mr. President.

Mr. President, I am anticipating the arrival of Senator SPECTER momentarily. If he is watching the monitor here, I am prepared to yield to him when he gets here.

The debate last night was emotional and intense, as you might expect. This is an emotional and a very intense issue. It has been for a number of years, since the end of the Vietnam war.

Let me just state the parliamentary situation here. We have the Kerry amendment which we will have the opportunity to vote on, which is a second-degree amendment to the McCain amendment. And then my amendment, the Dole-Smith amendment, will be voted on after that.

The issue here with the Kerry amendment, which amends the McCain amendment, is whether or not we want to instruct the President to lift the embargo. Are we ready for that? I say we are not, that the Kerry amendment is premature to say the least.

I hope my colleagues will listen and heed the words of those who have the most to lose or gain on this issue, that is, the families and the veterans. I, in the debate last night, indicated that the League of Families, all of the Alliance of Families, individual family members who contacted me, the Legion, the American Legion, the DAV, VFW, and all the veterans groups have indicated to me that they oppose the Kerry amendment.

They do not want us to indicate to the President of the United States lifting of the embargo. These are the people who have the most to lose. These are the people who are asking us not to lift the embargo. They are petrified. I think that is the adjective to use. They are petrified. They are petrified that this amendment is going to be adopted and that the leverage that they have to get the answers about their loved ones will be lost. That is a risk that we are taking if we lift the embargo.

After 20 to 25 years of waiting, hoping, I think these people deserve better than that. I understand the intense feelings here and understand how many want to get the war behind us. More want to get the war behind us than I do. I urge my colleagues, if you have not had a chance to look at the debate, try to look at the record and consider the feelings of these family members. In doing so, I think if you do that, you come to the conclusions I have that it is wrong to lift the embargo. I will have a few comments in a minute. I want to allow some time to be used on the other side before I conclude.

But I hope that people will understand that the people who have the most at stake—the family members—are the ones that want this amendment defeated. They want the Dole-Smith amendment adopted because that is a reasonable amendment because it says that the President will certify that all

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

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of the intelligence that he has reviewed will indicate that the Vietnamese have been fully cooperative. When that happens, the President can certify but not before. That is the issue. After all of these years, I hope that we are not going to bail out on the families now. It would be a terrible message to send. At this time, Mr. President, I yield the floor.

Mr. KERREY addressed the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. KERRY. I yield the Senator from Nebraska 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska [Mr. KERREY] is recognized for 5 minutes.

Mr. KERREY. Mr. President, I believe it is time for us to end the Trading With the Enemy Act restrictions on the nation of Vietnam. Moreover, I believe this action is in keeping with our desire to gain the full accounting that everybody in this Chamber wants to accomplish. I believe, in fact, that the people who have the most to gain by this action are, indeed, the families who have suffered for so long not only the lies of this Government but very often the lies of the Vietnamese Government.

This tragedy that the families have been suffering for so long can end, Mr. President, but in my judgment one of the things that must occur in order to end it is to, at this stage of the game, lift these sanctions. I understand that there is great doubt. I understand there is still a considerable amount of animosity. I understand there is still a considerable amount of fear, Mr. President. But I believe strongly that not only is this in the best interest of the families but that the United States of America will continue to hold a considerable amount of leverage to make sure the Vietnamese Government continues to make all efforts to comply with the requirements we put in place to gain the full accounting that every single Member of this body wants to accomplish.

There is another issue that I believe needs to be discussed and, indeed, I have discussed this issue with the administration at length. My hope is, along with our concern for the men that we left behind, prisoners and missing in action in Vietnam, along with our concern for our own, Mr. President, I hope that we will now begin to talk about the freedom of the Vietnamese people as well.

One of the concerns that I have with this action, which, as I said, I believe is appropriate now, is that it is being done as a consequence mostly of economic pressure; in other words, I have people who are concerned about losing oil leases in the North China Sea. I have people who have concerns about losing contracts for supply planes to Vietnam. I have people who have concerns about losing business in Vietnam.

I believe it would be a terrible mistake and a real tragedy and a denial of any purpose whatsoever of the war in Vietnam if when we come back into Vietnam all we care about and all we talk about is making money. At our best, and Lord knows we were not always at our best, at our best in this war we fought for the freedom of the Vietnamese people. For gosh sakes, Mr. President, we ought to be able to come back into Vietnam, heads held high, proud, and say that we still care about the freedom of the Vietnamese people and that we are not going to stand still and watch the Vietnamese Government throw people in jail for advocating multiparty democracy, throw people in jail for merely practicing the religion they decide is best for them; that we care about the freedom of the Vietnamese people.

The movement to markets and the movements to a free political system will not be sustained unless the United States of America provides the leadership necessary to embolden the people in these countries to make this effort. They are risking a great deal.

So I appreciate the Senator from Massachusetts putting into this sense-of-the-Senate resolution a concern about human rights. I know that he is as concerned as I am. One of the things that I find missing in our policy that bothers me terribly is that there is far too much self-indulgence, far too much concern about what was the impact of the war upon me; how terrible the war was for me as an individual. Mr. President, we fought the war not for ourselves; we fought the war for the Vietnamese people.

As we come back into Vietnam, we ought to come back with pride for that fact, with no shame whatsoever, and say that struggle ought to continue and that, indeed, it is legitimate for us to say to the government leaders: If you want prosperity in your country, if economic prosperity is your concern, then do not simply come to the United States and other Western developed nations and say you want investments. Follow your own people. A million and a half people left Vietnam, have come to the United States, have prospered. Why, Mr. President? Because they have political freedom, because they can own private property, because they do not have to worry—with certain exceptions—about whether or not the Government is going to come in and tell them they cannot join this political party or cannot practice this particular allegiance. It is political freedom that is essential if you want to develop your country.

We have to be saying that now with confidence, with pride, with real belief. I think a meeting in New York City to discuss human rights is inadequate. We should send a human rights delegation to Vietnam and say to the Vietnamese people who will hear us that we care about their freedom, that we believe this war had purpose at its best.

Not only do I find myself saying I am terrified and concerned about the families right now—and I know there are many families out there wondering whether this resolution is a sellout. It is not a sellout, Mr. President, but a true sellout would be if the United States Government says that we do not care about the freedom of the Vietnamese people; that we believe the war had no purpose at all.

So I hope the Members of the Senate today will support Senator KERRY's resolution and Senator MCCAIN's resolution. I believe it is time to end these sanctions, but it is not time for us to stop fighting for the freedom of the Vietnamese people.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. KERRY. Mr. President, I yield 5 minutes to the Senator from Arizona.

The ACTING PRESIDENT pro tempore. The Chair recognizes Senator MCCAIN for 5 minutes.

Mr. MCCAIN. Mr. President, before he leaves the floor, I would like to express my personal appreciation for Senator KERREY, of Nebraska. There has been no individual in America, much less this body, who has been a stronger advocate for the basic human rights and freedom of the Vietnamese people.

I suggest that one of the reasons why it continues to have the priority that it does, both with the American people and the administration, is because of his efforts. I appreciate it and I know he will continue to contribute to efforts to enable the people of Vietnam to realize the freedom and democracy for which Senator KERREY, of Nebraska, made such an enormous sacrifice.

I thank the Chair. I thank Senator SMITH and Senator KERRY for a very elevated and enlightened debate. I wish to tell both of them that I think it has contributed enormously to the understanding of the American people on this issue. Both have made cogent and informed arguments. What we have is an open and honest disagreement amongst honorable men in this particular debate.

I would like to mention that last night you did hear two arguments about the level of Vietnam's cooperation with the United States. Those Senators unable to decide which argument the facts support should look to the most credible sources. In my view, the most credible sources are the men and women we have asked to carry out the tasks of ascertaining the fates of the missing and finding a resolution to the POW/MIA issue. These are people like John Vessey, a man who received a battlefield commission at age 17 in Salerno, who fought in three wars including the Vietnam war, who was appointed emissary by two Presidents of the United States, who made numerous

trips to Vietnam, who is respected and highly regarded. In fact, in my view, I have never met a finer individual in my life than Gen. John Vessey, a man who instead of taking his well-deserved retirement has spent thousands and thousands of hours trying to resolve this issue, not because the President of the United States asked him to but because of his feeling of obligation to the men and women who served in Vietnam and those who are still listed as missing in action or POW.

Gen. John Vessey, after many years of total immersion in this issue, believes that it is in the interest of further accounting on this issue for the United States to move forward and lift the embargo.

I make brief reference to Adm. Charles Larson, Commander in Chief in the Pacific, and Gen. Tom Needham and the other military members who have been through jungles and hardship and difficulties that are impossible to describe in their efforts to ascertain the whereabouts of those who are still listed as missing in action. All of those individuals who we have entrusted with that responsibility say that they believe we can help resolve this issue if, indeed, the United States moves forward in our relations.

I have, in a previous statement, articulated my strongly held view that it is in the national interest of the United States to have an economically viable and strong Vietnam in light of the enormous economic and military growth of China. I also believe that at some point or another, Mr. President, the United States brings closure to our conflicts with other nations. Throughout our history we have brought closure. I am not saying that I like and admire the Vietnamese. I am not saying that Senator BOB KERREY's remarks about human rights are not entirely valid. There are human rights abuses in Vietnam as we speak. There are people who are being imprisoned for speaking out about suppression of the basic freedoms of democracy that Vietnam promised the Vietnamese people during the entire conduct of the war, promises they clearly had no intention of honoring. But the fact is that it is in our interest to bring our conflict with Vietnam to closure.

I would also like to point out that this amendment asks the President to lift the embargo expeditiously. Whatever he considers to be expeditious is up to the President. The accounting process will continue until we have identified all the remains that have been recovered.

Among the criteria that Senator SMITH's amendment establishes for determining full cooperation is that Vietnam resolve all MIA cases not just in Vietnam but in Laos and Cambodia. They had a free election in Cambodia. I think we ought to ask the Cambodians to do that.

I would like to make a personal point, Mr. President. I do not often discuss my past experiences in the Vietnam war, not because I do not think it is appropriate, but because I do not think it is relevant to my work as a U.S. Senator. The fact is that during the years that those of us were held in captivity, our first and most important priority was to establish the identity and the names of those who were being held with us.

The Vietnamese constantly threatened those Americans held captive that they would not release some Americans at the end of the war depending on our attitude and cooperation. Therefore, many times at great physical risk, we did everything we could to account for those who were in prison. Most of us used to go to sleep every night memorizing the names of those who were with us, and I can assure you, Mr. President, every name that I knew of has been accounted for.

Now, does that mean there are not questions about those who were shot down in Laos? Absolutely not. Does it mean that in South Vietnam there is not a significant question? Absolutely not. And the accounting process can go on. The question that this body must answer is whether it will enhance our ability to get a full accounting by lifting the trade embargo or will it harm it. The view of the experts is that it will enhance our ability to obtain the fullest possible accounting. Sooner or later, we must recognize that a complete accounting will not happen because in every war there have been those for whom we have been unable to account. At the same time, we as Americans will continue to do everything in our power to get a full and complete accounting, and the families of those who are still listed as missing in action deserve nothing less. I urge my colleagues to vote in favor of this resolution.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. SMITH addressed the Chair.

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from New Hampshire, Mr. SMITH.

Mr. SMITH. Mr. President, how much time do I have on our side?

The ACTING PRESIDENT pro tempore. Sixteen minutes is remaining to the Senator.

Mr. SMITH. I thank the Chair.

Mr. President, I yield myself 4 minutes.

I would like to respond to some comments that were made by Senator KERRY last night regarding the intent of my amendment. The amendment is very clear. There was some statement made that somehow this amendment would hold the Vietnamese accountable for accounting for lost Americans in Laos where they would not be able to do that because it was another nation.

I would like to read the language of the amendment which was not read last night, ironically. It says:

> Resolution of all cases or reports of unaccounted for U.S. personnel lost or captured in Vietnam, Laos or Cambodia for which officials of the Socialist Republic of Vietnam can be reasonably expected to have in their possession additional information or remains that could lead to the fullest possible accounting of said U.S. personnel based on U.S. intelligence and investigative reports.

That is reasonable. Anyone who knows anything about the conduct of that war knows that the Vietnamese controlled large portions of Laos, and that they know full well what happened to many of our pilots who were shot down. Indeed, they were captured by the Vietnamese forces. Vietnamese forces controlled the Pathet Lao.

So the intent of the amendment is clear. It does not ask the Vietnamese to be responsible for that which they cannot be responsible. But it does ask them to be responsible for the men they had some knowledge of, either captured or killed or whatever in Laos when they were operating there. So I think it is important to keep the record straight on exactly what the amendment says.

Another point about my amendment which is very important is the consultation clause. Again, as I indicated in my earlier remarks, there is absolutely no individual group or any individual participating in this debate or who has a stake in this debate greater than the families. They deserve to be consulted before the embargo is lifted because behind every one of those 2,238 cases there is a family. We do a lot of talking and discussing about numbers, budget deficits and everything else. There is always a number when we are talking about things in the Senate.

But those numbers are families. Those families do not want this embargo lifted. Does every family feel that way? No. There are families who would support lifting the embargo. I acknowledge that. But the vast majority do not and the organizations that represent them do not. The national league, the alliance, and other veterans groups as well as family groups do not support the lifting of the embargo. They should be heeded and listened to. That is reasonable.

Let me also indicate that the reason I believe lifting the embargo is wrong, that it is unconscionable to do so at this point, is because it goes against the policies of President Reagan, President Bush, and President Clinton. The policy that we have always had throughout Democrat and Republican administrations on this issue is that the fullest possible accounting would be the criteria for lifting the embargo.

We are dealing with another agenda here. With the greatest respect for my colleague, Senator KERRY, he has proven that his agenda over the years is to lift the embargo. It is not linked to the

POW issue. He wants the embargo lifted. He said it in 1990. In 1990 in a letter to then President Bush he said, "We urge you to act promptly to lift the U.S. trade embargo on Vietnam and we pledge our full support."

There is no linkage here to POW and MIA. He wants the embargo lifted. That is why he is here. He has a right to his opinion. But he wants the embargo lifted.

So let us understand that. We are dealing with an agenda of lifting the embargo.

The Vietnamese have not fully cooperated. They have not fully cooperated. They have cooperated as we see with these excavations, and Senator KERRY said last night that I had no concerns about that—or indicated that I did not, intimated that I did not. I certainly do, everybody that is accounted for here in these excavations. I support doing those excavations, and I support accounting.

I yield myself an additional 2 minutes.

The point is, is that the priority? Should that be the only thing we do? The answer is no. There are files in the archives of Vietnam where people can be accounted for. The Vietnamese can unilaterally provide this information today, and they do not do it. I gave plenty of examples last night in the debate.

So what we are doing if we support this amendment of Senator KERRY is we are basically going against policies of Reagan, Bush and Clinton, and President Clinton has made a point of saying that he expects to have the fullest possible accounting before the embargo is lifted.

And we are going against every family organization, every veterans organization representing millions of people. We are going against them. We are ignoring what they want. Do they not have a right to be heard here?

So, let us not deal with somebody else's agenda, somebody else's feelings about Vietnam and lifting the embargo. Let us deal with the feelings of the people who count, the people who have the most at stake here, the families and the veterans groups and the policies of previous Presidents, and the current President.

That is all I am asking. My amendment is very reasonable. It does not say we cannot lift the embargo. My amendment says that when the President certifies that we have received the fullest possible accounting from the Vietnamese Government, the embargo can be lifted. That is reasonable. Do not try to cop out by voting for both amendments. Vote for the right amendment. The right amendment is to let the President certify when the fullest possible accounting occurs because he has the access to the intelligence. Unless you have read every case of these 2,238 and determine for yourself that the fullest possible accounting in that family's case has been done, then you ought not to vote to lift the embargo.

Fully forthcoming, do not be confused by partial—fully forthcoming. That is the issue.

Mr. President, I yield 7 minutes to the Senator from Pennsylvania.

The ACTING PRESIDENT pro tempore. Senator SPECTER is recognized for 7 minutes.

Mr. SPECTER. I thank the Chair. I thank my colleague from New Hampshire.

Mr. President, I have followed the debate very closely and have talked privately with the distinguished Senator from New Hampshire, Senator SMITH, the distinguished Senator from Massachusetts, Senator KERRY, and also the distinguished Senator from Arizona, Senator MCCAIN about the issues.

I have participated in the debate to some extent yesterday afternoon posing the critical question as I saw it, which is has the Government of Vietnam made the best good-faith effort to determine the locale of all of the remains of U.S. servicemen? And that is the basis for my judgment of the matter, and that is to support the Smith amendment.

The basis of the amendments offered by Senator KERRY and Senator MCCAIN turn on their pragmatic evaluation of what is the best way to get continuing efforts by the Government of Vietnam, and they have said that they believe that continuing efforts from the Government of Vietnam can best be obtained by lifting the embargo.

I do not know whether that is true or not. That is a judgment call. It may be that we can get more out of the Vietnamese Government by not lifting the embargo, because I think that it is a point of real pressure for the Vietnamese Government. I say that, having been in Vietnam in the course of the past 2 weeks, being a member of the Senate Energy Committee chaired by Senator BENNETT JOHNSTON, which visited Vietnam. During the trip, we talked with General Needham, who is in charge of the U.S. military efforts on the MIA issue, and with the other U.S. military personnel in Vietnam. We also spoke with people from the Vietnamese Government who are trying to cooperate in producing the remains of all of the MIA's.

I share the conclusions articulated by Senator JOHNSTON and Senator SIMPSON, who is also part of the congressional delegation, that it appears that the Vietnamese Government is trying. I am also familiar with the comments made by General Needham, and those of Admiral Larson. They are complimentary of what the Vietnamese Government has done. However, I do not know if the actions by the Vietnamese are the maximum good-faith effort possible.

Senator SMITH has argued very persuasively that the Vietnamese have not given maximum effort. He has backed up his generalization with specific indicators, if nonspecific evidence. But there is really more that the Government of Vietnam can do by way of disclosing the locale of remains of MIA's.

I think that the President of the United States is in the best position to make that determination. The President, with his executive authority and with his access to much more information than any Senator has, is in a better position than any Senator or the Senate as a body.

We know as a matter of practical experience that no matter how hard we probe—I served on the Intelligence Committee for 6 years—and press the executive branch for the facts, we just do not get the full facts. It is an unfortunate fact of life in the U.S. Government that there is concealment even from the key members of the key committees in the face of specific requests and in the face of specific representations by the executive branch. That is a very troublesome fact, Mr. President, but that is a fact that I have seen now in my 14th year in the U.S. Senate.

The President knows more than we do. I had, frankly, expected Senator SMITH to offer an amendment which would be the sense of the Senate to preclude the President from lifting the embargo on the basis of what Senator SMITH believes to be true.

That is what I had candidly expected. As soon as I returned from the trip to Vietnam, I sought Senator SMITH out and talked with him about it and went over with him to the extent I could the specific facts that he had and some, candidly, he would not tell me about. I understand that, too, in terms of confidentiality. Based on where he was, I thought he might well take the position that the Senate should say to the President: Do not lift the embargo. He has not said that. If he had said that, I do not think I would have gone that far with him, because I think, with all due respect, that the President has access to more information than Senator SMITH. Senator SMITH, may the RECORD show, is smiling and nodding in the affirmative.

My colleague, Senator MCCAIN, is on the floor, and I do not think anybody has more standing than Senator MCCAIN on this or any other issue related to the Vietnam war. As I said yesterday, our congressional delegation went to the monument for Senator MCCAIN in Vietnam by the lake where he was downed. Senator MCCAIN is smiling, and he finds it somewhat embarrassing to be a war hero, but that is part of the problem he will have to bear. We all had our pictures taken in front of the monument, and a group photo as well, because we have so much respect and admiration for Senator MCCAIN.

I do not disagree with Senator MCCAIN, and I appreciated his comment

yesterday when I endorsed what Admiral Larson said and what General Needham said, and he is prepared to back their view in lifting the embargo. My own sense is not to accept their judgment but to look for the standards, which I think are more important. The standard that I think is most important is whether there has been a maximum good-faith effort by the Government of Vietnam to tell us all they know about the MIA's and the remains of the MIA's. I am not prepared to base my decision on what is the maximum pressure or leverage.

I see my time has expired, as the Chair is about to pound the gavel. I shall conclude at this point with thanks to Senator SMITH for yielding me the time.

Mr. KERRY. Mr. President, I yield 2 minutes to the Senator from Virginia.

Mr. ROBB. Mr. President, in order to support the continuing efforts of the Joint Task Force-Full Accounting in Vietnam, United States military personnel at the Pentagon and Pacific Command in Hawaii, POW/MIA analysts at the Defense Intelligence Agency, diplomatic officials at the State Department, the President, and most importantly, the families of those missing in action from the Vietnam war, I urge the adoption of this sense-of-the-Senate resolution calling for the expeditious removal of the United States embargo against Vietnam.

I join a distinguished group of fellow Vietnam veterans in supporting this course of action; among them, Senators JOHN KERRY and JOHN MCCAIN, with whom I served on the Select Committee on POW/MIA Affairs, and with whom I continue to join in advancing the objective of the fullest possible accounting of our POW/MIAs.

Mr. President, a few years ago we created a diplomatic framework, known as the roadmap, for the resolution of this issue. We established clear benchmarks in the roadmap that had to be met by the Vietnamese in order for our economic and political relations to be restored. The Vietnamese have taken many steps to fulfill their obligations under the framework.

Following Assistant Secretary Winston Lord's trip to Vietnam last month, the State Department reported to me that the Vietnamese have exhibited far more cooperation than ever before. They provided Assistant Secretary Lord new documents from the immediate post-war period, and reiterated to him their commitment to cooperate in all phases of our POW/MIA investigation.

Mr. President, regarding the four key areas President Clinton has announced in which he sought further progress by the Vietnamese in POW/MIA accounting—remains, discrepancy cases, trilateral cooperation, and archives—there have been significant developments on all these fronts in recent months.

Specifically, 67 sets of remains were returned in 1993, a number higher than nearly any previous year. We have reduced the discrepancy case number to 73, and trilateral excavation teams in late 1993 recovered remains on both sides of the Lao and Vietnamese borders. Further, the JTF-FA in Hanoi describes the progress made to date in the area of archival research as superb.

Mr. President, beginning earlier this month 8 American POW/MIA excavation teams fanned out to 13 different provinces in Vietnam to dig and examine crash sites. They are just now finishing up 3 weeks of work. Eighty-four Americans are involved in the effort, and the next mission is expected to include even more American personnel. The Vietnamese fully support, and are cooperating with, these field operations.

Last August, Premier Vo Van Kiet gave me his personal assurance that the Vietnamese would help American investigators in-country. He told me that while "we can't find what was lost one hundred percent, the Vietnamese Government will try all ways and means to try to resolve outstanding problems with sympathy."

Mr. President, besides speaking to the Premier and Foreign Minister Nguyen Manh Cam at length, I saw concrete examples of cooperation during my visit to Hanoi, Danang, and Ho Chi Minh City. When I arrived in Hanoi, I was briefed by JTF-FA personnel and assured that an amnesty program was underway that would allow Vietnamese citizens to turn in remains or evidence relating to American POW/MIAs and not face retribution. JTF-FA were hopeful about the prospects of the amnesty program, and State Department officials reported to me yesterday that it has helped to resolve a number of POW/MIA cases.

An oral history program has also been initiated, and when I visited the Ranch in Hanoi where the U.S. military is based, JTF-FA staff were working their way through specific interviews, with past Vietnamese leaders and cadre that would have possible knowledge of the POW/MIA issue. They had already conducted quite a few interviews, with a handful showing some promise of useful information.

In addition, JTF-FA personnel are now systematically conducting documentation research. Analysts are conducting interviews with Vietnamese journalists who covered the war, combing through newspaper morgues for clues, visiting central and regimental level military museums, and examining old Vietnam News Agency photos. I have been impressed with the comprehensive approach and efficiency of their efforts.

Mr. President, none of this would have been possible had Vietnamese authorities stonewalled American investigators. There would have been no interviews of Vietnamese military officials, visits to military museums, field excavations, handing over of remains, or providing of information on discrepancy cases if the Vietnamese had not acquiesced to our demands as stated in the roadmap.

Mr. President, in order to continue with this forward motion, lifting the embargo will help accelerate our efforts to achieve full accountability. Our own interests—not just Vietnam's—are served by expanding ties with Vietnam. Regretably, we will never be able to recover every remain and close every case relating to missing Americans in Vietnam—nor have we been able to do so for any war prior to Vietnam. But the task will be easier with greater and more access.

What we risk by not proceeding is continued Vietnamese cooperation. My interest is not in engaging in rhetorical saber rattling with Communist leaders in Hanoi; I abhor their political system and condition normalization of relations on improvements in the treatment of their people.

Mr. President, beyond my own personal observations during two recent trips to Vietnam and my active participation in the Select Committee on POW/MIA Affair's investigation of this issue, I trust and believe United States officials—from General Vessey to General Needham to Admiral Larson to Assistant Secretary Lord—who tell me that the Vietnamese are giving us straight answers and putting forth their best effort to determine the whereabouts of our POW/MIA's. These officials have laid the groundwork to expand the basis by which the JTF-FA is conducting its work across Vietnam. Not proceeding would represent a lost opportunity to learn more about our POW/MIA's who stood and fought in Vietnam. Lifting the economic embargo enhances the prospects of gaining more answers to what happened to our loved ones, so I lend my full support to this measure as a means for achieving such a goal.

Mr. President, on a final note, as chairman of the East Asia Subcommittee on the Foreign Relations Committee, I will be holding a hearing late next week to question Clinton administration officials on the latest progress. In my role of oversight, I look forward to laying the facts out to the American people, and helping to shape future United States foreign policy as it relates to our missing servicemen and economic and political relations with Vietnam.

This morning, I want to say that I believe this is one of those opportunities that if we do not take it, we are going to set the whole process back. I agree very much with the arguments made by my colleagues, Senator KERRY and Senator MCCAIN, and many others, on this particular topic. I spent time in July of last year meeting with a num-

ber of Vietnamese officials, including the Premier, the Foreign Minister. I spent time in a hearing. I spent time in August there. There is no question in my mind that the officials in Vietnam think they are cooperating to the fullest extent possible. They believe that the United States has told them that if they will cooperate, at least a lifting of the embargo can take place.

It is my very firm conviction that if we do not do something, we are going to set back this process and make it more difficult to get the kinds of information we have to have if we are going to provide a full accounting. That is all this amendment requires, that we continue to press for a full accounting, that we keep that commitment and concern about loved ones that have not been accounted for. We can best do that by fulfilling our part of the bargain in this particular case, because the Vietnamese believe in good faith that they have complied to the full extent of their capacity.

Mr. President, I urge support for the resolution that Senators KERRY, MCCAIN, I, and others put in.

With respect to my colleague from New Hampshire, I understand and appreciate what he has done to keep the pressure on. But in this case, we need to make a decision to move on and allow the rest of the process to take place and to support the effort for the full accounting.

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

The PRESIDING OFFICER. The Senator has 58 seconds remaining. There are 5 minutes 13 seconds on the other side.

Mr. SMITH. I think the Senator from Massachusetts should use a couple more minutes, and then we will close.

The PRESIDING OFFICER. Who yields time?

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

Mr. President, there are going to be two votes. One vote is urging the President to do something—not mandating it, not telling him to do it tomorrow, but urging him to expeditiously move to do this. The President has been consulting with families. He will continue to consult with families. There is nothing in the McCain, Robb, et al., amendment, that changes the policy of today, except to urge him to move forward in order to preserve the policy of today.

The amendment of Senator SMITH is cleverly calculated to change the current policy. It changes President Clinton's policy, and it does not do it as a sense of the Senate. It mandates it by law. It tells the President what he must do in the context of this, different from what was done with President Bush and President Reagan. It sets a new standard, including Vietnam's responsibility to provide information for Laos and Cambodia. It requires it to be based on intelligence, so the veterans groups can say: You did not follow the intelligence; or you did, not knowing whether the intelligence is even good.

I respectfully suggest that we should not order the President to do something; we should suggest. This is not a test of patriotism. This vote is not whether you are for or against getting an accounting. This is a judgment issue as to how we best respect the commanders in the field who are getting the accounting and respect a process that has been underway for some time. If we do not proceed forward, Mr. President, we can lose the ability to get the answers we are getting today.

I am sorry that my colleague suggested that I have some other motive. I have not suggested anything about his motives. The fact is that I sat through hearing after hearing, asked the toughest questions of Dr. Kissinger and others, helped get millions of documents declassified, have traveled eight times to Vietnam, flown at risk in Soviet helicopters across their territory, and spent hours trying to get answers. I have listened to the people in the field—something that we did not do during the war itself.

The people in the field are saying to us: Lift this embargo. You will help us get answers for the families. We have to turn away from a policy of retribution to a policy that makes sense—common sense. For 19 years, we did nothing; for 19 years, we got very few answers, if any, for our families. For 19 years, we were not engaged. But since General Vessey, who says "lift the embargo" got engaged, we are getting answers for our families. General Vessey has spent hours working this process. He says, "Lift the embargo." Admiral Larson, who is the commander in charge, says, "Lift it." General Needham, who is working day to day at risk of life with other American soldiers, says, "Lift it."

Mr. President, my colleagues say Vietnam has not done everything they can. I do not know if they have or not. You cannot prove they have not. The question is whether or not we are going to have a process in place that puts them to the test. Senator MCCAIN and Senator ROBB and Senator BOB KERREY and Senator LARRY PRESSLER and I, all Vietnam veterans, are not asking this U.S. Senate to trust the Vietnamese. We are asking the Senate to put in place a continuing process that verifies, that puts them to the test, that asks for more information, and that guarantees our ability to get it.

Two years ago, when I began this process as chairman of the Senate select committee, we had no office in Vietnam, no ability to get archives, no access to the countryside. We had no ability to follow up on live sighting reports. Now we have American soldiers landing in helicopters, not on search and destroy missions but on search and discover missions. American soldiers again are walking through Vietnam, unescorted, asking questions of the villagers. We do that at the sufferance of the Vietnamese.

Unless we continue this process, which they could cut off tomorrow, we will not serve the families. If you want to serve the families, you will vote to lift the embargo. If you want to put the war behind us and act in a statesmanlike fashion and look to the future and protect the interests of this Nation, you will vote to lift the embargo.

I reserve the remainder of my time.

Mr. SMITH. Mr. President, I yield the remainder of my time to the Republican leader, Senator DOLE.

Mr. DOLE. Mr. President, I have listened to this debate very carefully. In fact, last night I went home and listened to the distinguished Senator from New Hampshire, the Senator from Massachusetts, and the Senator from Ohio [Mr. GLENN]. I must say it is a judgment call as just pointed out by the Senator from Massachusetts.

I certainly respect all those who are associated on the other side, Senator ROBB, Senator MCCAIN, Senator KERRY, and Senator KERREY.

I understand that this is a matter of some import, but I do not really understand why there would be opposition to the amendment that we are offering. It just says the Commander in Chief is the Commander in Chief and he ought to make a determination.

My association with Vietnam POW's and MIA's goes way back to 1970. In fact, I wore my colleague, Senator MCCAIN's bracelet around. I did not know he would be a colleague at that time. I remember going to President Nixon saying we have to do something about POW's and MIA's. I remember going to a meeting in 1970 at Constitution Hall when only 30 people showed up, including two Members of Congress, to talk about the plight of the POW's and MIA's. I remember promising the group of families at that meeting that we would fill Constitution Hall in 90 days, and we did. The speaker at that time was Vice President Spiro Agnew—a long time ago—and we filled Constitution Hall.

I ask unanimous consent that I may use my leader's time.

The PRESIDING OFFICER (Mrs. MURRAY). Without objection, it is so ordered.

Mr. DOLE. And we filled Constitution Hall. I know it has been a long time. It has been a long time, and sooner or later you just have to cut it off.

I listened with great interest to the recitation of those still missing from Korea and World War II. They were bigger numbers of missing from those wars than from Vietnam.

Certainly, they made a lot of progress in Vietnam. But, on the other hand, there are still some families out there who just would like one last cer-

tification by the President of the United States that progress is not only good, but that this is it: Vietnam is not withholding. They are willing to accept that.

It is the families that have endured the pain of not knowing for 20 or more years. Families who deserve final answers. Let's finally have an answer for Jane Duke Gaylor in El Dorado, KS, as to what happened to her son, Charles Duke, a civilian technician missing from Pleiku, Vietnam, since May 30, 1970. Answers to Mary Hall in Altoona, KS, as to what happened to her husband, T. Sgt. Willis R. Hall at Lima Site 85, overrun March 11, 1968. And answers to Carol Hrdlicka in Conway Springs, KS, as to what happened to her husband, Col. David Hrdlicka, shot down over Laos in 1965, and whose picture appeared in Pravda and in Vietnamese newspapers in 1966.

In that time, there has been some progress—345 Americans have been accounted for. But this progress only occurred after serious and sustained pressure from the United States. The track records is crystal clear: Vietnam has lied, concealed, and dissembled for 20 years. They give up information and remains only when the Government makes a political decision that it serves their political goals. And, as the administration's decisions to support IMF loans to Vietnam in July 1993, and to ease the embargo in September 1993 show: The Vietnamese strategy to control release of remains and information for political leverage is working.

The Kerry-McCain amendment says the embargo should be lifted expeditiously. The Smith-Dole amendment says the President should not lift the current embargo until he makes a determination that Vietnam has provided remains and information our own Government has reason to believe Vietnam continues to withhold. If Vietnam has already fully cooperated—as some of their supporters appear to believe—the President can make this determination tomorrow.

If, however, Vietnam is allowing highly publicized searches of already excavated crash sites, while holding back remains, crucial documents, and information about cases our intelligence community believes they could provide—we should not lift the embargo. And, if Vietnam is holding back information as many credible observers believe, lifting the embargo would be the worst possible decision. It would let the Vietnamese Government know that the United States no longer considers accounting for America's POW/MIA's a matter of the highest national priority. It would let the Vietnamese know that the fullest possible accounting is now on the back burner. And it would let the Vietnamese know that business interests take precedence over the interests of seeking knowledge about the fate of Americans who served their country in a war too many are willing to forget.

I hope all Senators can agree that we should respect the views of the families of those unaccounted for from the Vietnam war. They are not unreasonable. They are not saying keep the embargo until after the fullest possible resolution is obtained. What they are asking for is simple: Do not lift the embargo until Vietnam provides information that our own intelligence community says it can easily provide if Vietnam makes the political decision to do it. What the families oppose is payment in advance. What they support is reciprocity—a clear sign that Vietnam has done what it can easily do to resolve their uncertainty.

Mr. President, the Smith-Dole amendment simply lays out a determination by the President on Vietnamese-POW/MIA cooperation before the embargo is lifted. I would hope all my colleagues could support it. If POW/MIA cooperation is as good as many Senators stated last night, they should be able to support this language.

I am not certain—I guess maybe some of my colleagues will vote for both amendments. I do not know what they will do.

The President of the United States is the Commander in Chief under the Constitution. He is going to make some findings. He is not going to lift the embargo without making some findings on the issue.

I just suggest that all the amendment does is lay out a determination by the President on Vietnamese-POW cooperation before the embargo is lifted.

I do not know any reasons to oppose this amendment. I listened to my colleagues last night, and certainly Senator KERRY of Massachusetts has done precisely what he said he had done. He has been to Vietnam eight times. He has flown all over the country and he has held 2 years of hearings. The Senator from New Hampshire has done the same, as has the Senator from Arizona, and many others.

But this amendment is simply an affirmation of President Clinton's position, and this is what he said on November 11, 1992. It is his quote:

> I have sent a clear message that there will be no normalization of relations with any nation that is at all suspected of withholding any information. We must have as full an accounting as humanly possible.

Our amendment simply asks the President to make a determination on his own standard: is Vietnam suspected of withholding any information? If he says no, that is the end of it.

Maybe the President will think things have changed since he made that statement. Maybe the President thinks Vietnam is not withholding information. Then he should welcome this amendment as an opportunity to address the concerns of the families. Maybe there are not that many of them. Maybe this is not a big issue. It is probably not going to win or lose any election for anyone. But it means a great deal to some people. Maybe they ought to give up. Maybe they ought to give up hope.

But I happen to believe, based on the information available to me, that Vietnam is not being fully forthcoming. They are allowing a lot of activity. We get a lot of activity around here a lot of times and do not do anything. There is a lot of activity around here but nothing happens.

But as President Clinton said in his letter to Senator SMITH last month, "I will not accept mere activity by Vietnam on the POW/MIA issue as progress."

Supporters of normalization with Vietnam talked about remains turned over in 1993. But remains alone do not provide a final answer to the families' uncertainty—unless cases are resolved. According to information prepared by the National League of Families, only three Americans previously unaccounted for in Vietnam have had their status fully resolved in the last year.

We need to compare apples with apples. Previous administrations counted resolved cases—not unidentified remains—as a measure of progress. Maybe some of the remains will lead to cases being finally resolved in the future—I hope so. But it does not seem to me that three resolved cases in 1993 is sufficient to justify a decision to lift the embargo—especially when so many qualified experts say Vietnam is holding back.

Can it truly be that difficult to provide the answers that Dr. Kissinger sought in February 1973, when he presented over 80 folders to the Vietnamese in Hanoi. Information contained in these folders—from Vietnamese sources—proved that American POW's were at one time alive, because their pictures were published in newspapers in Laos, Vietnam, Russia, and other Communist countries. These are easy cases for Vietnam to solve. The United States has waited far too long for these answers—answers Vietnam could provide if it wanted to.

Let me quote Carl Ford, a career intelligence officer and senior Defense Department official from 1989 to 1993:

> The amount of information the Vietnamese could share with us but are concealing and withholding is enormous. Everybody knows the Vietnamese are holding out.

Richard Childress, NSC official throughout the Reagan years, said:

> It is also clear that the Vietnamese have studiously avoided giving us documents that would resolve many outstanding cases.

Mr. Ford and Mr. Childress are not among those accused of harboring conspiracy theories on the POW/MIA issue. On the contrary, they have been savaged by many accusations over the years for being too soft on Vietnam.

In my view, there is room for legitimate disagreement over the issue of Vietnamese cooperation. The Smith-Dole amendment would allow the President to make his view known before he lifts the embargo on Vietnam.

I ask unanimous consent that several documents prepared by the National League of Families, including a record of the Clinton administration's commitments, and an article, entitled "Will Clinton Buy Hanoi's POW Charade," be printed in the RECORD after my remarks.

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

(See exhibit 1.)

Mr. DOLE. Let me say to my colleagues, lifting the embargo—if Vietnam is holding back information and remains—is not about healing the wounds of the past. Lifting the embargo will help heal those wounds—only if we can all be assured that Vietnam is no longer withholding information and remains for political purposes. Vote for the Kerry-McCain amendment if you believe the embargo should be lifted. But also vote for the Smith-Dole amendment if you believe the families of those who served for this country deserve answers before the embargo is lifted. Adoption of the Smith-Dole amendment will help achieve the end we all seek.

So it seems to me that you have an opportunity here to, reinforce the President's constitutional right to make policy—all we ask is a simple determination. If he makes that determination, then we probably would accept it.

Madam President, again I thank my colleagues on both sides of this issue. They were there. We were not there. They understand it probably better than any of us who were in earlier conflicts. But the question is the same: When do we tell the families that it is over? Maybe it is very important. I know there are a lot of economic opportunities in Vietnam. A lot of businesses are very interested in this amendment, and sooner or later the embargo is probably going to be lifted, but it seems to me we are not asking much in the Smith-Dole amendment. We hope it might have the support of my colleagues.

EXHIBIT 1

MEMORANDUM TO MEMBERS OF THE U.S. SENATE

From: Ann Mills Griffiths, executive director.

Subject: Position on United States relations with Vietnam in the context of POW/MIA progress.

Date: January 26, 1994.

The POW/MIA families urge your immediate support for the Dole/Smith amendment to the Kerry/McCain amendment to S. 1281, the State Department Authorization Bill. Your support will demonstrate that you have done your best on behalf of the POW/MIA families and veterans in your state, to ensure that the U.S. obtains the fullest possible accounting for Americans still missing from the Vietnam War.

We back President Clinton on the need for full implementation of the four criteria he outlined on July 2nd and reaffirmed on September 14th of last year. Like him, the POW/MIA families "will not accept mere activity by Vietnam on POW/MIA issues as progress." The families and our nation's veterans want and deserve real answers. The perception of "progress" now taking place is based largely on increased activities, not results which account for our missing relatives.

If Vietnam unilaterally provides the remains of Americans and incident-related documents which the U.S. intelligence community believes they are withholding, the National League of POW/MIA Families is *not* opposed to reciprocal steps by the U.S. to improve diplomatic and economic relations. We have supported that approach since 1989 and advocated humanitarian assistance since 1986. What we oppose are steps by the U.S. to meet Vietnam's economic and political objectives *before* their leadership authorizes unilateral actions which would rapidly account for hundreds of Americans.

Our position on living POWs is that Americans were alive at the end of the war, have not been returned, must be assumed still alive without evidence to the contrary, and that the Government of Vietnam can easily resolve these questions. If Americans last known alive in captivity are no longer living, their remains should be readily available to Vietnamese authorities. Field "searches" are not necessary to resolve these cases; a political decision by the Vietnamese leadership is required.

VIETNAM'S ABILITY TO RAPIDLY ACCOUNT FOR MISSING AMERICANS

Family members, veterans and other League supporters throughout the country oppose further steps to lift the U.S. embargo or improve political relations until Hanoi makes the decision to cooperate fully and stops manipulating this issue. The League supports reciprocity, but not when Vietnam is clearly withholding answers from the families.

One way of viewing what the U.S. knows and what Vietnam can do is by looking at what Hanoi has not, but could have done. U.S. intelligence and other data confirms over 200 unaccounted for discrepancy cases of Americans last known alive, reported alive, or in close proximity to capture. In approximately 100 of these cases, investigations have reportedly been sufficient to confirm death. Hanoi knows that these are highest priority cases, as they relate directly to the live prisoner issue. If deceased, remains of these Americans are logically the most readily available for repatriation since they were captured on the ground or in direct proximity to PAVN forces. Yet, Vietnam has purposely avoided accounting for these Americans, allowing only "investigations" to determine fate, while signaling availability of more data.

U.S. wartime and post-war reporting on specific cases, captured Vietnamese documents concerning the handling of U.S. prisoners and casualties, and debriefs of communist Vietnamese captives, reinforced by U.S. monitored directives and other reporting, formed a clear picture of a comprehensive North Vietnamese system for collection of remains and information dating back to the French-Indochina War. Specific sources such as the mortician in 1979, substantiated by others in the 1980's, highlighted remains storage as a key factor in obtaining accountability.

During the war and since, the Vietnamese Communists placed great value on the recovery and/or recording of burial locations of U.S. remains. During the war, if jeopardized by imminent discovery or recovery by U.S. forces, burial was immediate to hide the remains, then disinterment when possible, photography and reburial, or transfer to Hanoi if feasible. Evidence of this process is confirmed by U.S. intelligence.

Assessment of community-wide intelligence serves as the basis for U.S. expectations that hundreds of Americans could be rapidly accounted for with unilateral Vietnamese action to repatriate remains. In 1986-87, the entire intelligence community maintained higher estimates, but the numbers were subsequently further screened to establish the most realistic targets for the Vietnamese government to meet.

Forensic evidence serves as another basis for establishing expectations. Roughly 65% of the 279 identified remains returned from Vietnam since the end of the war have shown evidence of both above and below ground storage. This is *hard* evidence, confirmed by forensic scientists.

After two years of no results from the Vietnamese in 1979-80, during a September, 1982 ABC "Nightline" program, SRV Foreign Minister Nguyen Co Thach flatly denied holding any U.S. remains, as had SRV officials throughout the Carter Administration; Vietnam returned 8 stored remains in 1983. Negotiations for a two-year plan in 1985 brought the largest number of remains obtained to that point; nearly all 38 showed evidence of storage. In 1987, negotiations resulted in the largest number of remains returned during one year, 62 in 1988, 30 of which were returned at one time. Nearly all were virtually complete skeletons which showed clear evidence of storage; there are more recent examples.

The total number of identified remains returned from Vietnam with evidence of storage does not equal the number reported stored by valid sources, nor come close to the USG assessment of remains available for unilateral SRV repatriation. Evidence of storage exists on remains returned this year, but not yet identified; an important signal was also sent by the SRV in a 1989 stored-remains repatriation. Both instances revealed province-level storage/curation; there are many other examples.

Vietnamese officials have also admitted storage of remains. In 1985, following up an initiative through a regional government, an NSC official met privately with a politburo-level Vietnamese official during an NSC-led U.S. delegation to Hanoi. The carefully drawn plan was for negotiations on live prisoners and remains. The SRV foreign minister indicated that no live prisoners were on the table for discussion, but that the hundreds of remains discussed through the third party were.

In order to test the scope of Vietnamese knowledge, two specific cases were officially presented to SRV officials in 1985/86 with a request for their unilateral assistance; both losses occurred in Lao territory under PAVN control during the war. One was returned unilaterally in 1988, 98% complete and stored above ground since the incident. Vietnam has unilaterally repatriated stored remains from remote locations spanning the entire war.

There is continuity today. In 1991 and 1993, the SRV provided graves registration lists with names of unaccounted for Americans. Inclusion of these names was likely again purposeful, as was filtering through private

channels photographs of dead, unaccounted for Americans whose remains have not yet been returned. Combat photography was directed by the DRV/SRV government; DRV/PRG soldiers did not own personal cameras, much less carry them. Regardless of mixed or conflicting signals on both sides, these and other actions by SRV officials are intended to signal the U.S. of remains availability.

Information obtained from field operations after the war, including recent Joint task Force-Full Accounting (JTF-FA) activities, also reveals that central DRV/SRV authorities systematically recovered American remains. Eyewitnesses reported central authorities arriving to supervise remains recoveries of Americans not yet accounted for. As long as Vietnam continues to benefit financially and politically from field investigations of these same cases, Hanoi has little motivation to unilaterally repatriate remains now being withheld.

STATUS OF THE POW/MIA ISSUE: JANUARY 12, 1994

2,238 Americans are still prisoner, missing and unaccounted for from the Vietnam War. A breakdown by country of loss follows: Vietnam 1,647 (North—602; South—1,045); Laos—505; Cambodia—78; Chinese territorial waters—8. Over 80% of U.S. losses in Laos and 90% of those in Cambodia occurred in areas controlled by Vietnamese forces during the war. The League seeks the return of all prisoners, the fullest possible accounting for all missing Americans and repatriation of all recoverable remains.

At the forefront of the League's efforts is resolving the live prisoner issue. Official intelligence information supports the fact that Americans known to have been alive in captivity in Vietnam, Laos and Cambodia did not return at the end of the war. In the absence of evidence to the contrary, it can only be assumed that these Americans remain alive in captivity today. As a matter of policy, the USG operates under the assumption that U.S. POWs could still be held.

Archival research in Vietnam has produced over 20,000 documents, photographs and other materials related to U.S. POW/MIA's; only approximately 1% of the new information relates to missing for Americans. Unilateral Vietnamese repatriation of remains has been the most productive means of achieving accountability. Despite the extensive joint field activities in Vietnam, only three Americans were accounted for in 1993 from that process. The decreased number of experienced specialists directly involved in the in-country accounting process has brought justifiable criticism from the families and veterans. The League believes that it is imperative to have language-capable, knowledgeable personnel conducting all aspects of joint field operations in all three Indochina countries.

Joint field activities in Laos have been productive and, increasingly, the Laos Government has permitted greater flexibility while U.S. teams are in-country. In Cambodia, joint investigations, excavations and surveys have now resumed due to increased stability brought by the newly established Cambodian Government. Unlike Vietnam where a comprehensive wartime and post-war process for collection and retention of information and remains is known to have existed, joint field operations are crucial in Laos and Cambodia.

Hanoi's calculated decision to withhold information on and remains of America's missing continues unabated. U.S. intelligence confirms that hundreds of U.S. personnel could rapidly be accounted for through unilateral action by Vietnam to repatriate remains and provide relevant documents. Despite these facts, U.S. officials continue to praise Hanoi in an apparent effort to persuade Congress and the American people that the embargo should be lifted and relations normalized. The League supports a policy of reciprocal steps by the U.S. to respond to concrete results, but opposes meeting Hanoi's economic and political objectives until their leaders decide to cooperate seriously.

For the latest information, call the League's Update Line, 202/659-0133 24 hours a day.

STATISTICS

As of December 15, 1993, 1,715 first-hand live sighting reports in Indochina have been received since 1975. 1,694 of these reports have been resolved, the majority of which pertain to individuals who have since left Indochina (returned POWs, missionaries or civilians detained for violating Vietnamese codes). Approximately 25% were determined to be fabrications. Twenty-one first-hand sightings are still unresolved and are under priority investigation using all available intelligence assets. The 21 can be further divided; 12 deal with reported Americans sighted in a prisoner situation, and 9 in non-prisoner situations. The years during which these 21 first-hand sightings occurred is listed below:

	Pre-1975	1975	1976	1977	1978	1979–80	1981	1982	1983–91	1992	1993	Total
POW	7	0	0	0	2	0	0	1	0	0	2	12
Non-POW	1	0	3	2	2	0	0	0	0	1	0	9

At the end of the Vietnam War, there were 2,583 Americans who were listed as prisoner, missing, or killed in action/body not recovered. As of January 12, 1994, 2,238 are still missing or unaccounted for from the Vietnam War. Following is a breakdown of the 345 Americans accounted for since the end of active U.S. involvement in the War:

1974–1975: Post war year	28
1976–1978: US/SRV normalization negotiations	47
1979–1981: US/SRV talks break down	4
1982–1984: 1st Reagan Administration	20
1985–1988: 2nd Reagan Administration	145
1989–1992: Bush Administration	96
1993 Clinton Administration[1]	5

[1] 3 from Vietnam; 2 from Cambodia.

Over 90% of the 2,238 missing Americans were lost in Vietnam or in areas of Laos and Cambodia controlled by Vietnamese forces during the war. While unilateral Vietnamese repatriations of remains have accounted for the vast majority of the returned Americans, all but 3 of the Americans accounted for in Laos have been the result of joint excavations. The breakdown by country of the 345 Americans accounted for since 1973:

Vietnam	280
China	2
Other[1]	4
Laos	56
Cambodia	3

[1] Recovered by indigenous personnel; 1 from NVN and 3 from Laos.

POW/MIA COMMITMENTS BY PRESIDENT CLINTON/CLINTON ADMINISTRATION

December 10, 1993. The President, in letter to Senator Bob Smith, (R-NH) distributed to attendees of Veterans Briefing December 15th.

"* * * I have made achieving the fullest possible accounting for our POW/MIAs the test of our relationship with Vietnam. * * * I will not accept mere activity by Vietnam on POW/MIA issues as 'progress.'"

November 11, 1993. The President, during his address at the Tomb of the Unknowns, Arlington National Cemetery, Washington, DC.

"Our nation has a particular responsibility to pursue the fate of our missing from the war in Vietnam. On Memorial Day, I pledged here that our government would declassify and make available virtually all documents related to those who never returned from that war, and that I would do it by this day, Veterans Day. I can tell you that last evening, the Secretary of Defense completed that task. That promise has been fulfilled. I know that our government, our nation together have a solemn obligation to the families of those who are missing to do all we can to help them find answers and peace of mind."

July 16, 1993. Deputy National Security Advisor Samuel R. Berger in his address to the National League of POW/MIA Families 24th Annual meeting.

"* * * The President understands that while the processes underway in Vietnam are important, the litmus tests here are concrete results and solid answers. * * * the President felt that it was best to use the IFI decision as a vehicle both for recognizing Vietnamese progress to date—and, more importantly, pressing for further results. The President specifically rejected suggestions that he lift the trade embargo, partially or fully, even though that position disadvantages American business. This is not a commercial or diplomatic issue for the President, it is a moral one. * * * The President will not move forward on any bilateral economic or political steps—on the issues we truly control—until there are further tangible results from the Vietnamese. * * * Vietnamese efforts to date, while welcome, are not sufficient to warrant changes in our trade embargo or further steps in U.S.-Vietnam relations."

July 2, 1993. White House Press Statement by the President on U.S. Policy Toward Vietnam.

"* * * Our policy toward Vietnam must be driven not by commercial interests but by the overriding purpose of achieving further progress toward the fullest possible accounting of our POW/MIAs * * * Progress to date is simply not sufficient to warrant any change in our trade embargo or any further steps toward normalization. Any further steps in relations between our two nations depend on tangible progress on the outstanding POW/MIA cases. We insist upon efforts by the Vietnamese in four key areas: *Remains:* Concrete results from efforts on their part to recover and repatriate American remains. *Discrepancy Cases;* Continued resolution . . . *Laos:* Further assistance in implementing trilateral investigation with the Lao: *Archives:* Accelerated efforts to provide all POW/MIA related documents . . ."

May 31, 1993. During his address at the National Vietnam Veterans Memorial, the President stated, "Today let us also review a pledge to the families . . . We will do all we can to give you not only the attention you

have asked for but the answers you deserve . . . We are pressing the Vietnamese to provide this accounting not only because it is the central outstanding issue in our relationship with Vietnam, but because it is a central commitment made by the American government to our people. And I intend to keep it."

April 23, 1993. During White House news conference.

Question: Before the U.S. normalizes relations, allows trade to go forward, do you have to be personally assured that every case has been resolved. . .

The President: "A lot of experts say you can never resolve every case. . . . But what I would have to be convinced of is that we had gone a long way towards resolving every case . . . and we're not there yet. Again, I have to be guided a little bit by people who know a lot about this, and I confess to being much more heavily influenced by the families of the people whose lives were lost there or whose lives remain in question than by the commercial interests and the other things which seem so compelling in this moment. I just am very influenced by how the families feel."

March 22, 1993. Secretary of State Warren Christopher in his address to the Council on Foreign Relations, Chicago, Illinois.

Question: What will be the U.S. approach to end the embargo in Vietnam?

Secretary Christopher: "As you know, the United States has had two primary preconditions to ending the embargo and to the normalization of relationships with Vietnam. First was their support for the United Nations peacekeeping efforts in Cambodia, and on that score, I would say that Vietnam has fulfilled its obligations."

"The second precondition was that we would be satisfied on the POW/MIA issue . . . . Our administration will be assessing that progress very carefully to determine whether we can move further down the road, or down the roadmap, to use the technical term, toward normalization with Vietnam. . . ."

February 10, 1993: During the regular White House briefing.

Question: President Mitterand today asked the U.S. to lift the economic embargo on Vietnam. Do you have any comment about that?

George Stephanopoulos (Communications Director): "All I can say is we've generally supported the roadmap policy. We want to make sure that we have a full accounting of all MIAs, and that's the policy we'll continue."

February 3, 1993: White House official reaction on policy toward normalizing relations with Vietnam, responding to a Reuters News Agency inquiry.

"President Clinton has already stated we will only move forward when there's the fullest possible accounting of all those listed as missing."

PRE-ELECTION COMMITMENTS

November 11, 1992: President-elect Clinton's address, Veterans Day Ceremony, Little Rock, Arkansas.

". . . as I have pledged throughout my campaign, I will do my very best to make sure we have a final resolution of the POW/MIA issue . . . I have sent a clear message that there will be no normalization of relations with any nation that is at all suspected of withholding any information. We must have as full an accounting as is humanly possible."

September 10, 1992: Issue paper, entitled "Clinton-Gore on Issues of Concern to Veterans."

"Make resolution of the POW/MIA issue a national priority by insisting on a full accounting of all POWs and MIAs before normalizing relations with Vietnam; working with the Russian government to reveal any information it has on Americans held; and declassify pertinent government documents.

March 17, 1992: Signed letter from Governor Clinton to League Executive Director Ann Mills Griffiths.

"Thank you for your thorough and helpful briefing on POW/MIAs. This issue is certainly due proper attention and timely action."

[The San Diego Union-Tribune, Jan. 9, 1994]

WILL CLINTON BUY HANOI'S POW CHARADE?

(By Robert J. Caldwell)

The Clinton administration, citing "progress" in accounting for more than 2,200 American servicemen still missing in Indochina, is considering rewarding Hanoi by further easing or even lifting the U.S. trade embargo against Vietnam.

But if President Clinton's goal is what he says it is—obtaining the fullest possible accounting from Hanoi of the POW/MIA issue—lifting the embargo now would be a tragic and profound mistake.

At best, it would reward the Vietnamese government for doing a tiny fraction of what it could do to end decades of anguishing uncertainty for America's POW/MIA families. At worst, it would end hopes of obtaining more POW remains and information from Hanoi by surrendering the last significant American leverage over Vietnam's communist regime.

These are not the views of wild-eyed conspiracy theorists, or POW/MIA families holding out unreasonable hopes, or embittered critics of Hanoi unable to reconcile themselves to the Vietnam defeat two decades ago.

On the contrary. These are the considered, professional judgments of senior officials from five past administrations. Most spent years intimately involved in POW matters, often in direct negotiations with the Vietnamese. Taken together, they represent a quarter century of experience and expertise dealing with the POW/MIA issue from the varied perspectives of the Pentagon, the White House's National Security Council, the Central Intelligence Agency, and the National League of Families of American Prisoners and Missing in Southeast Asia.

All favor improving relations with Vietnam, including an eventual end to the U.S. trade embargo and full normalization of political/diplomatic relations with Hanoi. But all are also unanimous in insisting that Hanoi has not done nearly enough to justify lifting the embargo now.

"The amount of information the Vietnamese could share with us but are concealing and withholding is enormous," said Carl Ford, who served as deputy assistant secretary of defense from 1989 to 1993. "Everybody knows the Vietnamese are holding out," added Ford, a career intelligence officer who had principal responsibility at the Pentagon for POW/MIA matters.

Richard Childress, the National Security Council official who worked the POW/MIA issue for the Reagan administration throughout the 1980s, concurs.

"No, and for several reasons," Childress said last week when asked if he believed it was time to lift the embargo. "The most basic one is that the Vietnamese haven't even met the criteria President Clinton laid out for measuring tangible progress.

"Clinton's first criterion was the return of remains (of U.S. servicemen). They (the Vietnamese), in fact, have halted the unilateral return of remains. I'm not sure we are negotiating . . . to get these remains. It is also clear that the Vietnamese have studiously avoided giving us documents that would resolve many outstanding cases (of missing Americans)," Childress added.

Ford, Childress and others who wonder what concessions the Vietnamese have made during the past year have a powerful case.

In July, the Clinton administration withdrew American opposition to international development loans for Vietnam. In September, Clinton lifted the ban on American companies bidding for projects financed by these loans.

Hanoi's response? Of the 2,241 Americans still missing in Indochina as of last year, the Vietnamese provided information and/or remains sufficient to resolve only two of these cases during all of 1993. This despite the headlines proclaiming dramatic breakthroughs in negotiations with the Vietnamese, and the supposedly unprecedented release last year of thousands of POW/MIA documents and photos by Hanoi.

Painstaking analysis of this archival material by the Pentagon and U.S. intelligence agencies has revealed that only about one percent of the documents and photos pertain to any American still missing.

Contrast these pathetically meager results with what U.S. intelligence agencies believe, and in many instances know, the Vietnamese government is holding:

The skeletal remains of several hundred American servicemen, most of whom presumably died 20 or more years ago. These remains, like others turned over to U.S. authorities since 1974, are in most cases carefully stored for use as bargaining leverage in negotiations with the United States. (Anyone who thinks this is an implausible claim presumably does not know that two-thirds of the 279 identified sets of remains already returned by Vietnam showed evidence, confirmed by forensic scientists, of long-term storage, both below and above ground.)

Documents and precisely detailed records sufficient to resolve several hundred additional cases of missing American servicemen.

Ann Mills Griffiths, executive director of the National League of Families of American Prisoners and Missing in Southeast Asia, adamantly opposes lifting the trade embargo now.

Griffiths, who holds a top secret security clearance and was a member of the U.S. team negotiating with the Vietnamese for most of the past dozen years, criticizes the Clinton administration for praising Hanoi now while getting so little in return.

"Look at the historical record. The Vietnamese have never given up anything that they didn't think they had to give up to accomplish their political objective. Right now they are being commended and highly praised for allowing joint field activities to increase and allowing American personnel to travel to different parts of the country, always escorted of course and with pre-approval required."

She scoffs at the most recent accolades from Winston Lord, Clinton's assistant secretary of state for Asian affairs, Lord returned from a trip to Hanoi last month describing Vietnamese cooperation as "absolutely superb."

"Excuse me, but 'absolutely superb' when the U.S. government knows that the Vietnamese are withholding hundreds of sets of remains?" Griffiths said. "If people in the U.S. government, such as Winston Lord, ig-

nore the basic facts, then either there is another agenda or there is great naiveté and they really believe in meeting Vietnam's objectives in advance and hoping they will respond. That is a process that has been tried before and it doesn't work; it has never worked.

"I could paper my walls with (broken) agreements with the Vietnamese. The only policy that has ever worked is a policy of strict reciprocity. Which means concrete results first, then the U.S. acts. We (the National League of Families) support that," she added.

Griffiths' belief that the Vietnamese continue to withhold massive amounts of information on missing Americans is virtually a consensus view among those most knowledgeable and experienced in negotiating with Hanoi.

"Everything we've learned in recent years tells us how much more the Vietnamese are withholding," said former Pentagon official Ford.

Ford, Childress, Griffiths, and others insist there is no doubt that the Vietnamese continue to hold large numbers of remains of American servicemen.

Griffiths put the numbers of remains at "several hundred." Ford said the consensus among U.S. intelligence agencies is that the Vietnamese are storing 400 to 600 sets of American remains, presumably for leverage in any future negotiations Hanoi might find necessary.

Childress noted that the Vietnamese have yet to return about half of the stored remains described to U.S. officials by a defecting Vietnamese mortician in 1979.

George Carver, who served as special assistant for Vietnamese affairs to the director of the Central Intelligence Agency from 1966 to 1973, cited the continuing withholding of remains and archival documents as ample reason to defer ending the trade embargo.

"Our present haste to improve relations with Vietnam is unseemly. There is a great impetus to get this (POW) thing wrapped up and done with. But we should be holding their feet to the fire. The Vietnamese haven't been forthcoming and there are lots of valid POW questions yet to be answered," Carver said last week.

Among those questions, Carver believes, is the accuracy of two Soviet intelligence documents discovered last year in the Kremlin's heretofore top secret archives. Both documents quote high-ranking Vietnamese officials as reporting that Hanoi held hundreds more American POWs than it ever publicly acknowledged or released in 1973.

At least two other U.S. intelligence documents plus accounts from several Vietnamese defectors lend corroboration to the Soviet reports.

"I place a great deal of credence in these documents," Carver said.

"It's clear the Russians think the documents are authentic. My own sense is that these reports have the ring of truth," said another high-level source, who requested anonymity.

"The problem for the Vietnamese is this: There is incriminating evidence in their files; evidence that some Americans were alive at the time of the Paris Peace Accords (in 1973) and were subsequently killed," he added.

The Pentagon's officially stated that about half of the 2,239 Americans still unaccounted for were killed in action and/or died when they were captured. This leaves unresolved perhaps 1,100 cases of prisoners of war or missing in action.

If Ford, Childress, Griffiths and others are right, Hanoi could resolve half or more of these cases at any time merely by doing what the Paris Peace Accords required 20 years ago: The immediate return of all remains and full cooperation in providing all necessary information on anyone not otherwise accounted for.

Clearly, the Vietnamese haven't come close to telling all they know about the fate of America's prisoners of war and missing in action. And, just as clearly, the U.S. government knows it but won't say so publicly.

Instead, the Clinton administration is engaged in what can best be described as an elaborate charade. Last week, 84 American investigators and their Vietnamese counterparts fanned out across northern Vietnam to excavate aircraft crash sites, interview villagers, and otherwise "search for the missing."

This is being billed as the largest joint search operation yet and a positive sign of Vietnamese "cooperation." In fact, it is largely theater, a symbolic effort undertaken for reasons of political symbolism and public relations.

Nearly all crash sites, especially in northern Vietnam, were carefully excavated many years ago by Hanoi's own military and security forces. Human remains were catalogued and removed, along with anything else of value. The searchers will find only what little the Vietnamese government wants them to find.

"This is a game of perception rather than reality," Ford said. "The Vietnamese believe they can take us to the cleaners. They believe they have already won, that they have us going their way. But there is no evidence that carrots, concessions offered in advance, ever work with the Vietnamese."

Childress agrees that the highly publicized field searches in Vietnam are only marginally significant.

"They avoid the central problem, which is that the Vietnamese (authorities) have the information we need but are withholding it," he said.

Ford said he fears the Clinton administration is simply giving up on further efforts to obtain a fuller accounting from Hanoi. Moreover, he compared the government's current lack of candor on Hanoi's actual level of cooperation with the credibility gap that eventually discredited the U.S. government's entire Vietnam policy during the 1960s.

"Maybe they think it is just too hard, that the Vietnamese aren't going to give us anything more. But we can't say the Vietnamese are doing what they said they would. That is a lie. It's the Tonkin Gulf Resolution all over again. If the Clinton administration doesn't tell the American people the truth about this, we won't have learned a thing."

Mr. KERRY. Madam President, how much time remains?

The PRESIDING OFFICER. The Senator from Massachusetts controls 7 seconds.

Mr. KERRY. May I borrow some of the Republican leader's time?

Mr. DOLE. I yield 2 minutes of my leader time.

Mr. KERRY. Madam President, I thank the distinguished Republican leader.

I say in response, quickly, this is not saying it is the end. This is very important to remember. This is not saying it is the end. This is saying to the families that the President will have the ability to decide when to lift the embargo.

We are merely urging him to do it expeditiously. Obviously, he will not do it if he is not satisfied.

But what the Smith-Dole amendment does is change the President's policy. The President's policy today is four items: Increased operation in the archives, discrepancy cases, trilateral commission, and the remains. It is not the unilateral, fullest possible accounting of all cases, which is the language in the Smith-Dole amendment.

So what they are doing is change the President's policy statutorily, not leaving him discretion but, in fact, taking the very discretion away they articulated they should leave him.

I suggest to colleagues this is a clear case here. We are choosing between urging the advice and consent of the President or take from the President the prerogative and defining precisely what the standards will be by which he will make his decision.

I ask colleagues to recognize Vietnam is a country not at war today, and 60 percent of the nation is under the age of 24. They know nothing of the war except craters that they walk into and use for growing shrimp.

We ought to make our decision on our best judgment of our field commanders as to how we uphold our commitment to the families. I respectfully suggest to all colleagues the families will be best served by having Vietnam not cut off our access. The families will be best served by having our soldiers continue to get the information.

BOB SMITH may be correct. They might have something that we do not have. But I guarantee you if they cut us off, we and the families will never see it. We will only get it if our soldiers are able to continue and if we are able to continue the process of investigation.

I thank the Chair and I thank the leader.

The PRESIDING OFFICER. The minority leader.

Mr. DOLE. How much leader time do I have remaining?

The PRESIDING OFFICER. Four minutes.

Mr. DOLE. I yield 2 minutes to Senator DECONCINI and 2 minutes to the Senator from North Carolina [Mr. HELMS].

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. DECONCINI. Madam President, I thank the minority leader for the time.

Mr. President, I rise in opposition to the Kerry second-degree amendment to the McCain amendment. While I applaud the Vietnamese Government for the real progress it has made on POW-MIA accountability issues, repeated Vietnamese Government violations of international human rights standards require that I oppose the lifting of sanctions at this time.

I simply cannot in good conscience support any significant change in the current United States-Vietnam political or economic relationship that does not expressly link any change to progress on human rights. I have great respect for my good friend from Massachusetts and my colleague from Arizona, but they have not and cannot prove their principal rationale for lifting the embargo. Senator KERRY, Senator MCCAIN, and other proponents assert that an "in-country" presence would yield the optimum and most expeditious accounting of all unresolved Vietnam POW-MIA cases. The proponents also assert that American business should not be shut out of the economic opportunities of the Pacific rim. And lastly, these proponents of lifting the embargo assert that new pre-conditions to normalization of trade and political relations between the United States and the Socialist Republic of Vietnam threatens the economic health of our Nation and any further progress on the resolution of POW-MIA cases.

Together, these valiant Vietnam veterans make a strong case with apparently reasonable arguments. However, the proponents' position is shortsighted and threatens irreversible harm to America's international credibility on human rights. I ask my friends, what is the cost of ignoring human rights? What about other nations on which we impose a trade embargo? Shall we also tell Cuba that normalization is for sale? I know it is not the intent of my colleagues to auction political or economic normalization, but that is the effect of blind adherence to a so-called Vietnamese normalization roadmap. Linkage between normalization and human rights cannot be broken for domestic economic purposes, nor can the linkage be broken for POW-MIA accountability purposes.

As long as I have served in this body, Vietnamese cooperation on the POW-MIA issues has been a prerequisite to economic and political normalization talks, not normalization itself. The Kerry second-degree amendment to the McCain amendment does speak to the issue of human rights, except, seemingly as an afterthought in its last line.

Mr. President, America cannot pick and choose when it wants to demand compliance with basic international human rights standards. Moreover, it should not do so in this instance. Vietnam is an aspiring economic dragon in Asia. Vietnam wants economic and political ties to America to achieve that status in the community of nations.

I do not believe the Clinton administration has backed away from that linkage. As Assistant Secretary of State for East Asia and the Pacific, Winston Lord succinctly described the issue only last August 31, "We believe you can't have open economics and closed politics." Vietnam cannot nor can any of my colleagues assert that any American administration has unlinked trade and political normalization from human rights. In fact, Vietnam and the United States opened discussions on human rights on January 10, 1994, just 2½ weeks ago.

I assert that the linkage should be maintained and that the administration should seek specific human rights improvements in this new dialog. I believe the administration should attempt to secure the release of all nonviolent political and religious prisoners and other reforms to bring Vietnam's laws and practices into conformity with international human rights standards. I also believe that the administration should urge the Vietnamese to invite international humanitarian organizations to provide their confidential services to prisoners in Vietnam. At the very least, the administration should support a resolution expressing concern over the imprisonment of nonviolent political and religious prisoners in Vietnam during the upcoming 50th Session of the United Nations Human Rights Commission meeting in Geneva.

As Asia Watch noted in its newly released report on human rights conditions throughout Asia in 1993:

> Vietnam pursued market reforms and improved relations with the international community at the same time it sought to keep the lid on political and religious dissent. The two objectives produced a mixed human rights performance.

If this administration accepts the Kerry-McCain amendment, what message will it be sending to the Chinese or the emerging democracies in the Commonwealth of Independent States? I contend that capitulation to the development first policies of too many Asian countries is not the right message. Political and human rights reform must not take a back seat to economic development.

Some international human rights and humanitarian agencies have been allowed restricted access to Vietnam. Some foreign delegations have also been permitted to visit prisons, but on at least one occasion, political prisoners were relocated during the visit. I should note that it is alleged by Asia Watch that it was Senator KERRY's visit to a high-security detention facility in Ho Chi Minh City in November 1992, when political prisoners—including U.S. citizen Nguyen Si Binh—were temporarily transferred out of the prison or warned to describe themselves as common criminals.

Madam President, I struggled with this for many years and have gone to Vietnam only once, not in the capacity of a military person but as a Senator in 1986. In 1985 and 1986 the Veterans Committee conducted hearings on this subject matter, and Senator MURKOWSKI of Alaska and I went there and talked to the foreign minister.

We asked to get and were first granted and then deprived of exactly what the Senator from Massachusetts was able to get, and that is on-the-ground investigation by military forces.

I struggled with this for many years and I, in conscience, cannot vote to lift this embargo.

There has been some discussion here about an issue, but I do not think it has gone into enough and that is the human rights question. The question obviously of missing Americans and unidentified remains and the failure of the Vietnam Government until more recently to cooperate has been the most publicized issue. But the issue also is one of human rights. For the United States to lift the embargo and not address the issue of human rights with conditions to me is a mistake.

Our country has stood for human rights throughout the cold war with the Soviet Union. It was the United States that consistently hammered away at the Soviet Union and would not relent from the human rights position as how it treated its citizens. The human rights position of the Vietnamese Government is anything but good. You can look at Amnesty International, at Asia Watch, or any legitimate organization that monitors human rights, and you will see that this country is in severe violation.

For all the reasons I have stated, I cannot in good conscience vote for the KERRY amendment. I think it is an abrogation of our promises to the POW/MIA families and an abrogation of our responsibilities to the Free world in the area of human rights.

I thank the Chair and I thank the minority leader.

The PRESIDING OFFICER. The Senator from North Carolina has 2 minutes.

Mr. HELMS. Madam President, I want to ask a question of my friend from New Hampshire.

Will he state again for the record the service organizations supporting the amendment of the Senator from New Hampshire and Senator DOLE, and of which I am a principal cosponsor?

Mr. SMITH. The American Legion, the VFW, Disabled Veterans, Veterans of Foreign Wars, VVA, Amvets, the National League of Families, and the Alliance of Families, among others.

Mr. HELMS. I would say to the Senator that, as Admiral Nance and I were entering the Capitol just awhile ago, we met two distinguished veterans of the Vietnam war. They implored me to support your amendment. I told them I was glad to tell them that I am a principal cosponsor of it.

Madam President, I strongly support the Dole-Smith amendment which will maintain the existing restrictions on trade with Vietnam unless and until the President determines that Vietnam has provided the United States with the fullest possible unilateral account-

ing of American POW/MIA's it can be reasonably expected to have.

This is not an onerous burden or a new requirement to be held over Vietnam as some claim. The Dole-Smith amendment, and I am a principal cosponsor of it, merely codifies the accountability standard President Clinton set himself. The President has pledged to lift the embargo by judging Vietnamese cooperation on the repatriation of remains, access to archival records, resolution of discrepancy cases, and cooperation on resolving cases in Laos. And, on December 10, President Clinton reconfirmed that saying, "we will not accept mere activity by Vietnam on POW/MIA issues as progress."

As this standard is similar to that of President Clinton's predecessors, the Vietnamese have been aware of it for years. They know very well what is required for lifting the embargo.

The Dole-Smith amendment is needed to maintain the integrity of the accounting standard President Clinton set and the Vietnamese acknowledged. If the administration intends to lift the embargo based on this standard—as it has signaled it will do in the coming weeks—then it must properly measure and grade Vietnamese results—not just activity—on all four criteria. If Vietnam does not pass, then he should not lift the embargo. Why must we rush to kowtow to the Communist Vietnamese?

Similarly, if Vietnam's cooperation has been as unprecedented and superb as the administration and others claim and Hanoi has given us all remains and key information it presently has in its possession, then the President should have absolutely no problem making this determination and the embargo can be lifted promptly.

I know that some American businesses are raising the pressure for immediate and unconditional lifting of the embargo by claiming they are missing out on Vietnam's current opening. I also know that some Senators and administration officials strongly believe that better POW/MIA accounting can come through normalized trade and diplomatic relations. While I strongly disagree with these views, I recognize they are being circulated.

If these are such compelling reasons to lift the embargo and if the administration truly believes such action will improve POW/MIA accounting, then it ought to make the case for lifting the embargo on these specific grounds—not accounting criteria.

In that case, the President needs to honestly tell the POW/MIA families and the American public that he's changing the policy and standards governing our relations with Vietnam. He needs to set forth the reasons why he believes a new approach is superior. We will listen—Americans are a very understanding people.

Instead, this administration is playing a dangerous con game that ultimately will foster further public perception of POW/MIA coverups and deception. That benefits no one. I believe the Dole-Smith amendment is needed because the administration intends to justify lifting the embargo on Clinton's four accounting criteria—not other reasons. Yet, there is significant evidence from our Government's own intelligence reviews that Hanoi has not returned all the remains and key information it has presently in its possession and, therefore, has not provided the level of cooperation required to get a passing grade on these criteria.

Now, I am from North Carolina—not Missouri—but, Madam President, this administration has to show me that Vietnam truly has provided all it can. The American public has the right to know if the Vietnamese are still withholding remains. Have all four criteria really been met? I do not trust the Vietnamese one bit. Vietnam is still controlled by a Communist dictatorship—the same dictatorship that killed over 55,000 brave American men.

I remind my colleagues that Vietnam remains responsible for 2,238 Americans that are still prisoner and missing. Has the regime in Hanoi changed so radically that we should now ignore its lengthy record of deception and lies—and blindly trust it? No way, madam President, no way. If President Clinton wants to trust Vietnam, then at a minimum this Senate should require him to trust the Reagan way—that is "trust, but verify."

Lifting the embargo and normalizing relations benefit Vietnam far more than the United States. The American people ought to get something for this great giveaway. At the very minimum, they ought to get the assurance that the communist Vietnamese Government really has given us all the remains and other vital accounting information on missing Americans it has readily available.

That is neither much to ask nor too much for Hanoi to deliver. The Dole-Smith amendment requires the President to judge Vietnamese cooperation and assure Congress that Vietnam has given us all it has before the United States lifts the embargo.

Mr. WOFFORD. Mr. President, I support the normalization of relations with Vietnam at the appropriate time, but what is the appropriate time?

I have listened carefully to my colleagues, most especially Senators John KERRY and John MCCAIN who have been deeply involved in the issue of the American servicemen unaccounted for during the war in Vietnam, who are distinguished Vietnam veterans, and who have spoken to me personally about the issue of normalization. I greatly respect the conscientious and hard work they have done on this matter and I respect the judgment Senators KERRY and MCCAIN have reached in favor of lifting the economic embargo and normalizing relations with Vietnam.

Mr. President, I come from a State that sent many men to Vietnam. One hundred and thirteen of them remain unaccounted for. I have talked with veterans from across Pennsylvania and spoken with Representatives of some of the families of those servicemen whose fate in Vietnam remains unknown. For these people, the issue is very personal and very painful. They fear that the fate of their loved ones will be forgotten in the spirit of normalization.

I have conveyed the feelings of these Pennsylvanians to the President. I recognize and am encouraged by the recent cooperation of the Vietnamese—and there has been significant cooperation, in the missions of Adm. Charles R. Larson, Commander-in-Chief, U.S. Pacific Command, and Maj. Gen. Thomas H. Needham, Commanding General of the Joint Task force for Full Accounting under the U.S. Pacific Command, but questions still remain. We as a government have not yet satisfactorily put to rest the fears of our Vietnam service families. For these people, accountability for loved ones who were captive, or who disappeared, is a constant, burning issue.

For example, let me tell you about the wife of one Navy pilot who contacted my office. The Navy told her that her husband had been shot down and lost at sea. However, years later, and with no explanation of the inconsistency, they presented her with his identity card which they said had been turned over by the Vietnamese in recent years. What about him, and, what about her?

It is these wives, children, parents, brothers, sisters, and comrades-in-arms who make me unready at this time to endorse normalization of relations with Vietnam. Instead, I ask the President to consider all the factors, including the views of our distinguished Vietnam veterans in the Senate, and the reports from Admiral Larson and Major General Needham when their mission is completed, so that we are satisfied that we can do no more than we have done on the present course, and that normalization of relations is more likely to yield a fuller accounting.

However, Mr. President, at the same time, we cannot restrict ourselves to the point that we deny ourselves the possibility to develop other ways to achieve our goal, I think that would be the unfortunate consequence of Senator SMITH's amendment.

So, Mr. President, I will vote no on Senator KERRY's amendment, no on Senator SMITH's amendment, and no on Senator MCCAIN's amendment.

Mr. BRADLEY. Mr. President, I speak in support of the amendment of the junior Senator from Massachusetts, Senator KERRY, urging the Presi-

dent to end the economic embargo against Vietnam.

My decision to support Senator KERRY was not an easy one, for I have strongly supported the embargo for many years. I, too, still walk the slate path and touch names on the wall of friends who never came back from Vietnam. I, too, want to leave no stone unturned in our efforts to account for the missing. I, too, want simply to have the closure that would come from a full accounting.

In America's relations with Vietnam, nothing is more important than accounting for our MIA's. Let me repeat. Nothing is more important than accounting for our MIA's. For MIA families, the war is not over, cannot be over until the fate of their loved ones is known.

By imposing the embargo, we have subordinated the interests of some Americans, those who would benefit from Vietnam's economic opening, to those of the MIA families. That has always been the proper decision to make.

Now, however, the situation is different. As Senator KERRY, Senator MCCAIN, Senator KERREY—all decorated Vietnam veterans and others have so eloquently explained, in support of this amendment our efforts are showing results. The Vietnamese Government is cooperating. And, now that Vietnam can get loans from the international financial institutions and our European and Asian competitors are flocking to the trade opportunities, our embargo has lost much of its effect. It is not providing us leverage with a Vietnamese Government which is, by the testimony of our search teams, cooperating.

The next step in our efforts to account for our MIA's is to flood the country with Americans. As Adm. Charles Larson, Commander of U.S. Military Forces in the Pacific, the officer in charge of our MIA effort, stated upon his return from Vietnam earlier this month.

> If we get more Americans * * * investing, traveling, and participating, that will give me a network of information that will obviously help me.

We have reached a point where the interests of our MIA families, our businessmen, and our role as a superpower in the post-cold war world coincide. United States economic engagement with Vietnam will improve our ability to account for MIA's, provide jobs for Americans, and help integrate a reforming Vietnam as a responsible player in Asia. That is why this amendment deserves our support.

Mrs. KASSEBAUM. Mr. President, today I rise in strong support of the Kerry and McCain amendments and in opposition to the Smith amendment. I am pleased to join Senators KERRY and MCCAIN as a cosponsor of their amendment urging the President to lift the United States trade embargo against Vietnam.

As a member of the Senate Select Committee on POW/MIA Affairs, I understand that this issue evokes strong emotion on all sides. No doubt the manner in which our government has handled the question of missing servicemen from the war in Southeast Asia has caused great pain for countless families whose loved ones were lost during the war.

Mr. President, we all feel for the suffering of these families. Senators SMITH, KERRY, and MCCAIN all care very deeply about this issue, as do I. All Senators—regardless of our position on these amendments—agree that accounting for missing Americans from the war in Southeast Asia must continue to be treated as a matter of highest national priority. We all want to resolve the remaining POW/MIA cases as soon as possible.

What we are debating today is how best to achieve that end.

The Kerry/McCain amendment says that in order to expand efforts to obtain the fullest possible accounting for our missing Americans, the President should lift the trade embargo expeditiously.

The Smith amendment says that it is too soon to lift the embargo. We should wait until we have the fullest possible accounting before the embargo is lifted.

Until now, I have agreed with Senator SMITH that the United States should continue the trade embargo against Vietnam in order to press for the fullest possible accounting for our POW's and MIA's. However, Mr. President, I believe we have now reached a point where the United States trade embargo has lost its effectiveness as leverage with the Vietnamese.

Over the past 3 years, the Vietnamese Government has substantially increased its level of cooperation with United States investigators. The Vietnamese have turned over more than 20,000 documents and artifacts. Concrete progress has been made in accounting for the remaining POW/MIA's.

At this time, I believe the best way to facilitate the cooperation between the United States and Vietnamese Governments on this issue and get the fullest possible accounting for our missing soldiers is to lift the trade embargo. By opening the door to Vietnam, we will gain additional access. The increased United States presence and communication can only help to resolve the remaining cases. Our top U.S. officials who have worked on this issue, including General Vessey, support lifting the embargo.

It is important to note that we will not normalize diplomatic relations at this time. Many issues—including progress toward democracy, human rights, and resolving the POW/MIA cases—should be considered before diplomatic relations are established.

Mr. President, I firmly believe that ending the embargo will, at this point, assist in accounting for our missing servicemen from the war in Southeast Asia. By taking this action, I hope we can help resolve this painful issue, once and for all.

Mrs. MURRAY. Mr. President, this country has agonized for nearly two decades over the plight of our missing in Vietnam. 2,239 Americans remain unaccounted for in Indochina. For their family and friends, the Vietnam war continues.

The 2,239 lost servicemen were my peers—they were of my generation. I was in my early 20's at the height of the war. During my college years I interned at the Seattle Veterans' Hospital where I helped to care for the wounded returning home from Vietnam. It was a painful experience I will never forget.

From that time on I have carried with me a very real and deep concern for the plight of those who simply do not know for certain what happened to their family members and friends who have never been accounted for in Vietnam.

It is that very issue which overrides all others in today's debate. The question the Senate struggles with today is how our Nation can best serve the Americans who remain unaccounted for in Vietnam. Which path will more quickly bring to closure the POW/MIA cases?

Some argue that we should remain isolated from the Vietnamese until the last POW/MIA case is resolved definitively. This has been our policy since the end of the war.

Many others, however, have come to the conclusion that it is time to take a vastly different and new approach. The McCain/Kerry amendment we are considering today argues that the embargo is no longer a useful tool in making progress on the POW/MIA cases. Senator JOHN KERRY, a distinguished veteran of the Vietnam war, served as chair of the Senate Select Committee on POW/MIA Affairs and has studied this issue exhaustively. Senator MCCAIN, a former POW in Vietnam for nearly 7 years, brings his own remarkable perspective to this question.

These two Senators believe, as do I, that by lifting the embargo a more positive atmosphere in United States-Vietnamese relations would be established—an atmosphere which will take us further in achieving Vietnamese progress on the POW/MIA question and other humanitarian concerns than our present policy of isolation and disengagement.

For most of the last two decades we have maintained a very rigid wall between this country and Vietnam. During that time, slow progress was made in resolving our POW/MIA cases. This administration and the last have considered taking a new approach, which has had some good results in getting the Vietnamese to come forward with more information.

Our Nation owes a huge debt of gratitude to Gen. John Vessey, former chairman of the Joint Chiefs of Staff and a veteran of three wars including Vietnam, for much of the progress we have made so far in convincing the Vietnamese to open their files. It was General Vessey who, in the process of carrying out his important work as our Nation's special envoy on this issue, began to break the stalemate with the Vietnamese and to finally get significant information from them on our POW/MIA cases.

Today General Vessey supports lifting the U.S. trade embargo, believing this approach is the only way to continue to make real progress in obtaining a full accounting on our POW's and MIA's.

Lifting the embargo and allowing Americans to participate in the social, cultural, and economic life of Vietnam serves other goals in addition to the overriding concern of resolving our POW cases. I am deeply concerned about the political and social repression carried out by the Vietnamese Government. Our Nation must continue to insist that the Vietnamese Government greatly improve its human rights record.

We must use the new leverage we will gain economically to help the Vietnamese people achieve social and political freedoms. Enhanced Western contact with Vietnam may well have the effect of reducing the economic imperative behind Vietnam's communist system, possibly paving the way for political liberalization in Vietnam. Economic prosperity in Vietnam, we can all hope, will foster democracy. We did not achieve that goal through war. I have every hope that we can do so through peace.

As many have said during the course of this debate, by lifting the embargo and allowing United States trade and investment with Vietnam, not only do we help the Vietnamese people, but we also help our own economy here at home. My State of Washington stands to enjoy a strong trading relationship with Vietnam. Boeing, for example, estimates they could sell well over 3 billion dollars' worth of commercial airplanes to Vietnam if the embargo were to be lifted—creating high wage United States jobs.

Asia and Europe are already actively engaged in Vietnam, which undermines the American embargo and calls into question its continued effectiveness in giving the United States leverage on the POW/MIA cases.

Regardless of the action taken by the Senate today, the families of the POW's and MIA's will continue to have urgent questions for the Government of Vietnam, and also for our own Government. The United States must intensify efforts to resolve the outstanding POW/MIA cases, and must continue to insist on obtaining the fullest possible accounting by the Vietnamese. President Clinton has been vigilant on this issue, and has continued the task of allowing for the declassification of over a million pages of Pentagon documents related to the POW's and MIA's.

In addition, we must redouble our efforts to ensure that a tragedy of this magnitude does not occur again. We cannot ask young men and women to go to war for our Nation without providing them with the greatest possible assurances that they will not be left behind. While it must be acknowledged that in the aftermath of most wars there have remained those who have never been accounted for, we owe it to our troops to make their recovery our highest national priority.

In closing, Mr. President, let us vote to lift the United States economic embargo against Vietnam, and usher in a new era of cooperation with the Vietnamese people so that we can finally receive the fullest possible accounting for our missing in Vietnam.

Mr. FEINGOLD. Mr. President, at this point, I will vote against the resolution to lift the trade embargo against Vietnam because I feel that the United States should take the toughest possible stand on human rights reform in Vietnam.

I have listened very carefully to Senator BOB KERREY, his statement today and his eloquent testimony to the Senate Foreign Relations committee last year offered much to consider. I have also paid great attention to the arguments of Senators JOHN KERRY and JOHN MCCAIN. I have tremendous respect and admiration for their leadership in the relentless search for unaccounted POW's and MIA's. I am thankful to them for the service they have provided to our country, and their opinions and conclusions carry great credibility with me. For me, however, the primary question has revolved around human rights reform in Vietnam.

I am sympathetic to arguments that the embargo is a remnant of an era past; that banning trade with the enemy is no longer an appropriate policy. I believe we must close the chapter of the Vietnam war. Furthermore, the cold war is over, the United States is building bridges throughout Asia, and it no longer makes sense to refuse diplomatic relations with any country in the international community.

Trade and economic relations, though, have been a successful lever in achieving human rights reform. Indeed, linkage is a strategy I support in China, Indonesia, the former Eastern bloc, and elsewhere. And while I do not advocate severing entire trade relationships with nations that have oppressive human rights record, I think we have an opportunity to leverage reform in a country where we are discussing resuming a trade relationship.

The Government of Vietnam has imprisoned those voices for multiparty democracy, United States citizens who are accused of trying to start alternative political organizations, advocates of nonviolent opposition. It has suppressed monks who simply advocate freedom of worship, controlled the movements of clergy, and threatened and punished those whose who disagree with the party ideology on religion. The state controls on media are repressive. International humanitarian organizations are not even allowed to work in Vietnam.

I applaud the administration's recent establishment of a formal dialog on human rights with the Vietnamese. There are a couple of minimal steps I think we should demand before we establish trade relations, including the release of all nonviolent political prisoners, and access for international humanitarian organizations to the Vietnamese prisons. Conditions for most-favored-nation status to China—a far smaller piece of the trade relationship—are more stringent than that.

In the future, I also hope the administration will work in the United Nations to actively support resolutions authorizing a visit to Vietnam by the U.N. Working Group on Arbitrary Detentions. I also expect the administration will be working with our allies, including Japan, Australia, France, and Canada to appeal jointly to Vietnam for human rights improvements.

The administration has made a strong commitment to human rights. Given our history in Southeast Asia, the conditions in Vietnam are of special concern to America, and I support pushing to the maximum degree for reform. I do not believe that at this point that can best be accomplished by trade relations and business people.

Mr. KOHL. Mr. President, I know that some are troubled by the prospect of lifting the United States trade embargo against Vietnam. This is a very painful issue for many, in particular veterans and family members and friends of American servicemen who are still classified as missing in action. As one who served on the Select Committee on POW/MIA Affairs, I have followed this issue closely and have reflected on how we should best proceed in our relations with Vietnam.

Above all, I am committed to a full and final accounting of the fate of all former American servicemen. For 19 years, we have maintained a trade embargo against Vietnam, making it clear to the Vietnamese Government that without progress on the POW/MIA issue, there would be no progress on the normalization of relations between our two countries.

Mr. President, if I believed that lifting the trade embargo against Vietnam would stand in the way of our quest for the truth, I would be firmly against it. The evidence, however, leads me to conclude otherwise.

As Senators KERRY and MCCAIN note in their amendments, there has been

substantial and tangible progress in the POW/MIA accounting process. In the last few years, as Vietnam has sought to join the family of nations, we have seen a significant increase in the level of cooperation by the Vietnamese Government on resolving the fate of American servicemen unaccounted for during the war in Vietnam.

We have seen a dramatic improvement in access for the U.S. military to look for remains of U.S. servicemen. We have had unprecedented opportunities to question Vietnamese in villages and in the countryside. These individuals sometimes have useful information about the whereabouts of U.S. personnel more than 20 years ago. And, we have seen more information from Vietnam's archives.

There are still more than 2,000 who are listed as unaccounted for, many because we have yet to locate or identify their remains. Because of the difficulties in doing that, the process of resolving these cases will take many more years. We cannot know for certain how much more information the Vietnamese have and to what extent they are truly being forthcoming. However, if we are to make any more progress in resolving these cases, we must have the continued close cooperation of the Vietnamese Government.

Lifting the trade embargo will not impede our progress in this area. In fact, lifting the trade embargo is an important step in ensuring that we have continued access to Vietnam and continued cooperation. Lifting the trade embargo will bring many more Americans into Vietnam, opening up that country even more and significantly contributing to our efforts there. After nearly two decades of no answers, we cannot risk losing our access to Vietnam again. If we lift the trade embargo, we are opening the doors to that country once and for all, in the hope that we are ensuring access for years to come.

As the amendments state, United States senior military commanders and United States personnel working in the field to account for U.S. POW/MIA's in Vietnam believe that lifting the United States trade embargo against Vietnam will facilitate and accelerate the accounting efforts. We must defer to their expertise on this matter.

Ultimately, the decision to lift the embargo is the President's decision. I know that he will consult not only with senior military commanders in the field, intimately involved in accounting for U.S. servicemen from the war, but he will also consult with the veterans and family members of POW/MIA's who feel so deeply about this issue.

Lifting the trade embargo is not a full normalization of relations with Vietnam, and we should move cautiously in this area, as we have on the issue of the trade embargo. We must also recognize that we can use our leverage with the Vietnamese to press them to improve their record on human rights.

Mr. President, this is an opportunity for us to do something positive to end this painful chapter in our history once and for all.

VOTE ON AMENDMENT NO. 1263

The PRESIDING OFFICER. Under the previous order, all time on this debate has expired. The question is on agreeing to the Kerry amendment No. 1263.

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

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

The result was announced—yeas 62, nays 38, as follows:

[Rollcall Vote No. 5 Leg.]

YEAS—62

Akaka	Glenn	Mikulski
Baucus	Gorton	Mitchell
Bennett	Graham	Moynihan
Biden	Harkin	Murkowski
Bingaman	Hatfield	Murray
Bond	Hollings	Nickles
Boren	Inouye	Nunn
Boxer	Jeffords	Packwood
Bradley	Johnston	Pell
Breaux	Kassebaum	Pressler
Bryan	Kennedy	Pryor
Bumpers	Kerrey	Reid
Chafee	Kerry	Robb
Cochran	Kohl	Rockefeller
Cohen	Leahy	Sarbanes
Danforth	Levin	Simon
Daschle	Lieberman	Simpson
Dodd	Mathews	Stevens
Exon	McCain	Wallop
Feinstein	McConnell	Warner
Ford	Metzenbaum	

NAYS—38

Brown	Durenberger	Lugar
Burns	Faircloth	Mack
Byrd	Feingold	Moseley-Braun
Campbell	Gramm	Riegle
Coats	Grassley	Roth
Conrad	Gregg	Sasser
Coverdell	Hatch	Shelby
Craig	Heflin	Smith
D'Amato	Helms	Specter
DeConcini	Hutchison	Thurmond
Dole	Kempthorne	Wellstone
Domenici	Lautenberg	Wofford
Dorgan	Lott	

So the amendment (No. 1263) was agreed to.

Mr. KERRY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 1266

The PRESIDING OFFICER. Under the previous order, the Senate will now vote on the Smith amendment No. 1266. The question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 42, nays 58, as follows:

[Rollcall Vote No. 6 Leg.]

YEAS—42

Brown	Durenberger	Mack
Bryan	Faircloth	Moseley-Braun
Burns	Gramm	Nickles
Byrd	Grassley	Reid
Campbell	Gregg	Riegle
Coats	Hatch	Roth
Cohen	Heflin	Sasser
Conrad	Helms	Shelby
Coverdell	Hutchison	Smith
Craig	Jeffords	Specter
D'Amato	Kempthorne	Stevens
Dole	Lautenberg	Thurmond
Domenici	Lott	Wallop
Dorgan	Lugar	Wellstone

NAYS—58

Akaka	Ford	Metzenbaum
Baucus	Glenn	Mikulski
Bennett	Gorton	Mitchell
Biden	Graham	Moynihan
Bingaman	Harkin	Murkowski
Bond	Hatfield	Murray
Boren	Hollings	Nunn
Boxer	Inouye	Packwood
Bradley	Johnston	Pell
Breaux	Kassebaum	Pressler
Bumpers	Kennedy	Pryor
Chafee	Kerrey	Robb
Cochran	Kerry	Rockefeller
Danforth	Kohl	Sarbanes
Daschle	Leahy	Simon
DeConcini	Levin	Simpson
Dodd	Lieberman	Warner
Exon	Mathews	Wofford
Feingold	McCain	
Feinstein	McConnell	

So the amendment (No. 1266) was rejected.

Mr. KERRY. 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.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 1262, as amended.

The amendment (No. 1262), as amended, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. KERRY. Madam President, let me just say if I can very quickly, the majority leader has announced that we will work late tonight on the bill, and if we cannot finish the bill tonight we are absolutely going to be here tomorrow working with rollcall votes until 3 p.m.

So I urge colleagues to bring their amendments to the floor, and we will try to process them as rapidly as possible.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 1267

(Purpose: To reduce the amount of appropriations authorized for the National Endowment for Democracy)

Mr. BUMPERS. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself, Mr. DORGAN, and Mr. BROWN, proposes an amendment numbered 1267.

Mr. BUMPERS. 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:

At page 103, strike lines 1 and 2 and insert in lieu thereof the following:

"racy" $35,000,000 for the fiscal year 1994 and $35,000,000 for the fiscal year 1995."

Mr. BUMPERS. A moment ago, the Senator from Florida [Mr. GRAHAM], came up to me and said, "What is your amendment?" And I said, "It is to cut the authorization of the National Endowment for Democracy back to this year's appropriation level." He said, "Oh, BUMPERS, are you on that again? You remind me of that story about the inmates in the prison calling out a number and everybody just roared with laughter. And somebody said, 'What in the world is so funny about calling out a number?' And they said, 'Well, we have told the same story so many times we just give them a number. And when somebody calls that number, we know what the joke is and we laugh.'"

I have been on this now, I think this is maybe my fourth year, and I wish to assure my colleagues that this is not designed to kill the National Endowment for Democracy, although I make no bones about the fact I will try to do just that this fall during the appropriations process.

To give our colleagues some idea of how this started, back in 1983, when we first set up the NED, it was designed to help end the cold war. It was designed to try to promote democracy all over the world.

I wish to show my colleagues with a simple little chart what has happened. In 1984, we appropriated $18 million for the National Endowment for Democracy—$18 million. And you can see that for the next 7 years the appropriation level stayed at or below that $18 million, always in the name of competing with communism around the world, particularly with Soviet communism. The cold war effectively ended in 1990–91. Instead of the National Endowment for Democracy claiming victory and saying, "Is this not wonderful?" I want you to look at what has happened to their authorization level and their appropriations—from $17 million in 1990 to an authorization level in this bill of $50 million. The appropriation level for 1994, this year, is $35 million. And if you go to $50 million authorized and you appropriate $50 million this fall, that will be a 42.8 percent increase.

Madam President, I chair one of the Appropriations subcommittees, the Agriculture Subcommittee on Appropriations. And before we mark up the agriculture appropriation bill this fall, I will receive a letter from, I guarantee you, every Member of the U.S. Senate asking me for $1 to $10 million in that bill. And in the past we have been able to accommodate a lot of people. Senator BYRD says that in an ordinary year he gets 3,500 requests just for the Subcommittee on Interior.

But do you know what this body is confronted with this year? It is called a cap on discretionary spending. That cap is going to be the same amount as last year with no inflation, and 1995 and 1996 are going to be the same as this year with no inflation. I am going to have to say, as will Senator BYRD and all of the other subcommittee chairmen of Appropriations subcommittees, "My colleagues, I am sorry. There is no money for your home State." A Senator told me 2 days ago that he tried to get $50,000 to keep a boys club open in his State, a boys club in a ghetto area. And he could not get $50,000. And he picked up the paper and found that there is a $43 million courthouse going up in his State that he had not even sought.

You heard the State of the Union Address the other night where the President said we should increase money for drug rehabilitation by an almost exponential amount. Head Start is going toward covering every single eligible child in America. Immunization levels are going to almost double. The WIC program is going to be substantially increased. You heard all of that list about these tremendous sums of money that the President is asking for 1995. I want you to tell me where the money is coming from when we have a discretionary spending cap of $540 million which is what it was last year. And he says you cannot cut one dime from defense.

I want you to look at this—about a 150-percent increase in the NED budget in 4 years. The people in this body are going to be asking me, "Could I get $1 million. I have been trying to get $1 million for 5 years for some project for my State that has great merit." And we are going to have to say no. One of the reasons we are going to have to say no is because we are raising authorization from this year's appropriation of $35 million to $50 million. Who else in the U.S. Government is getting a 42.8 percent increase? Why, it is bizarre in this day and time.

Do you know what the President said the other night that resonated strongly to the American people more than any other single thing he said? He said that the deficit for 1995 is going to be $120 billion less than we projected. Some of that is going to be because of the increased economy. Some of it is going to be because of spending cuts, and a good big portion of it is because interest rates are so low we are not having to pay as much interest on the national debt.

But you cannot have it every way you want it, Madam President. You cannot increase all of those things he was talking about the other night, and say not one dime to be cut from defense. You are not going to be able to finance those things which come under the discretionary spending cap and give the National Endowment for Democracy, which is the greatest boondoggle since Adam and Eve, a 42.8-percent increase.

Who gets the money? That is one of the most interesting things of all, and it is one of the reasons that I always lose. I lose every time I bring this up for two simple reasons: No. 1 is because the U.S. Chamber of Commerce, the AFL–CIO, the Democratic National Committee, and the Republican National Committee get all but 29 percent of the money. That is the first reason I lose.

Do you know the second reason I lose? It is because of who is on the board. The last time I fought this out, there was a Senator on the floor defending this program saying it is the greatest thing since night baseball. Lo and behold, I looked at the members of the board of the National Endowment for Democracy and what do you think? That Senator was on the board. Let me read some of them to you. They are outstanding people. They are my friends.

Senator LUGAR, not the person I just referred to, is on the board. Tom Kean, erstwhile Governor of New Jersey is on the board. John Joyce; James Joseph; Fred Ikle, who was big in the Bush administration; STENY HOYER, sort of my Congressman. I live in his district in Maryland, great Congressman; Lynn Cutler, wonderful woman; John Brademas, former Member of Congress, now president of New York University, a very dear friend; Harry Barnes, Jr., former Member of the House who is now with I think a public relations firm downtown; all fine people. And all with some considerable political clout in this community.

So when you start looking at that, you can see why I have never won on this issue. What is $15 million to this crowd? As I say, I am not trying to cut the money now. I am simply trying to keep the amount of money that we are going to appropriate this fall under control.

Do you want to know who this is, Madam President? It is 9.8 percent, my party, the Democratic National Committee. They get 9.8 percent of what is likely to be $50 million this fall. So you think David Wilhelm does not favor this? Why, of course, he does. The National Republican Institute [NRI], 10.7 percent; I do not know why we Democrats sit still while the Republicans get almost a full percentage point more than we do. I must tell you I do not understand why either one of them are getting a red cent. But there is 20 percent of the NED budget right there to the two national parties in the form of noncompetitive grants.

Here is the AFL-CIO, FTUI, 40 percent. Do you think Lane Kirkland is not going to weigh in this fall? Do you think labor is not going to be calling the Members of this body to say, "Please do not vote with Senator BUMPERS, we need the money?" CIPE, an arm of the U.S. Chamber of Commerce, whom I thought hated every kind of Federal spending; they are getting 10.6 percent. And why they sit still for labor getting 40 percent is beyond me. But why the American people sit still for any of these people getting a dime is beyond me. Why Members of the U.S. Senate sit still for anybody getting this money is beyond me.

The House voted overwhelmingly last year to kill this. People of this country are beginning to look increasingly to the House of Representatives as the responsible party for spending cuts and budget balancing. If it had not been for the House of Representatives, we would never have killed the super collider. If not for the House of Representatives, we would have never killed the solid rocket motor program.

So why does the U.S. Senate, for a change, not do its duty and say to the American people, "me, too" when it comes to spending cuts?

I am most reluctant, Mr. President, to get into all of the things that have gone wrong with this program. But let me just give you a full illustration. I have told you that the purposes of the National Endowment for Democracy no longer exist. It is absolutely nothing short of bizarre that the cold war ends and their budget triples after that.

In 4 years, look at the increases. Where is the money going? Here is Business Week: "In 1984, $20,000 of this money went to the AFL-CIO. They sent it to a union in Panama during the Presidential elections."

So what do you think happened then? They are promoting a guy named Barletta, who is the military candidate for President in Panama. And the Ambassador to Panama wrote to the State Department and said: "The Embassy requests that this harebrained project be abandoned before the you-no-what hits the fan."

November 17, 1984, the Washington Post:

> $830,000 spent on a right-wing French students organization, and then turned around and put $650,000 into a white-collar workers union.

Two organizations that hated each other, on opposite sides of the political spectrum. They gave one $830,000 and the other $650,000. Surely to God, somebody is concerned about this.

New York Times, December 4, 1989:

> $1.4 million secretly channeled through an overseas branch of our unions to two center-right groups in France who were opposed to Francois Mitterand,

Our friend.

Surely to goodness, somebody cares that we are sending $1.4 million to the strongest opponent of Francois Mitterand in France, our friend. How do you think President Clinton would feel about going to a meeting with President Mitterand immediately after he discovered that the taxpayers of this country put up $1.4 million to a group who were adamantly opposed to his Presidency?

There are a whole host of these. I am not going to clutter the RECORD with more and more of these, but the list is endless. If you want to know where the money is going, come and see me or, better still, get a copy of the March 1991 General Accounting Office study of this organization. I want you to know that DALE BUMPERS is not just making these things up. You get a copy of the General Accounting Office report.

Mr. President, I do not want to take a lot of time, and there are others in the Senate who wish to speak and that I have promised the right to speak. I just close with this: All of these years, I have supported foreign aid. I say to the chairman of the Foreign Relations Committee that I think I have only voted against one Foreign Relations bill since I have been here. I do it for a lot of reasons. I do it because oftentimes it means economic assistance, and that translates into agricultural products that are grown in my State—self-interest. I do it because I am a humanitarian and we are very lucky to live in the United States, and people in other countries are not so lucky. So I believe in helping our fellow man. It is a Judeo-Christian concept. I do it because I believe in democracy, and I think when the United States spreads $15 billion a year around the globe, it helps a lot of countries to stabilize their governments. Democracy, somebody said in Asia, invariably follows economic prosperity. So this is what we have been promoting with foreign aid as long as I can remember—democracy.

Then there is the Agency for International Development, they spent $296 million on democracy-building activities in 1993. Do you know what that is for? That is to help people help themselves. It is to help democracy take root and let them know that the United States is a great Nation, because we are a democracy. We want people to emulate our democratic principles.

The U.S. Information Agency. What do we do? We use powerful radio signals to beam all over Europe, particularly Eastern Europe and the Soviet Union, saying democracy is wonderful, why do you not emulate us? And in the past—I emphasize "in the past"—I have voted for that, and especially when the cold war was raging. I thought it made a lot of sense to give the people of Russia and the Soviet Union some hope. If you want a piece of democracy in Russia, grab a corner on a Moscow street and start preaching. And then $14 billion—I do not have it on here, but there was $14 billion for foreign aid; $383 million for the U.S. Information Agency; $296 million for the Agency for International Development, all to promote democracy around the world. And then we come with this little token thing, the NED. I thought those other institutions were promoting democracy, but I find the National Endowment for Democracy at the end of the cold war giving money to the AFL-CIO and the Chamber of Commerce. That is what did it according to the proponents of NED.

Someone said to me, are you going to vote against the President? If the President favors this, I certainly am. I do not know what he is going to seek in his budget for NED, but I can tell you one thing. I am going to try to take it out if there is anything in it.

I remind colleagues all I am doing now is saying please do not authorize a 42.8-percent increase in a highly questionable program.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota [Mr. DORGAN].

Mr. DORGAN. Mr. President, I am pleased to stand today in support as a cosponsor of the Bumpers amendment and hope very much that the Senate will accept it.

Mr. BUMPERS. Mr. President, will the Senator yield a minute?

Mr. DORGAN. I am happy to yield to my friend.

Mr. BUMPERS. Mr. President, I ask unanimous consent to add Senator NICKLES of Oklahoma, Senator FEINGOLD of Wisconsin, and Senator BROWN of Colorado as cosponsors. Senator DORGAN is already a cosponsor.

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

The Senator from North Dakota.

THE NATIONAL ENDOWMENT FOR DEMOCRACY

Mr. DORGAN. Mr. President, this debate, I suppose, will be cast as a debate about foreign policy, about democracy and how to promote democracy, about whether we support the furtherance of democracy in the world. It is not that at all.

This is a debate, plain and simple, about whether we want to continue to waste money. In fact, the amendment offered by the Senator from Arkansas is far too timid. The amendment really ought to strip this authorization, period. We ought not to be authorizing money for this program.

The National Endowment for Democracy takes money from the American taxpayers in order to duplicate work that is already being done elsewhere. It is a flat-out waste of money. It confirms my long-held notion that someone supports every dollar spent by the Federal Government anywhere on anything. The people who benefit by a program invariably support that program. They have been clever enough in this

program to do pretty much what they did in Star Wars. They moved that Star Wars money all around America, parking it in universities, research institutes, think tanks, and the like. All of sudden, every Senator and every Representative had a constituent saying, "you know, you need to support that Star Wars program, because it benefits our State or our district."

It is the same thing now. You watch this debate, especially the debate on the appropriation later this year. You watch who stands up and supports this sort of thing. They have been smart. I do not deny that. Some of this taxpayers' money in a taxpayer-sponsored program goes to the National Republican Party, another part to the National Democratic Party, another batch to the U.S. Chamber of Commerce, and yet a bigger batch to the U.S. AFL-CIO.

Do you think those folks do not support this program? You bet your life they do. They get money from it.

What is the National Endowment for Democracy? Well, it was conceived in the dark days of the cold war when the Soviets were the "Evil Empire." A pall was over Eastern European countries. They struggled under communism. The Communist boot was pressing on their chest. Here in the United States, we worried about Central America and the troubles in Nicaragua. You can go on and on and on. This program was conceived in those dark days of the cold war as a response to threats to democracy around the world.

I did not support it then. I did not vote for it then. Why? Even then we did what we do now. We work to further democracy using nearly 900 million other dollars. The State Department, through the Agency for International Development, the U.S. Information Agency, and the Defense Department, spend nearly $900 million on precisely this mission.

Those who conceived of the National Endowment for Democracy said, "Well, let us do it in another way. Let us give our political institutions, our labor and business institutions, some taxpayers' money so that they can further democracy."

There is an unfortunate undertone to this NED debate. People think that those of us who want to cut this program—and I think we should abolish the program—that we just do not get it; we are too short to see over the horizon; we just do not understand how the world works; we just came to town driving pick-up trucks. We just cannot figure it out. Furtunately, there are others who are wiser and more stable, and who have a greater world view, and they understand exactly what this is for and why it benefits the world.

Let me disabuse everyone of this notion. We do get it. If the NED were about furthering democracy, if it were needed, if it were efficient, and if the money was spent wisely, I would be the first to stand and support it. But this is a boondoggle. This is waste in Government. It should not continue.

In the past couple of months, I have taken some time to go down and sit at D.C. Superior Court. I wonder if my colleagues have done that. If they have not, they might consider it. Take a day and sit down in D.C. Superior Court and then take a day and sit in an inner-city high school in Washington, DC, and take a day and sit at a welfare office in the inner city. You know what you come back with? You come back with the notion that we face such profound, agonizing, wrenching, huge problems that it is almost impossible even to describe them. I am going to come to the floor and try to describe some of them soon.

But this challenge requires investment. It requires us to pay attention to things that make life better and give opportunity to the people in this country.

The President said the other night, in the State of the Union Address, that he is going to propose cutting 300 programs—300 programs. Well, will NED be cut? No. This authorization comes to the floor, and NED's proponents would have us increase its funding dramatically. We are talking about doubling NED in just a couple years, at a time when we face wrenching problems inside this country. I am not talking about earthquakes, fires, and floods. I am talking about the sea of human misery that exists all over the country. This very city is the cocaine capital of the world and the murder capital of the world. A million babies were born without two parents last year in our country.

We have all kinds of problems stretching our budget to the limit. We are cutting Federal programs, and we have to do that. I am not complaining about it. But this program, the one that provides taxpayers' cash to the Democratic Party and the Republican Party, the AFL-CIO and the U.S. Chamber of Commerce—does this get cut? Do they have a belt around this waist? No, not this one. On this one, they say, "Heck, we do not have a budget problem. Let us just pour some more cash into this program." They are pouring cash into a program that has been widely and I think accurately criticized for its lack accountability, its poor management of money, and its questionable approach in the way it runs programs.

I know it is easy to criticize. But NED sets up conferences in London, Tokyo, and Vienna that—look, I know why people support this, but it is wrong. It is wasteful.

This amendment is far too timid. I said that when I started. We ought to be here cutting it entirely. I suspect the Senator will. If he does not, I will zero out NED in the appropriations bill, and we will have another long debate then.

I am pleased that we have Senator BUMPERS on the floor, not just on this issue but on 6 or 8 or 10 issues, routinely saying "These things do not make sense. And we want you to stand up and try to defend them because we believe they ought to be cut."

My hope, Mr. President, is we can take this modest step, the most modest of steps, to exhibit the least amount of fiscal discipline. This amendment caps spending on NED for 2 years. If we do not have the good sense to up this program, we do not have the sense to deal with this country's vexing fiscal problems.

So I commend the Senator from Arkansas. I am anxious to hear the rest of the debate and I am anxious to vote, I hope with the majority, to at least cap this program at its current level.

Mr. President, I yield the floor.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland [Mr. SARBANES].

Mr. SARBANES. Mr. President, I like to find myself in the company of the distinguished Senator from Arkansas when I can, because I enjoy listening to him. Of course, it is easier to listen to him with a good feeling if you agree with him; although it is also interesting to listen to him when you do not agree with him, which happens to be the case here today.

I want to address what seems to be a central premise of the argument he makes here on the floor, because I disagree with it very sharply. He said that with the end of the cold war, the purposes of the National Endowment for Democracy no longer exist. We saw a chart that showed how much funding was being channeled through the National Endowment for Democracy. There was an increase at about the time of the end of the cold war, and the argument was being made that this somehow was counter to what one would have expected.

I submit just the contrary; just the contrary. The purposes for which the National Endowment for Democracy was established have heightened and intensified with the end of the cold war because the triumph of democracy in large parts of Asia, Africa, and Eastern Europe is far from ensured.

Earlier, there was a period when we were trying to encourage democratic forces within totalitarian societies. At that time, our options were very sharply limited because of the kind of totalitarian control that in some instances excluded those trying to help the indigenous democratic forces, or in other instances only allowed them to work at the margin.

Yes, there was had the collapse of the Soviet Union, but what came out of that were greater challenges, not lesser challenges, for building democracy.

And so now we are faced with the task of trying to strengthen fragile democratic governments and movements around the world. It is a central part of President Clinton's foreign policy vision.

In fact, the President wrote to us only a few months ago when we had, in essence, this very same debate. I just want to quote him where he expressed his very strong support for the National Endowment for Democracy. Let me just quote President Clinton:

Supporting the worldwide movement toward democracy is one of the best investments we can make in our own national security. The National Endowment for Democracy has been one of our most important and effective instruments for supporting democracy abroad. Now, with new democracies and democratic movements gaining strength, from the former Soviet Union to Africa to Latin America, we need to make our support for democracy an even higher priority.

Mr. President, I agree with that. A key component of this policy of making our support for democracy an even higher priority is the National Endowment for Democracy, an organization which offers assistance to struggling democracies around the world, largely through grants passed through the organizations which the Senator from Arkansas discussed earlier—the two major political party organizations in this country, the Chamber of Commerce, and the trade union movement. All of them, of course, are very intimately involved in making democracy work in this country and all of them, through the National Endowment for Democracy programs, have played an instrumental role in trying to develop and nurture and strengthen democratic governments and movements around the world.

The President, in the course of setting his budget priorities, never asserted that there were not some items that needed additional support. What the President said is that he is squeezing the budget in order to stay below the caps set by the Congress and he is shifting priorities to put greater emphasis on those things that are most important. The administration's emphasis on NED reflects the priority and the commitment it attaches to this issue.

The National Endowment for Democracy has been providing vital assistance to pro-democracy movements on every continent. Lech Walesa has attested, in the strongest possible terms, to how essential that support was to the Solidarity labor movement in Poland, to take but one example. Pro-democracy forces in China, in Chile, in South Africa, in the Middle East, in the new independent states of the former Soviet Union—all have gained strength from the programs of the National Endowment for Democracy.

I listened very carefully to the distinguished Senator from Arkansas. Of course, he cited some abuses in the program. But I want to say to my colleagues that a major effort has been undertaken over the last few years to prevent any such departure from proper standards.

In fact, the Senator quoted a GAO report pointing out what they thought were some weaknesses in carrying out the program. But he did not quote the GAO followup report in which the GAO offered a positive assessment of NED's response, noting the GAO's belief that if the Endowment effectively carries out the actions it has begun and plans to begin, then its endowment planning, evaluation, monitoring, and financial control capabilities would be improved.

In other words, no institution is perfect, and the people at NED were the first to recognize that. They have tightened up the control procedures, the grant monitoring procedures. They have instituted these new procedures at every stage of the grant process from receipt of the proposal through award, monitoring, and audit to final closeout. They have in fact taken extensive measures to respond to the GAO report which the distinguished Senator cited.

So let us be fair. Let us recognize this significant and successful effort to respond to some weaknesses that were pointed out and to institute the very control and evaluation procedures that the GAO had recommended.

That is what the National Endowment for Democracy has done. It is a small, cost-effective, nongovernmental institution which provides tremendous benefits for the amount of resources that it invests in helping to make a safer world that is beneficial to American security and economic interests.

Around the world, those who have been leading the fight for democracy and for stability have repeatedly cited the help and the assistance which has come from the National Endowment for Democracy as being essential to their work—Yelena Bonner, the Dalai Lama, Oscar Arias, Lech Walesa, Vytautas Landsbergis, and on and on. Around the world, those who are carrying out the fight to establish and sustain democratic institutions have pointed to this program as critical to their efforts.

So, contrary to what my colleague has asserted, the end of the cold war has not lessened the need for the National Endowment for Democracy. It has in fact intensified the need, because the lifting of the oppressive totalitarian control provides an opportunity to establish democratic institutions and build democratic forces.

But that is not guaranteed. It is not a certainty that this is going to happen. As we look around the world and see the challenge which democratic forces confront, we ought to gain some deepened appreciation of the task that lies ahead. We should applaud the effective work that is being done through the National Endowment for Democracy, working through the various grantees which include, of course, the two party institutes, various labor movement organizations, the Chamber of Commerce, and a number of indigenous human rights groups, women's civic organizations, experts on conflict resolution, and others committed to promoting the rule of law, fair elections, democratic culture, and other essentials of democracy.

Let me address just one other point before I draw to a close. It was asserted in the course of the debate thus far—and I notice my colleague has a chart which will seek to assert this point further—that there is an overlap or a duplication in the Government's democratic development activities, because AID and the USIA also devote part of their budgets to this activity. The conclusion that is sought to be drawn from that is that the National Endowment for Democracy is unnecessary or superfluous.

This argument was made this past summer when we had a debate on this issue during consideration of the appropriations bill. At that time, the Administrator for the U.S. Agency for International Development, Brian Atwood, and the Director of the U.S. Information Agency, Joseph Duffey, communicated with the Congress, and it is my understanding that their position today is the same as was expressed then. I just want to quote briefly from what they said at that time.

Democratic development is an essential part of economic development and the preservation of peace, and a natural concern of the American people. We believe that the National Endowment for Democracy fulfills a distinctive and critical role in promoting democratic development and building free societies.

Like the National Endowment for Democracy, U.S. AID and USIA are also engaged in helping to build democracy. But the National Endowment for Democracy has a distinctive capability for providing early and critical institutions and business and labor groups—the elements of "civil society" upon which the larger structures of democratic governance ultimately must rest. NED and its institutes do this by engaging counterpart groups and leaders from our own non-Government sectors.

They then go on to say that a procedure has been established for consultation on NED-funded programs prior to their implementation to ensure "that such programs are not duplicative of other efforts and do not contradict U.S. national interests." According to the letter from the heads of USIA and AID, and I quote:

"The three organizations"—this would be NED, AID, and USIA—

The three organizations each play unique and distinctive roles in this area and are working closely with the other agencies and with Congress to eliminate or prevent the possibility of future duplication * * *

We would also remind you that there are some nations where assistance is desired,

needed, and can have a measurable effect but where restrictions in law bar activities by U.S. AID and USIA. The NED often is the only organization that can establish a presence in such countries.

They conclude by saying:

Funding the National Endowment for Democracy is an extremely cost-effective investment for the United States, our allies, and the cause of freedom. Democratic movements around the world have saved the United States untold billions of dollars in defense spending alone.

So, Mr. President, that addresses the duplication or the repetition contention. We have talked, of course, about the scrub-down of NED's monitoring and evaluation procedures and financial controls that has taken place as a followup to some of the criticisms that were made. I want to commend them for responding in a positive and constructive way in order to try to address that issue.

Let me underscore that NED, working through these institutes, is able to maximize the involvement of people in the private sector, many of whom engage in these democracy-building efforts. They engage in them completely out of their own pockets. They get their expenses covered, but they are giving of their time and effort and energy in order to help build democracy in many of the countries where that opportunity is now open to us for the first time.

Finally, I close with the observation with which I began, and that is that the end of the cold war does not mean, as it has been asserted, that the purpose for which the National Endowment of Democracy was established no longer exists. In fact, the end of the cold war has intensified the necessity for these kinds of activities. We have a very large stake around the world in the success of these democratic movements. It is critically important to us that in Russia, in Eastern Europe, in the other states of the former Soviet Union, in Africa, in Asia, and in Latin America that the movements toward democracy—in many instances, very tenuous and very fragile—succeed.

The National Endowment for Democracy, working through its various institutes, has made, by all evaluations, a critically important and positive contribution to this effort. And now, at the very moment when we have the opportunity to reap the benefits of the end of the cold war, is not the time to step back.

The President recognized that. The President said:

Supporting the worldwide movement toward democracy is one of the best investments we can make in our own national security. The National Endowment for Democracy has been one of our most important and effective instruments for supporting democracy abroad.

Now, with new democracies and democratic movements gaining strength from the former Soviet Union to Africa to Latin America, we need to make our support for democracy an even higher priority.

Mr. President, I urge the defeat of this amendment.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island, Senator PELL.

Mr. PELL. Mr. President, this amendment raises an issue the committee and the Senate have already debated and decided. In committee, an amendment to eliminate funding for NED was defeated by a voice vote and then later during Senate consideration was defeated by a 74–to–23 vote. There is a reason the Senate has been so clear on this issue: Eliminating funding for the National Endowment for Democracy is the wrong thing to do.

The NED has played a valuable role in promoting democracy in a number of nations where it has taken hold, where democracy thrives and where it seemed unlikely just 10 years ago. The importance of NED in this transition has been disclosed by the likes of Lech Walesa and Vaclav Havel.

With its relatively small grants, the NED can have a profound impact on strengthening democratic processes.

At the time of the Senate debate on the appropriations measure sometime back, there was an outpouring of support for the NED, including on the editorial pages of the Wall Street Journal and New York Times. I ask unanimous consent that two editorials supporting NED funding from those papers be printed in the RECORD, together with a letter from President Clinton to Senator MITCHELL.

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

WHAT PEOPLE AROUND THE WORLD ARE SAYING ABOUT THE NATIONAL ENDOWMENT FOR DEMOCRACY AND THE NATIONAL DEMOCRATIC INSTITUTE

"The NED has proved to be one of our most effective means for supporting grass-roots trade union, business and citizen groups, which form the basis for democratic reform. By fostering such reforms abroad, we not only project our own values, we also increase our own security and create better partners for trade and global problem solving.

"The promotion of democracy abroad is a cornerstone of my Administration's foreign policy. It reflects our national values and enhances our own security by expanding the community of free nations. The work of the National Democratic Institute has advanced this important goal and made a difference in so many nations that are seeking to build democratic societies."—*Bill Clinton.*

"The work of the National Endowment for Democracy and its affiliates in promoting civic education and the transition to free market economics and pluralistic democracies has proven to be extremely cost-effective. The money spent in promoting democracy is money saved in responding to civil conflicts.

"I have been impressed not only with NDI's dedication, but with its innovative and effective democratic development programs. NDI is in the forefront of the worldwide democratic movement and has contributed significantly to peaceful political reform and the consolidation of democratic ideas."—*Jimmy Carter.*

"The National Democratic Institute has been one of the first supporting actors in the democratic revolution in our country. The Institute's practical advice contributed significantly to our first free elections. We appreciate such forms of mutual cooperation that could effectively help in building new democratic societies of Central and Eastern Europe."—*Vaclav Havel.*

". . . [I]t is vital, both to the United States and to the future of democracy all through the developing world, for the work of the NDI to continue. . . . NDI sent international observer teams to both the 1988 and 1990 elections for the National Assembly. Although no team of observers can absolutely guarantee the freeness and fairness of elections, the presence of the NDI had a chilling effect on overt fraud, corruption and political violence. . . . NDI has become an invaluable political resource in our country, helping us through these very difficult days of our transition from autocracy to democracy."—*Benazir Bhutto.*

". . . [E]limination [of the NED] will be a blow to the emergence of democracy in many areas of the globe. Countries making the transition to a democratic system of government . . . face numerous obstacles which must be overcome. I have personally been involved in this struggle in Albania where the National Democratic Institute and the International Republican Institute have been active since 1991. They were, in fact, the first democrats from outside our long isolated country to arrive to help us. They have proven to be the most reliable friends. Their activities and support have been extremely valuable in Albania's continuing emergence from communism to democratic governance."—*Sali Berisha, President of Albania.*

"The National Endowment embodies America's broad-based and bipartisan support for freedom. The Endowment's pioneering programs are models of how democratic principles can be given practical expression in every single region of the world."—*Secretary of State, Warren Christopher.*

"The NED helps democracy by means of small but life-giving grants for trade unions, student groups, publications, legal assistance for the persecuted, and other measures. It has a record of success in helping democracy put down roots in stony social soil."—*George Will, Syndicated Columnist.*

"Iraqis fighting Saddam Hussein say one American organization in particular helps keep alive their hopes that democracy has a chance in their country. China's dissidents, at home or in exile, know and bless its name—the National Endowment for Democracy."—*A.M. Rosenthal, Syndicated Columnist.*

"Backers of NED point out that the Cold War might be over, but the triumph of democracy in large parts of Asia, Africa and Eastern Europe is far from ensured. All sorts of hostile elements are ready to strangle democracy in the crib . . . The Senate next month has a chance to undo damage [of the House vote to kill NED] and keep the United States on the side of building democracy in the world"—*David Broder, Syndicated Columnist.*

"The closing of the Endowment poses a danger . . . which can best be characterized by the proverb, 'a penny wise, a pound foolish.' "—*Elena Bonner, Widow of Andrei Sakharov.*

"The pro-democracy movements of many countries, including China, are directly encouraged by NED's efforts. It is true that the Cold War is over, but that does not mean that democracy has been achieved. In fact, many countries in this world are still ruled

by oligarchic dictatorships, still lack the freedom of speech, still have not meaningful elections and still hold political prisoners. Therefore, NED's functions are still absolutely necessary for the leadership of the US in international affairs."—*Fang Lizhi, Chinese astrophysicist.*

"Lithuania's democratic forces need NED's assistance today as much as they needed its help in 1989 and 1990 . . . the return of anti-democratic regimes in Eastern Europe and the former Soviet Union and the resurgence of imperial forces in Russia is an ever-present threat not just to the citizens of those countries, but also to those of the United States."—*Vyautus Landsbergis, Former President of Lithuania.*

"We, the Third World people in Asia, Africa, and Latin America, still have a life-and-death struggle for democracy, freedom and justice against ruthless dictatorships. The NED's support for our struggles, in the face of severely limited resources, is very crucial and could make a difference between total victory and defeat for the democratic forces. . . . [W]e have achieved much in our struggle because of the support given by NED. . . . [R]educing or cutting of NED's support would surely weaken to a great extent democratic movements in general and our struggle in particular."—*Dr. Sein Win, Prime Minister of Burma.*

"Often mistakenly portrayed as an anti-communist relic, NED is instead a pioneer of the pro-democracy activism that emerged on every continent in the 1980s."—*Scripps Howard News Service editorial.*

"Because of what NED has done for Iraq since the Gulf War, it has been possible for Iraqi writers and human rights activists to get their ideas and aspirations into Iraq. . . . Reports still reach me of the effect of this kind of work in creating a new and enriching climate of ideas on issues of democracy and the imperative for a central focus on human rights in the building of a new order in Iraq. None of this would have been possible without the backing of the National Endowment for Democracy. . . . The work of the NED affects millions of lives and must continue."—*Kanan Makiyn, Iraqi author Republic of Fear and Cruelty of Silence.*

". . . [T]he democratic revolution in Ukraine is not yet finished. . . . the help of the National Endowment for Democracy is still very important for Ukraine. We are grateful to NED for its contribution to the development of democracy. That is the best proof of the American peoples' devotion to democratic ideals."—*From a letter signed by nine members of the Ukrainian parliament.*

[From the New York Times, July 27, 1993]

FIX, BUT DON'T KILL, THE N.E.D.

In a surprising turnabout in June, the House of Representatives voted to kill funding for the National Endowment for Democracy. By Washington standards, the money is trivial—$48 million—but the principle is scarcely petty. Unless the Senate decides otherwise this week, it will mark the end of the N.E.D., which was established during the Reagan years to promote democracy abroad and is now supported by President Clinton.

Opponents charge that the endowment is a cold-war fossil whose mission has been compromised by its peculiar status as a private foundation using public funds. They point with alarm to dubious grants to right-wing trade unions or exile groups favored by one or another of four "core" intermediaries who make the grants—the Republican and Democratic parties, the A.F.L.-C.I.O. and the U.S. Chamber of Commerce. But one can acknowledge the point and still wonder if the right remedy is to scuttle the program rather than repair it.

Paul Kanjorski of Pennsylvania, who led the House rebellion, called the endowment "an insult to the Constitution" because it has provided tax money to private groups to carry on foreign affairs. But there has long been a workable partnership in disaster relief, without anyone perceiving an insult. And the same House voted $127 million to subsidize the overseas marketing of prunes, whisky, candy and fruit juice, a form of private sector partnership it found less offensive than helping democrats in post-Communist and third-world countries.

It is nevertheless true that the endowment needs a different structure. Mr. Clinton has defined promotion of democracy as one of the pillars of U.S. foreign policy. It is far better for both recipient and donor if American help is openly provided. Those aims could be achieved, and constitutional qualms met, if the N.E.D. was reborn as a fully public institution answerable to taxpayers through Congress or the President.

Why not give the N.E.D. a fresh charter under a blue-ribbon, publicly appointed board directly empowered to approve grants, thus removing private groups from the scene? That's a more promising approach than abandoning the field just when democrats elsewhere desperately need support.

[From the Wall Street Journal, July 26, 1993]

HOUSE HOBBLES DEMOCRACY

The Cold War is over, but obviously we face an unstable world, clearly portending a struggle of ideas and values. Yet the House of Representatives voted to scuttle the National Endowment for Democracy, a federally funded outfit that hands out pencils, fax machines and used computers to exile groups pushing to bring democracy to their embattled homelands. This week we'll find out if the Senate duplicates this preposterous move.

The House professed budget-cutting, saving the lordly sum of around $48 million, or half the funding that goes to the National Endowment for the Humanities (see above). It's also about equivalent to what the U.S. spend on missiles alone when it launched the June 26 strike at Saddam Hussein's intelligence facilities. And the Agency for International Development gets some $6.5 billion a year. A lot for Third-World pork, but nothing for spreading American values.

In the confusing, regionalized years since communism's retreat, NED's projects have proven particularly useful. The endowment helps Iraqi exiles to fight for secular democracy in their home; its funds helped pay for the distribution of thousands of copies of Charter 91, the exiled Iraqis' draft bill of rights, inside Saddam's Iraq. This year the Free Iraq Foundation, an important center for Saddam's opposition abroad, received $90,000 in NED money.

NED funds have also helped Ukrainians seeking to widen political discussion in a nation currently led by the former local chief of ideology; Lebanese interested in working on conflict resolution; independent Vietnamese publishers who produced tons of documents, cassettes and printed material designed to alert information-deprived Vietnamese to the breakdown of socialism in Eastern Europe; and Chinese fighting for democracy in the airless atmosphere following Tiananmen Square.

Writing from his Arizona refuge in support of NED, dissident Fang Lizhi noted that "it would be wonderful if democracy did indeed grow automatically out of economic development but history gives us, unfortunately, no such guarantees." The publisher of the Vietnamese magazine Que Me noted that through NED funding the periodical made "real headway in bringing a flow of information and democractic ideas which was totally denied in Vietnam." Vytautas Landsbergis, Lithuania's opposition leader, called the democracy endowment's work "crucial." Elena Bonner wrote that cutting NED was "penny wise, pound foolish."

What escapes the endowment's opponents is the miraculous economy of NED-style programs. Had the West spent a few tens of millions producing some effective propaganda for the airwaves around Belgrade during the 1980s, for example, Slobodan Milosevic likely would never have gained his Orwellian stronghold on the minds of Serbian nationals. Radio Free Europe never made it into Tito's Yugoslavia because U.S. lawmakers deemed the nation "relatively democratic."

This week promises to bring some interesting news on the foreign aid front: Joe Biden has threatened to filibuster to save the life of another effective information vehicle, Radio Free Europe. Since Congress knocked NED off its version of the budget legislation in June, the agency has received numerous letters of support. NED also has some White House friends who could be of help: until his recent ascendancy, David Gergen sat on NED's board.

THE WHITE HOUSE,
Washington, July 27, 1993.

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

DEAR MR. LEADER: I am writing to express my strong support for the $35 million in funding for the National Endowment for Democracy recommended by the Senate Appropriations Committee.

Supporting the world-wide movement toward democracy is one of the best investments we can make in our own national security. NED has been one of our most important and effective instruments for supporting democracy abroad.

Now, with new democracies and democratic movements gaining strength from the former Soviet Union to Africa to Latin America, we need to make our support for democracy an even higher priority. The $35 million appropriation now before the Senate, while short of the $50 million I requested, would at least enable us to increase our support for those who are waging democracy's fight abroad.

I hope you will convey to the Senate my strong support for the full $35 million appropriation for this important program.

Sincerely,

BILL CLINTON.

Mr. PELL. Mr. President, I urge my colleagues to defeat this amendment.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Pennsylvania [Mr. SPECTER].

HEALTH CARE

Mr. SPECTER. Mr. President, I have sought recognition after discussing the matter with the managers of the bill and the offeror of the amendment, to speak relatively briefly on another subject. In the absence of morning business, it is not possible to address the subject today and, as a matter of fact,

I had sought recognition to propose an amendment on collateral security with respect to Russia which would have given me the floor to speak briefly. So I seek to do so now to respond to charges from the White House that the chart which was prepared by my office and used by Senator DOLE in his reply to the President's State of the Union speech, the charges from the White House that the chart is inaccurate.

In today's Style section of the Washington Post, the charge is made that the chart is just flat out not true. I seek to respond to that, as I say, relatively briefly at this moment. This chart was prepared by my staff, led by Miss Sharon Helfant, in order to understand the President's health care proposal and precisely what it would mean if, as and when it is put into effect.

The chart was prepared back in September after I read the preliminary statement issued by the President and was used by Senator DOLE in his reply on Tuesday night. The Washington Post was rather complimentary about the chart saying: "The chart, even more than Senator DOLE, was the star of Tuesday night's official Republican response to the President's State of the Union Address." The Post further goes on to point out that even David Gergen conceded the fact that DOLE made some points with the chart.

Frankly, Mr. President, I am not concerned about points or debating scores or with partisanship when it comes to the question of the hard facts as to what the Clinton health care bill will mean in terms of a bureaucracy, but I think that it is important to deal with the hard facts and to reply very emphatically to the kinds of accusations which have come out of the White House in the course of the past day and a half where I think it is obvious from their responses that they have been stunned by the facts which are depicted by this chart.

The Post this morning quotes senior adviser George Stephanopoulous as saying that the "the point is, it's just flat out not true."

The fact is that every box on this chart has been referenced with a page number. Some boxes on the original chart were not so referenced with a page number because they appeared so many places in the text of the President's bill. So to decide at least one page where they appeared, that supplement has been added. But the chart which was presented Tuesday night is replete with citations and it is a matter of fact, it is not a matter of characterization or it is not a matter of interpretation or it is not a matter of opinion, it is a matter of hard fact.

Is this chart a part of a Republican conspiracy to embarrass the President? That is the accusation which has been made; that it is part of a Republican conspiracy to embarrass the President. The fact is that is not so.

When I heard one of my colleagues on national television in mid-September shortly after the preliminary outline was issued of the President's proposal—and it was before the bill—the proposal of some 239 pages, and I heard one of my colleagues on national television, the inference was reasonably plain that my Senate colleague had not read the bill or read the outline, I decided I better do that. As the Chair knows, as all of our colleagues and most of America knows, we are questioned from time to time about such matters. When I read that 239-page report, I was very surprised by the number of new boards and agencies and commissions which were created. So I asked my staff, Miss Sharon Helfant, to make me a list of all of the new agencies and boards and commissions.

Instead of making a list, she decided to make a chart. I did not know quite how she had done it until I read this morning's Washington Post. They interviewed her. I had not known about it. I had not known about quite a few things about Sharon Helfant, such as the fact that she was a Democrat, not that I asked her for a litmus test. Or such as the fact that she voted for Bill Clinton. But I had not asked her about that either, thinking her right to vote was secret.

I noted further from this morning's Post that she is one of Hillary Clinton's biggest admirers. So far as I am concerned, Mr. President, that is fine with me.

I have offered my support—not a blank check—but my support to the President's objective of comprehensive health care for all Americans. When the President invited me to accompany him to Ambridge, PA, in November, I gladly accepted the invitation. I got some critical comment from some editorials in Pennsylvania about it. "Lending aid and comfort to the enemy," they said. I did not regard it as lending aid and comfort to the enemy. I regarded it as trying to be helpful to the President of the United States where I could be. As I say, I do endorse the approach of comprehensive health care for all Americans, but I believe that it has to be carefully targeted.

As I have analyzed the bill and the status of our health care—and it is a subject that I have worked on since I came to the Senate, now in my 14th year—through my work on the Appropriations Subcommittee on Health and Human Services. My view is that we need to target the specific areas where there are problems, such as we need to target the 37 million Americans who are now not covered. We need to do that, in my judgment, in a way which does not disrupt the current health care system for the 86.1 percent of Americans who are covered. They are the beneficiaries of the greatest health care system in the world. I think that ought not to be changed, but we need to extend coverage to the uninsured.

Another major problem which needs correction is the problem of portability, a fancy word for "coverage when you change jobs."

Another problem that needs to be addressed is the escalating cost of health care. That is where I think we ought to target the efforts of the Congress. That would meet the objective of a comprehensive health care plan for all Americans and coverage for all Americans. I have been impressed in my talks with the President, my talks with First Lady Hillary Clinton about their flexibility in attaining that goal. I think that is the right approach. I think the matter ought to be bipartisan.

I noted in this morning's press a quotation from Senator Nancy KASSEBAUM who is the senior Republican on the Labor Committee having jurisdiction over part of this health care package, where Senator KASSEBAUM said she does not anticipate a filibuster, and neither do I. I think we need to work the matter out in a bipartisan way.

So that I was a little surprised when the President talked about the veto of a bill which may come from the Congress, a little surprised that such—what is the right word—I guess there is no right word besides "threat"—that such a threat would come from the President where both Houses of Congress, the House and Senate, are controlled by the Democrats. I am doing some checking to see how many vetoes there have been by a President where his party controls both Houses of Congress.

I learned, as I was about to say, in reading the Washington Post today that my staffer, Sharon Helfant, sat down at the dining room table with a straight edge, a pen, and some 10 pieces of paper taped together to put together a chart, and when she had put together the entire chart she found—and this is based upon the outline of September 7, 1993—that the President's proposal created 77 new agencies, boards and commissions and gave new responsibilities to some 54 agencies, boards and commissions, for a total of 131.

Then, when the bill was presented on October 27, Sharon Helfant and my staff went back to work and checked through the bill and found that there had been an increase, that there were 105 new agencies, boards and commissions, and new jobs for some 47 agencies, boards and commissions.

When I read in the Washington Post the charges by a number of representatives of the Clinton administration out of the White House that this chart is flat out wrong, I have to object to that and object to it most strenuously. This is not a chart which is deceptive or dishonest or inaccurate, and I am prepared, although I will not do so with 152 citations, but I am prepared to go

through this 1,342 page report—and I would ask the C-SPAN camera to focus on the bill, the Health Security Act it is labeled, and the chart, and to cite illustratively at page 88 of the bill the creation of the National Health Board at the top of the chart, an agency of enormous power, having virtually complete control over the $800 billion national health system spending in the country.

I would point to page 93 of the report which cites the provision relating to the health alliances, or page 117 again of the bill relating to the corporate alliances, or page 286 of the bill which sets up one of the many advisory councils, this one on breakthrough drugs, or page 403 of the bill referring to a Federal advisory group, or page 823 of the bill citing the National Quality Management Program.

I could go on and on and on and on through the 1,342 pages and the creation of these tremendous numbers of agencies, boards and commissions.

Mr. President, is this chart a negative effort to defeat health care reform in the United States? Is it a negative effort to defeat health care reform? Absolutely not. I said before the President came forward with his bill that I was for comprehensive health care for all Americans. In fact, I said that before the President came into office.

I offered an amendment in this Chamber in July 1992 seeking a move by the Senate to take up the question during the Bush administration, and I urged President Bush to do the same thing. Last April I offered an amendment trying to move the Senate to consider health care, to act on the subject because no bill had been prepared by the administration. As we know, the date slipped and slipped and slipped and now we are in 1994, and after hearing the schedule which has been proposed in the Senate Finance Committee for hearings which are scheduled to last until April and, knowing how hearings are slipped, may go on into the summer, the question exists as to whether we will have a health care bill this year at all.

But this Senator has been very active in trying to bring health care legislation to the floor and to have comprehensive health care for all Americans.

I noted in this morning's Pittsburgh Post Gazette one of the Senators from the other side of the aisle, from the Democratic side of the aisle, criticized my chart. I am not going to be critical of my criticizer on a statement released by his press secretary, but I do think the statement of the Senator's press secretary points up an important fact, and that is that the press secretary said that ARLEN SPECTER's chart "certainly doesn't resemble any health care plan that we're supporting."

I am interested to hear that because once that Senator understands the hard fact of life, that ARLEN SPECTER's chart accurately depicts, accurately states President Clinton's health care bill, then perhaps that Senator will not support President Clinton's health care bill anymore. I think that is what has to be focused on by all of the American people. It may well be that President Clinton will not agree with George Stephanopoulos, President Clinton will not agree with Robert Shrum who said, as quoted in the Washington Post this morning:

> The chart is so complicated that as a visual device it intentionally defeats its own purported purpose.

I think Mr. Shrum may have been stung pretty hard to have said that—defeats its own purported purpose it is so complicated.

The chart is designed to tell the truth, and the truth is that the Clinton bill is extraordinarily complicated. On the so-called talking points, on an item spoken about by a number of the White House as they made their concerted, consecrated, directed attack on the chart, they say it looks like New York's subway system. I am not sure whether that is an insult to the highest order or perhaps a compliment to some extent. Maybe the point is if you got sick at night on New York's subway system without a chart or direction you would be in as bad shape as you would be an American if this bill is enacted.

But this chart, Mr. President, is accurate, right down the line. What I would have expected had the White House wanted to attack the chart was to try to be a little bit factual. If the White House wants to say the chart is untrue, dishonest, deceptive, let them deal with the red box on employer premium collection technical assistance program at page 167, or let them deal with the public health prevention programs at page 544. Or let them deal with the specifics which are set forth here in black and white with the footnotes and the citations.

So in conclusion, Mr. President—the two most popular words in any speech—I believe that this chart has the potential for doing more on truth in advertising about the President's health bill than all the speeches that have been made in Congress or in the country up until the present time because Americans can see how far from the National Health Board it is to the bottom of this chart where they are. We do not have in the Senate a graph big enough to show it all. And when the President says in his State of the Union speech that the Government or the National Health Board will not come between the doctor and the patient, it is just not factually correct.

It is my hope that beyond those who are quoted in the Post this morning that perhaps President Clinton himself or the First Lady, Hillary Clinton, herself will take a look at the chart. We will examine these facts. I do not know if the President or the First Lady—well, I will not say what I do not know about what they have done. But the reading of the bill—and it is not an easy bill to read—shows that this is the administrative center. And when you take a look at the Federal budget for health and human services in America that Senator HARKIN, the chairman of this Appropriations Subcommittee, and I as ranking Republican, struggle with all the time, trying to allocate adequate funds, we certainly want to have those funds directed to health care and not with this kind of an administrative, bureaucratic maze.

I thank the Chair. I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER (Mr. LIEBERMAN). The Senator from Massachusetts is recognized.

FOREIGN RELATIONS AUTHORIZATION ACT

Mr. KERRY. Mr. President, I believe we are going to have a vote at about 12:30. In fact, I do not know where the manager is, but I think we are OK on the other side. I propound a unanimous consent—Mr. President, I will withhold the unanimous consent request while we make sure it is clear on both sides. I think it will be. Hopefully, I can say to my colleagues, we will probably have a vote then at 12:30, and then proceed with further amendments.

Mr. President, I would like to take a moment, if I may, to address this question. I have worked with the good Senator from Arkansas on trying to cut the space station, on trying to cut wool and mohair, on trying to cut the superconductor super collider. I think we have joined together in a good number of efforts to try to reduce spending. And I applaud his efforts to try to find the problem areas where you ought to cut. I regret that I do not join him on this one.

I cannot say that I agree, and I certainly do not feel that the evidence suggests remotely, that NED is the kind of entity that ought to be cut. In point of fact, the Foreign Relations Committee purposely added extra money. We put it up at $50 million not because we were trying to waste money, and we did this at the same time as we cut $504 million in our committee.

So we made life miserable for the State Department, we made life miserable to the USIA. We forced them to cut personnel. We made real cuts. But we decided against those cuts to add money to NED. That was the conscious decision of the Foreign Relations Committee.

The reason for that is not because we want to throw money away but because we are convinced, as are leaders of other countries, most, I think, observers of the foreign policy scene, cer-

tainly foreign leaders of significant distinction that we have looked to as heroes of the effort to create democracy, like Lech Walesa, Vaclav Havel, who have specifically written and have said do not cut NED, that NED has been an important part of the democratization process in their countries. And so it can be in other countries.

In point of fact, I would like to point to some of the examples of ways in which NED made a difference. I think these examples are perhaps not known to all of my colleagues.

I also point out—and my friend from Arkansas has some charts up here. On the charts he has the amount of money we put into USIA, and then he has the amount of money, about $296 million, that we put into AID. Then you have this little amount, in an orange line, $30 million that goes into NED.

My colleague makes a mistake to suggest that this is a comingling or an intermingling of the efforts of these entities. NED specifically does things that AID cannot do because AID as a Government agency is not allowed to operate, for instance, in Burma. It is not allowed to operate in Libya or in other countries. NED, on the other hand, as a private organization is able to work in those areas.

So let me point out if I can for a moment a few of the examples of the ways in which it would make a difference. I would like my colleagues to spend a moment analyzing this.

Mr. President, I want to give you an example of the kind of thing that NED is doing. For instance, the total amount for NED programs in the Middle East last year was $1.5 million—$1.5 million for democracy promotion in the entire region, the Arab Middle East, North Africa, Turkey, and Iran. But we gave grants and worked in programs that included the training of election monitors in Yemen, the conduct of a survey of the evolving electoral process in Oman, a democracy education center and a business education center in Egypt, a conflict resolution center in Lebanon, a training program for Arab female workers in the Maghreb, the publication by the Iran Teachers Association of a journal on human rights and democracy, the conduct of opinion surveys in Jordan tied to the transition process there, and the organization of a broad dialog on democracy that brought together Americans and Arabs. All of that for $1.5 million.

I ask my colleagues if they do not think, for the entire Middle East, $1.5 million through a private organization to accomplish that is not significant?

Here is another example: One project, according to the award-winning author of the "Republic of Fear and Cruelty and Silence," Samir al-Khalil, said that it made it possible for Iraqi writers and human rights activists to get thousands of pamphlets into Iraq, communicating ideas which have been banned and sealed off from the populace. "Reports still reach me," he said, "of the affect of this kind of work in creating a new and enriching climate of ideas on the issue of democracy, toleration of difference, secularism and the imperative for essential focus on human rights and the building of a new order in Iraq."

I ask my colleagues, would you rather have billions of dollars spent and a whole collusion to free Kuwait and knock out Saddam Hussein, or are we spending money intelligently to have somebody in Iraq, a writer, who is fighting for democracy, saying that this made a critical difference?

In the example of Burma, we spend a meager sum of $225,000. But the Nobel peace laureate winner there said that money was critical in funding the flow of information through the radio, and the democratic forces of Burma have been able to achieve some progress and success, which could make the difference between total victory and defeat.

I can go on to Russia and Ukraine, a whole host of examples, the Baltic countries. We spend $1 million for all of China—$1 million, for a quarter of the globe's population, goes through this organization.

Mr. President, we have a choice. AID cannot do this in many of these countries. In fact, it is specifically prohibited as a consequence. AID is prohibited from operating in Cuba and is prohibited from operating in Libya. You cannot operate in Iraq. These are the very countries where democratic reform is necessary, but AID cannot do it. NED can. So I cannot think, unfortunately, of a more ill-advised discounting of the value of the very thing we try to promote around the world.

You can turn to President Carter, who wrote us specifically. I ask unanimous consent that his letter be printed in the RECORD.

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

JUNE 30, 1993.

Hon. JOHN F. KERRY,
Russell Senate Office Building,
Washington, DC.

TO SENATOR JOHN KERRY: I was dismayed to learn that the U.S. House of Representatives voted on June 22 to cut all funding of the National Endowment for Democracy. If sustained, this action will hinder the commendable efforts of the four institutes that were established with bipartisan support 10 years ago. I have worked very closely with the National Democratic Institute for International Affairs in Panama, Haiti, Dominican Republic, Zambia and Paraguay, and consider it a vital institution in assisting the peaceful expansion of democracy throughout the world.

The work of the National Endowment for Democracy and its affiliates in promoting civic education and the transition to free market economics and pluralist democracies has proven to be extremely cost-effective. The money spent in promoting democracy is money saved in responding to civil conflicts.

At a time when Americans can speak with one voice in support of the entitlement of all people to a democratic form of government, it would send the opposite message if Congress ended support for the very institutions that have been at the forefront of this international effort. I urge you to support the continued efforts of NED and the party institutes.

Sincerely,

JIMMY CARTER.

Mr. KERRY. President Carter points out that the work of NED and its affiliates, promoting education and transition to free markets, has been extremely cost effective. And the money spent in promoting democracy is money saved in responding to civil conflicts.

Vaclav Havel said:

The National Democratic Institute has been one of the first supporting actors in the democratic revolution in our country.

Benazir Bhutto says:

It is vital to the U.S. and the future of democracy for the work of NDI to proceed.

Sali Berisha, President of Albania, said:

The elimination of NED will be a blow to the emergence of democracy in many areas of the globe.

You have columnists such as George Will and A.M. Rosenthal agreeing, and David Broder, all backers of NED, who point out that the cold war might be over, but we need NED to continue.

And there are Yelena Bonner and Andrei Sakharov. The closing of the endowment would pose a danger, or its limitation.

Fong Lizzie, a Chinese astrophysicist, who said:

The movements of many countries, including China, are directly encouraged by NED's efforts.

Mr. President, this is not the time to cut NED. It is the time to add to NED. It is the time to allow the President of the United States to carry out the democratization effort that we spend billions of dollars to support through the defense budget of this country.

I strongly urge my colleagues to listen to the words of the people who themselves are struggling. Dr. Sein Win, the Prime Minister of the National Coalition Government of the Union of Burma wrote recently that:

NED support has enabled the democratic forces of Burma to achieve much progress and success.

I cannot think of a greater testimony than the people who put their lives at risk in an effort to get democracy, who ask us to keep alive this effort.

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

Mr. MCCAIN. Mr. President, last year we had a similar debate along these lines and I am happy to say that the Senate overwhelmingly voted in favor of continued funding of the National Endowment for Democracy. So I am not going to go over all of those. I con-

gratulate my colleague from Massachusetts who did not state his views, but that of people who are struggling for democracy and freedom throughout the world.

We have learned in the post-cold-war euphoria that, unfortunately, we still live in a very dangerous and unstable world. In fact, one of the organizations that monitor free and not-free and partially free nations has determined, unfortunately, that there are more people in the world that are less free today than a year ago. And the prospects for repression and oppression by governments throughout the world and their peoples, unfortunately, is more likely than unlikely.

What puzzles me, Mr. President, is that this is the one organization that receives the accolades and the appreciation of people throughout the world. We do not get this kind of appreciation from Yelena Bonner and the President of Albania, and others, for the traditional United States assistance programs. I never see or hear that. Yet, this amount of money is ferociously attacked by the Senator from Arkansas, who, I might say as an aside, has supported many projects in his own State, which I could spend hours attacking as being unnecessary and, frankly, pork barrel spending. But this organization is attacked with ferocity. Is it because we do not want the free enterprise system to work in these countries? Do we think the traditional aid programs do work, when we know for a fact that many of them do not?

The countryside of Africa is littered with massive projects that were funded by United States tax dollars and now sit rusting somewhere, when their overall impact in the view of experts is that it not only is not helpful, but disastrous in some cases because it distorted the economies of these countries.

So, it is puzzling to me why the one program that seems to be supported by the people whose lives it has touched throughout the world from Burma to Albania to the Ukraine, from large countries to small, that this should be under this ferocious attack. I do not even want to mention the fact about how much money it is compared to the overall programs and all that. But why in the world can we not accept the view of the people who have been on the front line and are on the front line, the leader of the dissidents in Burma and the physicist in China.

I ask my colleagues simply to look at the record; just look at the record and do not take my word for it, do not take the word of the Senator from Massachusetts—although I think our opinions obviously should be considered—take the word of the people who are involved in the struggle for freedom and democracy, and the ideals and principles that look to the United States of America as their beacon of hope and freedom and what this program has done for them. Then I think it will be very doubtful as to the outcome of this vote. And maybe, just for 1 year, we could go on to other issues that are far more important and, frankly, should consume the time of this body, as opposed to this almost annual battle in which we are beginning to engage. I thank the Senator.

Mr. BUMPERS. I yield myself such time as I may use.

Mr. President, first of all, I ask unanimous consent that an article from the September 20, 1993 edition of the Nation be printed in the RECORD.

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

THE BLITZ TO SAVE THE N.E.D.

(By David Corn)

Don't believe all that guff about partisanship in Washington. Democrats and Republicans gleefully cast aside interparty bickering and gridlock when it came time to vote for the National Endowment for Democracy—a cold war-inspired foundation that dispenses taxpayer dollars to the Democratic and Republican parties, the A.F.L.-C.I.O., the Chamber of Commerce, and other groups engaging in supposed democracy-building activity abroad. When the N.E.D.'s existence was recently threatened, members of Washington's elite rushed to save an entity embraced by both parties.

In June, Representative Paul Kanjorski, Pennsylvania Democrat, led the House in a surprising vote in favor of killing a $50 million appropriation for the N.E.D., which covered President Clinton's request for a 60 percent boost in the N.E.D. budget. Then the hurricane of consensus hit, as the political class went into overdrive. Its Bigfoot friends in the media—George Will, David Broder, Morton Kondracke, Abe Rosenthal, the Washington Post editorial page—pilloried Kanjorski and praised the N.E.D. as the greatest governmental initiative since the Louisiana Purchase. None of these grand thumbsuckers bothered to address Kanjorski's main point: U.S. foreign policy should not be developed and implemented by private groups financed with taxpayers' money. And while they piously trumpeted the cause of democracy and the N.E.D.'s ostensible contribution to it—the endowment has funded a few worthwhile electoral and human rights monitoring projects—the pundits ignored the myriad problems that have plagued the neoconservative-dominated institution: inadequate oversight, pork-barrel grants and politically loaded decision making.

The Clinton Administration also rushed to preserve the N.E.D. As the Senate considered what to do about the endowment, Tim Wirth, counselor at the State Department, and Anthony Lake, the National Security Adviser, not only called senators to make the case for the endowment but also lobbied Congressional aides. Since such pooh-bahs rarely deal with mere staffers, their entreaties signaled an all-out campaign. Walter Mondale, a past N.E.D. board member, telephonically buttonholed legislators, and Lane Kirkland, head of the A.F.L.-C.I.O. and a current board member, rang up his Senate friends to plead for N.E.D. money. Wirth called Hank Brown, a Republican and a leading N.E.D. critic in the Senate, and told him that although he had voted with Brown against the N.E.D. years ago in the House, he had undergone a conversion. Brown was unmoved.

The White House's campaign was complemented by heavy lobbying from notable Republicans. The party's N.E.D. fans circulated a letter from Ronald Reagan, who created the N.E.D. Frank Fahrenkopf, a former, G.O.P. chairman and onetime N.E.D. officer, worked the phones. Senators Richard Lugar and Orrin Hatch, respectively present and past board members, pressed colleagues. So did Senator John McCain, chairman of the International Republican Institute, which receives funding from the N.E.D. During the ensuing debate—several hours on the floor of the Senate—no one questioned whether it was a conflict of interest for senators to lobby for funds for a private organization to which they have an official connection.

With the exception of the $500 billion deficit-reduction plan, Capitol Hill had not been hit by such an intense onslaught this term—and for what is by Washington standards very small change. But it is money that underwrites the power-machers of Washington and their friends. Compare the White House flurry to save the N.E.D. with its actions regarding funds for U.N. peacekeeping forces. Congress has declined to fund President Clinton's 1993 supplemental request for $293 million for the peacekeeping program and knocked 33 percent off his 1994 request for $620 million. How did the White House respond? With barely a peep. Tony Lake did not call staff members. Wirth issued no noticeable protest.

In late July, a bipartisan avalanche overwhelmed N.E.D. opponents in the Senate. As Dale Bumpers offered an amendment to pull the plug on the N.E.D., he proclaimed, "Here is living proof that all the wasteful spending in the U.S. Congress is not on entitlements. . . . Here we have this program which is just one junket after another, always meddling in the internal affairs of another country." He lost 74 to 23—with prominent liberals (Paul Wellstone, John Kerry, Tom Harkin, Edward Kennedy, Carol Moseley-Braun) joining leading conservatives (Strom Thurmond, Phil Gramm, Trent Lott) to save an outfit that has funded right-wing think tanks abroad, subsidized neocon publications and allowed Democratic and Republican Party activists to rack up frequent-flier miles. The Senate appropriated $35 million for the endowment. Now a House and Senate conference must negotiate what the N.E.D. will or won't get. Most likely, it will receive an amount closer to $35 million than zero. Bumpers, Brown and Kanjorski—all hardy souls—would have an easier time moving the Washington Monument than stopping the N.E.D. juggernaut.

Mr. BUMPERS. Mr. President, I tell you why we may not prevail today as we did not prevail last fall. I will read one paragraph:

With the exception of the $500 billion deficit-reduction plan, Capitol Hill had not been hit by such an intense onslaught this term—

He is talking about the debate last fall on NED—

and for what is by Washington standards very small change. But it is money that underwrites the power-machers of Washington and their friends. Compare the White House flurry to save the NED with its actions regarding funds for U.N. peacekeeping forces. Congress has declined to fund President Clinton's 1993 supplemental request for $293 million for the peacekeeping program and knocked 33 percent off his 1994 request for

$620 million. How did the White House respond? With barely a peep. Tony Lake did not call staff members. Wirth issued no noticeable protest.

You think about that—over this amount of money.

The Senator from Maryland spoke at length this morning. He did not mention one single specific program of NED that has been effective. The reason he did not is because the General Accounting Office says there is not any. The General Accounting Office says—and I invite you to listen carefully to this—NED did not have a sufficient system to determine whether their goals were being met and the grants were not adequately controlled and accounted for.

Here is another thing; January 4, 1994, 20 days ago, the GAO said:

However, it should be noted that there is no central U.S. Governmentwide democracy program, no overall statement of U.S. policy regarding U.S. objectives and strategy for democratic development, no specific and common definition of what constitutes a democracy program, and no specificity regarding the roles of the foreign affairs and defense agencies in promoting democratic processes.

The first statement dealt exclusively with NED. They do not know what they are doing. They have no adequate method of accounting for the money. You look at the inspector general's report and you will find it absolutely replete with methods of spending money that nobody controls. First-class airfare has been one of the biggest items in their budget.

The able Senator from Massachusetts, my good friend, who stood on this floor with me hour after hour trying to deal with the deficit, points out that we do not overlap with AID, for example, the Agency for International Development, because the National Endowment for Democracy can go into places that AID cannot.

The truth of the matter is that AID can be operating in every one of those countries if the Secretary of State wants them to. It can be accomplished with a stroke of the pen. The Secretary of State can put the Agency for International Development in every one of those countries.

Mr. President, this program started out to be privately funded. It was to be privately funded, supplemented with Federal funds, until it could become privately funded. Here we are, 12 years later, and private funds represent less than 4.5 percent of the spending of this agency. And as far as I know, nobody is trying to do anything about it.

You think about this organization supporting what would be a military dictator in Panama and the Ambassador having said, "For God's sake, get these people out of this country." They have spent money in New Zealand, Britain, and France. Are they not democracies?

Finally, I want to leave a little time for Senator BROWN, but I want to make a couple of points.

One, do you know why democracy is threatened in Russia? It is not because they do not understand democracy. It is because they are hungry. Do you know why the people of Haiti could not care less about democracy? It is because they are hungry.

The Senator from Arizona has said something about fighting for Arkansas projects. I promise you, if you give the people of his home State of Arizona or the people of my home State of Arkansas a chance to let us both debate this issue, and say, "Would you like to have a few projects for your State, or would you like to put $50 million into this thing, which has a proven failure for a track record?" he would lose 90 to 10. You can throw this money off the top of the Washington Monument and you will do more good.

It is a program that has long since outlived its usefulness. That is not the debate here. The debate is simply to say: For Pete's sake, in these times of budget restraint, do not increase this budget by 42.8 percent. You have already doubled it, and are heading for tripling it, over the last 5 years. What kind of nonsense is this when the people of this country need assistance in their home States, just as the Senator from Arizona has pointed out.

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

The PRESIDING OFFICER. The Senator from Arkansas has 6 minutes and 24 seconds remaining.

Mr. BUMPERS. Mr. President, I yield the remainder of my time to the Senator from Colorado, if the Senator still wishes to speak on this.

The PRESIDING OFFICER. Does the Senator from Colorado wish to speak?

Mr. BROWN. Yes.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BROWN. Thank you, Mr. President. I appreciate the distinguished Senator from Arkansas yielding to me, and I do wish to address this issue and speak in favor of the Bumper amendment.

The PRESIDING OFFICER. The Senator has the floor.

Mr. BROWN. Mr. President, what is before the body is a very straightforward effort by the Senator from Arkansas to save the taxpayers some money. Currently, NED has been appropriated $35 million. This authorization involves a $15 million increase above last year's appropriation. In percentage terms, that is an enormous increase.

When the Senate deliberates on this issue, I think it must think about several questions.

One, is this a program that the Members want to continue at all? I believe the Senator from Arkansas has done his best to accommodate the body by simply bringing funding back down to the current appropriating level. He has not gone further, and he and I both would prefer to eliminate funding entirely. But what he has said, at least, is that this is not a program that ought to be increased above the appropriated level for the next 2 years.

I think every Member of the Senate is concerned. NED grants have been controversial. They are not only controversial, but many of them are outright wasteful and undefendable. Even the strongest advocates of NED will grant you that.

Frankly, everyone, when we talk about NED, will express concern about the abusive system that has been built up, about the process of noncompetitive grants, about the inability to do proper audits, and about the inability to properly control the funds.

So Members must ask: Is this a program we want to significantly increase in spending?

I think the amendment of the Senator from Arkansas is only reasonable. It is quite moderate. It does not suggest that we eliminate funding; it only suggests that we not increase it dramatically.

I know there have been some questions raised on the floor, and I thought I will address those because I think they are important for Members to consider.

One of the points made by the advocates was that NED deserves this huge increase because it operates in countries that AID does not.

Mr. President, it is true. NED does operate in countries AID does not. But those countries, and there are 14 of them, involve only 8 percent of the funding that NED has right now. The simple fact is that the focus of NED is not in countries that AID does not address. The focus of NED is in countries that all too often not only are addressed by NED and addressed by AID, but have long-established democratic systems.

Mr. President, NED has sponsored wasteful trips overseas, trips to posh resorts, trips to luxury hotels—trips that bring democracy to areas of the world that have had democracy almost as long as any place on the face of the globe.

To suggest that NED deserves a huge increase in funding because it services areas that AID does not cover I think stretches the point. The fact is 92 percent of the funds expended by NED right now duplicate countries that are covered by AID. To suggest this funding is justified for that reason, I think, misses the point.

It has been suggested that NED does not have to wade through the Federal bureaucracy to distribute the money. Mr. President, there is a difference. But I challenge any Member who considers the issues to tell me why that is so good. Are there bureaucratic obsta-

cles that we ought to circumvent? Absolutely. But Mr. President, we should not circumvent decent audit procedures. We should not circumvent competitive bidding procedures.

Is there any Member here who honestly believes that if someone has a better proposal and a better grant, they should not have it? Where did it ever come about that we believe that money ought to automatically go to inside political groups even if someone else has a better proposal? Surely the Members of this body want to see the taxpayers' money spent in the most positive way. Instead, NED now channels money to some of the founding organizations—the Republican Party, the Democratic Party, the AFL-CIO, and the Chamber of Commerce—the insiders, without competitive grants.

Does anyone think the absence of competitive grants is really something to be proud of? No one has articulated uncompetitive grants as one of the virtues of NED in this debate.

Does anyone think a slipshod method of accounting for money is something to be proud of? I know the Members who have been active on this issue. I do not think that represents their feelings at all.

Mr. President, if there are indeed impediments to handing out Federal money that are too burdensome, let us tackle them. Let us go after them. I am all for eliminating that waste. But let us not use that as a justification for continuing to grant noncompetitive grants out of NED.

It has been suggested, I think by a number of Members over the years, that killing NED or, in this case, not increasing its funding dramatically would indicate a lack of interest in democracy. That is not the case. The programs are duplicative.

The PRESIDING OFFICER. The time allocated to the proponents of the amendment has expired.

The opponents have 2 minutes and 22 seconds remaining.

Mr. KERRY. Mr. President, let me just respond very quickly to my colleague from Arkansas.

The report that they keep referring to about how bad NED is is the 1993 inspector general's report that actually covers the period 1988 to 1990. The fact is, the GAO reviewed that during the same period and NED responded immediately to those concerns in 1991 issuing a blueprint for action.

I ask unanimous consent to have printed in the RECORD a letter from the Deputy Assistant to the President for National Security Affairs, Samuel Berger, delivered to us today.

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

THE WHITE HOUSE,
Washington, DC, January 27, 1994.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR PELL: The Administration believes strongly that its priority efforts to promote democracy around the world rest on an effective and adequately-funded National Endowment for Democracy. The NED is unique because it is flexible and responds quickly to urgent situations where democracy is threatened or where opportunities are greatest. Therefore we support the authorization level in the current Senate bill.

The Administration opposes provisions that would mandate matching private funds for the NED and its core grantees. Such a restriction could open our democracy programs to pressure from self-interested private funders, would quickly reduce the funding levels and create more bureaucracy at a time when the President and the Vice President are seeking to reduce burdensome bureaucratic controls.

In addition, the President has appointed an interagency working group to enhance and coordinate democracy promotion programs across the entire U.S. Government, and to coordinate with nongovernmental and quasi-governmental organizations like the NED. That group has completed its report and made its recommendations to the President and they are under active consideration. In addition, a GAO study has been prepared which addresses similar issues. Therefore, we do not need and cannot accept a costly commission to study the NED as proposed in some amendments.

Thank you for your leadership and continuing support of the President's global democracy agenda, especially your support for the National Endowment for Democracy.

Sincerely,

SAMUEL BERGER,
Deputy Assistant to the President for National Security Affairs.

Mr. KERRY. Mr. President, Sam Berger says that they are currently reviewing the very recommendations that have come out of their own interagency working group that will enhance democracy promotion programs in order to coordinate them, and the President is about to make active decisions on those. So this has been a process that has been ongoing.

Furthermore, we hear talk about no accountability; first-class airfares. The core group and the board members of NED do not get paid. They are not compensated. We have significant people of accomplishment who take time off to fly to different parts of the world to help people engaged in democratic efforts.

Mr. SARBANES. Will the Senator yield on that point?

Mr. KERRY. Yes.

Mr. SARBANES. And not first class. First class is now prohibited.

There was a time earlier when this was a problem. But now it has been eliminated. They do not permit first-class travel—there is a flat, absolute prohibition against it.

I heard my other colleague talk about this conference in Switzerland. Yes, a conference was held in Switzerland, not for democracy in Switzerland but in order to be a convening place for people coming from the Balkans. You cannot hold a conference in the Balkans. They were bringing people out of Serbia to discuss human rights. They could not do that in Serbia, so they held a conference in Switzerland. The conference was not for the purpose of democracy in Switzerland. That was the convening place to discuss serious democratic problems nearby elsewhere in Europe.

We ought to at least, in the course of this debate, try to keep the facts before us.

The PRESIDING OFFICER. All time under the previous order has expired.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I move to table the amendment of the Senator from Arkansas.

Mr. HELMS. 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.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts [Mr. KERRY] to table the amendment of the Senator from Arkansas [Mr. BUMPERS].

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 41, nays 59, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—41

Akaka	Kempthorne	Murkowski
Biden	Kennedy	Packwood
Bond	Kerrey	Pell
Cohen	Kerry	Pressler
Craig	Levin	Riegle
Durenberger	Lieberman	Robb
Gorton	Lott	Rockefeller
Graham	Lugar	Sarbanes
Gramm	Mack	Simon
Hatch	McCain	Simpson
Hatfield	McConnell	Stevens
Heflin	Mikulski	Wallop
Inouye	Mitchell	Wofford
Jeffords	Moynihan	

NAYS—59

Baucus	Daschle	Kohl
Bennett	DeConcini	Lautenberg
Bingaman	Dodd	Leahy
Boren	Dole	Mathews
Boxer	Domenici	Metzenbaum
Bradley	Dorgan	Moseley-Braun
Breaux	Exon	Murray
Brown	Faircloth	Nickles
Bryan	Feingold	Nunn
Bumpers	Feinstein	Pryor
Burns	Ford	Reid
Byrd	Glenn	Roth
Campbell	Grassley	Sasser
Chafee	Gregg	Shelby
Coats	Harkin	Smith
Cochran	Helms	Specter
Conrad	Hollings	Thurmond
Coverdell	Hutchison	Warner
D'Amato	Johnston	Wellstone
Danforth	Kassebaum	

So the motion to lay on the table the amendment (No. 1267) was rejected.

Mr. KERRY. Mr. President, we are not going to object to proceeding to a vote on the underlying amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas.

The amendment (No. 1267) was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I ask unanimous consent that Senator WELLSTONE be added as a cosponsor to the amendment just adopted. I apologize to him that I did not get to it.

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

Mr. KERRY. Mr. President, before the Senator from Colorado brings up another amendment, I would like to ask colleagues—if I can have their attention for 1 minute, the Senator from North Carolina and I would like to try to ask Senators that if you do have an amendment, we would now like to put together a final list in the process. So we expect to try to propound a unanimous consent request that embraces all of the remaining amendments with some kind of time agreements. So if Senators do have amendments remaining, we ask them to come to the floor and make it known to either the distinguished Senator from North Carolina or myself so we can begin to try to pull that list together.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado, Mr. BROWN.

AMENDMENT NO. 1268

(Purpose: To ensure the consolidated and streamlined management of all U.S. Government activities designed to promote democracy overseas)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 1268.

On page 179, after line 6, add the following new section:

SEC. 714. STUDY OF DEMOCRACY PROGRAM EFFECTIVENESS.

(a) FINDINGS.—The Congress finds that—

(1) the National Endowment for Democracy will fund $35,000,000 in democracy development programs overseas in fiscal year 1994.

(2) the Agency for International Development will fund approximately $400,000,000 worth of democracy development programs overseas in fiscal year 1994.

(3) it is in the interest of the United States to have a coordinated approach to the funding of international democracy programs supported by United States Government funds.

(4) both the Agency for International Development and the National Endowment for Democracy have funded overlapping programs in the same country; and

(5) the recent study of the independent Board for International Broadcasting and the United States Information Agency's Voice of America yielded a plan for a new, more cost-effective structure for United States Government-sponsored broadcasting that reduces cost and increases coordination.

(b) REPORT.—(1) Not later than 60 days after the date of enactment of this Act, the President shall establish a commission for the purpose of conducting a study of United States Government-funded democracy support activities, including activities funded through the National Endowment for Democracy and the Agency for International Development. Such commission shall submit a report to the President and to the appropriate committees of the Congress on a streamlined, cost-effective organization of United States democracy assistance.

(2) The report shall include—

(A) a review of all United States-sponsored democracy programs and identification of those programs that are overlapping;

(B) a clear statement of achievable goals and objectives for all United States-sponsored democracy programs, and an evaluation of the manner in which current democracy activities meet these goals and objectives.

(C) a review of the current United States Government organization for the delivery of democracy assistance and recommended changes to reduce cost and streamline overhead involved in the delivery of democracy assistance; and

(D) a review of all agencies involved in delivering United States Government funds in the form of democracy assistance and a recommended focal point or lead agency within the United States Government for overall coordination and consolidation of the effort.

(3) The report required by paragraph (1) shall be submitted not later than 180 days after the commission is established.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I wanted the amendment read at the desk so all Members would be familiar with its contents. It simply asks that we review how we currently dispense aid and assistance. The fact is we do it in a variety of ways. It may be, after this is reviewed, that the State Department and Members of Congress will be comfortable with that bifurcated or trifurcated process. But my hope is out of it will come some ideas, some suggestions for streamlining the process and improving the evaluation of the results therefrom. Inasmuch as we have duplicate methods, I thought it appropriate to ask for this study and review.

My understanding is this amendment has been reviewed and cleared on both sides.

I reserve the remainder of my time, Mr. President.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. KERRY. Mr. President, this is a good amendment. We are prepared to accept it.

Mr. President, I ask my colleague from Colorado, is he prepared to proceed with his next amendment immediately after this?

Mr. BROWN. It is at the discretion of the distinguished chairman. My thought would be in terms of procedure to go to the jute amendment, which I understand is not objected to and then move to the other NED amendment.

Mr. KERRY. Fine. Mr. President, we would be delighted to continue to proceed as rapidly as possible through the amendments. This particular amendment I think is sound in view of the debate we just had. We clearly would be served by a study to understand exactly how the overlapping democratic institution-building efforts are either colliding or coordinating, and so I think the study would serve the Senate, since the last debate seemed to evidence there is not a lot of agreement on that.

Mr. President, we are prepared to accept this amendment.

The PRESIDING OFFICER (Mr. CAMPBELL). The question is on agreeing to amendment 1268.

The amendment (No. 1268) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. KERRY. Mr. President, let me reiterate for colleagues who may have been walking back to their offices or simply out of earshot, we are now putting together on both sides a final list in order to propound a unanimous-consent agreement. There are some people who have amendments on the list, at least at the outset, who have indicated they had an amendment they wanted to bring up. The way it works around here, a lot of those drop by the wayside, and we are trying to find out exactly how many have dropped.

So I say again to staff listening and to colleagues, we are trying to put together a final list which would be to everybody's advantage so we can understand where we are heading and hopefully propound a unanimous consent agreement which would embrace all of those amendments with time agreements and a time for final vote on the bill.

I thank the Senator from Colorado.

AMENDMENT NO. 1269

(Purpose: To eliminate U.S. contributions to the International Jute Organization)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself and Mr. KERRY, proposes an amendment numbered 1269:

At the appropriate place in the bill, add the following new section—

SEC. 17. PROHIBITION ON CONTRIBUTIONS TO THE INTERNATIONAL JUTE ORGANIZATION.

None of the funds authorized to be appropriated by this Act or any other Act may be

used to fund any United States contribution to the International Jute Organization.

Mr. BROWN. Mr. President, in past years, the United States has been a member of a number of organizations, the purpose of which has been to control markets, to increase prices and to assist industries within their countries to achieve higher revenue from their products.

I certainly do not fault countries and organizations for wanting to promote their products or to achieve the top price they can. I am concerned about, though, two aspects of this practice. One, the suggestion that the way to deal in a competitive world is through a monopoly or a market allocation approach. That is not only contrary to U.S. law but contrary to our American sense of fairness. We believe prices ought to be determined by competition and by markets, not by government edict or by allocating markets. No American needs to be reminded of the fact that OPEC operated to the great disadvantage of American consumers. Tragically, the United States has cooperated with a number of these organizations that attempt to allocate markets and that attempt to boost prices for which American consumers simply get stuck with the tag.

We have had some luck in trying to eliminate U.S. membership and participation in these organizations that do not serve U.S. consumer interest. The International Jute Organization is one of those that I think falls into that category. It is not a huge amount of money, but the principle involved is enormously important. We should not participate in organizations that function against the interests of the American consumer. This amendment eliminates U.S. membership in the International Jute Organization. It saves us $70,000 a year, which is not a great deal of money but it is 14 percent of the organizational budget. Much more importantly, it sends a message. It sends a message that the United States is no longer going to condone organizations that attempt to stick it to the American consumer.

Mr. President, I believe this amendment has been cleared on both sides, and I would reserve the remainder of my time.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. KERRY. Mr. President, let me say to my colleague, I would like to be added as a cosponsor of this amendment. My colleague and I, I think once had a rather enjoyable time in the course of the Foreign Relations Committee perusing the list of some of these international organizations. It raises serious questions in many cases about what we are doing. This is one of the most egregious examples. I am pleased to say that the administration is in fact already in the process of withdrawing us from it. But I think it is appropriate for us to guarantee it and to take the position we want to make sure that happens.

So the Senator is I think appropriately bringing this to the floor and I happily join with him. We are willing to accept it.

I ask unanimous consent I be added as a cosponsor.

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

The PRESIDING OFFICER. The question is on agreeing to the amendment——

Mr. BROWN. Mr. President, before we move to a vote, I would simply like to note two things. One, the very strong help received from the distinguished Senator from Massachusetts, not only in this effort but in the effort to eliminate the coffee cartel. That will save American consumers literally tens of millions of dollars a year. The distinguished Senator from Massachusetts was instrumental in helping to eliminate the coffee cartel and now the Jute Organization.

As a Republican, I might also mention for the record that I had specifically asked the Bush administration for assistance in ending these anticonsumer cartels, and I am sorry to report we did not receive assistance. But the Senator from Massachusetts is quite correct, the administration, at least in jute and some of the others, has been willing to look at and make movement and changes. As one who has not always found bright spots in the current administration, I think it is incumbent to note they have made a major shift in policy, which I believe is a significant help to the American consumer.

Mr. KERRY. Mr. President, as a Democrat, let me respond by saying that I was delighted with the comments the Senator from Colorado made up until the point that he mentioned lack of bright spots. But this is not a moment for us to disagree on anything, so I appreciate his comments.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to amendment No. 1269 of the Senator from Colorado [Mr. BROWN].

The amendment (No. 1269) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1272

(Purpose: To ensure the National Endowment for Democracy [NED] increases its emphasis on raising private contributions to augment its U.S. government funding)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself, Mr. BUMPERS, and Mr. FEINGOLD proposes an amendment numbered 1272.

Mr. BROWN. 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:

On page 123, between lines 19 and 20, insert the following new section:

SEC. 229. PRIVATIZATION ON FUNDING FOR THE NATIONAL ENDOWMENT FOR DEMOCRACY.

(a) IN GENERAL.—Except as provided in subsection (b), in fiscal year 1994, the total amount of grants awarded on a noncompetitive basis to a NED core grantee in fiscal years 1994 and 1995 may not exceed an amount which represents the following percentage of the total amount of such grants allocated for such grantee by the National Endowment for Democracy for that fiscal year:

(1) For fiscal year 1994, 85 percent.

(2) For fiscal year 1995, 80 percent.

(b) EXCEPTION.—The percentage limitation of subsection (a) may be exceeded by a NED core grantee in a fiscal year to the extent that such excess amount is matched by grants and donations received by the NED core grantee from private donors.

(c) FUNDS AWARDED BY THE NATIONAL ENDOWMENT FOR DEMOCRACY.—Except as provided in subsection (d), in fiscal years 1994 and 1995, the total amount of grants awarded by the National Endowment for Democracy on a competitive basis in any fiscal year may not exceed an amount which represents the following percentage of the total amount of grants awarded on a competitive basis by the National Endowment for Democracy for that fiscal year:

(1) For fiscal year 1994, 85 percent.

(2) For fiscal year 1995, 80 percent.

(d) EXCEPTION.—The percentage limitation of subsection (c) may be exceeded by the National Endowment for Democracy in a fiscal year to the extent that such excess amount is matched by grants and donations received by the National Endowment for Democracy from private donors.

(e) FUNDS RETURNED TO THE U.S. TREASURY FOR DEFICIT REDUCTION.—To the extent that funds allocated for a NED core grantee or the National Endowment for Democracy's competitively awarded grants in excess of the percentage limitation of subsections (a) and (c) are not matched by private contributions, such funds shall be returned to the United States Treasury for the purpose of deficit reduction.

(f) SENSE OF THE CONGRESS.—It is the sense of the Congress that the National Endowment for Democracy and its core grantees should rely on increasing amounts of private sector donations in future years.

(g) DEFINITION.—For the purpose of this section, the term "NED core grantees" refers to the International Republican Institute [IRI], the Free Trade Union Institute [FTUI], the National Democratic Institute [NDI], and the Center for International Enterprise [CIPE].

Mr. BROWN. Mr. President, we have had extensive discussion in this Chamber with regard to the National Endowment for Democracy, not only this year, but in other years. I do not rise to prolong that debate unnecessarily.

Members have considered the subject, and both chairmen of the subcommittees in this Chamber have been most tolerant in allowing those of us who have concerns about the endowment to express them and to draw the problems we see to the attention of the Members.

The Members have acted responsibly in moving to not increase funding for the endowment. This amendment addresses the endowment in a slightly different way. All Members applaud efforts to expand democracy around the world. Many of us, though, have been concerned about the way the funds allocated to the endowment have been spent. One of the original ideas for the endowment articulated when this measure was forwarded by President Reagan to Congress was the suggestion that this should not simply be a Government handout. Rather, that it ought to be an effort to involve the energies and the ideas of many of our private institutions in the efforts to expand democracy around the world.

That is a sound idea and an enormously helpful one. One of the concerns that I have had is that the money would be spent in ways other than these institutions would spend the money if it were their own. People do tend to spend other people's money differently than they would spend their own assets.

We may recall one of the original suggestions with regard to the endowment. By saying it was one of the original suggestions, I simply do not mean to imply it was included in the original authorization. It was not. But it was one of the ideas suggested with regard to the endowment as it was advanced originally. That was that there be matching funds. Not only was it to tap the energy and guidance of the core grantee institutions, but it would also share funds.

This amendment attempts to accomplish that purpose. The amendment suggests that matching funding should be part and parcel of the National Endowment. In 1994, it requires that 15 percent must be matched by private-sector contributions. It requires the people who get the grants to put some of their own money into the pot as well. Critics could say, "Hank, this does not go far enough. This only asks initially for 15 percent from the agency that is going to get 85 percent. That is not much of a matching requirement. It is not a 50–50 matching requirement. It is not a 25–75 matching requirement. It is a small token."

That is true. It is a very small amount; 15 percent perhaps could fairly be described as a token amount.

But, Mr. President, I am convinced that it will make a difference. I am convinced when people have some of their own money involved in the project, they will be more careful with that money, they will be more frugal with that money, they will be more willing to use it in a way more responsible to the taxpayers. Perhaps even more importantly, I believe when they put some of their own money into it, they will put some of their own heart and some of their own energy and some of their own focus, some of themselves into it in a way that simply has not been the case.

We have heard examples of NED funds being spent on first-class airfare. We have heard of examples of the funds being wasted in many areas. I guarantee you, I know the Republican Institute. I know the Democratic Institute. These are not people who throw around their own money. Most of the people on the board not only have done very well in the private sector, but they have done very well at guiding institutions and successful enterprises. Both the Democratic and Republican institutes are filled with people who have a great deal of business knowledge and practical experience in the real world.

It is disturbing to see them authorize projects and grants that spend money in a way they never would spend their own money or their own company's money or their own organization's money. I do not mean to indicate malfeasance or misfeasance. But I mean to indicate that we have not captured the attention of the people who spend Government money in this area, partly because they have not had any of their own dough on the line.

This will not cripple them at all. It will simply ask them to come up with a 15-percent matching share initially. I must say, I think it should be higher. I wish it were more. It is a modest proposal because I have worked with some of the advocates of NED on it. Senator MCCAIN has worked closely with me to design this amendment. He, I hope, will speak for himself. But he has signed off on this amendment as we reviewed it. I believe he thinks it is worthwhile. I like it for two reasons.

I like it because I think it will make the projects far more effective. I think by having the organizations put a little of their own money in, or perhaps raise money to match the Government grant, you will have a much deeper, more committed involvement of the institutions.

Second, I like it because we will see an increase in effectiveness of existing programs.

So both for the involvement of the people and for the institutions, I think it has great potential.

My amendment will actually increase the amount NED can spend in the years ahead by 15 percent in 1994, and 20 percent in 1995. This will, I believe, advance democracy.

Let me add simply one other aspect. Honest men and women have sincerely disagreed about NED as we have moved forward. I believe this sets a different focus on the amount of money that goes through NED. By personally involving the funds of the organizations, we will stimulate a different attitude. People will not look at this money as simply a handout. They will look at it as an opportunity to participate in advancing democracy around the world.

And I believe their participation, this sharing, could well go to solve many of the concerns of those who have been so skeptical about NED activities in the past.

Mr. President, I reserve the remainder of my time.

Mr. DORGAN. Mr. President, will the Senator from Colorado yield to me briefly?

Mr. BROWN. Yes.

Mr. DORGAN. I merely want to, Mr. President, say that the Senator from Colorado has offered an amendment that I am very pleased to support and to join him in. It is not a secret that I feel the National Endowment for Democracy should be abolished: Eliminate funding for it and get rid of it. I have heard the other side. I understand what they say. I respectfully disagree.

The next-best step, if we cannot get rid of NEA, is to do what the Senator from Colorado suggests and ask those private-sector participants to involve some of their money to make this a more joint initiative.

I just wanted to stand here while the Senator was making the presentation to say that I think he is on the right track. It is not doing what I would like to do, but I certainly support his efforts because it is the next-best thing. So I am pleased to be supporting his amendment today.

Mr. BROWN. I want to thank the Senator for his remarks. Perhaps if I may simply clarify one point, I want to make it clear that this is an effort to work with NED. The money that is put up as participatory money, donor money, will increase the amount NED can spend. In other words, this is not an effort to cut back Government funding. We have had that debate. We have talked about it. I think all of us know where we stand on it.

This amendment is not meant to cut back on Government funding. It is meant to encourage private participation. If you have private participation, you will not only get 15 percent donations in 1995, at least, but this will then authorize thus a total of a 15-percent increase in the amount each core grantee can spend, and an increase of 20 percent in 1995.

I yield the floor.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to yield the floor to the Senator from Texas for 5 minutes, after which I will be recognized.

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

The Senator from Texas is recognized.

Mr. GRAMM. I thank the Chair.

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

HEALTH CARE

Mr. KERRY. Mr. President, I thank the Chair. That is the second health care onslaught we have had here today in the middle of this bill on foreign policy. I do not want to get into a huge debate about health care, but I am not going to stand here and just let the characterizations go by that were made.

I do not happen to be a sponsor of President Clinton's health bill. I am still working through a lot of the parameters of it, as well as other alternatives. But I know enough to know that the President's bill is not what the good Senator from Texas just described. What the Senator from Texas just described is a classic example of what is going to happen in America and what is already happening. It is called: Scare Americans. Scare them away from change. Scare them by using words like "collective," "Government takeover," "lose your choice." That is not what is in the bill. It is a private system. You may not like the structure of the private system, but it is not the Government. They are private hospitals and consortia are going to compete, and people will make the choice whether they want this one or that one. There will be competition. I am glad the Senator says he wants people to have choice, because most workers in America today do not have choice. They cannot choose their doctor. They are told by their insurance company what doctor they will go see. So let us be realistic about this bill and not scare Americans.

He said he wants quality and he wants choice and he wants freedom. Well, every single one of those are both the goals and the principles on which the Clinton plan—which I do not yet support—is based. You have choice. You can choose which one you want to join. They are hoping that the quality will remain the same. I am not convinced of that, actually, so I am looking hard at it, because I do not want to diminish it. I hope this debate does not get reduced to the old sort of stereotypical scare tactics where we lump everything into these scary words like "Government takeover" and "loss of freedom" and "collective," and so forth. "Talk to a doctor instead after bureaucrat," he said. Come on. There is nothing in this that says you are going to talk to a bureaucrat. You are going to go to a doctor, the doctor of the program that you sign up with. Nobody is prevented from hiring any doctor they want in this country to do anything for them that they want.

So, again, this is not the time for this debate, but I think the American people realize this is reducing it to cliches, particularly scare tactics.

FOREIGN RELATIONS AUTHORIZATION ACT

The Senate continued with the consideration of the bill.

Mr. KERRY. Mr. President, I would like to come back to the subject we are on, and that is the question of NED.

I respect enormously the Senator from Colorado, and we have worked together on a lot of things. I really believe that the approach on this in terms of matching grants is well intended but will have a very serious negative consequence on NED.

My colleague who just came here from North Dakota made it clear, and I hope my colleagues heard it. He said he would rather get rid of NED. But the next best thing is to do what the Senator from Colorado is doing. That tells it all. He would like to get rid of NED, which we overwhelmingly voted not to do here, but the next best thing is to do what the Senator from Colorado is doing.

Why is the next best thing to do what the Senator from Colorado is doing? It is very simple because, if NED gives out grants as it does to the four core groups, and one of those core groups let us say the NDI or the IRI gets $8 million under the plan of the Senator from Colorado they are going to have to raise $1.2 million against that $8 million in order to give out a grant, and if they cannot raise the $1.2 million they will have to reduce the amount that they give out and give it back. In other words, if they only raise $750,000, they have to give back the difference. They cannot use it. This is a cut.

I do not believe that Senators who voted a moment ago on the amendment to cut the addition want to vote to cut from the level that we have today. We must hold on to the $35 million level.

Let me go further. This will not only create a problem for these entities, but I ask my colleague: Do you really want now to turn democracy building into a competitive fundraising process where you tie up extra administrative costs in the effort to raise money? You cannot raise money for nothing. Someone is now going to have to be designated to go out and raise money. Are we going to hire new people to do it? If you hire new people, that is an additional cost. If you are not going to hire new people, you are diminishing the staff they already have in terms of tasks.

What does it mean to go raise money? We all know what it means. I respect the fact that the Republican Institute is able to do it. The Republicans outraise the Democrats every year by millions of dollars. They are not going to have much of a problem I am sure finding an entity that will give some money. But for the labor union entity for the National Democratic Institute it is a lot harder to ask them to go out and raise matching grants.

Third, do you now want these entitles to have to go out hat in hand against all the other competitive fundraising that takes place in this country, against AIDS research, against muscular dystrophy, against cancer, against homelessness, against every kind of fundraising that takes place?

This Nation that is interested in democracy is now going to ask our democracy-building institutions to go out and take the money from muscular dystrophy, take the money from AIDS research, compete in the marketplace to raise money to do what is in the interest of the Government of the United States and the people of the world, which is try to help people to be democratic.

I do not know how many institutions are prepared to ante up for that, but I can tell you who might do it. You know who might do it. Oh, people who want to do business in that particular country, or people who want to get a leg up on a contract perhaps, or people who want to have some kind of influence. I do not know. But you open yourselves up to the potential of a whole lot of influence peddling in the process of making this process dependent on the raising of private money. I do not think that is what we want to do. Mr. President, it just does not make sense.

Fourth, one of the great virtues of NED which has been underscored by leaders in other countries as well as our own practitioners here in this country—practitioners—the people who take part in NED, the folks who devote their time or commit time of the private sector to help this democracy-building process, one of the great virtues is that it can respond quickly, that you can plan exactly how much money you are going to have, and you can then set out an organized methodology for spending it.

My colleague from Colorado and the Senator from Arkansas have criticized NED for being disorganized, for not being able to coordinate their programs, and here they come with an amendment that is going to make it even more difficult to coordinate and to plan, because you are not going to know how much money you have because you have to go out and fund raise; do not know how much you are able to get. You certainly will not be able to respond with speed to many of the international situations. For instance, a democracy-building group in a dictatorship that is struggling all of sudden that has punitive measures being taken against it that needs an immediate response in order to help them to heighten the visibility of their cause to bring the international media in a way that might even save lives. You are going to have NED sitting

there scratching its head saying, gee, do you think we can persuade Gillette or Seagram or someone to contribute some money to this? And you are going through the fundraising process before you can even respond. That does not make sense.

Nobody has made a compelling case why we should cut from the $35 million that we have. A case was made for why we should not increase to $50 million, and so we did not, and the Senate in its wisdom decided to reduce from the $50 million to the $35 million.

But we keep hearing about how bad NED is. Let me try to straighten colleagues out for a minute on the reality and what has happened in addressing some of the concerns we had about NED. We keep hearing about the first-class tickets, about the disorganization.

The report from which those criticisms are drawn is a report of an inspection that is now 6 and 4 years old. It is a 1988–90 period of time. Indeed, the inspector general's report during that time, the 1993 inspector general's report, was a report that came out in 1993 covering the period of inspection of 1988 to 1990. But the fact is that those concerns have been addressed and are being addressed at this point in time.

Mr. President, there are new financial controls, there are new management controls, and let me quote the GAO. The GAO in 1992 said:

> It is too early to evaluate the impact of all the changes on the management of grants at this time. However, we believe that if the endowment effectively carries out the actions it has begun and plans to begin, endowment planning, evaluation monitoring, and financial control capabilities should be improved.

Mr. President, since that time NED has added audit staff. It has lowered the threshold grant to be audited to $25,000 as issued by OMB. It has revised its grant agreement so grantees and subgrantees understand more clearly what the requirements are. It has recognized that its core grantees used grant funds inappropriately in the past, and it has taken steps to correct this. I believe that we should not now penalize NED for missteps by the grantees themselves which NED has now taken steps to cure.

Let me just quote the inspector general's report:

> The Office of the Inspector General confirms that grant agreements with NED for 1991 and subsequent fiscal years incorporated the provisions of the OMB circular which is intended to ensure more competitive audit coverage of nonprofit institutions. In addition, NED's new procedures, if effectively implemented, should improve NED's capabilities for financial oversight.

Mr. President, the inspector general is saying that NED's procedures, if implemented effectively, will cure the problems that have been cited. No one has suggested there is a whole new Pandora's box of problems.

I suggest respectfully if you measure what NED has accomplished and you measure the extraordinarily strong statements of support from various international leaders and frankly, far more important than some of the leaders, if you measure it from some of the folks on the front line of democracy fighting and democracy building, they will tell you that NED has made a difference and is making a difference.

Let me give you an example, Mr. President, of the reason that speed is very important. In April 1993 the Republican Institute sponsored an observer mission to the Russian referendum. IRI recommended changes in the processes which were then adopted for the December 1993 parliamentary elections.

IRI also produced some 30,000 Russian-language poll watcher kits, and NDI conducted training seminars for the election.

If you had to go out and raise private grants in an effort to try to do this, that might never have taken place. It might have, but it might not have. And if it might have, it could well have been at the expense of other efforts because of the time and effort taken to try to go out and find the private source.

I respectfully suggest there are a lot of other compelling reasons. The Senator from Connecticut is here, and he wants to speak on this. I know he will cite them. There are other critical reasons in terms of the efficiency and the types of programs that NED is involved in that would be negatively impacted by this.

As I said at the outset, the Senator from North Dakota made it clear that if you cannot knock NED out altogether, the next best thing is cut it, strip its ability to work through this kind of hampering mechanism.

I hope the Senate, in its wisdom, will stick with the $35 million, will stick with the process of reform that is being put in place now, will stick with the opinion of the Office of the Inspector General, and will stick with the commitment of the interagency task force, which has made recommendations to the President, and let NED engage in the process of rapid response that it needs for many of these problems around the globe.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, first of all, let me commend our colleague from Massachusetts for very eloquently and exhaustively laying out the argument why I think the Brown amendment is flawed.

Let me begin by saying that I supported the last amendment. I supported the amendment to cut back the level of funding, not because I think the amount overall is necessarily huge, but it was simply a matter of perception. At a time when almost everyone else is being asked to restrain themselves, it seems to me NED could do so as well. I recommended that earlier this year when they raised the issue, that they made a mistake seeking those additional funds. I think we sent a message with that vote. I commend both Senator BROWN and Senator BUMPERS for offering it.

Having said that, I think the message has been more than loudly heard. I think now we need to make sure that, in the process here, we do not destroy what anyone who has watched this process work in the last 10 years has concluded is a very worthwhile effort. There are some 75 or 80 different countries that have benefited from this program. Every President—Ronald Reagan strongly endorsed this program; George Bush; President Clinton—all have felt that this has been worthwhile.

Some of the reasons that it has enjoyed such bipartisan support over the years at the executive branch have been enumerated in the previous debate. Some reference has been made already by the Senator from Massachusetts. But if the words of the Senator from Massachusetts or myself or others are not pointed enough, then listen to the words of Lech Walesa and Solidarity and what NED meant to that fledgling organization at a time they were trying to survive.

I wish, as we stood here with the collapse of the Berlin Wall and the end of the cold war, that we could say, as the first generation of Americans in this century said, that we had finished, democracy was secure forever, we had fought the war to end all wars, in a sense.

But my concern is that if we sort of retreat, which is really what is being offered here—I think the Senator from Massachusetts is very accurate; this is basically an effort to sort of cripple this organization one way or the other—if, through this process, we begin to retreat back from the role of leadership in the world, then we might very well anticipate the same result that occurred when similar approaches were taken at the end of the First World War and we saw the world change because the United States did not continue to exert its leadership. Arguably, that occurred immediately at the end of World War II, as well. There are many historians who would argue that, because of the appearance of retreat, Korea occurred in the Pacific.

So I hope that our colleagues who joined me in voting for the last amendment—that is, not to table the Bumpers-Brown amendment—would respectfully reject this amendment being offered. I think we have sent that message, that the matching funds approach, as the Senator from Massachusetts has pointed out, creates far more problems.

I mean, this is not some organization out here that is of marginal importance. To engage them in a fundraising game and practice—I mean you do not need to be a brain surgeon to figure out who is going to contribute to this. You want to have influence in Latin America. You got a good bank down there. You are going to raise a lot of money from the bank. We are going to be holding hearings on this issue. There will be one scandal after another. We will have special prosecutors named, you name it. This will be a disaster, because we will have more people involved in this thing who should not be.

So, for God's sake, let us not invite the very people who are going to see some particular and special need be served by getting a leg up, as the Senator from Massachusetts said, to have a special relationship in Chile or Argentina or Mexico or some other nation.

Mr. KERRY. Will the Senator yield?

Mr. DODD. I am glad to yield to my colleague.

Mr. KERRY. Would the Senator not agree that, as a consequence of that fundraising relationship, you suddenly have brought in entities that are contributing but you have no oversight of the private entities from Congress?

Mr. DODD. My colleague is correct. It is very difficult to oversee that.

But I presume what will happen is there will be a headline story in the Dallas Morning News, or the Hartford Courant or the Boston Globe or the Washington Post that XYZ corporation got caught funding on the side, contributing to the program, and we end up destroying the whole thing.

Now, there is a gimmick that appeared to be some budgetary device here, which is really more of an invitation for chaos. So I urge my colleagues, those who believe this is worthwhile—look, if you think NED is a bad idea, if you think it is a stupid idea, you never agreed with it, then vote for the Brown amendment. You should. But if you think NED has merit, if you think it has done some things that are worthwhile, if you think it makes some sense for our two major parties in this country to be supporting democratic efforts in these nations, then this amendment ought to be flatly rejected. It is not good government. From the budgetary standpoint, it is an invitation, in my view, to a lot more problems than any of us would like to see.

So I join my colleague from Massachusetts and others on both sides of the aisle and respectfully urge this amendment be tabled or outright defeated and allow NED, now with a message sent by the last amendment, to go about its business and to support these worthwhile efforts around the globe.

Mr. President, I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas [Mr. GRAMM].

HEALTH CARE

Mr. GRAMM. Mr. President, a moment ago I tried to convenience my colleagues by agreeing to limit my comments to 5 minutes to introduce a bill, something that we do around here on a regular basis. I sought to limit my comments to 5 minutes, not wanting to disrupt this debate.

But, Mr. President, we are under a system where any Member can take the floor at any time to speak on any subject. And since our dear colleague from Massachusetts felt compelled to get up and say that what I was saying was not so, I am afraid that I am going to inconvenience the body by responding to those comments, though I will try to be brief about it.

First of all, one of our difficulties in debating health care, which is the number one issue in America, is that, in order to advance their position, everybody tries to define words in a way that leads people to believe what they want them to believe.

A perfect example was in the State of the Union Address when our President, on three different occasions, talked about his plan being based on private health insurance.

Mr. President, Winston Churchill once came up with a test where someone could ask seven questions to determine whether they lived in a free country. The point being that all over the world people in the most repressive totalitarian states claim to be free. So Winston Churchill set out seven questions you could ask to determine whether you lived in a free country.

Now, I would like to just propose a two-question test on the Clinton plan to determine whether it preserves the right of people to buy private health insurance.

First of all, if you are happy with the health insurance plan you have: You work for a company in Denver, CO. It has 200 employees. They buy Blue Cross/Blue Shield. You have a good job, a good insurance policy, you are happy with it. If Bill Clinton's plan, all 1,342 pages of it, is adopted, can you or can you not keep your Blue Cross/Blue Shield policy exactly as it is?

The answer to that question is absolutely no. Under the President's plan, your private health insurance policy is canceled. There is no debate about that. No one who has read the President's bill in any detail disputes that fact. The whole principle is that your private health insurance policy is canceled. You will be forced to buy health care and health insurance through a Government cooperative—alliance—collective.

Where did the word "alliance" come from? The Democratic National Committee spent $200,000 doing polling to try to come up with a name that confused people as to what the institution was. They started out with the name "cooperative." They did not like the way it sounded. And after $200,000 worth of polling they found that if you call the cooperative, or the collective—which is the old term for it and a perfect term for it, the kind of term you would apply if you went to the dictionary and tried to find the right word—they found if you call it an alliance, that people do not feel so threatened by it.

The point is, if you work for a company in Denver, CO, which has 200 employees, if the President's plan is adopted your Blue Cross/Blue Shield policy is canceled. You are forced to buy health insurance and health care through a government-run agency, probably in Denver, that would probably cover half the State of Colorado.

What happens if you are not happy with what the Government offers? Under the President's plan, you can take two aspirin and write your Congressman. You can complain. But you cannot stop giving the Government your money. No one disputes that. No one who has ever read the President's plan disputes that.

Now, what if you are so unhappy with the Government plan that you want, in addition to giving the Government your money—about which you do not have any choice—you want to go out and buy private health insurance on your own? The second question to determine whether this plan is based on private health insurance is, once you have given the Government collective your money, if you are not happy with the health care, can you go out with your own money and buy private health insurance to cover the same services that you were supposed to be getting from the Government but you do not feel they are providing? The answer to that is no. Under the President's plan, on page 241, there is a $10,000 fine for anybody who tries to sell you private health insurance in competition with the Government.

Now, it is true that if you are rich enough to give the Government your money through this health care collective, and if you are not happy with the health care they provide, you can take your own money and if you can find someone outside one of these Government plans—because people inside the plan cannot take your money and give you more services because that is illegal and they can be penalized for that—but if you can find someone outside the system, you can buy health care directly. But you cannot buy a private health insurance policy to cover services in competition with the Government.

If that is private health insurance, the English language has absolutely no meaning.

The basic point is this. There are things broken in the health care system. We need to change the insurance product so you do not lose it when you change jobs. We need to change insur-

ance so it cannot be taken away if you get sick. Everybody agrees on that. We can fix that. I believe we need a system to reform Medicaid and use that money to help working people who make low incomes get private health insurance. Something is wrong in America when if you do not work you qualify for Medicaid, but if you do work and make low income you often do not have health insurance. What kind of society treats the people that are riding in the wagon better than the people who are pulling the wagon? Obviously a society that wants a lot more people riding in the wagon.

I agree with the President that we need to deal with paperwork. But where does the paperwork come from? Government. Government pays 31 percent of the bill and generates two-thirds of the paperwork.

Where is the exploding cost coming from? Medicare and Medicaid. Let the Government lead the way in reforming Medicare and Medicaid, in reducing Government paperwork. But my point—which I tried to make and then sit down—is this. We do not have to have the Government take over and run the health care system in order to make it possible for people to get and keep good private health insurance. The President says that there can be no bill unless we have universal coverage, and I believe we can write a bill that establishes a system through reforms in Medicaid and the promotion of competition in the private sector to save money, which will then allow us to help low-income working Americans get and keep private health insurance. But what we have to do if we are going to give everybody universal access is, we have to come up with a way of paying for it.

My bill, which I have introduced, sets out a procedure to do that. The President lets the Government take over and run the health care system and promises more new benefits than Medicare and Medicaid combined. And how does he pay for them? By having the Government run the health care system and by forcing people to buy health care through a Government collective in each region of the country, which will be the only buyer of health care for people who are not lucky enough to work for the Government or for companies that have 5,000 or more employees, the President would have us believe that he can just give every American health care coverage because Government is going to produce health care more efficiently than the private sector.

I do not believe anybody on the planet believes that. But certainly the President has provided no evidence whatsoever to substantiate that claim.

So, what I have tried to do here, and I will yield the floor back and let the debate go on, is simply to make a very small number of points.

First, we can fix the things broken in the American health care system. We can provide a system whereby we can save the money through genuine reforms to help working people get and keep private health insurance. And we can do it without having the Federal Government take over and run the health care system.

Second, we can provide a system that is fiscally responsible. We cannot do it immediately. We cannot give every American the same health insurance policy that the United Auto Workers have because the Federal Government does not have, and in the foreseeable future is not going to have, that much money. We can institute genuine reform, but we are not going to pass a bill in this Congress, in my humble opinion, that has the Government take over and run the health care system. And if the President insists on that, he is going to be the person who stops us from passing genuine health care reform.

Also, I believe that when the American people understand that under the President's plan they are going to be denied the right to buy private health insurance in competition with the Government program and that they are going to be forced—whether they like it or whether they do not like it—to buy through these Government agencies, and denied the right to go outside them and buy private health insurance—when the American people understand that it is not just bankrupting the Government that we are talking about, it is not just employer mandates that put people out of work that we are talking about, but that it is denying people their basic freedom that we are talking about, I believe when people understand that, they are going to reject the President's plan. And they are going to start looking at alternatives.

My purpose today was to say that a substantial number of the Members of the Senate have put together an alternative that tries to fix what is broken about the health care system without tearing the system that we now love, in terms of its quality, in terms of its science, and in terms of the miracle cures generated routinely. Instead of tearing it down, let us keep what we love about the system and try to fix what is broken. And we can in the process, with private health insurance and competition, help Americans get and keep good private health insurance, promote competition, and save money.

I hope we can work on a bipartisan basis. I am willing to work with the President, but as the President says, some things are not negotiable with him. There are some things that are not negotiable with me. I am not going to support a system where the Government takes over and runs the health care system. And second, I am not going to support any system that will deny a free American the right to say, "Thank you, Government, for trying to help me, but I like my Blue Cross/Blue Shield. I want to keep it."

I am not going to support any bill that takes away from people the right to keep their own private health insurance or, if they are in a Government program and do not like it, the right to get out of it and as a free person to go and knock on the door of Mutual of Omaha and say, "I want to buy one of your policies and here is my money." I am not going to support a program that would deny them that right.

Some people hate to admit the facts, but the facts are the President's bill denies people those fundamental rights. When they understand it, they are going to reject it, and maybe at that point we can all get together and fix what is broken about the system. I would like to do that. I think the American people would like to do it.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. KERRY].

Mr. KERRY. Mr. President, I will yield to the Senator from Colorado in a moment, but I would like to make a couple of comments. I did not hear all of what the Senator said. This is not the time and place for that debate, so I am not going to respond at great length. I look forward to the time when we will engage in a dialog.

The Senator from Texas is as thoughtful and quick on his feet, as good as anybody around here, and he is always fun to engage in a good dialog. I simply will say when he refers to the system we all love, he "ain't" talking about all Americans because 43 million Americans do not have a system to love. They do not have insurance. An awful lot of people who do, keep getting told they have a preexisting condition, this is not covered, or they lose it when they lose their jobs, as more and more millions of Americans are losing their jobs and all of a sudden they have no insurance. They certainly are not going to sit there and say, "Gee, I love this system that requires me to sell my home and invade my savings account because I have a catastrophic illness I cannot afford to pay for."

The system we love is subject to who's got the system. We are going to be learning a lot about that as we go down the road.

I could not agree with my colleague more. I do not want a Government-run system either. I really do not. I am not a cosponsor yet. We are going to work with the Senator and others. I am confident we are going to come up with a program for the American people that will address their real needs and concerns. I look forward to a dialog with the Senator from Texas at that time.

FOREIGN RELATIONS AUTHORIZATION ACT

The Senate continued with the consideration of the bill.

Mr. KERRY. Mr. President, I think we have come to an agreement with the Senator from Colorado, so I yield the floor for his procedural motion.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Colorado.

AMENDMENT NO. 1272

Mr. BROWN. Mr. President, I have had a chance to chat with the distinguished Senator from Massachusetts and the distinguished Senator from Connecticut and review with them the possibilities for ensuring positive action on this measure. I have reiterated my conviction about how important it is to have private contributions. They have indicated—and they can speak for themselves—concerns about the way the mechanism might work. Mr. President, let me summarize quickly.

In October 1991, the Senate passed the following language. That was 2½ years ago:

> The National Endowment for Democracy should make every effort to solicit private contributions to realize the purposes the endowment has set forth in section 502(B) of the National Endowment for Democracy Act.

So the concept of having contributions is not alien or foreign. It not only was mentioned when NED was first established, but it has literally been introduced into law, 2½ years ago.

In looking at the USIA inspector general report, the IG had comments on the subject of contributions:

> Most of the private contributions raised by the core groups were not related to NED-funded projects and activities.

In other words, many of them raised money but did not apply them to NED activity. They are speaking of one core group. Of its $628,690 in private contributions raised between 1988 and 1990, one core group spent almost all of it, $616,000, on activities related to the convention.

Another group spent a third of its funds on the convention. There is one success story, they note: A core grantee required all recipients, subrecipients to provide matching funds between 1988 and 1990. In addition, the organization provided a significant percentage of private funds to 13 overseas subrecipients. So raising private funds can be done and is being done in some cases.

A point was made as to whether these organizations have the ability to raise funds, even the token 15 percent we are talking about. I refer my friends to simply a list of the members of the board of directors. Ask yourself, are these people capable of raising funds? Walter Mondale, past board member; Henry Kissinger, past board member. We have, if you look through this list of board members, the best fundraisers in the Nation.

Mr. KERRY. Will my colleague yield for a question?

The PRESIDING OFFICER. Will the Senator yield?

Mr. BROWN. Let me complete this thought. To raise funds, all these people have to do is have a cocktail party before a board meeting. I do not mean to be trite. I think there is room to be working together. I think the difference is to have these people engaged more thoroughly.

Questions have been raised about the right percentage. Questions have been raised about whether they should forfeit funds if they cannot meet the grant. Questions have been raised about how the funds are raised and questions about whether in-kind contributions should be allowed. All of those are legitimate concerns.

My inclination at this point is to see if we cannot work this out off the floor, see if we cannot come to some way to better involve these grantees in the process. I would like to proceed by withdrawing this amendment and working with my colleagues to see if we cannot come up with some meeting of the minds that allows us to move forward to an objective we all share.

Mr. DODD. Will my colleague yield?

Mr. BROWN. I will be glad to yield.

Mr. DODD. Mr. President, I say to my colleague from Colorado, I think having chatted with him about trying to come up with some in-kind contributions, as I am sure the Senator from Colorado knows—for instance, perhaps we might look at other alternatives, volunteers now. There are people who volunteer their services free of charge, not paid for, that come from various entities as examples of in-kind contributions.

The Senator mentioned phones or other technical assistance and service that could keep down costs. I think we certainly ought to examine thoroughly the opportunities that we can create, done in a well-thought-out, planned way so it does not create the kinds of problems the Senator from Colorado just identified associated with a matching funds approach.

I am very happy to work with my colleague from Colorado to see if we cannot come up with a good system by which we can keep costs down, invite, attract the kind of contributions in a way that will strengthen this organization, involve more people and assist the process.

So I commend him for his decision and look forward enthusiastically to working with him on this matter.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I would like to thank the Senator from Colorado. I think we had a good conversation in which we agreed that there may be some creative ways to try to avoid some of the pitfalls the Senator from Connecticut and I have cited, but at the same time have some of the up-side views we are looking for.

I would like to thank the Senator, congratulate him because I think his focus on this is well-advised. I think that we are going to have a better endowment for democracy, we are going to have a much more accountable one, we are going to probably be more effective and efficient. If there is a capacity to achieve a maximum efficiency, I think it will come about because of this intensity of scrutiny.

So I congratulate him for that. I will say to him, though, that if most of those people on the board were told ahead of time that they have to raise money, they would not go on the board. So I do not think you can just rely on the fact that some of them raised money in politics. Half of them got out of politics to get away from raising money. The last thing in the world they are going to do is accept a new responsibility and spend their time trying to raise funds.

Has the Chair ruled on the withdrawal?

Mr. BROWN. Mr. President, I ask unanimous consent to withdraw the amendment.

The PRESIDING OFFICER. The Senator has the right to withdraw his amendment. The Senator has withdrawn the amendment.

The amendment (No. 1272) was withdrawn.

Mr. KERRY. Mr. President, I say again to colleagues, we are preparing lists on both sides of the aisle. I believe on both sides of the aisle it has been hot lined to inquire whether or not Senators have additional amendments.

We would like to try to propound a unanimous-consent agreement with respect to the remaining amendments, at least fencing the amendments and hopefully arriving at a time agreement. So if Senators do have amendments, I want them to have adequate notice that we are looking to propound a unanimous-consent agreement and hopefully they will come forward.

I know the Senator from North Carolina has two amendments which he is about to offer, and I would say to colleagues that these amendments would be voted on, I hope, en bloc, with one vote sometime in the vicinity of 3 o'clock or so.

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

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1273

(Purpose: To express the sense of the Congress that the United States should continue high-level contacts with Taiwan)

Mr. MURKOWSKI. Mr. President, on behalf of myself and Senator BROWN, 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 Alaska [Mr. MURKOWSKI], for himself and Mr. BROWN, proposes an amendment numbered 1273.

Mr. MURKOWSKI. 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, add the following new section—

SEC. . High-level visits to Taiwan. It is the sense the Congress that—

(a) The President should be commended for his meeting with Taiwan's Minister of Economic Affairs during the Asia-Pacific Economic Cooperation Conference in Seattle;

(b) The President should send Cabinet-level appointees to Taiwan to promote American interests to ensure the continued success of U.S. business in Taiwan;

(c) In addition to Cabinet-level visits, the President should take steps to show clear United States support for Taiwan both in our bilateral relationship and in multilateral organizations of which the United States is a member.

Mr. MURKOWSKI. Mr. President, the purpose of the amendment is to allow and encourage high-level visits of American State diplomatic people to Taiwan. It is my understanding that the amendment has been cleared on both sides.

Mr. KERRY. Mr. President, that is correct.

Mr. MURKOWSKI. I thank the Chair. I urge adoption of the amendment.

The PRESIDING OFFICER. Is there further debate?

Mr. MURKOWSKI. I thank the floor manager as well as Senator BROWN and appreciate the courtesy.

The PRESIDING OFFICER. Is there objection to the amendment? If not, the amendment is agreed to.

The amendment (No. 1273) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. MURKOWSKI. I thank the Chair. I thank my colleagues.

Mr. KERRY. I thank the Senator from Alaska.

Mr. President, if I could ask the Senator from Colorado, the Senator has no other amendment at this time?

Mr. BROWN. We have the potential of other amendments but at this point no.

Mr. KERRY. If I could ask the Senator, I would be happy to meet with him now privately and we can try to define that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1274

(Purpose: To exempt certain data from freedom of information requirements)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. PELL] proposes an amendment numbered 1274.

Mr. PELL. 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 end of the bill, add the following new section:

SEC. . FREEDOM OF INFORMATION EXEMPTION FOR CERTAIN OPEN SKIES TREATY DATA.

(a) IN GENERAL.—Data collected by sensors during observation flights conducted in connection with the Treaty on Open Skies, including flight conducted prior to entry into force of the Treaty, shall be exempt from disclosure under the Freedom of Information Act or any other Act—

(1) in the case of data with respect to a foreign country—

(A) if the country has not disclosed the data to the public; and

(B) if the country has not, acting through the Open Skies Consultative Commission or any other diplomatic channel, authorized the United States to disclose the data to the public; or

(2) in the case of data with respect to the United States, if disclosure of such data could be reasonably expected to cause substantial harm to the national defense as determined by the Secretary of Defense or to the foreign relations of the United States as determined by the Secretary of State.

(b) EXTENSION OF WITHHOLDING OF CERTAIN DATA.—(1) For purposes of subsection (a)(2), data held for a period of 5 years from the date of collection shall be deemed not to cause substantial harm to the national defense or foreign relations of the United States and shall be released unless the head of the agency that made the initial determination determines otherwise, in which case the data may be withheld for an additional period or periods of 5 years each.

(2) In no case may data be withheld under this subsection for more than 10 years from the date of collection.

(3) Determinations under this subsection may not be delegated.

(c) STATUTORY CONSTRUCTION.—This section constitutes a specific exemption within the meaning of section 552(b)(3) of title 5, United States Code.

(d) DEFINITIONS.—For the purposes of this section—

(1) the term "Freedom of Information Act" means the provisions of section 552 of title 5, United States Code;

(2) the term "Open Skies Consultative Commission" means the commission established pursuant to Article X of the Treaty on Open Skies; and

(3) the term "Treaty on Open Skies" means the Treaty on Open Skies, signed at Helsinki on March 24, 1992.

Mr. PELL. Mr. President, this amendment provides for a limited exemption to the Freedom of Information Act [FOIA] in order to ensure that certain kinds of data, collected by sensors during observation flights conducted in connection with the Treaty on Open Skies, would not be made public.

The Open Skies Treaty was signed in Helsinki on March 24, 1992. The principal purpose of the treaty is to enhance military openness and transparency by providing each treaty party with the right to overfly the territory of the other treaty parties using unarmed observation aircraft. The Senate provided its advice and consent to ratification on August 6, 1993, and the United States formally ratified the treaty on December 3, 1993. The Open Skies Treaty has been ratified by 11 other countries. It will enter into force when eight more states, including Russia, ratify.

The amendment was requested by the administration. It has stated that the FOIA exemption is necessary in order to effectively implement the treaty. Without the FOIA exemption, other treaty parties would be reluctant to participate in the treaty for fear that sensitive data regarding their national security collected under the Open Skies regime would be made available to the public.

Under the FOIA exemption, data collected on non-U.S. treaty parties could be made public by the United States only if either the state party in question agreed to such release or had previously publicly released the data itself. Also under this provision, data collected on the United States would be made public, unless such release could be reasonably expected to cause substantial harm to the national defense or foreign relations of the United States.

Mr. President, I ask unanimous consent that a letter to me from the Department of State requesting this exemption be inserted in the RECORD.

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

U.S. DEPARTMENT OF STATE,
Washington, DC, December 28, 1993.

Hon. CLAIBORNE PELL,
Chairman, Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: On behalf of the Administration, I seek your consideration of the attached legislation, which responds to concerns raised by Senators during ratification proceedings on the Open Skies Treaty, and which has been developed in coordination with the Committee staff. The legislation would establish a (b)3 FOIA exemption for data collected by sensors during observation flights conducted in connection with the Open Skies Treaty, subject to case by case determinations.

This legislation establishes the basis for implementing certain Treaty requirements

for handling data. Specifically, the Treaty provides that "Data collected by sensors during observation flights shall be made available to States Parties . . . and shall be used exclusively for the attainment of the purposes of the Treaty (Article IX, Section 1, para 4)." In order to be consistent with this provision, Open Skies data must be controlled in some manner outside the Freedom of Information Act, which contains no provision regulating the use to which information is put, once disclosed. There may be circumstances under which the data could be releasable and the legislation contains standards on which determinations of releasibility will be based.

With regard to these standards, the Administration considered the Treaty's integrity and basic purpose. This Treaty is the first agreement to provide for aerial observation of all the territory of its Parties. In negotiating Article IX, a number of signatories expressed the desire not to make Open Skies data available to non-Parties, who had not assumed reciprocal obligations and who had not, therefore, opened up their territory to observation. Others expressed a concern that Open Skies data not be exploited for commercial advantage. Making Open Skies data generally available could impose political, security and other costs to which signatory states have not agreed, while reducing the incentive for potential signatories to join the Treaty. Similar considerations require standards for releasibility of data collected over the United States.

We know you share our view of the need to ensure the most efficient and effective means to implement this Treaty. We have appreciated the opportunity to work cooperatively with your staff and look forward to your favorable consideration of this legislation. I hope we have been responsive to your concerns. Please do not hesitate to contact me if we can be of further assistance.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary,
Legislative Affairs.

Mr. LEAHY. Mr. President, I rise to discuss the amendment. First, I wish to commend the chairman of the committee for the work done on this amendment and know that the language being proposed represents a significant revision and improvement from earlier drafts.

It would be ironic if the Treaty on Open Skies were to cloud our citizens' rights to freedom of information. We must approach statutory exemptions to the Freedom of Information Act with great care. Given that the act has a series of exceptions that balance the public's right to free and open access to Government information with such competing concerns as national security and foreign policy, it should be rare that Congress is asked to create a statutory exemption from the act.

The Freedom of Information Act has become and essential tool in our democracy for the public to obtain information about what their Government is doing. Through direct access and media access, the Freedom of Information Act provides a check on how the Government operates. Through proper implementation of the act we make openness the rule and Government secrecy the exception.

I see that the language proposed in the amendment exempts data collected by sensors during observation flights from FOIA disclosure for a period of 5 years. I would have preferred that the shoe be on the other foot. Our general presumption of availability of information should govern in the absence of a specific determination that disclosure of certain information would be harmful to our national security interests or the legitimate interests of a foreign government.

It is in this manner that we have traditionally structured statutory exemptions to the Freedom of Information Act. Thus, it is only after rulemaking and with periodic reports to Congress that Government information on control, accounting and security measures for the physical protection of special nuclear material, source materials and byproduct materials is excluded from FOIA disclosure.

I ask for the chairman's understanding of the standard that is to be applied by the Secretaries of Defense and State. Subsection (a)(2) of the amendment requires a determination that data with respect to the United States be restricted only if its disclosure "could be reasonably expected to cause substantial harm." Is it the chairman's understanding that the standard is akin to that for classification of information as "secret"?

As for data with respect to a foreign country, the exemption applies if the country has not disclosed the data to the public. The amendment allows for the foreign country, acting through the open skies consultative commission or diplomatic channels to authorize the United States to disclose the data to citizens of the United States.

I intend no harm to the integrity of the treaty, but ask whether the basic purposes of the treaty are not served by the presumption of openness with exceptional treatment being reserved to data from other countries on the same basis as that from this country; namely, some identifiable national security interest.

I suggest that our treaty negotiators are well-advised to explain the benefits of openness on this and future treaty subjects to their counterparts from other countries. Certainly there can be exceptions, but experience has taught us that such exceptions to the rule of openness should be narrowly created and specifically applied.

I ask my colleagues to join with me to urge the Department of State to use its good offices and those of the open skies consultative commission to urge foreign signatories of the treaty to enjoy the benefits of maximum disclosure and the rule of openness.

Indeed, by title IV of this bill we are establishing a Commission on Protecting and Reducing Government Secretary for the express purpose of reducing the volume of classified information.

I recognize that overflight data can contain sensitive security information. Such data, when otherwise secret, should not become available to hostile forces through participation in Open Skies. The need for legitimate exception for such information is not the issue.

We should encourage signatories to Open Skies by protecting participants. We should not and need not do so by doing damage to our domestic law or disserving our democratic interests in expanding information and participation of the citizenry in our public policy. I do not wish to see the language or processes of this amendment become a precedent.

Mr. PELL. I ask that we go ahead and vote on this measure if there is no objection.

The PRESIDING OFFICER. Is there further debate?

Mr. KERRY. Mr. President, this has been cleared on both sides.

Mr. MURKOWSKI. No further debate.

The PRESIDING OFFICER. Is there objection to the amendment? Without objection, the amendment is agreed to.

The amendment (No. 1274) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1275

(Purpose: To transfer certain obsolete surplus defense articles in the war reserve allies stockpile to the Republic of Korea)

Mr. PELL. Mr. President, I send an additional 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 Rhode Island [Mr. PELL] proposes an amendment numbered 1275.

Mr. PELL. 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:

On page 179, after line 6, insert the following:

SEC. . TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES IN THE WAR RESERVE ALLIES STOCKPILE TO THE REPUBLIC OF KOREA.

(a) AUTHORITY.—(1) Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the Secretary of Defense is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary, any or all of the items described in paragraph (2).

(2) The items referred to in paragraph (1) are equipment, tanks, weapons, repair parts, and ammunition that—

(A) are obsolete or surplus items;

(B) are in the inventory of the Department of Defense;

(C) are intended for use as reserve stocks for the Republic of Korea; and

(D) as of the date of enactment of this Act, are located in a stockpile in the Republic of Korea.

(b) CONCESSIONS.—The value of the concessions negotiated by the Secretary of Defense shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States, and other items of value.

(c) ADVANCE NOTIFICATION OF TRANSFER.—Not less than 30 days before making a transfer under the authority of this section, the Secretary of Defense shall transmit to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the congressional defense committees a notification of the proposed transfer. The notification shall identify the items to be transferred and the concessions to be received.

(d) EXPIRATION OF AUTHORITY.—No transfer may be made under the authority of this section more than two years after the date of the enactment of this Act.

Mr. PELL. Mr. President, this amendment provides the Department of Defense with authority to transfer obsolete or surplus United States military equipment to South Korea from war reserve stockpiles located in South Korea. The equipment in question includes ammunition, old M-48 tanks, artillery, and repair parts.

This provision was requested by the administration. It is necessary because section 514 of the Foreign Assistance act requires that any such transfer be specifically authorized by legislation.

The United States no longer needs the equipment in question, and South Korea is the only country that has expressed an interest in it. In exchange for receiving the equipment, South Korea would provide the United States with concessions that would be at least equal to the transferred equipment's fair market value. The Department of the Army has informed the Committee on Foreign Relations that passage of this legislation will benefit the United States by more than $200 million in cost avoidance through fiscal year 1996.

Mr. President, this amendment is a good, but partial, solution to a lingering problem. Major war reserve stocks remain in South Korea, and under certain circumstances removing them from our inventory could prove very costly to the United States. I intend that the Committee on Foreign Relations this year take a thorough look at the South Korean stockpile situation, and devise a solution that will meet both the national security and budgetary needs of the United States.

Mr. President, I ask that the letter to me from the Department of the Army requesting this legislation be included in the RECORD at this point.

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

DEPARTMENT OF THE ARMY, OFFICE OF THE DEPUTY CHIEF OF STAFF FOR LOGISTICS,

Washington, DC.

Hon. CLAIBORNE PELL,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in support of legislation permitting the transfer of obsolete and surplus ammunition and weapons to the Republic of Korea, in exchange for a package of monetary concessions to be negotiated by the United States Army.

War Reserve Stocks for Allies (WRSA) are those stocks owned and controlled by the United States and intended for use in the defense of Korea. There are existing agreements with the Republic of Korea under which Korea pays for the storage expenses associated with WRSA stocks; however, if the stocks are removed from storage for a purpose other than the defense of Korea, the United States is obligated to reimburse Korea for all prior storage expenses.

We currently have ammunition and weapons in the WRSA stockpile that are either obsolete or surplus to our needs. Also, we have removed and will continue to move some types of ammunition from the WRSA stockpiles for the United States Army training requirements. Under the terms of the existing agreements with Korea, our removal of these items has "kicked-in" the reimbursement provisions. For those items requiring demilitarizing, we will incur significant expense transporting the stocks back to the United States.

The WRSA package deal legislation would permit the transfer of obsolete and surplus stocks to Korea in exchange for waiver of the requirement to reimburse Korea for its storage costs and would eliminate any transportation or demilitarization costs. Passage of this legislation will benefit the United States by more than $200 million in cost avoidance through Fiscal Year 1996.

It is our intent to aggressively pursue renegotiation of the current agreements concerning the WRSA storage expenses. Passage of this legislation is just the first step in trying to eliminate the obligation of the United States to reimburse future storage cost. Based on the potential cost avoidance and the benefit to the United States Government, I would appreciate your support of this legislation.

Sincerely,

LEON E. SALOMON,
Lieutenant General, U.S. Army,
Deputy Chief of Staff, for Logistics.

Mr. PELL. Mr. President, I ask that we proceed to a vote.

The PRESIDING OFFICER. Is there further debate on the amendment? Is there objection to this amendment? Without objection, the amendment is agreed to.

The amendment (No. 1275) was agreed to.

Mr. KERRY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. PELL. I thank the Chair.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 1276

(Purpose: To urge the establishment of a pilot visa waiver project for Koreans visiting Alaska and Hawaii)

Mr. MURKOWSKI. Mr. President, 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 Alaska [Mr. MURKOWSKI] proposes an amendment numbered 1276.

Mr. MURKOWSKI. 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:

On page 179, after line 6, add the following new section:

SEC. 714. PILOT VISA WAIVER PROJECT FOR KOREANS VISITING ALASKA AND HAWAII.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) travel and tourism play a major role in reducing the United States unfavorable balance of trade;

(2) the characteristics of the Korean travel market do not permit long-term planning for longer trips;

(3) applications for United States visas cannot now be processed in a reasonable period of time;

(4) the United States Department of State has directed reductions in staff at the United States Embassy in Seoul, which promise to further expand the time necessary for potential Korean travelers to obtain a United States visa;

(5) most of the nations of the South Pacific and Europe do not currently require Koreans entering their countries to have a visa, thus providing them with a serious competitive advantage;

(6) the United States territory of Guam has been permitted by the United States Government to eliminate visa requirements for Koreans visiting Guam, with resultant impressive increases in travel and tourism from the Republic of Korea;

(7) the existing procedures to add any nation, including the Republic of Korea, to the group of favored nations exempted from United States visa regulations, would require many years during which time the United States could well lose its competitive advantages in attracting travel and tourism from the Republic of Korea; and

(8) the Republic of Korea as a gesture of good-will has already unilaterally released United States travelers to the Republic of Korea from the necessity of obtaining a visa.

(b) POLICY.—The Secretary of State shall explore the procedures necessary to inaugurate a pilot study project which—

(1) would be aimed at greatly reducing the time and formalities needed to permit the Republic of Korea to join the other visa-waiver nations of the world; and

(2) would immediately permit the noncontiguous States of Alaska and Hawaii to join Guam as visa-free destinations for Korean travelers;

(c) DESCRIPTION OF PILOT PROJECT.—A pilot project conducted under subsection (a) should consist of the following elements:

(1) United States visas would be declared unnecessary for Koreans visiting Alaska or Hawaii.

(2) At United States Customs passport control stations in Alaska and Hawaii, Koreans would be expected to display their return trip airline ticket, with return to be effected within 2 weeks.

(3) At the end of 1 year, if immigration violations do not exceed the numbers experienced for Koreans entering other United States gateways, then the Department of State should consider extending visa waivers to all Koreans visiting the United States.

(d) EFFECTIVE DATE; TERMINATION DATE.—A pilot project conducted under subsection

(a) should begin not later than May 1, 1994, and should terminate April 30, 1995.

Mr. MURKOWSKI. Mr. President, the purpose of the amendment is to allow a study for 1 year, and if the study is favorable it would establish a pilot program which would allow travelers from Korea to visit Hawaii and Alaska, as Guam currently enjoys traveling from Korea into Guam which is a United States territory, without a visa requirement.

As the Chair knows, most nations' citizens who come into the United States do not need a visa. For Korea we currently require a visa.

So there would be a State Department study to determine the merits of allowing for a 1-year period of residency of Korea to travel to Hawaii and Alaska without a visa. The provision would be that they would have to show a round-trip air ticket before they could depart Korea. They would have to show that when they went through Customs and Immigration upon entering either Alaska or Hawaii. If the State Department determines that it is not advisable, based on their criteria of visa application, obviously it would not go anywhere. That is the purpose of the amendment.

I have explained it to the majority, the floor leader. If he has any questions, I would be happy to respond. But it would be meritorious inasmuch as Korea is one of the few countries where we continue to require visas upon entry. We feel that it might extend from both Guam to Alaska and Hawaii inasmuch as most of the traffic that is generated from Korea either stops in Guam or Hawaii.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I think the concept itself is meritorious, let alone the study. But I think the Senator is wise to ask for a study to determine whether or not there are negatives that we are not at this time aware of. I think it is a good approach. We support it.

The PRESIDING OFFICER. Is there further debate?

Mr. MURKOWSKI. I urge adoption.

The PRESIDING OFFICER. Is there further debate? Is there objection? Without objection, the amendment is agreed to.

The amendment (No. 1276) was agreed to.

Mr. KERRY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. KERRY. I believe the Senator from North Carolina is prepared to propound two amendments en bloc.

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

Mr. HELMS. Mr. President, thank you very much, and I thank my distinguished colleague from Massachusetts. I do have two amendments. They are very closely related. They address the same subject. As a matter of fact, Senator KERRY is perfectly willing to take both amendments but because of my obsession about the U.S. Constitution and the protection of the rights of the American people and so forth, I would like to have a rollcall vote.

The first one involves the first amendment of the Constitution.

AMENDMENT NO. 1277

(Purpose: To prevent the U.S. from joining any international criminal court which fails to protect the first amendment rights of American citizens)

Mr. HELMS. Mr. President, 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 North Carolina [Mr. HELMS] proposes an amendment numbered 1277.

At the appropriate place, add the following:

SEC. . The United States Senate will not consent to the ratification of any Treaty providing for United States participation in an international criminal court with jurisdiction over crimes of an international character unless American citizens are guaranteed, in the terms establishing such a court, and in the court's operation, that the court will take no action infringing upon or diminishing their rights under the First Amendment of the Constitution of the United States, as interpreted by the United States.

Mr. HELMS. Mr. President, at the outset, let me read the first amendment of the U.S. Constitution which is or should be familiar to all of us.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

This amendment stipulates that the U.S. Senate will not consent to the ratification of any treaty providing for U.S. participation in an international criminal court unless American citizens are guaranteed that nothing in the terms establishing such an international criminal court or in its operation shall infringe upon or diminish the rights of American citizens under the first amendment of the Constitution as interpreted by the United States.

As the distinguished occupant of the chair knows, the first amendment of the U.S. Constitution refers to freedom of speech and freedom of the press. What do these matters have to do with international criminal courts? A lot, Mr. President; a lot.

It is important to realize that when we talk about an international criminal court, there is not only no agreed-upon list of what constitutes a "crime of an international character" but there is not even an agreed-upon procedure of how a list of international crimes is to be drawn up or who will do it.

So at this point to get some hint of what should be considered a crime of an international character we have to look at the academic literature.

The leading proponent of an international criminal court is Professor Bassiouni of De Paul University in Chicago. Writing in the spring 1991 issue of the Indiana International and Comparative Law Review at page 20, the professor argues for the widest possible jurisdiction of the court.

Within that widest possible jurisdiction, the professor notes, apparently with his approval, such possible international crimes as insults to a foreign state or dissemination of false or distorted news.

If insults to a foreign state means Iraq, I plead guilty right here and now.

And I am sure the rulers of Communist China have their particular views of what constitutes false or distorted news. This body knows of their repeated denials of credible newspaper accounts of major arms exports to Middle Eastern dictatorships, for example.

Let us not forget who may be determining what is an insult to a foreign state or what is false or distorted news. Under the most likely scenario of an international criminal court, at least some of the judges will come from such places as North Korea or Iran which have no tradition of freedom of the press or freedom of speech.

Therefore, both parts of this amendment are required: The prohibition on infringement of our first amendment liberties and the right to determine for ourselves what constitutes such an infringement.

Mr. President, I ask unanimous consent that that amendment be laid aside temporarily.

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

AMENDMENT NO. 1278

(Purpose: To prevent the United States from joining any international criminal court which fails to protect the fourth amendment rights of American citizens)

Mr. HELMS. Mr. President, 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 North Carolina [Mr. HELMS] proposes an amendment numbered 1278.

At the appropriate place, add the following:

SEC. . The United States Senate will not consent to the ratification of any Treaty providing for United States participation in an international criminal court with jurisdiction over crimes of an international character unless American citizens are guaranteed, in the terms establishing such a court, and in the court's operation, that the court

will take no action infringing upon or diminishing their rights under the Fourth Amendment of the Constitution of the United States, as interpreted by the United States.

Mr. HELMS. Mr. President, as I did in the case of the previous amendment, I desire to read in this instance the fourth amendment of the U.S. Constitution which I seek to protect:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

That is the fourth amendment. The pending amendment stipulates that the U.S. Senate will not consent to the ratification of any treaty providing for international criminal court, unless and until American citizens are guaranteed that nothing in the terms establishing such an international criminal court or in its operation shall infringe upon or diminish the rights of American citizens under the fourth amendment of the Constitution, as interpreted by the United States.

The fourth amendment concerns itself, as is obvious, with unreasonable searches and seizures, as well as the need for probable cause before a warrant can be issued.

There is no indication that proponents of an international criminal court understand or respect these basic rights of the American people. For example, in the case of the United Nations' effort to establish an international tribunal for war crimes in Bosnia, the Secretary General's report on May 3, 1993, at page 24, simply states that the prosecutor may "conduct on-site inspections."

Mr. President, we cannot have that. We cannot have that action by the United Nations, that decision by the Secretary General, and this involving an American citizen or any American institution.

There is no reference to unreasonable searches and seizures or to the need for probable cause.

On page 27 of the same report, the Secretary General gives a list of rights of the accused. Again, there is no reference to unreasonable searches and seizures or probable cause.

Some American specialists have also noted this problem. For example, Mr. Ralph Mecham, Director of the Administrative Office of the United States Courts, addressed this issue in a letter to Speaker FOLEY on October 28, 1991. Mr. Mecham said the following:

What protection would exist to prevent the use of evidence obtained by unlawful search and seizure? The International Institute of Higher Studies in Criminal Sciences' draft statute adopts the exclusionary rule, but other draft statutes are silent on the point. None of them addresses the practical question of what standards would govern enforcement in the U.S. courts of search warrants and arrest warrants issued by an international tribunal.

It is worth noting there is nothing to keep judges from North Korea or Syria serving on this international criminal court. It would be they who would determine whether a search was proper or not.

Therefore, both parts of this amendment are required: The prohibition of infringement of our fourth amendment liberties and the right to determine for ourselves what constitutes an infringement.

Mr. President, I ask unanimous consent that the two pending amendments, which I have just submitted, be considered jointly, with one vote. I will ask for a rollcall vote and ask that it be counted as one vote.

Mr. KERRY. Reserving the right to object, and I do not want to object, but I want to see if there is a way to deal with a procedural problem here. I intend to vote for the amendment. I have no problems with it. I would be happy to accept them without a rollcall vote. But the Senator, which is his right, would like a rollcall vote. I am advised that the only time we have ever voted en bloc is on treaties, and that there is a difficulty in voting en bloc because one person might have a problem with one of the amendments—and I am not sure they would, but they might. So the question is either whether the Senator would be willing to fold the two into one amendment, or I will accept one, and then we pick one to have a rollcall vote on.

Mr. HELMS. We will just have two rollcall votes. I ask for the yeas and nays on the first amendment.

The PRESIDING OFFICER. Amendment No. 1278 is the pending amendment.

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. 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.

Mr. HELMS. Mr. President, I withdraw the two amendments at this time. I have the right to modify both amendments, and I will so modify them and combine them into one.

The PRESIDING OFFICER. The Senator has that right.

The amendment is so modified.

The amendment (No. 1278), as modified, is as follows:

At the appropriate place, add the following:

SEC. . The United States Senate will not consent to the ratification of any Treaty providing for United States participation in an international criminal court with jurisdiction over crimes of an international character unless American citizens are guaranteed, in the terms establishing such a court, and in the court's operation, that the court will take no action infringing upon or diminishing their rights under the First and Fourth Amendments of the Constitution of the United States, as interpreted by the United States.

Mr. HELMS. Mr. President, I yield to the Senator from Massachusetts.

Mr. KERRY. Mr. President, I request 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. KERRY. We will obviously have a rollcall vote on this amendment, but we want to delay that for a little while. So I put colleagues on notice that there is a rollcall backed up here.

I ask unanimous consent that the amendment be temporarily set aside.

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

Mr. KERRY. 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. DODD. 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. DODD. Mr. President, I just want to briefly say to my colleague and friend from North Carolina that the Senator from Connecticut has no objection whatsoever to this amendment.

Again, I state he and I discussed this at some length yesterday. There is a fundamental difference that we have as to whether or not there ought to be any kind of international court.

Aside from that issue is the sense-of-the-Congress resolution which is included in this particular bill that is now before us and was supported yesterday by a majority of our colleagues on a motion to table an amendment to strike.

The purpose of that sense-of-the-Senate resolution was merely to state our generic interest in pursuing the idea and the concept of an international court of criminal justice. None of us know what that proposal will include. Certainly, I would not ask my colleagues nor myself to endorse something we have not seen or been able to judge. But on the concept of an international criminal court I believe it is in the interest of our country to pursue one.

This amendment offered by our colleague from North Carolina merely states that in the terms establishing such a court, the court will take no action infringing upon or diminishing the rights of any citizen of the United States under the fourth and first amendments of the United States Constitution.

I thoroughly endorse that proposition and urge the adoption of the amendment either by voice vote or recorded vote, whatever our colleague

from North Carolina desires. But it certainly is consistent with the sense-of-the-Senate resolution that the Senate approved of yesterday.

So I urge the adoption of this amendment in any manner that our colleague in North Carolina intends to seek approval of this amendment.

Mr. HELMS. I thank the Senator.

The PRESIDING OFFICER. The Senator from North Carolina.

The Chair thought the Senator from North Carolina was seeking recognition.

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

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

AMENDMENT NO. 1279

(Purpose: To express the sense of the Senate regarding participation in the North Atlantic Treaty Organization)

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

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1279.

Mr. McCONNELL. 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. ( ) The Congress finds that:

(1) The Warsaw Pact has been disbanded and replaced by governments with legitimate political, economic and security interests;

(2) It is in the national interests of the United States to preserve European regional stability through the promotion of political and economic freedom and respect for territorial integrity and national sovereignty;

(3) The North Atlantic Treaty Organization has served and advanced U.S. and European interests in political stability and collective security for forty-five years.

Therefore, it is the sense of the Senate that,

(1) European nations which have demonstrated both capability and willingness to support collective defense requirements and established democratic practices including free, fair elections, civilian control of military institutions, respect for territorial integrity and the individual liberties of its citizens share the goals of the North Atlantic Treaty Organization; and

(2) The United States should urge immediate admission to NATO for those nations which support and advance this common agenda.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. McCONNELL. Mr. President, let me briefly describe the amendment which I have sent to the desk and then offer an account of why I hope the Senate will adopt it.

My amendment is simply a sense-of-the-Senate amendment urging the United States to support immediate admission to NATO of those nations which share and advance a common set of principles. U.S. support is predicated upon a nation having a demonstrated capability to commit resources to our common defense, as well as established democratic practices, including free elections, civilian control over the military, respect for territorial integrity, and the individual liberties of all citizens.

I believe we face a crisis in Europe which has been created by a failure to define our vital interests—an unwillingness to set an American course of conduct separate and apart from Boris Yeltsin.

Mr. President, earlier this week, the Subcommittee on Foreign Operations met to review our assistance programs to the New Independent States of the former Soviet Union. It was no surprise to any of us that Ambassador Talbott's opening comment was he would only address his remarks to one of those states, the Russian Federation.

This emphasis, what I now call the administration's Moscow myopia is not new. Last year, during consideration of the foreign operations bill I tried to link the provision of assistance for any country to its respect for territorial integrity and national sovereignty. At that time, we had all received an urgent plea for help from the President of Georgia, Mr. Shevardnadze. He had publicly accused the Russian military of aiding and abetting an insurgent movement that was threatening to bring down his democratically elected government. His cry for help, met deaf ears in this administration.

Now these events occurred in the early stages of the Russian test of their policy toward the near abroad. There were no speeches or policy statements clarifying their ambitions to exercise influence, extend their military reach, and assert control over the political and economic affairs of their neighbors.

We now have both actions and words which make clear Russian policy in the region. Foreign Minister Kozyrev, a so-called reformer, has spelled out Russian intentions in ambitious and aggressive terms. Before the world last fall at the General Assembly and in a speech just last week to the Russian ambassadors serving in the former republics he has established a Russian Monroe doctrine for the region. To prevent what he called a "security vacuum" in the area, Kozyrev said Russia must maintain a military presence in the former republics to protect Russian interests.

The U.S. response was strangely silent.

As I said, although I strongly oppose Russia's imperial reach, I have grown accustomed to the administration turning a blind eye to this advance. Just as they opposed linking aid to respect for territorial integrity, they also opposed earmarking funds for Ukraine. In establishing an account for Ukraine, I made clear I wanted to clarify United States support for its independent status. Among other arguments, I was told that this would be viewed as an insult to Moscow.

I believe this preoccupation with Moscow's sensitivities is directly contributing to the slow down in talks for full withdrawal of Russian troops from the Baltics. Although, Congress has made clear this is a high priority and designated funds to house returning troops to accelerate the process, a high level delegation from Latvia in town a few weeks ago concluded that the Russians have little interest and less incentive to withdraw. After their elections, the Russians suspended the withdrawal negotiations. Prior to this they were demanding extended leases on military bases as they continued to build a new radar facility on Latvian soil. These are not the signs of retreat.

In the past year, I have expressed my concern about Russian domination of the new republics. Whether it is stalled talks in the Baltics or the periodic suspension of oil shipments to Ukraine amounting to economic terrorism, the pattern is ominous and from my perspective, stands unchallenged by the United States Government.

Conceding Russian influence and control over the republics is inexcusable, but the administration has now taken the outrage one giant step forward. I believe we have essentially given Russia veto authority over our European policy over all of Europe.

Although the Partnership for Peace was broadcast by the United States and Russian Governments as a major achievement, few in Europe privately agreed. Having pressed the case for formal admission to NATO, Lithuania, Poland, Hungary and the Czech Republic were flatly rejected. Having pleaded for acceptance and protection, these nations were left out in the cold.

Let me read some of Lech Walesa's comments about the Partnership for Peace and the NATO summit. "You can't talk about partnership but of blackmail. There is no partnership in blackmail * * * Russia is putting pressure on NATO by setting conditions. What kind of partner exerts pressure? That's how I see it today and I am not happy about it because no one, neither NATO nor other western countries has anything to gain by it."

After meeting with President Clinton and the other Visegrad leaders in Prague, Walesa offered a grim observation. "The world's big powers settled the matter. We'll try to make the best we can of it." Hardly a ringing endorsement.

An envoy of Poland's government in exile during the war and one of the nation's leading commentators summed up the situation in Europe this way: "The greatest threat is that the lack of reaction to Moscow's imperialist rhetoric could be understood as silent approval or even encouragement." He want on to characterize the Partnership as appeasement of Russia—as we all know, appeasement is a word loaded with volumes of history in Europe.

Concerned about the Central Europeans' point of view at the hearing early this week, I asked Ambassador Talbott what these nations would have to do to guarantee admission to NATO.

His answer: "Well, the President made clear in Brussels that the issue of actually expanding the membership of NATO Alliance per se will have to take into account a fairly wide range of issues which one can only speculate about now, but they will include the whole security picture in Europe and, indeed, Eurasia." I am not quite sure what that says, Mr. President.

Well, we all know the President did not make clear in Brussels the exact terms for expanding NATO. He could not make clear the conditions because it would demonstrate beyond a shadow of any sinister doubt that we have accorded Russia veto authority over NATO's membership.

Instead of a reluctance to draw lines, I view the Partnership as a reluctance to make a decision, an unwillingness to define U.S. interests apart from politics and personalities in Moscow.

I had thought we had learned our lesson about yielding U.S. leadership and interests in the streets of Mogadishu.

By refusing Hungary, Poland, and the Czech Republic admission to NATO we have capitulated to Russian interests and Russian pressure. We have bowed to the Russian desire to blur the lines between democracy and despots—the line between freedom and fascism.

I was struck by former Secretary of State Henry Kissinger's ever cogent analysis of the European scene which appeared a few weeks ago in the Los Angeles Times. He said, "A moderate Russian foreign policy will be impeded by turning a blind eye to the reappearance of Russian imperial pretensions. Russia's efforts at reform cannot exempt it from accepted principles of conducting foreign policy."

I share his view that in allowing Russia veto authority over our European interests we may damage the very cause we hope to advance—Russian political and economic reform. That is what we all want to see. Ambassador Talbott and the President take the view that drawing new lines, including the Visegrad democracies within the NATO circle of security will inflame nationalist elements in Russia. This could, in turn, complicate if not jeopardize the future of reform and reformers.

But once again, I am cautioned by Mr. Kissinger who noted:

> It is, in fact, ambiguity about dividing lines not their existence, and ambivalence about Western reactions, not their certainty that tempt militarists and nationalists.

Mr. President, left out in the cold, I fear the worst for the new democracies in Central Europe. Let us accept for one moment the prospect outlined yesterday in the Washington Post, that Ukraine is on the verge of economic implosion. Just for the subject of discussion, let us assume that Ukraine is on the verge of economic implosion. Although there are fierce advocates of independence in the western part of Ukraine, it is unclear how long the eastern part would or could withstand Russia's declared interests in reestablishing dominion. The Visegrad nations have repeatedly and publicly clear that an independent Ukraine is an essential buffer in maintaining geostrategic stability and security. Envision this, Mr. President. Faced with Russian predators, what is to stop the Central Europeans from forging a security coalition with the remnants of the Ukrainian Government shielded by Ukrainian nuclear weapons?

A year ago it was unthinkable, but a year ago, the democracies of Europe believed they would be accepted into NATO with open arms.

I offer this history, this overview to put my amendment in a context, to explain why I think the Partnership for Peace is inadequate to the task of preserving European stability and security.

We all want Boris Yeltsin to succeed. That is not the issue. For myself, I worked hard to achieve passage of the foreign operations bill which provided $2.5 billion in aid to the New Independent States just last year. But, wanting Yeltsin and reforms to succeed should not mean we allow our agenda to fail.

Leadership brings with it the responsibility to make decisions, to draw lines. Those lines should be based on principles, not the personality or politics of the moment.

The Senate must speak with confidence—we must assure our friends in Europe that as they meet specific standards—when they share and advance the agenda of political and economic freedom, when they are willing and able to commit resources to our mutual defense, they will be welcome in NATO. There should be no doubt that if you share our agenda, you share our security blanket, as well.

So, basically what I am suggesting here is that the Senate, through this sense-of-the-Senate resolution, indicate that it believes that countries in Central Europe which meet the standards applicable to any other NATO applicant be welcomed to that important organization. I hope the amendment will be adopted.

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

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

AMENDMENT NO. 1280 TO AMENDMENT NO. 1279

(Purpose: To express the sense of the Senate regarding participation in the North Atlantic Treaty Organization)

Mr. McCONNELL. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1280 to amendment No. 1279.

Mr. McCONNELL. 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:

Strike all after "SEC." and insert the following:

( ) The Congress finds that:

(1) The Warsaw Pact has been disbanded and replaced by governments with legitimate political, economic and security interests;

(2) It is in the national interests of the United States to preserve European regional stability through the promotion of political and economic freedom and respect for territorial integrity and national sovereignty;

(3) The North Atlantic Treaty Organization has served and advanced U.S. and European interests in political stability and collective security for forty five years.

(4) The Poland, Hungary and the Czech Republic have expressed interest in joining NATO. Therefore, it is the sense of the Senate that,

(1) European nations which have demonstrated both capability and willingness to support collective defense requirements and established democratic practices including free, fair elections, civilian control of military institutions, respect for territorial integrity and the individual liberties of its citizens share the goals of the North Atlantic Treaty Organization; and

(2) The United States should urge immediate admission to NATO for those nations which advance and support this common agenda.

Mr. McCONNELL. 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. McCONNELL. 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. McCONNELL. Mr. President, I ask for the yeas and nays on the second-degree amendment that I sent to the desk.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. McCONNELL. 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. 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.

Mr. HELMS. I call for regular order.

The PRESIDING OFFICER. The regular order is amendment 1278 offered by the Senator from North Carolina.

Mr. HELMS. I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. HELMS. 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. KERRY. 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. KERRY. Mr. President, I ask unanimous consent that the pending amendments be temporarily set aside.

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

Mr. KERRY. What we are intending to do at this time, I believe Senator DOLE has an amendment and we would like to proceed forward with business on this bill while we work out some of the parliamentary situations surrounding the amendments currently before the Senate.

So if Senators have additional amendments at this time—and it is my understanding that Senator DOLE was prepared to come forward with an amendment on the Bosnia embargo. I think Senator SIMPSON wanted to speak momentarily.

Until they arrrive, 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. DOLE. 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. DOLE. Mr. President, I am going to send an amendment up momentarily on behalf of myself, Senators LIEBERMAN, LUGAR, MOYNIHAN, HELMS, D'AMATO, BIDEN, and FEINGOLD.

I thought first I might explain the amendment, and I will not take a great deal of time. I know the managers are trying to get amendments out of the way, and I am very happy to cooperate. The majority leader would like to get a list of the amendments so we will know precisely what may be ahead.

UNITED STATES ARMS EMBARGO ON BOSNIA

Mr. DOLE. Mr. President, the siege of Sarajevo began on April 6, 1992, and since that time, the world has watched with horror as the citizens of Bosnia and Herzegovina have been systematically terrorized, driven out of their homes, and murdered by the tens of thousands.

The leaders of the international community have failed to respond adequately or effectively to this blatant and brutal act of aggression against a U.N. member state.

Sanctions were imposed against Serbia in May 1992. But, by the summer of 1992—with about 65 percent of Bosnia under Serbian occupation—it became clear that hard liner Slobodan Milosevic and Serbian-backed irregular forces would not respond to economic or diplomatic pressure by the United Nations and the European Community. How did the international community react to Serbian intransigence? By boldly moving forward with more resolutions, more speeches, and more diplomatic handwringing.

Indeed, the only real U.N. Security Council action was undertaken by the clerks who typed and photocopied numerous pages of resolutions and reports. Sure, a NATO no-fly zone exists, safe havens have been established, and air strikes are a possibility, but only in theory, in U.N. and NATO documents.

In the fall of 1993, when it became evident that these paper threats would fail to do the trick, the international community redefined the war in Bosnia as a civil war, turning a blind eye to Serb and Croat support of irregular forces, and to the presence of regular Yugoslav Army and Croatian Army units in Bosnia. For the past few months, the Europeans and United Nations, through their envoys, Lord Owen and Thorvald Stoltenberg, have been pressuring the Bosnians to surrender and sign a deal leading to a three-way division of Bosnia, leaving the Bosnian Government in control of about one-third of their original territory.

Mr. President, let us face it, the Europeans never had the resolve to take on the second-rate forces directed by Belgrade. And, the United Nations lacked the will to use force even in limited ways—to implement the so-called safe havens resolutions or to facilitate the delivery of food to starving Bosnians. The fact is that almost any thug with a gun can stop a U.N. convoy.

But, putting the international community's lack of courage and principle aside, what is most egregious and indefensible is that the international community has maintained an arms embargo on the Bosnian Government. In effect, the world has said, "we will not defend you and we will not let you defend yourself. Your only option is to surrender." And so, the trigger-happy terrorists in the hills around Sarajevo can target a school, a hospital, or a playground and know with almost complete certainty that they need not fear any reprisals—they can slaughter innocent children at play. If you watched TV over the weekend, you saw six children slaughtered in a playground and many others injured. They can do it without any consequence.

I cannot forget the pictures shown this week on CNN of blood-soaked snow which only moments earlier had been the scene of children sledding. What if these had been pictures of Paris or London? Would the U.N. Security Council claim that the British and French do not have the right to defend themselves? Is the right to self-defense limited to the permanent members of the Security Council?

I am deeply disappointed that both this administration and the previous one failed to assert the leadership necessary to move the international community toward policies that would let the Bosnians, at the very least, defend their families and their homes.

President Clinton, when he was a candidate and through the early months of his Presidency, publicly supported the idea of lifting the arms embargo. Unfortunately, to date, President Clinton has not used the tremendous influence of his office to build support in favor of this option, but he still believes in it because I heard him say so myself.

I do not think it is too late to do the right thing. I believe that in light of growing frustrations with the ineffective U.N. peacekeeping operation in Bosnia, another opportunity has presented itself to revisit the issue of lifting the arms embargo. Citizens in countries such as Canada which have sent troops to join UNPROFOR in Bosnia are becoming weary of a situation where their troops seem to be sitting ducks; public sentiment is growing to pull UNPROFOR forces out. You hear it almost every night on television.

The administration is right to oppose the introduction of United States ground forces into Bosnia to impose a peace settlement as has been urged by the French. Bosnia is not a colony, it is a member state of the United Nations with rights under the U.N. Charter, including the right to self-defense. But, opposing bad ideas is not enough. The United States must assert leadership in support of a better course of action.

Now is the time for the administration to push again for lifting the U.N. arms embargo. And, the first step should be the United States lifting its

embargo on the Bosnian Government. By providing arms to the Bosnians we not only improve their ability to defend themselves, but enable them to protect and deliver critically needed humanitarian aid.

Clearly, the President is focused on his domestic agenda, but lifting the U.S. embargo and pressing for the U.N. Security Council to do the same will not require a great deal of the President's time—probably just a few phone calls to Prime Minister Major, President Mitterand, and of course, President Yeltsin—who has been staunchly supported by President Clinton and the U.S. Congress—to the tune of $2.5 billion this year alone. Indeed, such a move will be a big step toward the just resolution of this tragic war in a manner that does not involve a massive commitment of U.S. resources—to include U.S. military personnel.

Therefore, in the hope of urging the President toward this course of action, I am offering this amendment, together with Senators LIEBERMAN, LUGAR, MOYNIHAN, HELMS, D'AMATO, FEINGOLD, and BIDEN. It states that it is the sense of the Senate that the President should terminate the United States embargo against Bosnia, pursuant to article 51 of the U.N. Charter, and provide military assistance to the Government of Bosnia and Herzegovina upon receipt of such a request.

This amendment is essentially the same language that was passed by the Senate Foreign Relations Committee during its markup of the foreign aid authorization bill—a modification of the bill I introduced last year, S. 1044. It is also similar to language passed last year in the House, based on the companion bill to S. 1044 introduced by Congressman HYDE.

Mr. President, maybe this is not going to have any impact. We all have to be very careful about passing resolutions, handwringing, speeches, and things that really do not help.

But it seems to me at least this sends a message and supports the President in a very ticklish situation, with the British and the French on the other side. It seems to me that many of us on the floor on both sides of the aisle and the President himself and the Vice President have been talking about lifting the arms embargo for a long, long time. We have not been able to persuade our allies. But, what is at stake here is not just Bosnia but the international order.

So I hope we could at least send a signal and underscore the support in the U.S. Senate, bipartisan support for this sense-of-the-Senate resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise as a cosponsor of the Republican leader's bipartisan measure, and I would like to echo his theme, which is to say that it is not too late. It is possible, I know, to have reached the contrary judgment. It is possible, that when CNN broadcast a mortar shell killing 6 children playing with sleds, that one just moved to another channel. It is possible, I suppose, to ignore the account in this morning's press that regular Serbian Army units are operating in Bosnia. It is possible to assume that nothing having been done, nothing will be done.

But I say, as Senator DOLE has said: it is not too late. What is at issue is far too important to let go by. The resolution speaks to Article 51 of the United Nations Charter which guarantees the right of self-defense.

What we have allowed to happen so far is indefensible. We have suborned violations of international law. In the first instance by standing by while the Serbian Army invaded Bosnia. And then compounding that violation of the Charter by denying the Bosnian Government the means of self-defense. We have helped create a caricature of what the United Nations was meant to be.

Can we ever imagine that that Charter, which grew out of the invasion of nations around the world by Nazi Germany, fascist Italy, imperial Japan and by such like nations, would permit this? It says that the one absolute rule of international law is that armies will not cross borders, armies will not invade and partition other nations. The drafters of the Charter could not have imagined that we would first see an invasion occur and then place an embargo on the injured, the aggrieved party, the invaded nation. Denying it even that elemental residual right of Article 51 which says that if the international community will not maintain international law you can at least defend your own lives and land.

The Republican leader said that the invasion began April 1992. Mr. President, I was in Sarajevo in November 1992. I made my way in there. The Canadian Air Force took me in and the next day the British Air Force took me out. As hard as it was to believe what you saw already, the playing fields in the high schools, the soccer fields being turned into cemeteries, there being no room left in the regular cemetery.

As difficult as it was to believe that, it was surely not possible to believe that it would last through another winter and through that winter and on into another winter. Military men of great morale and endurance have been getting food in there. According to the United Nations High Commissioner for Refugees, there were two persons directing the relief effort in the whole of Sarajevo when I was there, but they were feeding a city that had no food. Whatever came in by airlift or convoy one day, was eaten the next.

And yet, it has gone on another year. George Soros, a man of great stature who has made great endeavors on this subject, said something painful; rending. He said, "Sarajevo has become a concentration camp run by the United Nations."

I spoke with the Deputy High Commissioner for Refugees in Geneva not long ago and I asked him about this. He said, we can indeed say it is a camp, a refugee camp of people, deprived of every means of existence, being maintained by others. And I say that is indefensible.

We will not forgive ourselves if, in the first large event of the post-cold-war era, we allow international law to be shredded, when we deny even the capacity of self-defense to a nation being torn apart by ethnic hatred and foreign invasion.

When I was in the region in November 1992, the city of Mostar was still there. That 16th century bridge, a world monument, was still there. It is all gone, destroyed by the Croatian side, which has joined in preying on the remains of the Moslem population and a Bosnian Government that cannot defend itself.

And it does not stop here. Will Macedonia be next? Will Albania be next? Will the violence in the Balkans spread? Will Serbia find that its huge northeastern region is in fact Hungarian? Will ethnonationalism, to use Walker Connor's term, spread across Europe, as indeed it is waiting to do? And will it have been invited to do because we have done nothing?

Senator DOLE said the previous administration has done nothing, nor has the present. President Clinton has made clear his conviction that we should lift this embargo. I have heard it from him myself, as the Senator from Kansas said he had done. And it is time to do. It is time to say, "enough."

And it is not too late. That is the proposition I would put. Despite all probabilities, Sarajevo is still alive. Despite enough horror to numb a population, to turn it into a passive and doomed community, that has not happened.

I would say to you that everything America has stood for in the international order for the last 50 years, from the time of Woodrow Wilson, is at issue here.

I have served as Ambassador to the United Nations. I have served as President of the Security Council. I could not have imagined in those days that we would let such an event as this take place.

I see the Republican leader has returned to the floor. I want to say, I am honored to be associated with this amendment. The honor of the Senate is at issue, the Senate that ratified the United Nations Charter which absolutely forbids the invasion of one country by another and absolutely guarantees the right of self-defense. Those matters are at issue. And to say once again, as Senator DOLE has said, it is not too late.

I hope that we might vote on this amendment. I do not wish to interfere too much with the proceedings, but I would like to inquire of the distinguished manager, does he intend to have a vote on this?

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I would say to the Senator from New York that we are just determining that now. I am a supporter of this. I voted for it in committee. I would like to say a few words about it in a moment.

I am prepared to accept it, but the issue is whether or not we want to have a rollcall vote.

Mr. DOLE. I am checking on this side. I think it is a very important issue. I am not certain that we would want to do it on a voice vote. But I will let the manager know very shortly.

I did listen to all of what the Senator from New York had to say. I certainly appreciate it, because he was there and he probably understands it better than I.

If the manager would permit me to send the amendment to the desk, because I failed to do that. And I want to add the distinguished Senator from Wisconsin [Mr. FEINGOLD] and the distinguished Senator from Michigan [Mr. LEVIN] as cosponsors.

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

Mr. DOLE. The distinguished Senator from Delaware [Mr. BIDEN] is already a cosponsor.

AMENDMENT NO. 1281

(Purpose: To express the sense of the Senate regarding termination of the United States arms embargo of the Government of Bosnia and Herzegovina, and for other purposes)

Mr. DOLE. I send the 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 Kansas [Mr. DOLE], for himself, Mr. LIEBERMAN, Mr. LUGAR, Mr. MOYNIHAN, Mr. HELMS, Mr. D'AMATO, Mr. BIDEN, Mr. FEINGOLD, Mr. KERRY, and Mr. LEVIN proposes an amendment numbered 1281.

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

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

The amendment is as follows:

On page 179, after line 6, insert the following new section:

SEC. . POLICY ON TERMINATION OF UNITED STATES ARMS EMBARGO.

(a) FINDINGS.—The Congress makes the following findings:

(1) On July 10, 1991, the United States adopted a policy suspending all licenses and other approvals to export or otherwise transfer defense articles and defense services to Yugoslavia.

(2) On September 25, 1991, the United Nations Security Council adopted Resolution 713, which imposed a mandatory international embargo on all deliveries of weapons and military equipment to Yugoslavia.

(3) The United States considered the policy adopted July 10, 1991, to comply fully with Resolution 713 and therefore took no additional action in response to that resolution.

(4) On January 8, 1992, the United Nations Security Council adopted Resolution 727, which decided that the mandatory arms embargo imposed by Resolution 713 should apply to any independent states that might thereafter emerge on the territory of Yugoslavia.

(5) On February 29 and March 1, 1992, the people of Bosnia and Herzegovina voted in a referendum to declare independence from Yugoslavia.

(6) On April 7, 1992, the United States recognized the Government of Bosnia and Herzegovina.

(7) On May 22, 1992, the Government of Bosnia and Herzegovina was admitted to full membership in the United Nations.

(8) Consistent with Resolution 727, the United States has continued to apply the policy adopted July 10, 1991, to independent states that have emerged on the territory of the former Yugoslavia, including Bosnia and Herzegovina.

(9) Subsequent to the adoption of Resolution 727 and Bosnia and Herzegovina's independence referendum, the siege of Sarajevo began and fighting spread to other areas of Bosnia and Herzegovina.

(10) The Government of Serbia intervened directly in the fighting by providing significant military, financial, and political support and direction to Serbian-allied irregular forces in Bosnia and Herzegovina.

(11) In statements dated May 1 and May 12, 1992, the Conference on Security and Cooperation in Europe declared that the government of Serbia and the Serbian-controlled Yugoslav National Army were committing aggression against the Government of Bosnia and Herzegovina and assigned to them prime responsibility for the escalation of bloodshed and destruction.

(12) On May 30, 1992, the United Nations Security Council adopted Resolution 757, which condemned the Government of Serbia for its continued failure to respect the territorial integrity of Bosnia and Herzegovina.

(13) Serbian-allied irregular forces have occupied approximately 70 percent of the territory of Bosnia and Herzegovina, committed gross violations of human rights in the areas they have occupied, and established a secessionist government committed to eventual unification with Serbia.

(14) The military and other support and direction provided to Serbian-allied irregular forces in Bosnia and Herzegovina constitutes an armed attack on the Government of Bosnia and Herzegovina by the Government of Serbia within the meaning of Article 51 of the United Nations Charter.

(15) Under Article 51, the Government of Bosnia and Herzegovina, as a member of the United Nations, has an inherent right of individual or collective self-defense against the armed attack from the Government of Serbia until the United Nations Security Council has taken measures necessary to maintain international peace and security.

(16) The measures taken by the United Nations Security Council in response to the armed attack on Bosnia and Herzegovina have not been adequate to maintain international peace and security.

(17) Bosnia and Herzegovina has been unable successfully to resist the armed attack from Serbia because it lacks the means to counter heavy weaponry that Serbia obtained from the Yugoslav National Army upon the dissolution of Yugoslavia, and because the mandatory international arms embargo has prevented Bosnia and Herzegovina from obtaining from other countries the means to counter such heavy weaponry.

(18) On December 18, 1992, with the affirmative vote of the United States, the United Nations General Assembly adopted Resolution 47/121, which urged the United Nations Security Council to exempt Bosnia and Herzegovina from the mandatory arms embargo imposed by Resolution 713.

(19) In the absence of adequate measures to maintain international peace and security, continued application to the Government of Bosnia and Herzegovina of the mandatory international arms embargo imposed by the United Nations Security Council prior to the armed attack on Bosnia and Herzegovina undermines that government's right of individual or collective self-defense and therefore contravenes Article 51 of the United Nations Charter.

(20) Bosnia and Herzegovina's right of self-defense under Article 51 of the United Nations Charter includes the right to ask for military assistance from other countries and to receive such assistance if offered.

(b) POLICY ON TERMINATION OF ARMS EMBARGO.—(1) The President should terminate the United States arms embargo of the Government of Bosnia and Herzegovina upon receipt from that government of a request for assistance in exercising its right of self-defense under Article 51 of the United Nations Charter.

(2) As used in this subsection, the term "United States arms embargo of the Government of Bosnia and Herzegovina" means the application to the Government of Bosnia and Herzegovina of—

(A) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 Fed. Reg. 33322) under the heading "Suspension of Munitions Export Licenses to Yugoslavia"; and

(B) any similar policy being applied by the United States Government as of the date of receipt of the request described in subsection (a) pursuant to which approval is routinely denied for transfers of defense articles and defense services to the former Yugoslavia.

(c) POLICY ON MILITARY ASSISTANCE.—The President should provide appropriate military assistance to the Government of Bosnia and Herzegovina upon receipt from that government of a request for assistance in exercising its right of self-defense under Article 51 of the United Nations Charter.

Mr. KERRY. Mr. President, I will just take a moment before my colleague from Wisconsin speaks. I would like to take a moment in support of the amendment and then defer to my colleagues.

There are some who will not like this, and maybe some in the administration who do not.

On my way back from China and Vietnam, I had 2 days of meetings in both Paris and London with the Defense Minister and those negotiating the question of Bosnia. I must say, I was struck by the decision that seems to have settled in in Europe that this is somehow something that they cannot really do anything about; that it does not necessarily represent a vital interest of any kind; and if it did amount to something, they would want to do something about it.

What strikes me even more about this situation is that we have joined in the United Nations in a resolution that has fundamentally created a disequilibrium and that has denied a State that we recognize and that the United Nations has accepted for membership, denies that State their own access to the capacity to defend themselves.

It is contrary not only to the charter of the United Nations itself, but I think it is contrary to any sense of fairness or common sense that someone might have.

We should note that the Bosnians appear on the battlefield at this point to be doing quite well and to have proven that even notwithstanding this embargo they know how to defend themselves and are prepared to do so.

Nevertheless, you cannot help but recognize that over the course of time the Serbs—particularly supported from the outside over this entire period of time—have had an extraordinary ability to work their will and to create a disequilibrium at the negotiating table, and in the process of trying to achieve a peace.

If it is to be that Europeans and Americans decide that they do not have a dog in this fight or that they do not have any interest worth our being involved—and that may well be—they at least should not leave it to others to fight it out in an unfair situation created by our own policy.

What we have done is restrain the ability of Moslems to address their own vital interests of national security and defense. And it has cost lives. There is no doubt about that.

So I think the Senator from Kansas is absolutely correct. It is not too late to at least redress that imbalance. And if it is to be that this is going to be resolved by the parties, then let them resolve it on the basis of the Charter of the United Nations, the right to defend oneself, and let them resolve it without the United States of America joining with other countries in denying the ability to fairly be able to do that.

That is not an ideal outcome. But nobody has suggested an outcome in this event that somehow is ideal and no one has suggested a way that anybody is willing to shed the blood. They are shedding the blood and they are doing it at remarkable disadvantage—at a disadvantage placed on them by us.

That is not only unfair, it is absurd.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Senator from Massachusetts. I rise to join as an original cosponsor of this resolution. As I do it, I am both pleased to be a part of it, and also saddened. I am pleased because, if I have ever seen anything that is long overdue, it is taking this action, lifting the arms embargo. I am saddened because there really was no reason at all why this could not have been done a year ago.

I must say, the first resolution I ever introduced in the United States Senate was Senate Resolution 79 last March that called for lifting the arms embargo against Bosnia. At the time there did not seem to be much talk about that. There was a six-point plan the administration was talking about. There was a discussion of bombing. There was a discussion of sending 25,000 or 50,000 troops. People seemed unable to talk about just lifting the arms embargo in isolation, as if it was just a minor step, as if it would not do much good.

The sad commentary is because we failed to act, there has been an unbelievable amount of unnecessary suffering on the part of the people of Bosnia in the past year. Even at the time when we were commemorating the Warsaw Ghetto tragedy and the opening of the Holocaust Museum—we all went to the ceremonies, the extremely moving ceremony in the Capitol Rotunda—everyone made the statement: "Never again."

This was, in Bosnia, similar to what had happened in the Warsaw Ghetto; that just a few people in the Warsaw Ghetto, with just a few arms could defend themselves for an unbelievable length of time. But still no action was taken.

I confess I was concerned that we should not act unilaterally, as this resolution has us do, because, after all, we had supported a Security Council resolution that called for this arms embargo to exist. As the Senator from New York pointed out, we created this situation. We put an arms embargo on all of the former Yugoslavia. The result was that the Serbians had all the arms, and the Bosnians had virtually none. And I was concerned that, somehow, it would be a breach of our commitment to the United Nations, and to the Security Council resolution if we voted to act unilaterally.

That is why I am fortunate to serve on the Senate Foreign Relations Committee with the Senator from New York. Because he came into that committee a few months ago and he pointed out that even though there may be a Security Council resolution calling for an arms embargo, there is a higher law within the United Nations Charter. That is Article 51, which says the right of self defense is paramount for all member nations. Bosnia became a member nation in April 1992.

That argument was persuasive to me, not only because it made sense but because it came from somebody who was president of the Security Council—awfully well-qualified to talk about the legal position. In the Foreign Relations Committee we did vote to lift the arms embargo.

The President, as the Senator from Kansas pointed out, did indicate his support for lifting the arms embargo. He did seek that action but was blocked by some of our European partners in NATO, in particular, France and England. We were able to persuade them to allow us to drop the pallets of food and medicine but they blocked us from lifting the arms embargo.

One of the misunderstandings people have about this situation is that somehow we will help solve the problem by dropping a few bombs or by sending American troops in there. They refuse to acknowledge the basic fact. There actually are far more Bosnian Moslems than Bosnian Serbs and that many of them are ready to fight. They just do not have the arms. That is why it is so sad that we have let a year go by without providing them with the basic opportunity to defend themselves.

I think the most important thing that has been said on this issue so far has been said by the Senator from New York. To me it is really the first message of hope I have heard on this subject for many, many months; that is, that it is not too late.

I confess I started feeling, after a few months, that we were not getting anywhere on this issue. You look at Sarajevo, you look at the tragedies, and you figure, "What good will these arms do?" It is easy to buy into that kind of an argument. It is easy to become fatalistic about this situation. But the Senator from New York is right. It is a terrible mistake to say it is too late. It is a terrible mistake to stand back and say this one is just too complicated for us, let us not get involved.

The Senator from Massachusetts correctly points out that something has changed on the ground very recently in Bosnia. The Bosnian Moslems are making progress. They are making progress against some of the Serbian positions. And, it is even a little bit of a sad commentary—they are making progress against the Croatian positions because, before this whole situation became completely messed up, there was some cooperation between the Croatian and Bosnian sides against the Serbians.

Why is that progress being made, though? Why, all of a sudden, are the Bosnian Moslems able to move forward? My reading of this and the information I have is they have, despite the embargo now, been able to obtain some arms. And the result has been dramatic. It has been a reversal on the ground.

Of course, what country is now crying out for a sudden peace settlement? What country is saying it is urgent? All of a sudden, France, the country that would not allow us to lift the arms embargo, is saying we have to stop this operation right away. Now that finally the Bosnians are gaining ground, now that finally they are able to move away from the humiliation of not being able to defend themselves because they are not even being given a gun to stand against an aggressor, they want action now.

I will be the first to say no side in this controversy is without blame. All

sides have committed atrocities. And the arguments you hear about which side has committed the worst atrocity at the worst time is open. The fact is, only one side has been almost completely disarmed and that is the Bosnian Moslem side.

We were, a few minutes ago, beginning to debate the question of whether various countries should be admitted to NATO. That is a very important question. But what that question raises is not whether a country can defend itself, but whether we will commit our own troops and our own Armed Forces to defend another country?

Of course, Poland and the Czech Republic and other countries have a strong right to ask that question. And we need to respond. But what about Bosnia? They are not asking us to be a part of NATO. They are just asking us for the basic human right to defend themselves. And we hem and haw. And we fail to correct the error that we made by putting the arms embargo into effect.

I know there are others who want to speak but let me just conclude by reading a quote from Bosnia's Prime Minister, Haris Silajdzic. A few months ago this gentleman had some of the most important comments on this issue. He was not the Prime Minister then. He is now the Prime Minister. And he still has some of the strongest things to say about this issue. What Mr. Silajdzic says now is not that the Bosnians are desperately losing and need the arms, but that they are making progress and need the help. He says:

> As soon as we begin to defend ourselves, it's as if they're saying, "How dare you? You, a helpless victim? A victim over which we can cry, quote principles, have conferences and pass resolutions, and mention in our campaigns?"
>
> The civilized world not only stayed away, in a flagrant breach of the United Nations charter, but they have also prevented us from defending ourselves by refusing to lift the United Nations arms embargo.

Mr. Silajdzic concludes by saying:

> We want one of two things from the West. Either defend us, or let us defend ourselves.

Mr. President, I wanted to commend the Republican leader, the Senator from New York, and the other sponsors of this for finally getting out to the floor of the Senate on this issue. This is something that should have been here a long time ago: The reversal of our egregious error in preventing the Bosnian Government from being able to defend itself. Thank you, Mr. President. I yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first let me commend the Republican leader for this amendment. It is a very important amendment. I believe it speaks the majority sentiment of this body—maybe unanimous—but surely the majority of this body that at least we should allow the Bosnians to defend themselves. It is one thing not to come to their assistance militarily as the capital, Sarajevo, is being pounded day after day, week after week, month after month, year after year. The siege goes on of a capital of a European country recognized by all of us, a member of the United Nations, a capital under siege being pounded by Serbian artillery.

It is bad enough that the world does not come to the military aid of that country, but it is absolutely shameful that we will not let them defend themselves. I find that to be the totally unacceptable response to this tragic situation.

We had a visit a couple months ago here in Washington by a newspaper publisher in Sarajevo, a newspaper called the Liberator. His name is Kemal Kurspahic. This brave man has published a paper for the last 2 years while that capital has been under siege. His staff is multiethnic. There are Moslems on his staff; there are Serbs on his staff; there are Croatians on his staff, day after day being able to get out a paper reflecting the diversity of that capital under those circumstances. They are living proof not just of the bravery of people in the newspaper business under extreme difficult conditions, they are living proof of the fact that Sarajevo is a multiethnic capital.

This is not just a case of one ethnic group fighting and slaughtering another. This is a capital which is diverse. It is made up of people of all races and ethnic backgrounds that are together trying to hold off and stave off the end of their country. Surely—surely—in the name of human decency, at a minimum, we can permit them to defend themselves. Surely if this world is not yet strong enough and, in my book, wise enough to come to the defense of a country which is the subject of such obvious aggression, if we are not yet in a position to do that, morality, common sense, decency requires us to allow them to defend themselves. For us to tell them that we will not even permit them to defend themselves against this aggression, it seems to me, is nothing less than shameful.

We have to end this embargo. I think we should do more, and I always felt we should do more, but we have been divided on that. I understand the complication of even air strikes. Although I favor them, I nonetheless understand the arguments against. But for the life of me, I do not understand how we can impose an embargo that affects but one of the three parties that are involved in this war. That, to me, is unacceptable. That is what would be ended if this resolution is adopted and the administration pursues the recommendation of this resolution.

I am proud to be a cosponsor of the amendment of the Senator from Kansas. He has been a fighter in the effort to at least let the Bosnians defend themselves. The people of Sarajevo and the other cities inside Bosnia have that basic human right. It is supposed to have been guaranteed to them under the U.N. Charter at a minimum. For heaven's sake, let us allow them to fight for their own survival and their own freedom. I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

ENDING THE MURDER IN BOSNIA

Mr. LIEBERMAN. Mr. President, while the Senate has been out of session these past 2 months, we have witnessed the enormous power of nature and seen the death and disaster which can occur because of forces beyond the control of men. Each of us was touched in some way by the devastation of the earthquake in California or by the unrelenting bitter cold and ice of the winter storms which have struck the Midwest and East. I have great sympathy for all of our citizens who suffered from these natural disasters and I hope that we will be expeditious in our consideration of relief measures particularly for the California earthquake victims.

But, Mr. President, these events pale in comparison to the death and destruction we have seen in these past years, months and even days, brought about not by the hand of God, but by the destructive and purposeful evil of one man's hand turned against another. Who among us was not heartsickened and outraged by the report from Sarajevo this weekend of the deaths of Jasmina and Indira Brkovic, Nermin Rizvanovic, Merza Dedovic, Admir Subasic, and another whose name I do not know? Were these soldiers who died fighting on a battlefield in what was once the civilized land of Yugoslavia? Were this true, we might be saddened at the continued loss of life and perplexed by the inability of the world community to end this senseless slaughter. But these were not soldiers. They were not even adults. These were children: Jasmina was 5, Merza was 8, Admir was 9, Indira was 11, and Nermin was the eldest at 12. What was the crime that these children were guilty of? What was it that brought them to their deaths before any of them even reached their teenage years? They were sledding in the fresh fallen snow outside their apartment building in Sarajevo. They were sledding when four mortar shells—perhaps from the Serbian artillery which overlooks Sarajevo and often fires into residential areas of that once beautiful city—landed in their midst.

I have a daughter who is the same age as some of these children. She and I took advantage of the fallen snow in Connecticut during the congressional recess and played together, of course without fear. Why should mothers and fathers in Sarajevo, or anywhere in the former Yugoslavia, have to worry that

if their children play in the snow, they could be blown to bits by shrapnel from a well-aimed or totally unaimed mortar round?

I have spoken on the war in Bosnia before in this Chamber, but never have I been more outraged than I am today. This is not the time for more handwringing and finger-pointing. Now is the time for America to act like the great and moral power that we are. We must stop making empty threats which only seem to amuse the criminals who authorize these shellings; we must act to end the slaughter. No more children can be allowed to lose their lives in Sarajevo while the world stands idly by. In the name of all that is decent and right let us act now to end the murder of innocents.

But how do we do that? What is there that we can do after so much blood has been shed to restore a modicum of sanity and humanity to this devastated land? A few weeks ago, I joined Senator DECONCINI, former Secretary of Defense Frank Carlucci, Ambassadors Max Kampelman and Jeane Kirkpatrick, Representatives SUSAN MOLINARI and FRANK MCCLOSKEY, former Carter administration official Hodding Carter, and Morton Abramowitz, Lane Kirkland, and Aryeh Neier in calling on President Clinton to lead NATO in resolving the unfinished business of peace in the Balkans. The proposals we made were entitled "Bosnia First" for they attempt to restore a meaningful division of responsibility for Bosnia and the Balkans. Based on the fundamental principles of the Atlantic Charter, the United Nations Charter, and the Helsinki Final Act, "Bosnia First" calls for NATO to focus its considerable resources on saving civilian lives by ensuring that humanitarian relief is actually delivered, stopping war crimes, and preventing a wider Balkan war. It also asserts the right and demands the restoration of the ability of the Bosnian people to defend themselves.

Our proposals do not call for the deployment of United States troops to Bosnia. But we do call for the United States and the world community to stand up for what is right and to exercise the same moral courage which our soldiers would show if they were ordered to Bosnia. First, the United States should invoke the United Nations Genocide Convention and support the International War Crimes Tribunal. Those who authorize the use of artillery against civilians and those who aim and fire such artillery as they did again this weekend merit condemnation as criminals. The International War Crimes Tribunal is the right first step to bring these people to international justice. Second, we call for the end of the arms embargo against Bosnia. We can no longer assert that the killing will end while one side has no legitimate access to the means of their own defense. Third, we must provide the legitimate Government of Bosnia the means to deliver humanitarian supplies and vital services to its own people. It is time to recognize that the U.N. effort to deliver humanitarian supplies is insufficient. Too little of the aid destined for the suffering in Bosnia actually gets to those for whom it was intended. The United Nations forces which are on the ground in Bosnia are too few in number, too lightly armed, and too restricted by their rules of engagement to effectively deliver aid when faced with hostile forces trying to prevent these deliveries or, worse, to divert them from their intended destinations. In assisting the Bosnian Government, air forces of willing NATO member states, including the United States, should be used as necessary to protect convey routes and aid corridors, to break roadblocks and sieges, and to prevent interference with the U.N.-Bosnian transfer of responsibility for delivery assistance.

Mr. President, we must at long last stand up to those who kill children in Sarajevo, who would commit genocide in Bosnia, and who ignore the cries of the civilized world for an end to this madness. It is time for us to say "Enough!" I ask my colleagues to join me today in telling the President of Serbia: "Mr. Milosevic, stop the slaughter!" If Milosevic turns a deaf ear to us as he has done in the past, then the leaders of the United Nations and NATO must act decisively and expeditiously to do it for him.

In summary, Mr. President, the State Department authorization bill, which the Senate is currently considering, has become every year that I have been in the Senate not just an authorization bill for the State Department, but an opportunity for Members of the Senate to speak out in various ways on pressing foreign policy problems and issues. I must say in that regard that it would have been irresponsible of the Members of this Chamber not to use this occasion to make some statement of concern, of anger, and hopefully of action in regard to what is happening in the former Yugoslavia. That is why I am grateful to the Senate Republican leader, the Senator from Kansas [Mr. DOLE], for initiating this amendment and why I am proud to be one of the original cosponsors of the amendment.

Mr. President, this Senator has spoken out in the past on the floor of the Senate about what has been happening in Bosnia—about the war in Bosnia. The situation there continues to be, not just in gross geopolitical terms but in direct palpable human terms, one of the most painful and perplexing experiences that has occurred in the world since I have come of age.

I cannot help but view it as a continuing and terrible failure of diplomacy and statecraft, and a failure of will, a failure of the civilized world to take action to stop the aggression, to stop what has been a genocide against the people because of their religion—namely, that they are Moslems—to stop the slaughter of innocent human beings. There are those who say that this is too complicated a situation for us to enter in any meaningful way. It is, of course, a complicated situation, but our failure to enter it at least within the terms of this amendment, which is to give the Bosnian Moslems the right to defend themselves, would, in my opinion, not only be irresponsible but immoral. It would at this moment in history, as the cold war ends and the former organizing principals of the world fall by the wayside, be an invitation to further extreme violence among ethnic groups in what was the Soviet Union.

Mr. President, there are those who say what is happening in Bosnia is just a continuation of centuries of ethnic conflict. But as the Senator from Michigan, who has spoken before me, has said, the conflicts may have come and gone over the years but the memory of many in the modern period has been of what was recently Bosnia as a multicultural society in which the various groups actually lived quite well together.

Perhaps one of the most painful and yet graphically illustrative tragedies in Bosnia in recent times was the picture of that elderly woman lying dead in the streets of Sarajevo, three people walking by almost looking casually at her body because the appearance of corpses in the streets of Sarajevo and other Bosnian cities is commonplace.

Then the story that followed: This was a Serbian woman who lived in Sarajevo and who had gone to try to pass a message to a granddaughter over the line, beyond this predominantly Moslem city of Sarajevo. She was hit by Serbian fire. All the complexity, all the irony, all the futility of the conflict and all the inaccuracy of the claim that this is just a continuation of centuries old violence seen in the tragic death of this Serbian woman falling at the hands of Serbian fire in the city of Sarajevo.

Mr. President, on every occasion of this awful story, when the United States or the Western World has seemed to be ready to act with force to stop the Serbian aggression, to stop the ethnic cleansing, the Serbs have hesitated, have pulled back, have begun to cooperate and yet, on every occasion, when the Western World—or the United States, in particular—has backed down from that forceful action, the Serbian aggression has begun again and the Moslems have been the major victims of that lack of will in the world community to press forward in some minimal way to come to their aid to allow them to negotiate a more reasonable end to this conflict.

Mr. President, a few weeks ago I was privileged to join with a bipartisan group, including our colleague, DENNIS DECONCINI; former Secretary of Defense during the Reagan administration, Frank Carlucci; Ambassadors Max Kampelman and Jeane Kirkpatrick; Congresswoman SUSAN MOLINARI; Congressman FRANK MCCLOSKEY; Hodding Carter and Morton Abramowitz, Lane Kirkland, and Aryeh Neier in a group called Action Council for Peace in the Balkans, which called on President Clinton to lead NATO in resolving the unfinished business of peace in that troubled region of Europe.

The proposals we made were entitled "Bosnia First," for they attempt to restore a meaningful division of responsibility for Bosnia and the Balkans. Based on the fundamental principles of the Atlantic Charter, the United Nations Charter, and the Helsinki Final Act, "Bosnia First" calls on NATO to focus its considerable resources on saving civilian lives by ensuring that humanitarian relief is actually delivered, stopping war crimes, and preventing a wider Balkan war. It also asserts—and I say that particularly in support of this amendment which the distinguished Senate Republican leader has taken the leadership in introducing—the right and it demands the restoration of the ability of the Bosnian people to defend themselves.

The proposals of this group went well beyond that right of self-defense to asking the United States to invoke the United Nations Genocide Commission and support the International War Crimes Tribunal, to actually involve air forces of willing NATO member states including the United States, as necessary, to protect convoy routes and aid corridors, to break roadblocks and sieges, and to prevent interference with the United Nations-Bosnia transfer of responsibility for delivering assistance.

But today with this amendment we have the opportunity to fulfill a minimal moral obligation and not only an opportunity to carry out a strategic responsibility, which is to try to bring an end to a conflict in Europe before it spreads wider and involves Europe and perhaps the rest of us in fighting that we will regret. Twice in this century we have turned our back on conflicts in Europe only to be drawn in later at a much larger price in blood and resources.

Mr. President, this amendment recognizes the right of self-defense of the people of Bosnia under article 51 of the U.N. Charter. It asks and urges the President to terminate the United States embargo on the Government of Bosnia and Herzegovina upon receipt from that Government of a request for assistance in exercising its right of self-defense under article 51 of the U.N. Charter. It encourages the President to provide appropriate military assistance to the Government of Bosnia and Herzegovina upon receipt from that Government of a request for such assistance; namely, in the form of arms.

Mr. President, once again we have an opportunity to do something meaningful, to do more than wring our hands and look at the dreadful stories of this weekend—as the Senate Republican leader remarked, this terrible story of these five or six children playing in the snow, sleigh riding, in Sarajevo, killed by mortar shells. This is an opportunity to do something that can affect the balance of military action and the imbalance in moral action in the former Yugoslavia.

I thank the Senate Republican leader for taking the lead on this. Again, I am proud to be a cosponsor. I hope that we will have a rollcall vote on this because it seems to me we have spoken on other amendments here by way of rollcall. This is so pressing and profound an issue that I hate it to go by with just silent assent. I think we all ought to stand up and vote and send this message to our administration and also, send a small message of hope to the people in Bosnia.

I thank the Chair and I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas, the minority leader.

AMENDMENT NO. 1281, AS MODIFIED

Mr. DOLE. I send a modification of the amendment to the desk. I said in my statement it was a sense-of-the-Senate resolution, and that does not appear in the appropriate place in the amendment, so I send a modification to the desk.

The PRESIDING OFFICER. The Senator has the right to modify his own amendment, and the amendment is so modified.

The modification is as follows:

On page 6, line 7, after "1)" insert "It is the sense of the Senate that"

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

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

I withhold.

The PRESIDING OFFICER (Mr. LIEBERMAN). If the Senator will withhold, the Chair recognizes the Senator from Nevada [Mr. REID].

Mr. REID. I thank the Chair. I also extend my congratulations to the Republican leader for offering this amendment.

Mr. President, about a year ago, the Democrats had a retreat in Virginia. At the retreat there was a long debate on what should be done in Bosnia and Herzegovina. The discussion included whether there should be bombings, led by American planes. That discussion ended by saying perhaps, maybe. The discussion of sending American troops was a resounding no, and the discussion on arms for Bosnia was also a no.

Now, during the past 10 or 11 months, I have stood by the belief that the United States should not be involved in exporting arms to other countries. We should in fact try to help other countries through other means. Economic aid certainly is appropriate in many instances. But rarely have I believed that there is a need for the United States to export arms to another country.

In fact, I can remember very clearly appearing before a large group of Pakistani physicians. There are about 3,000 or more of them in the United States. Under some very intense questioning I stated to those assembled physicians that I did not believe it was appropriate to send arms to the people in Bosnia and Herzegovina.

Now, during the period of time that has transpired since the debate, the discussion in Virginia at the Democratic conference, a lot has taken place. About 70 percent of the territory of Bosnia and Herzegovina has been overrun by the Serbs. There is rarely a day goes by that we do not see depicted on television, and in the newspapers, the terrible tragedies that are taking place there.

Mr. President, even I have had enough. Even I can take no more. I think the time has come, where one of those rare opportunities has presented itself to this Congress that we have to say to the rest of the world that we, the most powerful nation in the world, are not going to send troops to Bosnia and Herzegovina. I do not personally believe that we should do bombing, but should we not at least allow those people to have some type of weapons to defend themselves?

I say again, Mr. President, even I, who rarely believes we should export arms, believe the time has come we should do away with all of the niceties and do what the United Nations articles call for.

Article 51 of the United Nations Charter says that a country has an inherent right of self-defense. This does not mean that we are saying that Bosnia is going to overrun Europe. We are saying that these men and women and children should be defended. By whom? By the Bosnians and Herzegovinans, by the Moslems who are in control of that part of the world, what little part remains to them, the 30 percent of their previous country.

So I say that the United States should provide appropriate military assistance to the Government of Bosnia and Herzegovina upon receipt from them, which I am sure will come very quickly, of a request for assistance to exercise their right for self-defense. The time has come. We can wait no longer.

Mr. HELMS. Mr. President, I am advised that Senator LUGAR is on the way to the Chamber and wishes to speak on the amendment. 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. BIDEN. 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. BIDEN. Mr. President, is time under control of anyone?

The PRESIDING OFFICER. There is no time control at this time.

Mr. BIDEN. Mr. President, I will not take much time. I rise in support of and as a cosponsor of the Dole amendment on Bosnia.

Mr. President, I expect this body might be tired of hearing me speak so many times on this issue.

Mr. President, the distinguished chairman of the Finance Committee, and genuinely an expert on foreign policy, no one knows more about its impact on international events and domestic events in other countries than the Senator from New York, chairman of the Finance Committee, who has already spoken. And he asked a number of questions: Does this mean the war will spread? He asked four questions. I will presumptuously answer them all. The answer is yes, yes, yes, yes.

There is nothing good that comes from our continued inaction and paralysis, nothing good for the United States, nothing good for world peace.

I stood on this floor about a year ago, asking for the embargo to be lifted. I stood on this floor 8 months ago, 6 months ago, 4 months ago, asking for the embargo to be lifted.

I also might tell you very bluntly that I think we should also be using air power. I think we should have been using it a year ago, a year and a half ago. And each time I heard the same argument that I am hearing today when I hear arguments against this proposition; too late, does not work, beyond our control. That was wrong then, wrong 18 months ago, wrong 12 months ago, wrong 8 months ago, wrong 6 months ago, wrong 4 months ago, and is wrong now.

Mr. President, last April, after traveling to Bosnia, to Sarajevo, to Tuzla, to Croatia, to Serbia, I submitted a report to the Foreign Relations Committee in which I called on the administration to seek the lifting of the arms embargo and to use military power against Serbian military targets.

What was said then was true then. What was predicted then has occurred now. And what has not occurred, yet that is predicted in this report, I will bet my political career on, will occur.

Our failure as a nation to exert leadership over the Western alliance, to deal with the situation in Bosnia has resulted in an exacerbation of the crisis and has undermined the identity and the rationale for NATO, has diminished the possibility of prospects for the United Nations taking on a new role in a new world order to bring about a change in world politics for the next two decades, if not the next two generations.

All we are asking here is for a simple, simple proposition. How in God's name can we argue against lifting the embargo? For God's sake. We put the embargo on in the name of diminishing bloodshed. Do I need to make the point any more than to submit for the Record the total number of casualties that have occurred in Bosnia and Herzegovina since we put the embargo on? What in the devil could have happened more? Perversely, the British and French have argued that if we lift the embargo we are going to perpetuate the bloodshed. They are idiots. And we are acting collectively as a free world like cowards.

We stood on the floor 18 months ago, I said in this report several months ago, and a lot of times in between, and said Yugoslav forces are fighting in Bosnia, sent across the Drina River by Milosevic, against the Bosnian Government.

At one point Milosevic even acknowledged that he was doing it when the United States put pressure on that they might lift and strike—lift the embargo and use air strikes. He even went so far as to say he would allow international observers to stand on every bridge along the Drina River to check cargo going across, whether or not fuel, ammunition, or troops were being sent. Everybody said this is progress. The man wants peace. The moment after we withdrew the pressure, he withdrew the offer.

This guy is a thug, a war criminal. What is going on is an atrocity that rivals, not in its scope, but rivals in its intensity the atrocities that took place in Central Europe in the 1930's.

Mr. President, it is truly a shame what we are allowing to happen. It is absolutely an outrage. I remember standing on this floor over the last year arguing with my good friends, particularly on the Republican side, about the use of air power. They said it would not be wise and it could not be used. Then they said it does have efficacy. It can work to knock out the heavy artillery sitting up in the mountains around Sarajevo, where in the summer the Serbs, irregulars and regulars, sip their wine, eat their cheese, and drop in one big Howitzer shell after another, randomly firing at populations of children, elderly, women, hospitals, drinking fountains, and water resource centers.

I stood there in the streets of Sarajevo in a flak jacket and a helmet being told to walk out of the way because 3 days earlier, at the water distribution center, 17 women and children had been blown to bits by a shell, and it had only just begun.

(Mr. LIEBERMAN assumed the chair.)

Mr. BIDEN. I feel so strongly about this issue and, to tell you the truth, some of my political advisers tell me not to speak to it, because I say things they say will be imprudent about us as a nation, about our allies, and about the legacy we are going to leave for my son's and daughter's generation. Mark my words. I will not be around here, so it is easy to say it because I will be gone.

Twenty years from now, they will be debating on the floor of the Senate about a similar situation occurring, and they will ask the same question that JOHN KERRY's and JOE BIDEN's generation asked of our fathers' generation: How could guys like Vandenberg and others have stood on the floor of the Senate in the thirties, knowing what was going on in Central Europe, and have done nothing? How could they do that? They will teach it in school, just like they taught our generation, just like these young pages learn in their history books about world war.

Everybody who looks at that era today is incredulous about how could we have not known? How could we have not acted? How could it have been? It is so clear. I never understood it until this issue came up. I now understand it. The American people, back then, did not want to be involved unless you could paint for them a scenario where there was no cost, period, no cost. And no Senator, or sufficient group of Senators, or Congresspersons, wanted to stand up and talk to the American people about the fact that Americans would lose their lives.

You young pages know about this in your history books. Had we acted when Hitler began to mobilize and started flying those glider airplanes and practicing back in 1934, 1935, and 1936, had we acted when he did, we would have been able to save the world. The truth is, had we acted then, Americans would have died. Granted, probably one one-hundredth as many, or one one-thousandth would have died as in World War II. Had we acted then, Frenchmen would have died, Englishmen would have died. People would have been killed—a small number—stopping Hitler in the 1930's.

When it became clear to the people who knew better in the world that Hitler was running concentration camps in the late thirties, we could have stopped it. There still would have been maybe 800,000 Jews that had died. There would have been Americans that would have died in larger numbers than would have occurred in 1934 had we acted. But they would have died. Had we acted 2 years ago on this issue, it is possible a couple of Americans, lit-

erally a handful, may have died, which is an important thing; I do not take it lightly. Had we acted a year ago, maybe two dozen Americans would have died. If we act now—and the Senate is not even asking what I am asking. Were we to act, more than a handful will die. It is a harder problem, more intractable now.

But I want to tell you that I believe with every fiber in my being that if we do not at least let what is left of the Bosnian Government, which admittedly now is almost all Moslem—and, by the way, when I stood on the floor a year ago with the Senator from Arizona and the Senator from Massachusetts, it really was a multiethnic government. The Bosnian army was made up of about 18 percent Bosnian Croats. It was made up of about 22 percent Serbian, if I am not mistaken—Bosnians of Serbian extraction—and the rest were Moslem. It really was a multiethnic government and army. It is not now. People say, you know, everybody is an equal malfeasor over there.

I try to explain to people, and I am going to say it here for the record, that the Vance-Owen peace plan was an atrocity for a simple reason: We sent this signal to every ethnic group in Bosnia and the surrounding areas: Here is what we are going to do, folks. We, the world, are going to carve up this nation into ethnic enclaves, and the way we know that is going to end up—whether this piece of real estate is Serbian and this piece of real estate is Moslem, and this piece of real estate is Croatian—depends on —it is like musical chairs, where you are standing when the music stops is what you control.

The reason I bother to point that out is, you know why the Serbs and Croats and Moslems started going after one another 8 months ago in earnest? Because they knew the world was walking away. They have been moved out. All the Croats were moved out of this area by the Serbs, but you had Moslems that filtered into that area. At some point along the way, the world is going to stop the music here. And they knew if we do not have a place in which to stand, it is going to be given to whoever is standing there. So as a Croat in Bosnia, it is easier to move out a Moslem than it is a Serb, because the Serbs are being backed up by the Yugoslav Army, funded by, equipped by the Serbian Government.

So you had Serbs in Bosnia, former allies of the Moslems in Bosnia moving the Moslems. They turned against the Croats. For what reason? They knew that nothing is left for them, and the one force that is the perpetrator of the problem—the Serbs—was too big to move. Then guess what happened? Everybody, including me, underestimated the absolute tenacity of the Bosnian forces and the Bosnian people in Sarajevo and other cities, after the merciless pounding they had suffered. The only analogy I can think of is what happened to the Brits during the blitz. They got tougher during the blitz. They did not crack. They got fortified. Guess what happened then? Now the Moslems, unequipped, ill-equipped, with the whole world letting them go, they are starting to make some gains.

Guess what happens then? There used to be a song when I was a kid with the refrain and it said, "And then along came Jones." The Moslems, with sticks and single-shot rifles, come along and they started to beat these Serbs. They start to make gains. Guess what happens? In comes the Serbian army again. Read the headlines in the paper. Milosevic crosses the Drina again.

What do we do? We keep the embargo on. Why do we keep the embargo on? Well, we keep the embargo on because we do not want to offend our European allies. I say to our European allies, so what? So what?

What the devil use is NATO? And I have been an absolute ardent, consistent, vehement supporter of NATO for its military as well as its political and economic reasons for 21 years in the United States Senate. But if it cannot affect the carnage in the middle of Europe, what do we need it for? The Russians?

So the answer, we do not want to offend our NATO allies, I say the hell with them. I said that before. They got angry with it. I say it again. What is the other rationale for not lifting the embargo? We will spread the carnage.

As the foreign minister of Bosnia said to me, a guy named Silajdzic, now the prime minister, I asked a bunch of Senators to come in 8 months ago when I tried to convince some of you—I did not have to convince my friend from Arizona because he convinced me —convince others to change their view on what we should do. One of my colleagues came in the conference room. There were 10 or 12 of us. I think the Senator from Arizona was there. Silajdzic was there. One of them said: If we lift the embargo, you will start getting sophisticated weapons and other things. First of all, you do not know how to use them. Silajdzic pointed out there has been universal conscripts in that area of the country for the last 20 years. It did not seem anybody knew.

By the way, you notice even our military guys are saying these guys are pretty good. They know how to use the equipment.

The Senator then said: "If in fact we lift the embargo, we are just going to cause more people to be killed."

I will never forget Silajdzic's answer to that particular Senator. He looked that Senator square in the eye, and he said: "Senator, my children, my family, literally and figuratively in a national sense is being killed and maimed now. At least give me the dignity to choose to die the way I want to die. And, Senator, even if you are right, I would rather die fighting than die sitting."

Let us let them die their own way, if we do not have the courage to help them live. Let them choose. Who are we to sit here and say, oh, my God, we are not going to let you have weapons, even though the other side has weapons, because if you have weapons more people will die. It is a bizarre argument that has an incredible, to me, resonance in this town and in the capitals of Europe.

I promised myself I would not let myself get upset about this because I know what is going to happen here. So let me stop and conclude with the sentence saying we are all going to be judged by this. You will not be judged now. Your constituency will like it better probably if you vote against DOLE, BIDEN, DECONCINI, and others who share this view or who have shared this view for a long time. They will like you better because they are going to be less involved.

So, this is not a tough political vote. You are not going to pay any political price. And even if you vote for this you are not going to pay much of a political price because we are not going to have the courage to really do anything in the end, probably. But I will make you a bet. I will make you a bet. Four years, 6 years, 8 years, 10 years down the road, if we cross paths outside this body, and you are honest, you will acknowledge this is a vote you regretted.

Now, that is easy for me to say because of my position. And I thought I had the President convinced when I came back and wrote this report. I went down to the White House, gave it to him. I sat with him and with the Secretary of State. He came out and called for a policy of lift and strike which I proposed in this legislation. I thought I had actually, one of the few times in my career in the Senate, actually affected events. The truth of the matter is if he stuck with what I and others proposed, maybe it would be worse for the United States of America. Who knows? I may be wrong.

It is easy for me to sit here and say what I just said. But I will promise you 10 years from now if we continue to do nothing and you were part of not putting pressure on the administration to do something at least to lift the embargo, it will be a vote that the pages sitting on that step 10 years from now will question. You will not go down to them and say, "You know, 10 years ago when I was a junior Senator, or a younger Senator, I cast a vote on this floor against lifting the embargo in a place called Bosnia." They will look at you and say: "You mean that place where the larger war broke out back there when all those people died and were killed?"

Let us at least have the decency to paraphrase the foreign minister of

Bosnia. Let them choose the way they want to die. At least let them have that right. Let us lift the embargo.

The PRESIDING OFFICER (Ms. MOSELEY-BRAUN). The Senator from Arizona.

Mr. KERRY addressed the Chair.

Mr. DECONCINI. Madam President, I am glad to yield to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I ask unanimous consent that after the Senator from Arizona speaks for a period of 5 minutes or 7 minutes——

Mr. DECONCINI. I will not be long.

Mr. KERRY. For a period not to exceed 7 minutes.

Mr. DECONCINI. Do not limit me. I guarantee the Senator I will not be long.

Mr. KERRY. How long does the Senator from Washington want to speak to this amendment?

Mr. GORTON. I wish to speak, but only briefly.

Mr. KERRY. Does the Senator have a time limit? We would like to try to get an agreement if we can.

Mr. GORTON. This Senator will not speak for longer than 5 minutes.

Mr. KERRY. Madam President, I ask unanimous consent that after the Senator from Arizona has spoken and the Senator from Washington has spoken, we proceed immediately to a vote on the amendment of Senator DOLE with no intervening business and no second-degree amendment allowed.

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

Mr. DECONCINI. Madam President, let me assure the Senator from Massachusetts I am not going to speak 5 or 7 minutes. I did not want to be restricted.

Madam President, I ask unanimous consent that I be added as an original cosponsor of the pending amendment by the Senator from Kansas.

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

Mr. DECONCINI. Madam President, the Senator from Delaware has been a leading advocate of lifting the embargo and taking demonstrative military action. He has been out there in front on this issue for more than a year since the beginning of this conflict some 2½ years ago.

I have joined him. I have been to Bosnia, to Sarajevo, Macedonia, to Kosovo, to Croatia, to Yugoslavia, to the surrounding countries four times now, and all I can say is, it is a tragedy what is happening and something that the United States and the people here, as the Senator from Delaware has so articulated, will regret as history goes along for not taking some action.

I do not blame anybody, per se, except the fact that the people of this country have not really seen it. When I say that they see bits and pieces of it, they read a story in the Washington Post or perhaps the Arizona Republic, of a family that lost its home, all of the three generations of the family, and they hear some reports on national broadcasting networks, indicating the severity of the problem, the tragedy, the blood, the deaths, and they hear statements now and then from political leaders of various countries, Serbia, Bosnia and Herzegovina, Croatia and hear Vance-Owen, and wonder what that is, and see the United States make an earnest attempt but failed.

I have to say I think we could do more. I am not saying that we could convince our allies, but I wish we would have the courage to devote our time to both the President, the Secretary of State, and other members of the Cabinet as well as Members in this body, to go to our allies as we do when we need something like NAFTA; go to the allies in our country and other countries to explain it to them to get their support; go to the political leaders in this country to get their support.

Truly, what has happened there is genocide in the first order, something that no one is going to question who has followed it at all or reads about it. It is always the qualm that is put before us, the dilemma, that some say do we want to involve American forces, whether it is on the air, on the land or the sea?

Do Americans want to fight a war that is between ethnic groups, religious groups, within the former Yugoslovia? Well, the answer is no, we do not want to fight a war.

But if you understand and if you know what is happening there, like we did not want to fight the war in the Second World War, I truly believe the American public will come forward.

That has not happened. And I am not here naive enough to think the fine speech the Senator from Delaware has made and others on the subject matter that that is going to change. I do not think it is.

So we are confronted here with kind of a lukewarm, leftover soup, I guess you would say. Sometimes that can be very healthy. If you are sick and your mother makes it for you or some loved one makes it for you, you feel pretty good, even if it is leftover or canned soup. And I say that in no criticism of the Senator from Kansas who offers this amendment, because he, too, has been out there forcefully advocating military action.

He has asked the Senate, he has asked this body, to stand up and say the arms embargo should be lifted. It is a sense of the Senate. It is not binding. It does not unilaterally commit the United States or NATO or the EC or the United Nations to a military action. It does not require the United States to do anything.

So I make reference to it as somewhat warmed over only because to me it is all we have. It is all we have before us that could at least demonstrate, hopefully, the majority and the will of this body that, yes, the people of this country, through their elected representatives, are willing to let the people of Bosnia and Herzegovina defend themselves.

Under article 51 of the United Nations, of which Bosnia and Herzegovina are members equal to any other member of that body, as members of the United Nations they have the right to protect themselves. And how the United States can support an arms embargo that prohibits them, as the Senator from Delaware pointed out better than I can, to at least die with dignity, if that is their choice, is beyond me.

I am saddened, and I somewhat put it out of my mind time and time again because I just cannot believe that this great Nation of ours that has stood for human rights, that has stood up—this administration is standing up now with courage toward North Korea—that has demonstrated our ability to go after Saddam Hussein when he invaded another country, that has peacekeepers almost all over the world, that we have not shrunk into an isolation mentality here—although some will support that I suppose—that we have not taken a forceful, demanding position in the United Nations and internationally to lift the arms embargo that prevents the Bosnian people from defending themselves.

There is no explanation. There is no explanation. I think any American needs can be satisfied.

The argument that this is going to involve us in some kind of a land war is not true. The argument, as the Senator from Delaware pointed out, that Foreign Minister Silajdzic answered the Senator about being able to use equipment and defend themselves does not hold any water. The argument that, well, the embargo is also against Serbia, we know so clearly how that has been violated, how the arms of Serbian soldiers that are being deployed within the Bosnian territory today, along with the Serbs from Bosnia that are fighting against the Bosnia and Herzegovina Moslems, are equipped with some current, modernized equipment that has come into that country since the arms embargo. That is no secret. That is not classified information. It has been reported. As well as the armament and the staff that is there left over when Serbia, or Yugoslovia at the time, was an ally of the Soviet Union.

Madam President, the least we can do tonight is support this in a bipartisan way. This is no slap, no affront to this administration. It is no political upsmanship.

I understand this body as well as anyone. I know we all have our political objectives and duties and responsibilities and obligations as we see fit. This is not that. I know the Senator from

Kansas can be as partisan and political as anybody in this body. But he is here because of his long belief under a previous administration before this administration that the arms embargo should be lifted, that stronger action should be taken.

I am hopeful that this body would vote to lift that embargo and do it tonight. At least I would sleep better. Even though it is not near enough to really resolve the problem, at least I would feel that we have met some responsibility toward the murder, the genocide that is going on in Bosnia and Herzegovina this very moment. At this very moment, I daresay, there are people dying and there are people dying who do not have armaments, do not have the capability to shoot back.

This amendment, if it did pass, might be the momentum, the beginning of the momentum that would reverse the U.S. policy in the United Nations, and maybe the United Nations. That may be wishful thinking.

But without some action from this deliberative body indicating that the time has come to let those people defend themselves, I do not think there is any hope for them. They will be destroyed. There will be literally no Bosnia and Herzegovina except what is forced on them against their will. There will be a division contrary to the U.N. principles and articles, contrary to the Helsinki Commission, which Serbia, Croatia, Bosnia and Herzegovina have all signed, that recognizes that there is a violation of human rights by the incursion of any one sovereignty. And there is no question that that has already occurred there. And I guess there is no question that that is ultimately going to occur if peace is ever made. The Bosnia that we knew before this conflict is not going to be the same Bosnia.

But, again, I can only say that we have some responsibility to let these people defend themselves. I am truly hopeful that this body will have the courage to stand up and say so.

I thank the Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Madam President, in 1776, when this Nation declared its independence, Great Britain attempted to enforce an arms embargo against our newly declared Independent States. Fortunately, France and a number of other European countries refused to abide by that embargo. And it may well be that that was a key to our success in securing our independence.

From 1776, almost until 1990, the United States has believed that distinct nations, recognized nations, fighting against external aggression, attempting to secure their independence, deserved our aid not our interference with that fight for independence.

As recently as the Soviet invasion of Afghanistan we provided literally billions of dollars worth of aid to people expressing ideas with which we did not agree, and do not agree today, except for their desire to be free and to be independent.

Yet, almost from the time that the United Nations recognized Bosnia, we have accepted the notion that its citizens were not entitled to fight for their own independence with arms secured, not just from the United States, but from anyplace in the world, and have adhered to what I consider to be an immoral resolution of the United Nations, superficially evenhanded but on the ground overwhelmingly favorable to Serbian aggressors, prohibiting any kind of arms aid to an originally almost defenseless and certainly victimized people.

That arms embargo was wrong when it was imposed. It was wrong when it was enforced by President Bush. It was wrong when President Clinton changed his own views on it after being sworn in as President and continued it. And it is wrong today.

I do not believe that at any point in this conflict we should have risked the lives of American men and women in uniform, even in the worthy cause of Bosnian independence. It is not an area vital to the security of the United States. And, clearly, no proposal including the now almost laughable threats of bombing seemed likely to be decisive in gaining any worthy goal.

But it is perhaps just because a great majority of Americans and the U.S. believe we should not intervene in this conflict ourselves, that the arms embargo represents such bad policy, that it approaches and surpasses the boundary between pure policy and immorality. The arms embargo, Madam President, is wrong. It is immoral. It penalizes the victims and benefits the aggressors. Its removal is every bit as likely to cause those aggressors to make peace as it is to increase the bloodshed. So the arms embargo on top of everything else is impractical and significantly contributes to the deaths which occur daily.

I am more than pleased that we have had so many eloquent speeches from both sides of the political dividing line, from liberals and conservatives, on behalf of at least being neutral but primarily being encouraging of the independence of the small country, far away, which is something we once were, and is the cause for most of our history.

Let us return to our own origins and remove this arms embargo.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I believe under the prior agreement we will proceed directly to a vote now.

Mr. HATCH. Mr. President, I originally denounced the U.N. arms embargo in an op-ed article published in October 1991. I have returned to this issue in print, in speeches, and in statements time and time again. I want to join my colleagues in supporting the Dole amendment today.

I would go farther than this resolution. I would also support the lifting of the embargo against Croatia and the use of limited air strikes against the Serbian positions in Bosnia. It is time to act.

Mr. President, the horror of the human suffering in Bosnia is matched only by the horror of the increasing complicity of Europe in Serbia's genocidal aggression in Bosnia. Instead of following Europe's lead, the United States must compel Europe to adopt President Clinton's March 1993 proposals to lift the U.N.-imposed arms embargo.

During the last 2 months, the spectacle of Western disarray in the face of the total defiance of Serbia's leaders calls into question our ability to manage European affairs. During the NATO summit this month, NATO leaders stuck their heads in the sand while Serbia shoved more shells into artillery guns pounding Sarajevo and other Bosnian cities.

Mr. President, NATO's purported goal at the summit was to define its post-cold-war role. But the future of the alliance will be defined not by artful communiques. Instead, its relevance will be determined by whether its policies and actions address the leading European security issues in this new era.

Front and center among those issues is Bosnia. In that conflict, NATO has been sleepwalking its way through history. If its policies remain unchanged, the United States and its allies not only will lose credibility as security partners for the still vulnerable states of the former Soviet bloc but also will embolden aggressors in Europe and elsewhere.

Last December, President Clinton rightly distanced the United States from the European proposals to lift the sanctions against Serbia if Bosnian Serbs put another meaningless signature on an unenforceable peace agreement. It was bad enough that the European Community has persistently opposed stronger actions in Bosnia. Its gambit to throw away the sanctions—our only real leverage against Serbia—was the last straw. Compared to Europe's mediators, Neville Chamberlain is starting to look good by comparison.

Mr. President, Western leaders have declared that Serbian ethnic cleansing is unacceptable and that sending Western ground forces to impose peace is also unacceptable. To prevent genocide without sending combat troops, the indispensable first step is the lifting of the U.N. arms embargo that has denied the victims of Serbian aggression the weapons with which to defend themselves.

President Clinton reached that conclusion last spring but backed down against European objections. With the rejection by Serbian leaders of any suggested compromise, the White House ought to seize the moment presented by Europe's failure to resurrect its proposals. By seeking to raise Bosnia at the NATO summit, the Europeans themselves appear to concede that their approach has reached a dead end.

To be sure, the setting is more difficult now. The Croatian and Moslem communities, which represented 65 percent of the prewar population, have been forced into a third of Bosnia's prewar territory, resulting in sometimes brutal conflicts between the two former allies. Extremists in the Croatian and Moslem camps have both gained strength as a result of the cycle of escalating violence.

But if the arms embargo were partially lifted, the United States could use the leverage of arms supplies to broker a deal between the Croatians and Moslems. Initial supplies should be made contingent on the removal of extremists and fundamentalists from positions of power in each group and the demobilization of units implicated in atrocities. Continuing arms supplies should then be linked to sustained military and political cooperation and respect for human rights.

For almost 2 years, the Serbians have used threats to attack U.N. peacekeepers to blackmail the West. But that specter is exaggerated. Access by land would already be possible to most Croatian and Moslem areas if these two groups restore their alliance. With adequate arms, Croatian and Moslem forces could open up corridors to many besieged cities and enclaves, while others could receive supplies by air drops and by smuggling through Serbian-held areas.

The West has made a fatal mistake in overestimating the capabilities of the Serbian forces in Bosnia. Serbian successes so far are attributable not to the size or strength of their forces but to the weakness of their opponents, who have greater numbers but who have been deprived of needed defensive weapons. In Slovenia and Croatia, Serbian aggression ground to a halt when its adversaries demonstrated the will and the means to resist. The same would be true in Bosnia.

Those who decry any involvement in Bosnia overlook one fact: Through the arms embargo, the West is already intervening in the war—but on the wrong side. Serbia and its clients in Bosnia inherited the arms industry of the former Yugoslavia, a major exporter of equipment and ammunition, and suffer no detriment from the arms embargo. As President Clinton recognized last spring, simple justice requires that the United Nations allow Bosnia the means to defend itself.

Mr. President, the crisis in Bosnia will not disappear. Just as the United States supported the Afghan resistance for more than 10 years until Moscow withdrew its occupation armies, the West can achieve its objectives in Bosnia without the loss of a single American or European life. It may be too late to prevent massive deaths among Moslem and Croatian civilians in Bosnia this winter. But if we act now, there's still time to turn the tide of the war in the spring and avoid their annihilation.

Mr. WELLSTONE. I want to indicate my reasons for supporting this expression of the view of the Senate on the provision of arms to the Bosnian Moslems. For many months, I opposed providing arms to the Moslems out of concern that it would just exacerbate the bloodshed. But now, after returning from a sobering—even at times heartbreaking—trip to the former Yugoslavia, I believe we must send a strong signal of our willingness to at least allow the Bosnian Moslems to defend themselves. This amendment does that.

For months, the administration has pressed our Western allies unsuccessfully to provide arms to the Bosnian Moslems. But if the international community is unwilling to act, and is unwilling to intervene militarily to protect humanitarian convoys, then the time has come for the administration to provide these arms to the Bosnian Moslems.

The debate today has made clear that military assistance as used in this amendment is limited to the provision of appropriate arms that would allow the Bosnian Moslems to defend themselves in accordance with its right of self-defense under article 51 of the U.N. Charter. It does not urge, nor would it authorize, the dispatch of U.S. military advisers or other troops to the region. Even in the face of the continuing horrible tragedy there, that would be a serious mistake.

If we are to become more engaged in the conflict there, either in the air or on the ground, we must clearly define in law the goals and purposes of any military action, the rules of engagement, the respective roles of U.S. and U.N. forces, and the plan for disengagement of Western forces there.

For many months I have believed that the United States and other western nations should take forceful action, under NATO auspices, against those who have been blocking humanitarian assistance to the Moslems. That has not yet taken place, to my deep regret and to the shame of those of us in the West who have watched the tragedy unfold. And today we read in the New York Times that Serbian regular army troops are on the march, presumably to engage in preemptive strikes against Bosnian Moslems forces in Eastern Bosnia. In response, we must send a strong political and diplomatic signal of our willingness to take more forceful steps than we have thus far. This amendment is designed to do that.

The PRESIDING OFFICER. Under the previous order, the yeas and nays have been ordered. The question is on agreeing to Amendment 1281.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS] and the Senator from Washington [Mr. MURRAY] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Kansas [Mrs. KASSEBAUM] and the Senator from South Dakota [Mr. PRESSLER] are necessarily absent.

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

The result was announced—yeas 87, nays 9, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—87

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

NAYS—9

Burns	Durenberger	Hatfield
Coats	Faircloth	Pell
Danforth	Gregg	Specter

NOT VOTING—4

Baucus	Murray
Kassebaum	Pressler

So the amendment (No. 1281), as modified, was agreed to.

Mr. KERRY. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. KERRY and Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I notice colleagues are asking what the order of business is going to be and whether or not we can go home, and so forth.

I do not know if it is any consolation, if you believe me or the weatherman less. But apparently they say it is going to warm up later and it is safer driving later. I do not know if that is believable.

Madam President, we are trying to get the narrow list down at this point in time, Senator HELMS I know has hotlined on his side. We have hotlined on our side. We have an outside chance of finishing tonight. We will not finish tonight if a couple of contentious amendments that we have heard are out there are going to be brought to the floor.

There are a number of individuals who have held places on the list with relevant amendments. We do not know what the amendments are at this point in time. If you do have an amendment and you are in fact planning to bring it, it would help us enormously in terms of planning and scheduling if you could come to the appropriate manager at this time and give us the subject matter of the relevancy, and the time that you believe your amendment might take if indeed it is going to be one that we can accept. That will enable us obviously to be able to inform everybody about where we are going.

The majority leader, however, has said that he wants to continue working at this point in time. We do have an amendment on Partnership for Peace and NATO which will require, I believe, a vote depending on the outcome of the discussion between Senator MCCONNELL and Senator LEVIN at this moment in time.

Pending that, we could continue at this time if the Senator wants to do so.

Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. DECONCINI. Madam President, I have an amendment which I believe is cleared, and I ask unanimous consent that the pending Helms amendment be set aside.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. 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. 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.

Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Is there objection to the request of the Senator from Arizona? Without objection, it is so ordered.

Mr. DECONCINI. I thank the Senators from North Carolina and Massachusetts. I also thank the majority leader. He has cleared this amendment.

Mr. KERRY. Madam President, may we have order, please?

The PRESIDING OFFICER. There will be order in the Senate.

The Senator from Arizona has the floor.

AMENDMENT NO. 1283

Mr. DECONCINI. Mr. President, 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 Arizona [Mr. DECONCINI] proposes an amendment numbered 1283.

Mr. DECONCINI. 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:

At the appropriate place in the bill, add the following new section:

SEC. . Beginning ninety days after the enactment of this Act, and annually thereafter on the day the budget of the United States is submitted to the Congress, the Secretary of State shall submit to the Congress a detailed budget justification on the costs to provide security and protection to the Secretary of State both domestically and internationally. Such justification shall include the number of full-time permanent personnel assigned to Secretarial protection, the cost of salaries, overtime, per diem, travel, equipment and vehicles for carrying out such protective activities.

Mr. DECONCINI. Madam President, this amendment evolves from a recent trip when I traveled to Europe with the Secret Service in advancing President Clinton's trip to Europe to participate in the NATO conference and meet with President Havel of Czechoslovakia and other leaders. I went to only two of these advanced countries to see what, in fact, was involved in the Secret Service's protection for going and coming and preparing for the President's visit.

I chair the appropriations subcommittee which funds the Secret Service. And as many of the Members of this body have witnessed, the President's protection provided by the Secret Service is very sophisticated, and rightfully so. It is very manpower-intensive, and it is very costly.

Like other Members, I do want to get a handle on the needs of these costs, and we have done so in the appropriations process.

Mr. FORD. Madam President, it is awfully hard to understand when the Chair asks the colleagues to respect another Senator when he is making a statement, and they continue to do the same thing. I would hope that the Chair would not allow the Senator from Arizona to speak until the Chamber is in order.

The PRESIDING OFFICER. The point is well taken.

The Senator from Arizona.

Mr. DECONCINI. Madam President, I thank my friend from Kentucky. I will not be long.

Madam President, over the recess, I traveled with the Secret Service on President Clinton's trip to Europe to participate in the NATO conference and meet with President Havel of Czechoslovakia. I chair the appropriations subcommittee which funds the Secret Service. As many of the Members of this body have witnessed, the Presidential protection provided by the Secret Service is very sophisticated, manpower intensive, and costly. Like other Members, I do want to get a handle on the needs and the costs to find out if the Service is overdoing the protection or if it is in fact justified. Hence, the purpose of my trip was to review the Secret Service operations for international travel of the President. This particular Presidential trip was unique in that President Clinton made stops and visits in several different countries and the Service had to leap-frog equipment, agents, and technicians from one country to another to prepare for the next stop. During the course of the trip, I questioned the Secret Service on the large number of Presidential protection personnel, what their specific responsibilities were, why they needed so many, the costs and the use of sophisticated investigative and surveillance equipment, and overtime costs. I talked to the representatives of several of these governments, et cetera. Secretary of State, Warren Christopher, accompanied President Clinton on the trip for many of the meetings. In Brussels I was struck by the number of security details, vehicles, armored limos, and equipment being used by the Diplomatic Security Service for the Secretary's protection, particularly since the Secret Service presence for the President was very substantial. There did not appear to be any coordination between the State Department and the Secret Service with respect to security. In fact, you would see the President's motorcade departing the hotel at one moment and the Secretary's arriving a few minutes later. I noticed that the license plates on the State Department vehicles were from the District of Columbia and assumed that the vehicles, including the armored limo were transported by C-5 transport specifically for the Secretary's visit.

I believe the costs for security by the State Department should be properly scrutinized to ensure that the security level is commensurate with existing threat levels and assessments and that there is no duplication of effort by the State Department at sites where secure zones have already been established by the Secret Service. I am not here on the floor today to criticize the performance of the security detail nor am I concluding that from this one trip that the State Department security was unnecessary or excessive. Madam President, I recognize the terrorism around the world targeted at American officials is still very much a threat. I am not making a case here that this security for our Secretary of State is not warranted or needed. I am not here asking to list or limit the security pro-

vided for the Secretary of State. What I am concerned about, however, is the costs of all of this protection. We are dealing with a State Department authorization bill here today and I believe it is legitimate to expect the State Department to provide detailed justification information on an annual basis to the Congress on the specific costs of protecting the Secretary of State.

Madam President, I yield the floor.

Mr. KERRY. Madam President, the Senator from Arizona has raised an important concern about accountability. We share the concern. And in view of the agreement with respect to the classified aspects of this, we have agreed, I believe, to proceed forward. We are prepared to accept this amendment.

Mr. DOLE. There is no objection on this side.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1283.

The amendment (No. 1283) was agreed to.

Mr. KERRY. Madam 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.

AMENDMENT NO. 1278

Mr. KERRY. Madam President, I believe the pending business is the Helms amendment, is that correct?

The PRESIDING OFFICER. The pending business is——

Mr. KERRY. I believe we left it when the regular order was requested some time ago. We have subsequently, temporarily, set aside the combination of the Helms amendment and the McConnell amendments. The primary and preceding amendment is the Helms amendment to be followed subsequently by the two McConnell amendments. The first amendment is a perfecting amendment; is that correct?

The PRESIDING OFFICER. Without objection, the pending business is amendment No. 1278 offered by the Senator from North Carolina.

Mr. KERRY. I believe the yeas and nays have already been requested on that amendment.

The PRESIDING OFFICER. That is correct.

Mr. KERRY. We are prepared to vote, I believe.

Mr. DOLE. Will the manager permit me to offer an amendment related to disability, which has been agreed to on both sides?

Mr. KERRY. Yes.

Mr. DOLE. I ask unanimous consent that the pending amendments be set aside.

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

AMENDMENT NO. 1284

(Purpose: To provide for international exchange programs involving disability-related matters)

Mr. DOLE. Madam President, 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 Kansas [Mr. DOLE], for himself, Mr. HATFIELD, Mr. KENNEDY, Mr. HARKIN, Mr. HELMS, and Mr. MURKOWSKI, proposes an amendment numbered 1284.

Mr. DOLE. 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 123, between lines 19 and 20, insert the following:

SEC. . INTERNATIONAL EXCHANGE PROGRAMS INVOLVING DISABILITY-RELATED MATTERS.

(a) AUTHORITY.—Section 102(b) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)) is amended—

(1) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(2) by inserting after paragraph (8) the following:

"(9) promoting educational, cultural, medical, and scientific meetings, training, research, visits, interchanges, and other activities, with respect to disability-related matters, including participation by individuals with disabilities (within the meaning of section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2)) in such activities, through such nonprofit organizations as have a demonstrated capability to coordinate exchange programs involving disability-related matters;".

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of the United States Information Agency shall submit a report to the Congress describing the steps taken during the period since the date of enactment of this Act to implement section 102(b)(9) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)(9)).

(c) ANNUAL SUMMARY OF ACTIVITIES.—As part of the congressional presentation materials submitted in connection with the annual budget request for the United States Information Agency, the Director of the Agency shall include a summary of the international exchange activities carried out under section 102(b)(9) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)(9)) during the preceding calendar year.

Mr. DOLE. Very briefly, this amendment would authorize disability related educational and cultural exchange programs for USIA.

Madam President, I want to thank the bill managers for accepting my amendment, which I offer on behalf of myself and Senators HATFIELD, KENNEDY, HARKIN, HELMS, and MURKOWSKI, that gives the U.S. Information Agency [USIA] specific authority to address disability issues in its educational and cultural exchange programs, and, most important to increase participation by people with disabilities in these programs. I know this is a matter of considerable interest to many other Members of Congress as well. For example, in its report on fiscal year 1994 USIA funding, the House Committee on Appropriations requested the Director of USIA to place more emphasis on programs which include the disabled.

Madam President, this amendment is important because it reaffirms America's growing commitment to be a global leader in ensuring the full participation of people with disabilities worldwide. I recall the first time I spoke before the Senate on an international disability issue. In August 1970, I made a short floor statement introducing the newly designated sign of a wheelchair as the international symbol of accessibility.

In the 24 years since, we have gone way beyond symbols. In 1990, the Congress passed the Americans With Disabilities Act, in which we determined unequivocally to base our national disability policy on the principles of equal opportunity and full participation. And last July, to extend these principles to American foreign policy, I introduced with strong bipartisan support, the Disability Rights in American Foreign Policy Act (S. 1256), which recognized for the first time that discrimination against the disabled is a human rights violation.

But there can be no more powerful way of advancing these principles than by example. This is where USIA's exchange programs come in. By sending Americans abroad, and bringing international visitors to the United States, we show rather than simply preach. And I can think of no better ambassadors of America's commitment to disabled people than its own citizens with disabilities.

Today, USIA does conduct some disability-related exchanges, and I commend USIA's staff for their initiative in this regard. However, I hope that this amendment will give USIA the charter it needs to systematically expand its exchanges in all domains—including public policy, architectural and environmental design, rehabilitation science, assistive technology, the arts, and in sports.

In the area of sports, for example, the Special Olympics International is a fine organization, and is currently organizing a major soccer exhibition with representatives from 24 countries to celebrate World Cup '94. And in 1995 the World Special Olympics Games will be held in New Haven. USIA support could importantly assist these efforts.

My amendment also asks for a report in 6 months on the steps USIA has taken to implement this new provision, and an annual report thereafter on disability-related exchanges. I look forward to carefully reviewing both reports.

In closing, I would like to thank Elizabeth Lambird and Steven Berry of the

Committee on Foreign Relations for their assistance to my staff in preparing this amendment.

Mr. KERRY. I thank the distinguished minority leader. Indeed, this is acceptable. There is no need nor further debate.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1284.

The amendment (No. 1284) was agreed to.

Mr. DOLE. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. KERRY. Madam President, we have now worked out the two amendments of the Senator from Kentucky that were pending. I want to thank the Senator from Kentucky for his willingness to do that. It will save the Senate a certain go-around on Senator HELMS' amendment. That means that after the Senator has asked for a modification on his amendment we will have two rollcall votes lined up.

In fairness to everybody, so we are not going back and forth, we are prepared to stack those and try to proceed further with amendments to see what else may need a vote. And then we can set a time for them sometime a little later in the evening.

Mr. COHEN. Madam President, if the Senator will yield, until what time does the Senator intend to stack votes this evening?

Mr. KERRY. At the moment the majority leader is very anxious to get this bill into a position where we know where we are going to finish, and at this point in time we are making good progress. We are now narrowing down on both sides the scope of the available amendments with the hope of propounding unanimous-consent requests that will allow us to know what the final list is. I would say it is now only 6:10 p.m. I think we have several hours of work ahead of us.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. DOLE. Madam President, I respectfully disagree. The weather is getting bad outside. A lot of offices shut down about 3 o'clock. I am prepared to stay here for a while.

We are trying to get a list together in an effort to accommodate the majority leader. We are now making a hotline. I hope we can go ahead and have the votes. By that time we will have the list. Once we get everybody named in the net, then we get something we can work with. There is a chance we might be able to complete that within the next 30 minutes. We got the hotline out, I might say to the managers.

Mr. KERRY. Let me just say, Madam President, I am not willing to ever disagree with the Republican leader's judgment about what they can get done on that side in a short span of time, especially when the weather is bad and people want to go home.

I am delighted to work with that list, and I am happy to help that process to proceed with a vote at this time. I see no reason to not do it.

Mr. HELMS. Let us go ahead and do it.

Mr. KERRY. I see the Senator from Kentucky wishes to say a few words and modify his amendment, so we can do that.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Madam President, what is the pending business?

The PRESIDING OFFICER. The pending business is amendment No. 1278 offered by the Senator from North Carolina.

Mr. McCONNELL. Madam President, I ask that the pending amendment be temporarily laid aside and that amendment No. 1279, the second-degree amendment to amendment No. 1280, be the pending business.

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

AMENDMENT NO. 1280, AS MODIFIED

Mr. McCONNELL. Madam President, I send to the desk on behalf of myself, Senator LEVIN, Senator SIMON, Senator GORTON, Senator MACK, Senator McCAIN, Senator COHEN, and Senator BROWN, a modification of that amendment.

The PRESIDING OFFICER. Does the Senator wish to withdraw his second-degree amendment?

Mr. McCONNELL. Does the Senator have to withdraw the second-degree amendment in order to modify it? It is my understanding that I can modify my own amendment. Is that not correct?

The PRESIDING OFFICER. The Senator has that right.

Without objection, the amendment is so modified.

The amendment (No. 1280), as modified, is as follows:

At the appropriate place in the bill, insert the following:

SEC. . The Congress finds that:

(a) The Warsaw Pact has been disbanded and replaced by governments with legitimate political, economic and security interests;

(b) It is in the national interests of the United States to preserve European regional stability through the promotion of political and economic freedom and respect for territorial integrity and national sovereignty;

(c) The North Atlantic Treaty Organization has served and advanced U.S. and European interests in political stability and collective security for forty-five years.

(d) That the Partnership for Peace is a positive step towards maintaining and furthering that security, a step that gives the nations of the east time to prepare for membership.

Therefore, it is the sense of the Senate that,

(1) European nations which demonstrate both the capability and willingness to support collective defense requirements and established democratic practices including free, fair elections, civilian control of military institutions, respect for territorial integrity and the individual liberties of its citizens, share the goals of the North Atlantic Treaty Organization; and

(2) The United States should urge prompt admission to NATO for those nations after they have demonstrated such capability and willingness as set forth in paragraph (1).

Mr. McCONNELL. Madam President, the distinguished Senator from Michigan and I have been discussing, along with the Senator from Washington, Senator GORTON, the issue of expansion of NATO membership.

I had offered an amendment earlier indicating my feeling that former Warsaw Pact countries, NIS countries, and others ought to have an opportunity with a reasonable timetable to aspire to NATO membership.

We have been involved in negotiations of just what kind of language might be appropriate, and I believe we have now come up with a bipartisan approach to this most important issue which I believe will provide some hope to those countries previously dominated by the Soviet Union that they may at some point in the future be candidates for admission to NATO. I believe the way the amendment is crafted should not in any way be offensive to the Russians, which I know has been a concern of the administration.

I particularly commend Senator LEVIN, Senator GORTON, and Senator BROWN, who have been doing work in this area as well, for their interest in this most important issue.

We have in this country an awful lot of Americans whose roots go back to Central Europe, who follow Central Europe, and the former Soviet States who have a great deal of concern about this issue.

There is a good deal of nervousness in the former Warsaw Pact and in these other countries that there may not ever be a day in which they could aspire to membership in NATO. I think by the passage of this compromise amendment tonight, hopefully we will be sending them a message that we do believe that their admission to NATO at some point, in my view not too far down the road for some of them, is a good idea.

Further, let me say—and I am not sure all my Democratic colleagues agree with this—that I do not think the administration is on the right track. This amendment does not seek to slap their wrist, but I do not think they are on the right track in allowing Boris Yeltsin to make our foreign policy for us in that area of the world.

This amendment did not slap the wrist of the administration, but I want to say that I hope that this recent flirtation, if you will, with allowing our foreign policy in large portions of Europe to be largely determined by Russian wishes is something that will fade out in the coming months.

So, Madam President, I am going to ask for a rollcall vote on this amendment at some point. I do think we have come up with a constructive bipartisan approach to the issue.

I again thank Senator LEVIN for his leadership on this most important issue.

Maybe this would be a good time, Madam President, to ask for the yeas and nays, and I so 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. MCCONNELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, this amendment as modified serves a number of purposes. First of all, it pays a very important acknowledgement to the Partnership for Peace which has been worked out by the President, our allies, and so many others in the recent summit.

I believe that Partnership for Peace was a very useful step toward a number of goals. One is the admission of a number of countries that seek admission to NATO after certain conditions have been met and to do it in a way which does not isolate Russia or draw a new line in Europe which could leave a lot of nations on the other side of the line.

We have to accomplish both of those simultaneously as we proceed. We want nations to become ready to join NATO and have proven that capability to expand NATO. That is important. That is an obligation which seems to be both for our own security and history that we do that. We have a moral commitment to nations that have been too long under the Soviet yoke, but we also have an obligation to our own security.

Partnership for Peace accomplishes both the opening of the door to NATO membership and doing it in a way which does not isolate Russia, because if we did that, we would play right into the hands of the ultraright in Russia that would want us to do exactly that so they could prove to their people that somehow or other we are threatening, which, of course, we are not.

This amendment, as modified, now acknowledges that the Partnership for Peace—and here I am reading—"is a positive step towards maintaining and furthering the security of Europe and ourselves," and it is a step that gives the nations of the East time to prepare for membership in NATO.

It also did something else, and that is in its two key paragraphs. It says that it is the sense of the Senate that European nations which demonstrate both the capability and willingness to support collective defense requirements and established democratic practices including free, fair elections, civilian control of military institutions, respect for territorial integrity, and the individual liberties of its citizens, those nations share the goals of NATO; and, two, the United States should urge prompt admission to NATO for those nations after they have demonstrated such capability and willingness as has been set forth in that first paragraph.

I commend my friend from Kentucky for his work on this subject. Particularly, I want to thank Senator SIMON of Illinois who has worked so hard on this subject, who had a different draft which we worked with as we proceeded here. I do not know that Senator SIMON is on the floor at the moment, but I know he will want to be here to speak on this subject because he feels so strongly, as do many Members of this body, about opening NATO to European nations that have for too long been under the Soviet yoke.

But I think we have worked out a compromise here which meets a number of goals that I have outlined. It does, again, do something very important, which is to have this body acknowledge that the partnership for peace was indeed an important, positive step towards maintaining both European security and American interests. And with those changes, I not only can support this amendment, but I am proud to be a cosponsor of it.

As I have indicated, Senator SIMON, who has done so much work on this and who helped to craft this compromise, has played an absolutely critical role in bringing the importance of prompt membership of Eastern Europe to the attention of the Senate. And he is now on the floor.

I yield the floor.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Mr. COHEN. Madam President, I rise this evening to commend my colleague from Kentucky for having offered this amendment. I agree with him in his suggestion, not that he is imposing a slap on the wrist of the administration, but rather than that the administration missed an opportunity during President Clinton's travels to Europe and to Russia to lay out to Boris Yeltsin exactly what the United States will seek to do with respect to the European nations once under the roof—some would say clearly within the prison—of the Soviet Union.

I think it is important that we send a signal to the Russian military and to other Russian leaders who are emerging, who would seem to be taking that country back toward a rather dictatorial or imperialistic path, that the United States is going to support the opening up of NATO as far as its membership is concerned to those European nations who qualify, who measure up to the standards that we insist be met by NATO members; that they agree to subordinate their militaries to civil control; that they promote democratic values and reforms; that they, in fact, have protection for minorities within their countries. All the standards we would impose upon members of NATO today, we would ask them to measure up to, as well. And if they do so, then they will be invited to join into NATO itself.

I think it is important to say that up front and let the Russian military and leadership know that that is going to come about not tomorrow, not perhaps next year, but certainly by the end of the century —and we are only talking about 5 or 6 years—and during that period of time we expect several of the major European nations to become members of NATO. So I think we have to be clear about that.

And, yes, the Russians will object to it and, yes, they may stomp and puff up their chests and say this is unacceptable. But, remember, Mr. Gorbachev, when he was President, also opposed admission of a United Germany into NATO and we insisted that a United Germany would remain a part of NATO. And we could structure our military system as such and deploy our forces in a way that would not pose any sort of an imminent threat to Russia or to the other Soviet, former Soviet Republics.

I think we have to do the same here. We have to say Poland or Hungary or the Czech Republic or others who measure up to these standards will, in fact, be admitted.

It is a chance for us to signal to the European nations that we have not abandoned their struggle for freedom. It is also an opportunity for us in these intervening 5 or 6 years to send a signal to the American people as to whether or not the American people are prepared to commit U.S. forces to defend those particular nations should they ever be threatened.

Frankly, we have a lot of educating to do. We have a lot of educating to do. Our own hesitancy in becoming involved in the conflict in Bosnia today, I think, is symptomatic of a problem that we in the western world have to face up to as to whether or not we are willing to commit American forces into any region for any purpose that is short of threatening directly U.S. territory or vital interests. And that is something that we have yet to come to terms with.

We have debated what to do in Bosnia. We have made threats. We have talked about air strikes. We have today gone on record as being in favor of lifting arms embargoes. We have yet to define exactly what the role of the United States and NATO is to be in the forthcoming years.

And so we need an opportunity, as well, to define exactly what NATO is going to be. The question is perennially asked: Whither NATO, or shall NATO wither? We have yet to answer that

question satisfactorily. So I think that we have a opportunity here tonight.

I wish to again commend Senator MCCONNELL from Kentucky and Senator LEVIN from Michigan for working out this compromise language, along with Senator SIMON and others. I think it is very important we go on record in favor of this amendment. I urge my colleagues to support it.

I yield the floor.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Madam President, carved over the library entrance at the University of Colorado are words that say "Who knows only his own generation remains always a child." Perhaps it is a different way to express the hope that we will learn from history.

If this amendment passes—and I feel sure that it will pass —there are surely those in our country whose hearts are in their throats. It does not take much of a jog of memory for Americans to recall the heartbreaking events of Polish history. It is fair and reasonable to observe that the events, the tragic events, of 1939, where Poland was dismembered both by Hitler and Stalin, where the Polish people were enslaved and murdered and tortured, took place, at least in part, because the aggressors did not feel that anyone would come to the aid of Poland.

Put a different way, a portion of the tragedy—not all, by any means, but a portion of the tragedy—of World War II and the loss of millions of lives in that war came about partly because people were unsure that Poland's democracy would be defended. No American—no American—wants that to be repeated.

The tragedy was compounded after the war when the United States intervened and asked the leaders of the Polish resistance to surrender to Soviet forces so that the United States and U.S.S.R. could negotiate a truce. We, in effect, led them to believe we would help guarantee their safety. Everyone remembers the tragedy that occurred when the Soviet forces put those valiant defenders of Poland's freedom on trial, then into prison or to death. Meanwhile, the United States having asked the brave Poles to surrender to the Soviets would not then even require its representative to attend the trials by the Soviets.

Surely, with the passage of a half a century, no American can want the Polish people to face the tragedy of aggression again.

Poland qualifies, as does, I believe, Hungary and the Czech Republic, right now for the standards we set forth in this resolution for immediate admission to NATO; that is, these countries support collective defense; they have established democratic practices, including free and fair elections; they have civilian control of military institutions; they have respect for the territorial integrity and individual liberties of their citizens; and they share the goals of the North Atlantic Treaty Organization.

Madam President, we have an ability, by admitting Poland and Hungary and the Czech Republic to NATO, to take a major step forward and prevent the reoccurrence of a tragedy of almost unbelievable proportions. By bringing these countries into NATO we will forestall the question of aggressive pursuits. The very fact that they are a member of NATO will take the question of reexerting dominion over those Eastern European countries off the table for any nation or foreign politician who might be tempted to consider it.

That is why I am so delighted with the leadership of Senator SIMON and was so delighted to work with him. It is why I am so delighted with the leadership of the distinguished Senator from Kentucky in bringing this measure before us and want to join him.

It is why Colorado has, in Denver, a park to the valiant Hungarians who hoped for the freedom of Hungary. It is why we recall the heroism of the Czech citizens who were killed in the invasion of 1968. It is why our hearts are in our throats as we think of the tragedies the Polish people have suffered.

I believe this resolution can play a part in preventing those tragedies from being repeated.

Madam President, I ask unanimous consent that a letter I sent to the President on January 7 concerning this subject, and a letter by the charge d'affaires of the Republic of Poland commenting on my letter be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, January 7, 1994.

Hon. BILL CLINTON,
President of the United States, The White House, Washington, DC.

DEAR PRESIDENT CLINTON: Poland, the Czech Republic and Hungary should be invited to join NATO as full members at the earliest opportunity. The current plan to extend these three countries a "Partnership for Peace" appears at this point more slogan than substance.

First, the Administration's current plan for "Partnerships for Peace" does not provide a clear and unambiguous timetable for NATO membership for any of these countries. Instead, it only tantalizes with calls for increased cooperation. History proves that ambiguous security agreements only serve to invite aggression. Never have they slowed it. In 1939, the British and French commitment to Poland's security was not clear-cut. The sad result was that both Germany and the Soviet Union felt they could invade Poland with impunity—and they did. In Korea, the U.S. commitment in 1948 to defend South Korea was unclear, and North Korea saw it as an opportunity to invade. An unclear commitment like that currently proposed is certain to be perceived by potential aggressors as no commitment whatsoever.

Second, all three countries have a tradition of democracy and support for Western ideals. Poland was one of the first democratic countries in Europe, initiating a democratic system in the late 18th century comparable to our own fledgling democracy. All three emerged as strongly democratic nations after World War I, and all three risked Soviet retaliation in attempts to rejoin the West. Many brave Hungarian and Czech citizens lost their lives in 1956 and 1968. Poland spent many years under harsh martial law after the Solidarity demonstrations. Culturally and historically, these nations share our values and belong in NATO.

Third, for nations that sit astride the path of history's greatest invasions (the Mongol hordes, the Tartar invasions, the Ottomans, Napoleon, and Hitler) a sense of security is absolutely essential. NATO membership gives that sense of security that will in turn permit the growth of a strong democracy and a vibrant free market. Giving NATO membership is essential to ensure a stable, effective transition to democracy for these nations.

Fourth, acceding to Russia's demand that these three nations not be admitted to NATO only serves to strengthen the radical elements in Russian society. If it becomes apparent that when Russia rattles its saber on matters in Eastern Europe, the United States complies, we are certain to hear more—not less—from Russia's most radical elements.

The case for membership for these three countries is compelling and decisive. If we miss this historic opportunity, it is unlikely we will have another chance. Once rejected, these countries will not ask again. I urge their earliest inclusion in NATO. At the very least, our security depends on an unambiguous timetable for NATO membership for these three nations.

Sincerely,

HANK BROWN,
U.S. Senator.

EMBASSY OF THE REPUBLIC OF POLAND,
Washington, DC, January 13, 1994

Senator HANK BROWN,
U.S. Senate, Washington, DC.

DEAR SENATOR BROWN: I would like to thank you very much for your letter of January 10, 1994, and the copy of a letter you have sent to the White House concerning the future of NATO and support for the idea of extending NATO membership to Poland, Hungary, and Czech Republic.

It is my belief that Poland in NATO would be an asset, and not a liability for the Pact. We are willing to join the nations that carry the responsibilities for protection and promotion of the values represented by the Alliance. In the last four years Poland has accomplished a remarkable progress in our strive for democracy and stability. We are a "stability exporter" in a region which is still far from stable. Poland in NATO could be an example and an incentive for other countries in the region, including Russia, that the world of the rich and secure is not an exclusive club and it is willing to accept, one way or another, new members. Indeed, as Secretary James Baker says: "It would be truly tragic to tear down the concrete wall that divided Europe, only to replace it with a "security" wall through exclusion from NATO."

Dear Senator, thank you again for your strong support for the proposal of Poland's membership in NATO, and final overturn of the tragic consequences of the archaic Yalta agreement.

With my highest regards,

MACIEJ KOZLOWSKI,
Charge d'Affaires.

Mr. BROWN. I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Madam President, I thank you. I am pleased to be a cosponsor of this amendment.

I ask unanimous consent to have printed in the RECORD an editorial from the Peoria Journal Star on this general question, and also an eloquent letter from our President pro tempore, Senator ROBERT BYRD, to the President, on this question.

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

NATO AND ABSURDITIES—WHY EVEN HAVE IT IF IT'S AFRAID TO PROTECT THE EUROPEAN DEMOCRACIES?

If Russia attacked Poland and our new friend Lech Walesa, should NATO come to his defense? Would it? If Russia attacked the Czech Republic and our new friend Vaclav Havel, should NATO aid him? Would it?

Wait a minute. What's this about Russia going on the attack? Hasn't Boris Yeltsin just agreed to point his nuclear weapons away from the West? Haven't leaders of the former Russian republics promised to turn in their nuclear stockpiles? Aren't the Russians too busy groveling for food and leadership to attack anyone? This really is theater of the absurd.

Yet, incredibly, fear of the Russians—and vice-versa—became the motivation for refusing to grant the new Eastern European democracies full membership in the North Atlantic Treaty Organization. The 16 NATO nations couldn't promise unequivocally that they'd defend the new European democracies from Russian attack, which the former Soviet satellites still fear. And on the other side of the old Iron Curtain, the Russians were nervous about the threat a stronger and bigger NATO alliance would pose. The West didn't want to give Boris Yeltsin's opponents another campaign issue.

So NATO opened its door just half way to the former Soviet satellites, offering them a second-class pre-membership status. The spin is that if they prove themselves, they can walk through an open NATO door sometime in the not-too-specific future.

Face it. The nations needing to prove themselves are not Poland or the Czech Republic or Hungary. They are France and Britain and Germany and the United States and NATO's other full partners. It is the old democracies who must decide in the next couple of years—we can't wait much longer—if they have the guts to grant the new democracies NATO's guarantee that "an armed attack against one or more of them . . . shall be considered an attack against them all," and responded to as "it deems necessary, including the use of armed force."

The issue should be a no-brainer. If there were no NATO, would we refuse to defend the Czechs and the Poles and the Hungarians from the Russians? Unlikely though such an attack might be, if it occurred, would it be in our interest to have the Russians dominate Eastern Europe again? Then how could we not come to their defense—full NATO membership or not?

That this issue has caused great nations to pause says a lot about the difficulties the United States and its allies are having in shaking the old order and dealing with the new one. The world's leaders seem as fearful of long-term commitments as the 20-somethings who can't decide whether to marry or what career to undertake, so spend 10 years of young adulthood in an uncertain Purgatory, going nowhere and unaware that this, too, is a decision.

Well, we all grow up, and so must the world. When this happens, then, of course, these nations must be admitted to NATO. The organization has promised. And if NATO is to be worth having, it must not make promises it doesn't intend to keep.

U.S. SENATE,
Washington, DC, January 6, 1994.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: Your upcoming NATO summit meeting in Brussels will be an important event for the future course of NATO, as well as our broad foreign policy toward a Europe in the early stages of a new era from all perspectives—economic, strategic and diplomatic. As you shape your policies, perceptions will play vital roles in shaping the course of events throughout the European continent, but are of particular importance in those newly independent Central European nations, finally free from the oppressive yoke of half a century of Soviet domination and control.

While it is widely acknowledged that we should do everything we can to assist Russia in its difficult path toward democratic practices and structures, and economic reform along the capitalistic model, our measure of influence can only be limited. The dynamics of Russian politics clearly have an independence of their own. Despite the massive aid that the Senate approved in the context of the FY 94 Foreign Aid bill, our measure of influence should not be exaggerated.

Of particular concern to me is the growing perception, as reported extensively in the media over the last week, that American policy toward the newly independent states of Eastern Europe—such as Poland, Hungary, the Czech Republic and Slovakia—is being fashioned according to what will be most acceptable to political forces in Moscow, on the theory that we should not antagonize conservative forces there against both President Yeltsin and the West. Nevertheless, after the agony of Communist rule, it would be a cruel blow to those nations for the West to once again, as in the immediate post-World War II-era, assign their fate to a Russian "sphere of influence." I would hope that your policies would be tailored according to two fundamental principles: what is in the best long-term interest of the United States in terms of its relationships with each of these new nations, and second, what will help bring these countries toward the formation of free, democratic societies with increasingly solid ties with the United States and Western Europe.

I encourage you to ensure that, by our policy toward NATO membership, the Russians are not misled into thinking that they are free to exert any and all kinds of influence on their former vassal states without jeopardizing their fundamental relations with the United States, including the continuation of any aid programs from the U.S.

NATO membership on the part of these nations has become a symbol of America's overall policy toward their development free from unwanted outside pressures. The leadership of these nations have indicated unequivocally that it is vital for their independence to be seen as part of the NATO framework, from the political, as well as military, points of view. It is now a litmus test, perhaps the most important litmus test, of your policy toward Europe.

I would therefore urge you to indicate unequivocally during your meetings in Europe at the NATO summit and with the leaders of these nations that you are committed to their inclusion in NATO, and that a reasonable, but very clearly specified, time period of no more than three years would be needed to accomplish the preliminary actions necessary to gain NATO membership. Without such specificity, I fear, your policies will be viewed as being excessively dictated by overdrawn concerns over Russian "sensitivities" on the matter and may well invite the kind of perceptions and actions both by Moscow and in Europe which work against America's long term interests in the region.

Sincerely,

ROBERT C. BYRD.

Mr. SIMON. Madam President, I had an amendment prepared somewhat along the same line as the amendment offered by the Senator from Kentucky. Senator BROWN, Senator MCCAIN, and Senator BYRD were cosponsors of my amendment.

Senator MCCONNELL offered his amendment first. I am pleased—thanks particularly to the interest of Senator LEVIN—that we worked something out. I commend my colleague from Kentucky for his leadership on this. Senator GORTON was also one who showed an interest in this. I want to commend him also.

Senator COHEN mentioned before that the NATO role is changing, and there is no question about that. Yet in one respect it is not changing. NATO was to give Europe stability. The great threat to the world now, and the great threat in Europe, is instability. And one of the threats—let us be candid—right now is what is going to happen to Russia, in Russia. Our friends in Poland and the Czech Republic and the Baltic Republics and Hungary and some of the other countries, they are concerned. I think one of the great ways we can lend stability to that area is to include these countries gradually into NATO.

It is not going to happen tomorrow. And the President has made steps in that direction and I hope we can make more and I hope we can make them fairly rapidly. I think it is extremely important that we do that.

Then, if Russia establishes a good, solid democracy, there is no reason Russia cannot be part of NATO. We do not spell that out in this amendment but I am sure—I see my colleague from Kentucky nodding his head. He is either sleeping while I speak or he agrees with me and I think he agrees with me—there is no reason that cannot happen. And that could be in Russia's long-term best interests, not only because of stability there but Russia has an eastern frontier. Where China is going to be 20 years from now, no one knows. This resolution could very well be in Russia's best interests.

So, I commend my colleague from Kentucky, and particularly Senator LEVIN, who is a bulldog when it comes to working out language. He should have been a journalist instead of a lawmaker here.

Some of the people in Michigan probably agree with that.

Mr. LEVIN. I hope a minority.

Mr. MCCONNELL. The Senator makes an important point that this amendment draws no line and does not rule anybody in that area of the world out, including the Russians. I think that is a very important point and I commend him as well for his interest in this subject.

Mr. SIMON. I thank my colleague from Kentucky.

I should have mentioned Senator NUNN also, who was helpful as we pulled this together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, briefly, I ask unanimous consent the distinguished occupant of the chair be added as a cosponsor of this amendment.

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

The Senator from Washington.

Mr. GORTON. Madam President, as we, from the vantage point of the year 1994, look back through the golden haze of victory in the cold war, after 45 years in which the United States and the Soviet Union confronted one another across the frontiers of the North Atlantic Treaty Organization, we tend to forget that not all Americans were always united with respect to the policies of our country during those years. There were a significant number of articulate people who felt that there was no significant moral difference between the two sides; that the United States and Western Europe were as much potential aggressors as the Soviet Union was; that the Soviet Union could rightly fear aggressive tendencies from the West.

There were those who, at the end of the cold war, rewriting history, asserted that it was not American purposefulness and a strong North Atlantic Treaty Organization which ultimately resulted in the collapse of the Soviet Union but the fact that, unbeknownst to any of us, the Soviet Union never amounted to anything from the very beginning.

I think it is unfortunate—but I also think that it is unconscious—that some of that revisionary thinking was in the mind of the President of the United States when he expressed the view that an expansion of the North Atlantic Treaty Organization could be considered as provocative by Russia. But can anyone seriously assert that Poland threatens the territorial or social independence of the Russian Republic? That Hungary does? That the Czech Republic does? That the Baltic States, so newly liberated, do? To state that proposition is to answer the query. Of course not.

The people of Poland live in a nation whose boundaries have shifted east and west on half a dozen occasions over 200 or 300 years, always as the result of the aggression of some more powerful nation, a nation which was literally partitioned out of existence on four separate occasions. Are the Poles a threat? Can their actions be considered to be provocative? Of course not.

It was the fundamental basis of American foreign policy during that entire 45 years, under Democratic Presidents and under Republican Presidents, that the North Atlantic Treaty Organization was purely defensive; that it united nations with a democratic heritage, with a devotion to freedom and to liberty, and without aggressive intent. The admission of other nations who meet the qualifications set out by the distinguished Senator from Kentucky with the help of many others will enhance security, stability, and freedom. It should in no way be considered to be a provocation.

I guess the basic question that we face here is, should a weak Russia hold a veto over American and NATO foreign policy which we never permitted a strong and threatening Soviet Union to exercise? The answer should be no. The men who run the Russian Republic at the present time are all graduates of the years of the Soviet Union. They are all highly realistic. They often deserve our admiration for the changes in Russia. But they remain Russian nationalists. The moderate Foreign Minister of Russia himself claims special status and special rights for Russia not just in the Baltics but in every square inch of what was formerly a part of the Soviet empire.

Does that lead to security and a feeling of a happy future in those newly liberated nations? Of course it does not.

Have the three principal nations—Poland, the Czech Republic, and Hungary—done everything they possibly could to move into the free world both politically and economically? Of course they have, and they have done so because of the beacon that we and the rest of NATO held out to them for so long.

I earnestly hope and pray that the President and the rest of NATO will see that these people who gave up so much to win that freedom should be considered as rapidly as possible to be a part of our traditional democratic, peaceful Western World. NATO is not a threat. Its definition is strictly and clearly defensive. I hope and I believe that all of us hope that the day will come when Russia itself will qualify for such membership. But clearly there are nations which do so today.

Personally, Madam President, I would have preferred that we lay out the names of nations which we feel are qualified for membership in NATO today. We have not done so and there is an attempt on the part of the sponsors of the proposal to be as all-inclusive as possible, but I hope that the distinguished Senator from Kentucky, when he has an opportunity to speak again, will join me in affirming that the qualifications laid out in this resolution would authorize the admission of Poland, the Czech Republic, and of Hungary into NATO today and that a number of other nations, including the small Baltic republics and others, will meet those qualifications soon and should be considered as potential members promptly and favorably.

Mr. MCCONNELL. Madam President, I say to my friend from Washington, my own view is that the policy of this administration, which I have called Moscow myopia, is entirely in the wrong direction. And for us to have concluded that admission of any country formally under Soviet influence to NATO is, as the Senator said, a provocation is utter nonsense.

So I certainly agree with the Senator from Washington that there are three obvious candidates—and the Senator from Colorado mentioned this as well—three obvious candidates that would seem to be worthy for admission now, and the Senator from Colorado and the Senator from Washington have named them: Hungary, Poland, and the Czech Republic.

I hope this administration—they are not going to change their policy over this particular amendment—but I hope they begin to get the hint that there are quite a number of Senators who are not convinced that this is the best policy. One way to, again, shift directions in the not-too-distant future would be to admit the three clearly ready countries to NATO. The Senator is right on the mark.

Mr. GORTON. I thank the Senator from Kentucky and conclude by stating that it is very difficult for me to see how leaving an unprotected and questionable area in Central Europe occupied by the nations which we discussed today at the time of Russian weakness will provide strength if Russia unfortunately becomes aggressive once again. We have reached the time—the ideal time—for the kind of expansion based on democratic ideals which are reflected in this resolution.

I join the Senator from Kentucky and I join the others in hoping that we are adding constructively to this debate as it takes place in the administration in expressing what I trust will be the sense of this Senate that the time has come to reward democracy, to reward freedom and to bring in to the Western fold those countries which qualify and which are so desirous of being members.

Madam President, at this point, as I conclude, I ask unanimous consent that an eloquent column by the distinguished former Secretary of State of the United States, Henry Kissinger, be printed in the RECORD.

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

BE REALISTIC ABOUT RUSSIA

(By Henry Kissinger)

The most significant aspect of President Clinton's recent progression across Europe may have been obscured by the atmospherics surrounding it. In fact, the trip ushered in an important reevaluation of heretofore accepted premises of American foreign policy: In effect, the president's statements elevated the radical critique of Cold War policies into the operational premises of contemporary American foreign policy.

For nearly a half-century, that critique had maintained that Soviet policies were as much caused by American policies as by Communist ideology; that the Soviet Government was divided, just as the American government was, between hawks and doves; that it was the task of American diplomacy to ease Soviet fears, many of which were quite legitimate; and that an attitude of genuine cooperation would overcome Soviet bellicosity.

As late as January 1990, these propositions were refurbished in a Time magazine article in which Mikhail Gorbachev was anointed Man of the Decade. Its author was Time correspondent Strobe Talbott, recently appointed deputy secretary of state, who argued that the doves of 40 years of Cold War debate had been right all along and that it had not been the West's policy that brought about the Soviet collapse but the inherent weakness of the Soviet system; indeed, that the collapse might have occurred earlier had Western hard-liners not enabled the Soviet leaders to rally their people on behalf of security.

The essence of these themes was repeated by President Clinton on many occasions during his European trip. To explain why he did not favor the admission of Poland, Hungary, the Czech Republic and Slovakia—the so-called Visegrad nations—into NATO, he argued in effect that such a step might be provocative. The Atlantic Alliance, he said, could not "afford to draw a new line between East and West that could create a self-fulfilling prophecy of future confrontation. . . . I say to all those in Europe and the United States who would simply have us draw a new line in Europe further east that we should not foreclose the possibility of the best possible future for Europe which is a democracy everywhere, a market economy everywhere, people cooperating everywhere for mutual security."

The assumptions behind these statements challenge the very intellectual foundations of NATO—the core of America's postwar foreign policy. Whether the former victims of Soviet imperialism should join NATO is a complicated question. There are many ways to accomplish that goal, from full membership to various levels of associate membership or, indirectly, via membership in the European Union. On balance, I thought that, at this moment of Russian relative weakness and East European uncertainty, it was an opportunity to extend NATO in some way—especially as there were many measures available by which to reassure Russia.

But the key issue is not the timing of NATO expansion. In putting forward the Partnership for Peace, the administration did not just delay East European participation, it emphatically rejected the principle despite many misleading statements to the contrary. The Partnership invites all the successor states of the Soviet Union and all of Moscow's former East European satellites to participate with NATO in a vague, multilateral entity specializing in missions having next to nothing to do with realistic military tasks; it equates the victims of Soviet and Russian imperialism with its perpetrators and gives the same status to the Central Asian republics at the borders of Afghanistan as it does to Poland, the victim of four partitions in which Russia participated and the route across which Russia has historically invaded Europe.

If the Partnership for Peace is designed to propitiate Russia, it cannot also serve as a way station into NATO, especially as the administration has embraced the proposition rejected by all its predecessors over the past 40 years—that NATO is a potential threat to Russia. An official traveling with the president's party expressed the logic behind the administration position when he stated that Eastern Europe would have to find security in placating its feared neighbor by "encouraging domestic reform in Russia."

It is instructive to compare the current approach with that of Dean Acheson when NATO was founded. Testifying before the Senate Foreign Relations Committee, the secretary of state was asked whether the Soviet Union had reason to fear NATO. His reply was: "Any nation which claims that this treaty is directed against it should be reminded of the biblical admonition that 'the guilty flee where no man pursueth.'"

No reasonable observer can imagine that Poland, the Czech Republic, Hungary or Slovakia could ever mount a military threat against Russia, either singly or in combination. The countries of Eastern Europe are terrified, not threatening. And NATO forces, doctrine and deployment are strictly defensive. Moreover, Russia could easily be given additional assurances, for instance, that no foreign troops would be stationed on the soil of new NATO members.

The key question, however, is what the American theory means for NATO. What is to be its precise role in the new dispensation? If a security guarantee along the Polish-Russian border creates an unacceptable dividing line, why is the current eastern border of NATO any more pacifying? If Russia can veto NATO membership now, when it is in need of economic support, what will it veto when it has been strengthened through reform and American economic assistance?

It is high time to take another look at our Russia policy, which stakes everything on a kind of psychoanalytic social engineering. The world evoked by Clinton's reference to "democracy everywhere . . . people cooperating everywhere" is decades away. In the real environment of today's ethnic conflict and internecine struggle in the former Soviet Union and Eastern Europe, how are security and progress to be organized until that utopian world is reached? Can it be wise to create two categories of frontier—those which NATO protects and others which are refused protection—when both frontiers face in the same direction? The practical consequence will be to bring about an unprotected no-man's-land between Germany and Russia, which has historically been the cause of all recent European conflicts.

A realistic approach to Russian policy would recognize that integrating Russia into the international system has two components that must be kept in balance: influencing Russian attitudes and affecting Russian calculations. The administration deserves support in extending generous economic assistance to Russian reform. And Russia should be made welcome in institutions that foster economic, cultural and political cooperation with the West. The European Security Conference would be a far better home for this than to invent, as the Partnership for Peace does, common military missions within the framework of NATO whose essential irrelevance underlines the artificiality of the conception.

The administration's tendency to treat Russian leaders as if they were fragile novices easily flustered by exposure to the realities of international politics is an invitation to disillusionment and misunderstanding. These are tough men who have survived the brutal school of Communist and Russian politics; they are quite capable of comprehending a policy based on mutual respect for each other's national interest.

Russia is bound to have a special security interest in what it calls the "near abroad"—the republics of the former Soviet Union. The test is whether the rest of the world treats this relationship as an international problem subject to accepted rules of foreign policy or as an outgrowth of unilateral Russian decision-making to be influenced, if at all, by appeals to Russian goodwill.

Perhaps the most serious misapprehension of the Partnership for Peace proposal is that a reformist Russian government would automatically abandon traditional foreign policy goals. For the incentives of the most well-meaning Russian government are quite different. Nationalism is on the rise, and there is a great temptation to ease the pain of transition to market economics for the Russian population by appealing to that basic instinct.

At the moment, Russian armies are in Moldova, Georgia, Azerbaijan, Estonia, Latvia and Taiikistan and participate in some of the local civil wars with a strategy that seems designed to make these new republics—all of them members of the United Nations—rue their independence. The foreign minister of Russian monopoly on peacekeeping in the "near abroad," indistinguishable from an attempt to reestablish Moscow's domination. By its silence and its repeated invocation of an American-Russian partnership, the United States acquiesces in these actions.

A moderate Russian foreign policy will be impeded, not helped, by turning a blind eye to the reappearance of historical Russian imperial pretensions. Russia's effort at reform cannot exempt it from accepted principles of conducting foreign policy. It is in fact ambiguity about dividing lines, not their existence, and ambivalence about Western reactions, not their certainly, that tempt militarists and nationalists.

Russia and America share a mutual interest in a stable Europe. This can be achieved only by America's presence in Europe, which is based on NATO. Stability in Europe requires reaffirming the centrality of NATO rather than diluting it in an abstract multilateralism.

The Partnership for Peace should be redefined to deal primarily with political, economic and cultural issues for which the proper venue is the European Security Conference, not NATO.

NATO, meanwhile, must face the fact that some form of Visegrad membership is inevitable. In the wake of the NATO summit, German Chancellor Helmut Kohl has urged speeding up the entry of these four countries into the European Union, of which they are already associate members. Since the vast majority of nations in the European Union are also members of NATO, it is inconceivable that the Union will for long accept the

notion that some of its territory is not protected. At that point at the latest either the NATO guarantee will be extended or NATO will fall apart.

A statesman can always escape his dilemmas by making the most favorable assumptions about the future. The new Russian leadership is entitled to understanding for the anguish of trying to overcome two generations of Communist misrule and to help in building a new society. But in pursuing that goal, American policy must not be embarrassed to emphasize that domestic reform, however desirable, contributes to a better world only if Russia embraces the disciples of a cooperative international system as well as its benefits.

UNANIMOUS-CONSENT AGREEMENT

Mr. FORD. Madam President, some of the colleagues would like to have a time certain when we will have the next vote. I checked with the managers and the proponent of this amendment. Are there any Senators on the Republican side who would like to have some time? If not, we have Senator NUNN who would like to have 3 minutes and Senator LIEBERMAN would like to have 3 minutes. That is 6 minutes.

I ask unanimous consent that the vote on the amendment by Senator MCCONNELL, which would be an amendment with a perfecting amendment—the Senator worked that out. We would have two votes? One vote now. So that we vote at 6:55. It is on amendment No. 1280.

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

Mr. NUNN. Madam President, I am delighted that this amendment has been worked out. I congratulate the Senator from Kentucky and the Senator from Washington, the Senator from Michigan, the Senator from North Carolina, and others, who worked on this amendment.

This is an enormously important subject. I think all of us share the excitement of the free markets and the emerging democracies that are now beginning to take shape in Eastern Europe and Central Europe. I think we all realize that there could be another threat to those countries down the road. I think we all were sobered by the recent Russian election and some of the very extreme statements that were made by the so-called Liberal Democratic Party and Mr. Zhirinovsky.

I also believe, however, the Partnership for Peace approach that was adopted at the NATO summit conference was the right approach. It needs some beef; it needs some definite criteria; it needs some resources. But I think it gives time to answer some crucial questions. The countries involved, including Czechoslovakia, Poland, and Hungary, have to answer some crucial questions and we have to answer some.

The committee responsible for providing resources in a declining budget period will be asking some real tough questions like who is going to provide the forward deployment of forces if those forward deployments are necessary? Are we extending the nuclear umbrella? If so, what are the conditions of that extension? We have a lot of questions that need to be asked and a lot of preparation. I think this amendment reflects the appropriate approach. So I intend to vote for the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I rise to support the amendment and thank my colleagues who have put it together. I think it gives the Senate an opportunity at this uncertain moment in Eastern and Central European history to make a statement, which is that we understand that in the post-cold war world we have some central tenets and principles for foreign policy.

One is to try to sustain the newly democratic and largest nation of Russia, but there are other goals that we have, too. Those include keeping the faith, the trust with the people of Central Europe, of the Baltic nations, of Ukraine to whom we appealed over the years as captive nations to rise up and assert their freedom. Now they have done it. It would be a terrible dereliction of our responsibility and a breach of our basic principles to become so centered in our concern about a stable Russia that our response is to be timid in our dealings with other allies and friends in Europe.

Madam President, the recent political turmoil in Russia has shown us how unstable that country is and raises the concern that Russia may become, once again, expansionist in its foreign policy—perhaps toward the Ukraine, perhaps toward the Baltic nations. In that event, or with that possibility in mind, it is even more important that we not remain silent about our willingness to embrace, through NATO, those nations that follow the principles of democracy and respect the territorial integrity of others in the region.

Finally, there are those who say extending membership to the nations of Central Europe, particularly Poland, Hungary, the Czech Republic, and Slovakia, draws a line in Europe. It does not.

NATO has always been a defensive alliance—never threatened its neighbors—and it never will. It is there to protect those who live by and follow the principles of democracy to which we, as a Nation, are committed.

This amendment makes that inclination of our foreign policy clear. I congratulate my colleagues for introducing it, and I am proud to support it.

I thank the Chair.

Mr. ROTH. Mr. President, I would like to congratulate the Senator from Kentucky for introducing his amendment. I have long supported the notion of offering NATO membership to those newly democratized nations of Central Europe which are seeking it so avidly.

Our failure to respond to the Czech Republic's, Hungary's and Poland's desire for membership, unless rectified, could provide ominous for the future of this vital region of the world. Twice this century this region has proved turned into an East-West battlefield. If this situation is not to recur, we would be well-advised to cement the new democracies of the region into a broad stable security framework which can guarantee their security. NATO alone can fulfil this role.

I have heard some of my colleagues assert, quite rightly, that Russia has no right to exercise a veto over Czech, Hungarian, or Polish membership of NATO. By shrinking from addressing this vital question, the Clinton administration may have played into the hands of Moscow's new hard liners—we have demonstrated that, indeed, they can aspire to have a veto over the foreign and security policies of the sovereign nations of Central Europe. I should also point out to my colleagues, in passing that the C.S.C.E. Treaty, to which Russia is a signatory, specifically reserves to all of its members the right to join any alliance they wish free from external interference.

I would wish that the President, during his recent summit in Europe, had addressed this question squarely. Instead he chose to offer a rather vague, inclusive, partnership for peace to all members of the former Warsaw Pact and Soviet Union. I fail to see how Polish, Czech, and Hungarian security concerns can be allayed by placing them in a partnership alongside the very nations whom they most fear. And recent events in Moscow, specifically the electoral success of Vladimir Zhirinovsky, demonstrate that those fears are well founded.

Now, the task before us is to make the best that we can out of the so-called partnership for peace. Let us use it to establish a series of guideposts for those nations who wish to join NATO. Let us, as the Senator from Kentucky has urged, lay down a set of criteria which they must meet and, when they have met those criteria, let us welcome into our alliance in a spirit of inclusion and in the fervent hope that Central Europe can escape its tragic history as the scene of East-West conflict.

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

Mr. MCCONNELL. I ask unanimous consent that Senator BYRD be added as a cosponsor.

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

Mr. FORD. 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. KERRY. 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. KERRY. I ask unanimous consent that I simply be allowed to proceed a couple minutes before proceeding to the vote.

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

Mr. KERRY. Madam President, I would like to thank Senator MCCONNELL and Senator LEVIN, Senator LIEBERMAN, Senator NUNN, Senator SIMON, and others who worked with us together in order to try to arrive at an understanding on this. I am particularly grateful to Senator MCCONNELL who had the prerogative to move forward previously but who held off in order to see if we could not reach an accommodation.

I also want to say that I just came back from a series of discussions with both French and British defense ministers and those involved directly in some of the issues at the summit and the partnership for peace.

It is my view that this is a very important statement for us to make. It is clear that none of these countries—Poland, Hungary, Czechoslovakia—are in a position today or tomorrow to immediately become full members. The military issues alone would boggle the mind as to how certain decisions could be made or implemented, and immediate membership is obviously not something that is available.

On the other hand, it is also equally important that we make as strong a message as possible of the importance of bringing those countries in immediately. Things could change very rapidly in Russia if Zhirinovsky were, in fact, to be elected or if any number of events were to take place. I think the faster we can understand how to become amalgamated and the faster we lay the groundwork for that to happen, the more we underscore the importance of the transition to democracy that we think is taking place and that we want to have take place.

So I congratulate my colleagues for joining together in sending this message and I hope that we can proceed faster to make that union a reality. It is in all of our interests.

Madam President, I ask unanimous consent that we proceed to the vote immediately.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 1280, as modified, offered by the Senator from Kentucky. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Washington [Mrs. MURRAY] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Kansas [Mrs. KASSEBAUM] and the Senator from South Dakota [Mr. PRESSLER] are necessarily absent.

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

The result was announced—yeas 94, nays 3, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—94

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

NAYS—3

Hollings	Stevens	Wallop

NOT VOTING—3

Kassebaum	Murray	Pressler

So the amendment (No. 1280), as modified, was agreed to.

Mr. KERRY. Madam President, I ask unanimous consent that we vitiate the yeas and nays on the underlying first-degree amendment No. 1279.

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

The question is on agreeing to the amendment.

The amendment (No. 1279) was agreed to.

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

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO 1278

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1278 offered by the Senator from North Carolina.

The nays and yeas have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mrs. FEINSTEIN], the Senator from Washington [Mrs. MURRAY], and the Senator from Nevada [Mr. REID] are necessarily absent.

I further announce that, if present and voting, the Senator from California [Mrs. FEINSTEIN] would vote "aye."

Mr. SIMPSON. I announce that the Senator from Minnesota [Mr. DURENBERGER], the Senator from Kansas [Mrs. KASSEBAUM], and the Senator from South Dakota [Mr. PRESSLER] are necessarily absent.

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

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—91

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

NAYS—3

Campbell	Hollings	Metzenbaum

NOT VOTING—6

Durenberger	Kassebaum	Pressler
Feinstein	Murray	Reid

So the amendment (No. 1278), as modified, was agreed to.

ANNOUNCEMENT OF POSITION ON A VOTE—AMENDMENT NO. 1278, AS MODIFIED

Mr. BAUCUS. Madam President, we all know how distracted we sometimes are by other matters on the Senate floor.

During the vote on the Dole resolution on Bosnia, this Senator was distracted and, therefore, did not seek recognition to vote. Had I not been distracted and sought proper recognition, I would have voted in the affirmative in favor of the Dole resolution.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I would like the RECORD to reflect that had I been able to be present for the last vote, I would have voted affirmatively.

Mr. MITCHELL. Madam President, I have discussed the best way to proceed with the manager, the distinguished Senator from North Carolina, the Republican leader and assistant Republican leader, and I will now propound a request for unanimous consent following which, if granted, I will have a brief colloquy with the assistant Republican

leader pursuant to our prior conversation.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Madam President, I now ask unanimous consent that the following amendments be the only first-degree floor amendments remaining in order to S. 1281, the State Department authorization bill, and that second-degree amendments be in order, provided they are relevant to the first-degree amendment to which they are offered; provided further that in order for the remaining first-degree amendments to be in order, they must be offered by 6 p.m. on Tuesday, February 1.

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

Mr. MITCHELL. Madam President, I send to the desk the list of amendments to be incorporated into this agreement and ask unanimous consent it be printed in the RECORD.

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

REPUBLICAN AMENDMENTS TO STATE DEPARTMENT AUTHORIZATION—JANUARY 27, 1994, P.M.

Brown, World Bank.
Brown, eliminate AID pipeline.
Brown, Arab boycott.
Brown, Russia study.
Brown, relevant.
Brown, E. Europe/NATO.
Brown, nuclear dismantlement.
Brown, relevant.
Brown, relevant.
Brown, Bosnia.
Cochran, Taiwan.
Cohen, Malaysia.
Cohen/Lugar, Germany.
Cohen, Russia.
Coverdell, Peace Corps.
Coverdell, Nicaragua.
Coverdell, IDB/Nicaragua.
Coverdell, OFM in Statute.
D'Amato, counterterrorism.
Dole, U.N. peacekeeping.
Dole, U.N. peacekeeping.
Dole, Bosnia.
Dole, Azerbaijan.
Dole, Vietnam.
Dole, relevant.
Dole, relevant.
Dole, relevant.
Dole, relevant.
Dole, relevant.
Domenici, retention of consular fee.
Domenici, Russia Ukraine policy.
Gorton, NATO timeline.
Gorton, funding for Seattle.
Grassley, terrorist assets.
Hatfield, Cuban Democracy Act.
Hatfield, free trade in ideas.
Hatfield, prohibit PRM merger.
Hatch, Israel and AID.
Hatfield, Test Ban Treaty.
Hatfield, Assistant Secretary for Refugees.
Helms, Chinese refugees.
Helms, number of assistant secretaries.
Helms, expropriation of American property.
Helms, expropriation of American property.
Helms, SOS on China.
Helms, relevant.
Helms, relevant.
Helms, relevant.
Helms, relevant.
Helms, relevant.
Helms, report on Nicaragua.
Helms, report on Haitian Assets.
Hutchinson, relevant.
Lugar, Fisheries Commission.
Hutchinson, foreign aid balances.
Jeffords, Peacekeeping.
Jeffords, Africa.
Kassebaum, illegal aliens.
Kassebaum, Bilateral Cooperation Agreement.
Kassebaum, NDT/relevant.
Lott, relevant.
Lugar, democracy in Azebaijan.
Lugar, Sarajevo safety.
Lugar, relevant.
Mack, PLO.
McCain, extension of sanctions Iran/Iraq.
McCain, Iran terrorist.
McCain, N. Korea.
McCain, Thailand.
McCain, retirement pay.
McCain, relevant.
McConnell, relevant.
Murkowski, relevant.
Murkowski, relevant.
Murkowski, Relevant.
Murkowski, Russian American Enterprise fund.
Nickles, International Standing Army.
Pressler, Relevant.
Roth, Japan/Germany.
Simpson, Refugees.
Specter, Collateral aid.

KNOWN DEMOCRATIC AMENDMENTS TO STATE DEPARTMENT AUTHORIZATION, JANUARY 27, 1994, 6 P.M.

Baucus, Sustainable development.
Biden, Article 43.
Biden, Relevant.
Biden, Relevant.
Biden, Relevant.
Biden, Relevant.
Bingaman, Alternative MTCR sanctions.
Bingaman, Excess Defense articles.
Bingaman, MTCR notifications.
Boren, Tied Aid.
Boren, Relevant.
Bradley, Hispanic recruiting Foreign Service.
Byrd, Relevant.
Campbell, SOS Re: Violence in Chiapas, Mexico.
DeConcini, Office of Foreign Missions.
DeConcini, International Boundary Water Commission.
DeConcini, Intelligence support to U.N. Peacekeeping.
Dodd, Relevant.
Feingold, EURASIA.
Feinstein, Satellite exports.
Glenn, Export control non-proliferation.
Hollings, Mexico.
Kennedy, Kennedy/Simpson—Amend Sec. 245 of INA.
Kennedy, Western Sahara.
Kennedy, Slave labor in Tibet and China.
Kennedy, U.S. Coordinator of Refugee Affairs.
Kerry, Relevant.
Kerry, Relevant.
Kerry, Relevant.
Lautenberg, Anti-Arab boycott amendment.
Lautenberg, Burdensharing.
Lautenberg, Refugees from former Soviet Union.
Leahy, Middle East.
Leahy, Middle East.
Levin, Auto parts comm.
Levin, Bosnian refugees.
Mitchell, Relevant.
Mitchell, Relevant.
Metzenbaum, Syria.
Metzenbaum, Relevant.
Metzenbaum, Relevant.
Murray, Seattle reimbursement.
Murray, Russia/Far East.
Pell, U.N. Commission on Sustainable Development.
Pell, PLO waivers, make permanent.
Pryor, IMET.
Pell, Relevant.
Helms, Relevant.
Wofford, Northern Ireland.
Wofford, USIA.

Mr. MITCHELL. Now, Madam President, I commend the managers for their diligence in handling this legislation and all of the Members of the Senate for their patience, particularly on a day in which there is very inclement weather.

Under this agreement, all amendments, if they are to be offered, have to first be on the list which has just been sent to the desk and was incorporated in the agreement; second, must be offered by 6 p.m. on Tuesday.

It is apparent to any person familiar with the Senate rules on reading of the agreement that it is possible that absent good faith on both sides, some Senators could be precluded from offering amendments if one Senator, for example, got the floor and spoke for all the time we were in session until 6 p.m. on Tuesday; or, conversely, the purpose of the agreement, in permitting completion of the bill by Tuesday evening, could be frustrated were anyone to simply get up and offer on behalf of the other Senators all the amendments on the list.

But we do operate, and very successfully in the Senate, in good faith on both sides. I have discussed it with the managers, with the Republican leader and the assistant Republican leader, and we agree that it is the purpose and intention of this agreement to complete action on the bill Tuesday evening and to do it in a manner which permits an orderly and fair consideration of amendments which Senators intend to offer.

Therefore, the Senate will be in session tomorrow beginning at 9:30, and we anticipate that amendments will be offered on which there will be votes tomorrow.

In addition, the Senate, upon the completion of its business tomorrow, will recess until 1 p.m. on Monday, and the managers will be present on Monday, so any Senator who has an amendment to offer may come here after 1 p.m. on Monday—and they are prepared to stay in session throughout the day if necessary—to offer the amendment. If an amendment is offered on Monday on which a vote is required, that vote will be set over until Tuesday, because, as I previously indicated, there will be no votes on Monday.

But this will enable us to accomplish the two objectives of completing action on an important measure by a time certain and at the same time give any

Senator who has an amendment that he or she wishes to offer a reasonable opportunity to do so tomorrow or on Monday. I thank all of my colleagues for their cooperation and good faith in this endeavor.

I would like now, Madam President, to yield to the distinguished assistant Republican leader, if he has any comment to make.

First, if I have misstated anything inadvertently if he would correct me and, if not, if he would be prepared to comment on the understanding I have just set forth.

The PRESIDING OFFICER. The assistant Republican leader.

Mr. SIMPSON. Madam President, on behalf of the Republican leader—and I have visited with the majority leader—I think this has been stated very fairly and clearly. And it does depend upon good faith.

We also must depend on those who come forward to try to realize that there are others that need to be accommodated within that time limit and, if we can all recall that, to try to compress—I know it is very difficult to do—to compress our remarks on the Senate floor. I know that to be a tremendous challenge to us. But nevertheless that will help our colleagues.

We are ready to proceed and, I think, pledge from our side of the aisle we will proceed with dispatch and good faith and fairness, as you have prescribed here. I think we can get that done and accommodate our fellows.

Mr. MITCHELL. Madam President, I thank the distinguished assistant Republican leader, and I now am pleased to yield the floor. I again thank the managers for the diligent manner in which they have handled this measure, both the Senators from Massachusetts and North Carolina, and of course the distinguished chairman of the committee, the Senator from Rhode Island.

Madam President, consequently, having reached this agreement with this understanding, there will be no further rollcall votes this evening. I inquire of the managers whether there is any other business associated with the bill which they would like to, and can, accomplish this evening?

Mr. KERRY. Madam President, let me just inquire of the Senator from Colorado. He was waiting. I do not know if it was on this bill or an extraneous matter.

Mr. BROWN. There are two amendments I am aware of, one that we had previously conversed about, the pipeline amendment, which the Senator from Texas will be offering, and the antiboycott measure, which I will be offering tonight.

Mr. KERRY. In that case we are prepared to continue to do business.

I thank the leader.

Mr. MITCHELL. I thank the managers. I thank my colleagues.

Mr. KERRY. I thank my colleague and Senator HELMS for helping to get us into this agreement. I thank colleagues on both sides of the aisle for their cooperation, and I hope if we do proceed as articulated in good faith—I think we ought to be able to wind up in a position on Tuesday where we complete this bill.

Does the Senator from Texas wish to proceed?

Mrs. HUTCHISON. Yes.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 1285

Mrs. HUTCHISON. Madam President, on behalf of myself and the Senator from Colorado, Mr. BROWN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself and Mr. BROWN, proposes an amendment numbered 1285.

Mrs. HUTCHISON. 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:

SEC. . DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

(a) REQUIREMENT TO DEOBLIGATE.—Except as provided in subsection (b), at the beginning of each fiscal year the President shall deobligate, and return to the Treasury, any funds that, as of the end of the preceding fiscal year, have been obligated for a period of more than 4 years for development assistance, economic support assistance, assistance from the Development Fund for Africa, assistance under chapter 4 of part I of the Foreign Assistance Act of 1961 (relating to the Multilateral Assistance Initiative for the Philippines), assistance under the Support for East European Democracy (SEED) Act of 1989, and assistance to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (relating to assistance to the independent states of the former Soviet Union), but have not been expended.

(b) EXCEPTIONS.—The President, on a case-by-case basis, may waive the requirement of subsection (a) if the President determines, and reports to the appropriate congressional committees, that—

(1) the funds are being used for a capital or long-term participant training project that requires more than 3 years to complete; or

(2) the funds have not been expended because of unforeseen circumstances, and those circumstances could not have been reasonably foreseen.

(c) COMMENTS ON SUBSECTION (b) REPORTS.—As soon as possible after submission of a report pursuant to subsection (b), the Inspector General for the administering agency for part I of the Foreign Assistance Act of 1961 shall submit to the appropriate congressional committees such comments as the Inspector General considers appropriate with regard to the determination described in that report.

Mrs. HUTCHISON. Madam President, I will compress my remarks in line with Senator SIMPSON's requirements and just say this is an amendment that would return to the Treasury foreign aid funds that have not yet been obligated at the end of 4 years.

This is really a reform that has been in the pipeline for a long time. In "Putting People First," President Clinton said that he thought we should reform the foreign aid pipeline system and, as a matter of fact, the U.S. Agency for International Development said at the end of 1992 there was $8 billion of undisbursed foreign aid obligations in the pipeline.

Madam President, $6 billion at the beginning of this fiscal year was obligated when Ronald Reagan was President. So there is a lot of money that we have passed on through the years in the Senate that has just not been expended, for one reason or another. This amendment would return that amount to the Treasury. But on a case-by-case basis the President could waive the requirements for the return of those funds under certain circumstances if they have not been expended for some unforeseen reason.

So I think this is just a good-fiscal-responsibility amendment. It would save $1 billion, according to the CBO. I offer the amendment, and I believe it is acceptable to the managers. If that is correct, I will rest my case.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, it is indeed. In fact it is, if not identical, very similar to an amendment which we put on the AID bill. We are delighted to accept it. I thank the Senator from Texas for compressing.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1285) was agreed to.

Mr. KERRY. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1286

(Purpose: To prohibit the sale of defense articles and defense services to countries that participate in the secondary and tertiary boycott of Israel)

Mr. BROWN. Madam President, I send an amendment to the desk and ask for its immediate consideration. The amendment is offered on behalf of myself, Senator MOYNIHAN, Senator MCCONNELL, Senator MACK, Senator KEMPTHORNE, Senator COATS, Senator MCCAIN, Senator BURNS, Senator LAUTENBERG, Senator FEINGOLD, Senator DECONCINI, and Senator GRASSLEY.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself, Mr. MOYNIHAN, Mr. MCCONNELL, Mr. MACK, Mr. KEMPTHORNE, Mr. COATS, Mr. MCCAIN, Mr. BURNS, Mr. LAUTENBERG, Mr.

FEINGOLD, Mr. DECONCINI, and Mr. GRASSLEY, proposes an amendment numbered 1286.

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

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

The amendment is as follows:

On page 179, after line 6, add the following new title:

TITLE VIII—ANTI-ECONOMIC DISCRIMINATION ACT OF 1994

SEC. 801. SHORT TITLE.

This title may be cited as the "Anti-Economic Discrimination Act of 1994".

SEC. 802. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) certain countries maintain an economic boycott of Israel, including a secondary boycott of companies that have investments in or trade with Israel;

(2) the secondary boycott has caused economic damage to the countries that maintain the boycott as well as to Israel;

(3) the secondary boycott causes great difficulties for United States firms that trade with Israel, depriving them of trade opportunities and violating internationally accepted principles of free trade;

(4) the United States has a longstanding policy opposing the Arab League boycott and United States law prohibits American firms from providing information to Arab countries to demonstrate compliance with the boycott;

(5) many American companies may be denied contracts in the West Bank and Gaza for infrastructure development because they conduct business with Israel; and

(6) many American companies may be denied contracts by the Kuwaiti Government for the reconstruction of Kuwait because they conduct business with Israel.

(7) under the Administration's leadership the U.S. has sent a clear, consistent and unambiguous message that the Arab League boycott of companies that do business with Israel is an obstacle to peace and should be terminated;

(8) the United States has laws prohibiting United States firms from providing Arab states with the requested information about compliance with boycott regulations;

(9) the United States Trade Representative, in August 1993, commissioned the ITC to undertake a study of the boycott's impact on U.S. businesses which will provide, for the first time, a carefully researched estimate of the impact of the boycott on the U.S.;

(10) the Administration has conducted an active diplomatic campaign to convince Arab League countries that the time to end the boycott and economic discrimination against United States businesses is now;

(11) the Administration's efforts have produced encouraging development, as for example, with statements by officials of the Arab League that at its next meeting in March, the Arab League states will consider ending their discrimination against firms that do business with Israel and the decision to postpone the October 1993 meeting of the Central Boycott Committee;

(12) under U.S. leadership, the G-7 countries have unconditionally called for an end to the Arab boycott;

(13) the President, the Vice President, the Secretary of State and other senior Administration officials have assured the Congress that they will speak forcefully and candidly, in every forum which touches upon the search for peace in the Middle East, about the need to end the boycott;

(14) the Congress wishes to support the efforts of the Administration and to help see the promises made to date translated into tangible results;

(15) the statements made by Arab leaders must be translated into action, as measured by quarterly reports from the Office of Anti-Boycott Compliance.

SEC. 803. PROHIBITION OF CERTAIN SALES AND LEASES.

(a) PROHIBITION.—No defense article or defense service may be sold or leased by the United States Government to any country or international organization that, as a matter of policy or practice, is known to have sent letters to United States firms requesting compliance with, or soliciting information regarding compliance with, the secondary or tertiary Arab boycott, unless the President determines, and so certifies to the appropriate congressional committees, that that country or organization does not currently maintain a policy or practice of making such requests or solicitations.

(b) WAIVER.—

(1) 1-YEAR WAIVER.—On or after the effective date of this section, the President may waive, for a period of 1 year, the application of subsection (a) with respect to any country or organization if the President determines, and reports to the appropriate congressional committees, that—

(A) such waiver is in the national interest of the United States, and such wavier will promote the objectives of this section to eliminate the Arab boycott; or

(B) such waiver is in the national security interest of the United States.

(2) EXTENSION OF WAIVER.—If the President determines that the further extension of a waiver will promote the objectives of this section, the President, upon notification of the appropriate congressional committees, may grant further extensions of such waiver for successive 12-month periods.

(3) TERMINATION OF WAIVER.—The President may, at any time, terminate any waiver granted under this subsection.

(c) DEFINITIONS.—As used in this section—

(1) the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

(2) the terms "defense article" and "defense service" have the meanings given to such terms by paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act.

(d) EFFECTIVE DATE.—This section shall take effect 1 year after the date of enactment of this Act.

Mr. BROWN. Madam President, I 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. BROWN. Madam President, this amendment is an attempt to deal with a shocking continuing problem in the foreign arena. Shocking I believe because most Americans would find it hard to imagine that efforts are still being made by a number of countries around the world to effect a secondary and tertiary boycott against the State of Israel. Unbelievable in a way because at a time when Israel has made enormous concessions and sits at the bargaining table with the potential of making new and additional concessions, there is such a focused effort to effect cruel and almost a crippling boycott of businesses that attempt to trade and do business with Israel.

Most Americans, I think, would be shocked to understand that there were 8,660 boycott requests that were documented by the Office of Antiboycott Compliance of the Department of Commerce this last year. Shocked because not only our Nation but dozens of other nations around the world have made an enormous commitment and contribution and sacrifice to try and bring peace to the Middle East. If Israel is willing to step forward and make sacrifices that threaten her very security and her borders, surely we should be willing to stand up and condemn in clear and unequivocal language an attempt to effect a cruel boycott against her. It strikes at the very ability of Israel to move forward in the peace process, and it strikes at the very heart of the President's efforts to bring peace to the Middle East.

This measure is very simple. It flatly prohibits the sale of defense services or articles to countries that participate in the secondary and tertiary boycott of United States companies that do business with Israel. United States companies should not be punished for engaging in trade with Israel, one of our closest allies.

There is an exception to this prohibition and it is an important one. It allows the President to grant a 1-year waiver in the interest of national security. That waiver is important because it gives the President flexibility. It is something that I believe the administration is interested in and wants, but no one should think the United States is not serious about stopping this kind of discrimination against our companies and businesses. Even if waivers are granted, no government should be so foolish to believe that they would be granted a second or third waiver.

I believe with this tool in place in the law, we will find the President has far more leverage to end the secondary and tertiary boycotts, and we will certainly find much stronger protection for American businesses.

This does say one thing. It says America is serious about working on peace in the Middle East.

I would not want to end my comments without acknowledging the very significant help of Senator MOYNIHAN, not only for the work on this amendment but for his leadership on the issue. And also the work of his staffer, Steve Rickard, who has devoted so much time and effort in this area. Both of them have provided leadership that I think is enormously helpful in bringing this amendment to the attention of the body and bringing it in the form that I believe will be acceptable to the membership of this body.

Madam President, I might simply mention we do have the yeas and nays

on this. I would certainly be happy to accommodate the chairman with whatever timing he would like to decide upon for the placement of that vote.

Mr. MOYNIHAN. Mr. President, the Arab League boycott—always repugnant—is now especially anachronistic and an obstacle to peace. Everyone agrees that in large measure the success of the peace efforts now underway will depend upon whether peace produces tangible benefits for the parties involved. In part, that means jobs and economic development. For the Arab States to encourage the administration to contribute American tax dollars to the development of the West Bank and Gaza at the very time that they are seeking to strangle economic activities with Israel and discriminating against American companies is intolerable.

I commend the Senator from Colorado for his leadership on this issue and for his willingness to craft an amendment which both strongly expresses the repugnance which the Congress feels for the Arab League boycott and yet at the same time gives the administration considerable flexibility to use the amendment to compliment its efforts.

The administration has made admirable efforts to have the boycott lifted. This issue has received the sustained personal attention of the Secretary. And others within the administration. This amendment is not intended to express frustration with their considerable efforts. On the contrary. It is intended to supplement their efforts by giving them another tool. It permits the administration to continue their diplomatic efforts for 1 full year before the sanctions even take effect. And it permits the President to waive the sanctions of the bill in an appropriate case.

There have been some encouraging statements made by Arab League officials concerning the boycott. And we are told that in private, Arab officials have said that they are taking steps to end their discrimination against American companies. But these statements must now be converted into action. As the amendment states, we need to see a tangible reduction in the number of reports that Arab States have demanded compliance with the boycott. So far such measurable results have not appeared. Put most simply, the boycott must end.

UNANIMOUS-CONSENT AGREEMENT

Mr. KERRY. Madam President, I ask unanimous consent that the vote on the amendment of the Senator from Colorado on or in relation to the amendment of the Senator from Colorado take place immediately following the first vote that occurs tomorrow at such time as that may develop; and that the second vote, which would be the vote on the amendment of the Senator from Colorado, be a 10-minute vote at that time.

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

Mr. KERRY. Madam President, let me just say, if I may, with respect to the Senator's amendment, he singles out an egregious practice that many of us have run into in the course of travels in that region. It is incongruous in the context of any true movement toward peace and I think has for far too long been ignored as one of the ingredients of oppression and of war, in a sense, against the State of Israel.

So I congratulate the Senator for bringing this forward. I think he will find that there is enormous support within the U.S. Senate for this effort.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Madam President, this Arab League boycott is an anachronism, a repugnant reminder of events and hostilities of the past. It is not fitting that the boycott continue, and this amendment does a lot to unravel it, to take it apart.

I support the amendment, which would prohibit American arms sales to nations that engage in the economic boycott against Israel. This amendment properly links U.S. arms sales to compliance with the boycott. It is also crafted to give the President flexibility in its application.

The adoption of this amendment will serve a real purpose and send a strong message to the Near East.

KERRY AMENDMENT NO. 1263 TO AMENDMENT NO. 1262

Mr. BAUCUS. Mr. President, I wish to express my thoughts on the amendment offered by the Senator from Massachusetts, Senator KERRY.

This amendment presents us with a very difficult and emotional issue. Different people can legitimately come to different conclusions about what is the best for our country, and most important, what may be best for Americans who could possibly have been left behind in Vietnam, Cambodia, or Laos.

Adm. Philip Larson, the commander in chief of our Pacific forces and one of our most experienced military officers, recently returned from a visit to Vietnam. He said his mission received full cooperation on POW/MIA cases, and that he is satisfied with Vietnam's overall cooperation. Further, he said, we will be more likely to resolve all of the outstanding cases if Americans are free to travel in Vietnam, whether on diplomatic missions, for business or other reasons. I take his views very seriously.

I believe this amendment is in our best interest. We would make a mistake if we tie the President's hands and thus reject the advice of senior officers who have seen the situation on the ground for themselves.

However, if we are to move in this direction, we should move cautiously. For example, the Vietnamese Government hopes for resumption of normal diplomatic relations. We should not take such a step until we have further proof of good faith and progress on POW/MIA investigations. Rather, we should proceed by degrees. We should open economic relations first, and then pause to evaluate Vietnam's continued cooperation. Thus we can both continue to push Vietnam in the right direction, and reserve some of our most important steps for future leverage.

LIFTING THE TRADE EMBARGO AGAINST VIETNAM

AMENDMENTS NO. 1262, 1263

Mr. DASCHLE. For almost 20 years, diplomatic and economic relations between the United States and Vietnam have been severed. Although the United States was quick to restore relations with Germany and Japan after World War II, our relationship with Vietnam has been strained by the controversy surrounding the American POW/MIA issue. I support the amendments offered by Senators KERRY and MCCAIN that urge the President to lift the trade embargo against Vietnam. I do so in hopes that it will help, not hinder, our efforts to account for American POW/MIAs.

I would like to begin by thanking Senators KERRY and MCCAIN for sharing their thoughts and experiences about this controversial issue on the Senate floor yesterday. I had the fortunate opportunity to serve with both of these highly decorated Vietnam veterans on the Senate POW/MIA Committee, and I can attest that their dedication and commitment to resolve the POW/MIA issue is simply unparalleled. The POW/MIA issue is a very emotional one for them, as it is for all veterans and Americans who lost loved ones in Vietnam. I sincerely hope, however, that we can follow their example and find the courage we need to work with the Vietnamese Government toward finding an acceptable resolution to this sad and agonizing chapter in our history.

Before I offer my comments and thoughts about lifting the trade embargo against Vietnam, I think it is important that my colleagues understand the provisions of the Kerry and McCain amendments. They are sense of the Senate amendments that only urge the President to lift the United States trade embargo against Vietnam. Neither amendment calls for the President to restore diplomatic relations with Vietnam. On the contrary, lifting the trade embargo should only be seen as a step toward normalization of relations with Vietnam.

Like Senators KERRY and MCCAIN, I support lifting the trade embargo against Vietnam for a number of reasons. First, it would acknowledge the cooperation that the United States has received from Vietnam. Although it has been almost 20 years late, the fact

of the matter that the Vietnamese Government is finally cooperating on the POW/MIA issue.

Senator KERRY described some examples of the cooperation we received from the Vietnamese Government. Without revisiting all those examples, I will only reiterate that when Gen. John Vessey began serving as an emissary to Vietnam for POW/MIA affairs under President Reagan in the late eighties,there were 196 cases where it was thought that an American servicemember might have survived. Due in large part to the efforts of General Vessey, that number is now down to 73 cases. That is more than 120 cases that have been resolved during the past few years.

In addition to reciprocating the cooperation that we have already received from Vietnam, I believe that lifting the trade embargo will facilitate further cooperation. It seems to me the new leadership that has emerged in Vietnam has demonstrated a strong desire to cooperate. I fear, however, that unless we make a serious good faith effort in return, the current environment of cooperation could recede.

General Vessey believes that if cooperation is to continue, the trade embargo against Vietnam must be lifted. Upon visiting Vietnam recently, Admiral Larson, Commander of U.S. Military Forces in the Pacific, also offered his view that progress on accounting for POW/MIAs is contingent upon lifting the trade embargo to Vietnam. Several other senior military people involved in our current effort to resolve the POW/MIA issue agree with General Vessey and Admiral Larson. For instance, Generals Needham and Christmas similarly advocated lifting the trade embargo against Vietnam.

Mr. President, I know some of my colleagues will not support the amendments offered by Senators KERRY and MCCAIN. In addition, I realize that some veterans will question whether lifting the trade embargo against Vietnam is the right course of action. Although I respectfully disagree with their assessment, I want to emphasize that we share the same goal of finding a resolution to the American POW/MIA issue.

A full and accurate accounting of American POW/MIAs is a mission that the American Government has a sacred responsibility to execute to its finite conclusion. I look forward to working with my colleagues and veterans in South Dakota and throughout the country as we continue to achieve that goal.

MORNING BUSINESS

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

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

CANADIAN VIETNAM VETERANS

Mr. KENNEDY. Mr. President, thousands of Canadians served in the U.S. military during the Vietnam war. On July 9, 1994, in Ottawa, the Canadian Vietnam Veterans Coalition will unveil the Canadian Vietnam Veterans National Memorial, dedicated to the brave men and women who lost their lives during the Vietnam war.

The United States and Canada share a long history of friendship with one another. Throughout this period, Canadians and citizens of the United States have repeatedly shown their strong commitment to each other during times of war. Between the years 1958 and 1975, an estimated 40,000 Canadians joined the American Armed Forces, and many of them served in Southeast Asia during the Vietnam war.

Many of the Canadians who served with U.S. troops in Vietnam had no obligation to do so. These veterans joined the U.S. forces because they believed, as good neighbors, it was the right thing to do. They were soldiers like Fidele J. Bastarache of Gardner, MA, who immigrated with his family from New Brunswick. He was an infantry sergeant, decorated four times for heroism, before he was killed in a mortar attack in 1968 at the age of 22. Like many of his comrades, he gave his life protecting the freedom of others.

This memorial will be a fitting tribute to the courageous young men and women who sacrificed their lives serving as members of the U.S. Armed Forces in Southeast Asia. I commend the Canadian Vietnam Veterans Coalition for its leadership in preparing this memorial.

BUDGET SCOREKEEPING REPORT

Mr. SASSER. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report, which is the first for fiscal year 1994, shows the effects of congressional action on the budget through November 26, 1993, the end of the first session of the 103d Congress. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the concurrent resolution on the budget (H. Con. Res. 287), show that current level spending is below the budget resolution by $1.2 billion in budget authority and is equal to the budget resolution in outlays. Current level is $0.1 billion above the revenue floor in 1994 and below by $30.3 billion over the 5 years, 1994–98. The current estimate of the deficit for purposes of calculating the maximum deficit amount is $312.7 billion, $0.1 billion below the maximum deficit amount for 1994 of $312.8 billion.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 26, 1994.

Hon. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington DC.

DEAR MR. CHAIRMAN: The attached report, my first for fiscal year 1994, shows the effects of Congressional action on the 1994 budget and is current through November 26, 1993, the end of the first session of the 103rd Congress. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the Concurrent Resolution on the Resolution on the Budget (H. Con. Res. 64). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S.Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

This is my first report for the second session of the 103rd Congress.

Sincerely,

ROBERT D. REISCHAUER,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE 103D CONGRESS, 2D SESSION AS OF CLOSE OF BUSINESS NOV. 26, 1993

[In billions of dollars]

	Budget resolution (H. Con. Res. 64)[1]	Current level[2]	Current level over/under resolution
On-budget			
Budget Authority	1,223.2	1,222.0	−1.2
Outlays	1,218.1	1,218.1	.....
Revenues:			
1994	905.3	905.4	0.1
1994–98	5,153.1	5,122.8	−30.3
Maximum deficit amount	312.8	312.7	−0.1
Debt subject to limit	4,731.9	4,410.3	−321.6
Off-budget			
Social Security outlays:			
1994	274.8	274.8	.....
1994–98	1,486.5	1,486.5	.....
Social Security revenues:			
1994	336.3	335.2	−1.1
1994–98	1,872.0	1,871.4	−0.6

[1] Reflects revised allocation under section 9(g) of H. Con. Res. 64 for the Deficit-Neutral reserve fund.

[2] Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

Note: Detail may not add due to rounding.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1994 AS OF CLOSE OF BUSINESS NOV. 26, 1993

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues	.....	.....	878,100
Permanents and other spending legislation	740,893	699,501	.....

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1994 AS OF CLOSE OF BUSINESS NOV. 26, 1993—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriation legislation		241,770	
Offsetting receipts	(183,477)	(183,477)	
Total previously enacted	557,415	757,794	878,100
ENACTED IN FIRST SESSION SIGNED INTO LAW			
Appropriation legislation:			
1993 Spring Supplemental (P.L. 103–50)	10	(292)	
Agriculture (P.L. 103–111)	70,561	42,579	
Commerce, Justice, State (P.L. 103–121)	23,273	17,255	
Offsetting receipts	(146)	(146)	
Defense (P.L. 103–139)	240,560	161,188	
District of Columbia (P.L. 103–127)	700	698	
Energy and Water (P.L. 103–126)	22,166	13,101	
Offsetting receipts	(175)	(175)	
Foreign Operations (P.L. 103–87)	12,983	5,869	
Offsetting receipts	(44)	(44)	
Interior (P.L. 103–138)	13,378	8,813	
Labor, HHS, Education (P.L. 103–112)	223,497	183,014	
Offsetting receipts	(46,061)	(46,061)	
Legislative Branch (P.L. 103–69)	2,270	2,063	
Military Construction (P.L. 103–110)	10,065	2,403	
Transportation (P.L. 103–122)	13,884	12,636	
Treasury (P.L. 103–123)	22,352	19,811	
Offsetting receipts	(7,063)	(7,063)	
Veterans, HUD (P.L. 103–124)	87,047	47,972	
Offsetting receipts	(12)	(12)	
Authorizing legislation:			
Emergency Unemployment Compensation (P.L. 103–6)	(2)	(2)	
Authorize Construction of World War II Memorial (P.L. 103–32)	1	1	
CIA Voluntary Separation Incentive Act (P.L. 103–36)	7	7	
Unclaimed Deposit Amendments Act (P.L. 103–44)		17	
Transfer Naval Vessels to Foreign Countries (P.L. 103–54)	(3)	(3)	
Omnibus Budget Reconciliation Act of 1993 (P.L. 103–66)[1]	(2,885)	(5,959)	27,489
Extending Chapter 12 of Bankruptcy Code (P.L. 103–65)			(1)
National Service Trust Act (P.L. 103–82)	20	12	
Extending MFN Status to Romania (P.L. 103–133)			(9)
Unemployment Compensation Amendments (P.L. 103–152)	1,070	1,070	
Brady Handgun Violence Prevention Act (P.L. 103–159)			2
National Defense Authorization Act, 1994 (P.L. 103–160)	23	13	
Lease of Naval Vessels to Certain Foreign Countries (P.L. 103–174)	(27)	(27)	
NAFTA Implementation Act (P.L. 103–182)	(152)	(152)	(151)
Jefferson Commemorative Coin Act (P.L. 103–186)	(7)	(7)	
Government Securities Reform Act (P.L. 103–202)			(1)
Coast Guard Authorization (P.L. 103–206)	(1)	(1)	
Higher Education Technical Amendments (P.L. 103–208)	3		
Total signed into law	687,290	458,579	27,329

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1994 AS OF CLOSE OF BUSINESS NOV. 26, 1993—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted[2]	(22,700)	1,712	
Total current level[3 4]	1,222,005	1,218,085	905,429
Total budget resolution	1,223,249	1,218,149	905,349
Amount remaining:			
Under budget resolution	1,244	64	
Over budget resolution			80

[1] Includes budget committee estimate of $2.4 billion in outlay savings for FCC spectrum license fees.

[2] Includes changes to baseline estimates of appropriated mandatories due to enactment of P.L. 103–66.

[3] In accordance with the Budget Enforcement Act, the total does not include $3,781 million in budget authority and $5,926 million in outlays in emergency funding.

[4] At the request of Committee staff, current level does not include scoring of section 601 of P.L. 102–391.

Notes: Amounts in parentheses are negative. Detail may not add due to rounding.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt run up by the Congress of the United States stood at $4,511,229,509,376.83 as of close of business yesterday afternoon, January 26. Averaged out, every man, woman, and child in America owes a part of this massive debt run up by the Congress of the United States, and that per capita share stands at $17,303.56.

I might add, parenthetically, that the national debt at the close of business on January 26 a year ago, 1993, stood at $4,171,137,611,859.33. I did a little bit of mathematical computation, and I discovered that the national debt increased during the past year by $340,091,897,517.50 in this 1-year period.

I would further add, parenthetically, that although you hear a cacophony of political voices in the arena claiming that this debt was run up by this President or that President, the truth of the matter is that the dead cat lies on the doorstep of the Congress of the United States, the Senate and the House. Because no President, not Ronald Reagan, not George Bush, not Bill Clinton, can spend a dime that has not first been authorized and appropriated by the Congress of the United States. Anybody knowing anything about the Constitution is bound to realize that. All appropriations begin in the House of Representatives, and they must be approved by the Senate as well.

That is the fiscal situation down to the penny. I have been making this report daily, every day that the Senate has been in session, for 3 years now. I will continue as long as Congress fails to do something to correct the error of its ways.

TRIBUTE TO JOSEPH W. LACOMB

Mr. REID. Mr. President, in January 3, 1994, Mr. Joseph W. LaComb, a resident of Pahrump, NV, retired from the Defense Nuclear Agency [DNA] after almost 30 years of service. In his capacity as chief of the construction division, he was responsible for the safe and cost-effective design of 20 underground nuclear tests for the Department of Defense and was associated with the construction and execution of 56 tests since 1966.

Mr. LaComb entered the Montana School of Mines in September 1951 and was awarded a B.S., mining engineering, in June 1955. He worked and gained experience as a miner, mining engineer, mine owner, supervisory geologist, soils engineer, testing laboratory manager, construction project engineer, and mining consultant prior to joining the Defense Nuclear Agency in 1966. He, in spite of all of the above, was also a pilot with the Strategic Air Command.

While at DNA, Mr. LaComb was the prime factor in improving underground technology to support underground nuclear weapons effects testing programs. His guidance, dedication, expertise and attention to detail have kept the DNA testing programs within the international agreements of the 1962 Nuclear Atmospheric Test Ban Treaty.

The early nuclear weapons effects test programs in the mid-1960's were initial attempts to duplicate atmospheric test conditions in an underground nuclear environment. Development of procedures for nuclear byproduct containment and the safe recovery of test articles after exposure were of paramount importance. Mr. LaComb initiated engineering programs to quantify the underground nuclear environment and to develop procedures for using the explosive energy for the controlled containment of radioactive debris. Through his leadership, it has become standard procedure to conduct underground nuclear weapons effect tests with little or no prompt release of radioactivity and with the capability of recovering test specimens within hours of the detonation.

The DNA underground nuclear weapons effects test program has served to validate the reliability and effectiveness of our nuclear forces and has helped to insure the credibility of our nuclear deterrent.

I wish to extend my recognition to Mr. LaComb, who did so much to help our country.

FIFRA

Mr. EXON. Mr. President, today I would like to add my name as a cosponsor to S. 1478, a bill to amend the Federal Insecticide, Fungicide and Rodenticide Act [FIFRA]. I join in this effort primarily because I believe we need to rethink the Delaney clause

which very clearly needs reform. Though I may not find myself in total agreement with each and every provision of S. 1478, I believe it represents a starting point that ought to be considered.

As the Congress pursues FIFRA reform, a number of alternative proposals will no doubt emerge. I understand there are legitimate differences of opinion in areas such as pesticide cancellation procedures, uniform tolerances, and children's risks. I look forward to reviewing all suggestions in these areas as the reform process moves forward.

TRIBUTE TO DURWOOD W. RINGO, JR., PROFESSIONAL STAFF MEMBER ON SENATE ARMED SERVICES, UPON HIS DEPARTURE FROM THE COMMITTEE

Mr. THURMOND. Mr. President, I rise today to recognize Col. Durwood W. Ringo, a member of my staff on the Armed Services Committee. Colonel Ringo, better known to all of us as "Skip", will be departing the committee to make his mark in the private sector.

Mr. President, I have been a member of the Armed Services Committee for almost 35 years. During that period I have been supported by numerous dedicated and professional staffers. Skip Ringo is among the best in that group. He is known throughout the Senate as an expert on aviation matters and as an individual always ready to take that extra step to support not only the Armed Services Committee members, but also those members and staffers not on the committee.

During his 5-year tenure on the Armed Services Committee, Colonel Ringo's expertise on defense programs was most helpful to me and the members of the committee when dealing with such critical defense matters as the Joint Primary Aircraft Training System; the T-45 Alternative Engines; the Unmanned Aerial Vehicles; the KC-135 Re-engine as well as the Advance Short Takeoff Vertical Land Strike Fighter programs. On several of these programs it was his willingness to challenge conventional wisdom and fight for the program. The outcome inevitably led to a better program and increased national security.

Mr. President, prior to joining the Armed Services Committee, Colonel Ringo had a distinguished 23-year career as a Marine Corps aviator. I proudly want to point out that the foundation for his notable military career was laid at The Citadel in Charleston, SC, from which he graduated in 1967.

During his 23 years in the Marine Corps Colonel Ringo served in numerous challenging assignments. He flew combat missions over North Vietnam as a member of the Marine Corps Composite Reconnaissance Squadron One. He graduated from the demanding Naval Test Pilot School in 1982 and subsequently was assigned to the strike aircraft test directorate at Patuxent River, MD. During his tour as a test pilot, he tested and proved the airworthiness of some of the Nation's most sophisticated aircraft. His expertise as a test pilot was recognized when he was chosen as a finalist for NASA's Shuttle Astronaut Program.

Mr. President, without doubt, Colonel Ringo's most challenging assignments were his tours as the Marine Corps liaison officer to the U.S. Senate and, subsequently, as the Director of Senate Affairs for the Assistant Secretary of Defense for Legislative Affairs. It was in these assignments that many of us first became acquainted with Skip Ringo's ability and dedication to the Nation.

Mr. President, although Colonel Ringo's technical expertise can be replaced, it will be difficult to find an individual with Colonel Ringo's combination of wit, warmth and high regard for the men and women in our Armed Forces. I know I am joined by many in this Chamber in expressing our thanks to Colonel Ringo and in wishing him and his lovely wife, Patti, the best in their new endeavors.

JERRY FLESSATE RETIRES

Mr. GLENN. Mr. President, I rise today to recognize a gentleman who has worked closely with many in this Chamber and whose career has been dedicated to public service. That man is Jerry Flessate, staff director for congressional affairs at the Defense Logistics Agency [DLA].

Since 1979, when Jerry became DLA's staff director for congressional affairs, many of us have met with Jerry or have seen Jerry in the corridors and hearings rooms of the Senate. Representing an organization of more than 60,000 people with many diverse missions, Jerry has been an invaluable source of information and advice on issues critical to our national security and to the readiness of our Armed Forces worldwide.

A true professional, Jerry may be best known for telling it like it is. And, while we may not always have liked what Jerry had to say, the Senate could depend on him for his honesty.

Jerry's skill and dedication has not gone unnoticed in the Defense Department. He received a number of well-deserved merit-based awards recognizing his contributions to the Defense Logistics Agency. I am proud to recognize this outstanding civil servant.

Mr. President, I think we can all thank Jerry for his tireless service, his professionalism, and his good humor. I hope, Mr. President, that you and my other colleagues will join me in commending Jerry Flessate and in wishing him well in his retirement.

AID FOR TRADE

Mr. BOREN. Mr. President, in the next few months, Congress will begin the process of restructuring the U.S. foreign aid program. The last comprehensive foreign assistance act was passed in 1961. The aid program and agencies established in that legislation were set up to address America's needs at the height of the cold war. Thirty years later, we have seen the end of the cold war and a complete alteration of the international scene. We can no longer wait to update our foreign aid program and make it answerable to the needs of our country in this new world.

For this reason, I commend, first, the Clinton administration for making the restructuring of U.S. foreign aid a priority for this year, and, second, Senator SARBANES and the Subcommittee on International Economic Policy, Trade, Oceans and Environment, which he chairs, as they prepare to take up legislation for a Foreign Assistance Act of 1994.

As we prepare to begin debate on foreign assistance, it is my hope and desire to ensure that the issue of aid for trade is included within this debate. This is an issue in which I have been actively involved for many years. In the last Congress, I introduced the Aid for Trade Act of 1991, which was cosponsored by Senators BENTSEN, BYRD, BAUCUS, and LIEBERMAN. That bill would have increased the share of our foreign aid devoted to capital projects built with American goods and services. It also sought to reduce the share of American aid handed out as cash with no strings attached. A revised version of that legislation passed the Senate by a vote of 99 to 0.

This past spring, Senators BYRD, BAUCUS, LIEBERMAN, ROTH, and I introduced S. 722, the Aid for Trade Act of 1993. In addition to calling for limits on the amount of U.S. aid to be distributed as cash, it would grant the Trade and Development Agency new authority and funding to handle capital projects. This legislation would also tighten existing Buy America regulations in our current foreign aid program.

In these times of limited budgetary resources and increased cutbacks, we must be increasingly vigilant of the ways we spend the money of American taxpayers. As both public and congressional support for American foreign aid continues to dwindle, it is of utmost importance that we spend U.S. dollars wisely and in a manner which will benefit countries which need our assistance as well as strengthen our own economy. Our economic competitors have already learned this lesson. They have successfully used their foreign aid programs to create new markets for their products. In this new era of fierce international economic competition, we must leverage every foreign policy assist we possess to improve our position.

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Therefore, I request today that my distinguished colleague from Maryland, the chairman of the Subcommittee on International Economic Policy, Trade, Oceans and Environment, hold a hearing in conjunction with a new foreign assistance act on the issue of aid for trade and similar proposals. I would look forward to testifying at such a hearing, as would my colleagues who support aid-for-trade legislation. It is our goal that aid-for-trade language be included in any new foreign aid plan that emerges from the Senate Foreign Relations Committee and is considered by the full Senate.

I thank Senator SARBANES for his assistance and cooperation in this matter.

Mr. SARBANES. Reform of U.S. foreign aid programs is indeed a vitally important undertaking, involving a number of complex issues that need to be addressed. I know there is a great deal of interest in the aid-for-trade issue in particular, and I would be pleased to consider it during hearings over the next few months on foreign aid reform legislation. It is crucial that we investigate all methods by which to improve our foreign aid program and to make it fit the pressing needs of today and of tomorrow. I wish to express my appreciation to Senator BOREN for bringing this issue to the fore, and I would welcome his testimony in that regard.

REPORTS OF HIS DEMISE ARE GREATLY EXAGGERATED

Mr. SIMPSON. Mr. President, I rise on behalf of my very good friend, Senator JOHN WARNER, to correct in these official proceedings a very unfortunate statement in the January 24 edition of Roll Call. I normally find Roll Call to be an excellent source of news on the Hill. The paper strives to maintain high journalistic standards, and I thoroughly enjoy reading it.

However, the report that JOHN WARNER may not run again was not accurate, and was clearly not well researched. Mr. President, I ask unanimous consent to insert into the RECORD a letter from Senator WARNER to Roll Call, which was printed in the January 27 edition of that newspaper.

Senator WARNER's letter corrects the erroneous report in Roll Call, and cites the famous Mark Twain quote that "The reports of his demise are greatly exaggerated."

Senator JOHN WARNER is a great and dear personal friend of mine. He serves his State and Nation with great distinction in the U.S. Senate. He has many fine attributes, but I have never heard anyone say that he is retiring. He is anything but!

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

U.S. SENATE,
Washington, DC, January 25, 1994.

The Editor, Roll Call,
Washington, DC.

DEAR EDITOR: In the immortal words of Mark Twain, "Reports of my demise are greatly exaggerated."

On January 24, 1994, without any attempt to contact me or my office to verify some rumor, you circulated this story on Capitol Hill: "associates say Virginia Sen. John Warner may not run again."

This is wrong. Your readers have been misled.

On April 30, 1993, I publicly announced by intention to seek re-election. That announcement was made at the annual convention of the Virginia Federation of Republican Women (VFRW) and was carried accurately by the Virginia wire services.

On November 3, 1993, I reiterated my intention in a press release and added that, "as has always been my practice, I welcome all challengers."

Following the 1994 Senate election, I will formally confirm my candidacy and "welcome all challengers."

I have recently taken public positions that the Republican Party of Virginia has the responsibility to consider a full range of candidates for the U.S. Senate race. Our Republican convention should not just march in "lock-step" to Oliver North.

Political parties have an obligation, in my judgment, to offer to the general electorate only their "finest." At the polls, the voter, most often, has no choice other than the nominees put forward by the Democrats and Republicans.

Further, I firmly believe that my party, the Republican party, should offer only candidates with mature judgment, with records of proven accomplishments in the private or public sector, and with unquestioned character and integrity. Voters will place trust, confidence and cast their votes for such candidates.

I always put Virginia's best interests before my own political interests. I recognize that my positions have provoked some disagreement within Republican ranks, but that is the price of leadership.

My positions, however, provide no basis for leaping to a story suggesting I intend to retire. The simple courtesy of trying to contact me, or my office, is the least owed to those in public office. The public looks to you for accuracy, credibility, just as they look to me.

The voters of Virginia will decide when it is time for me to retire, not some anonymous "associates."

With kind regards, I am
Sincerely,

JOHN WARNER.

TRIBUTE TO COL. JAMES B. TAPP, JR.

Mr. LEAHY. Mr. President, I rise today to pay tribute to Col. James Tapp, Jr., as he retires after more than 25 years of distinguished service in the U.S. Air Force.

Colonel Tapp is retiring from his position as associate director, legislative liaison at the Pentagon. In addition to this position, he also served as chief, air operations division and chief, Senate liaison office. In these critical positions, Colonel Tapp's professionalism, diplomacy, and insight were essential to the flawless planning and execution of hundreds of congressional worldwide factfinding travels. Additionally, his knowledge of the budget cycle and exceptional communicative skill were essential ingredients in explaining key Air Force programs to Members of the U.S. Senate and House of Representatives.

Colonel Tapp began his Air Force career in 1968, after graduating from Virginia Tech, as a civil engineer with the 306th Bomb Wing, McCoy AFB, FL. Three years later he entered undergraduate pilot training and began the flying portion of his career as a C-141 pilot with the 41st Military Airlift Squadron, Charleston AFB, SC. He later focused on honing his instructor skills at Squadron Officer School and refining his leadership talents by attending Air Command and Staff College at Maxwell AFB, AL. Then, in 1981, he returned to Charleston where his assignment culminated as commander, 76th Military Airlift Squadron.

His assignment to the Pentagon began in 1988 and since that time he has interfaced with hundreds of Members, lending his expertise in Air Force matters and handling a myriad of unique situations. Colonel Tapp epitomizes the highest standards of professional conduct, leadership, diplomacy, meticulous tact, and desire for perfection.

Mr. President, I join with my colleagues who have directly benefited from the superb support Colonel Tapp has provided the Congress and executive branch, in congratulating him for a job extremely well done, and wishing he and his lovely wife, Rosemary, the very best in the future. He will be a success in any pursuit he may endeavor to undertake. Colonel Tapp is a professional among professionals and has brought great credit upon himself and the U.S. Air Force.

I have enjoyed my relationship with him and the chance to know a fine officer and a special friend.

PATRIOT MISSILES FOR U.S. FORCES IN SOUTH KOREA: ANOTHER DISASTER BY INDECISION?

Mr. D'AMATO. Mr. President, I rise today to call my colleagues' attention to an article entitled "U.S. Weighs Deployment Of Patriots to S. Korea," by John Lancaster and Ann Devroy, that was published in this morning's Washington Post on page A17. This article tells a story that is eerily familiar.

It's deja vu—but fortunately not yet, in Yogi Berra's immortal words, "all over again." Once again, a commander of U.S. Armed Forces in the field has asked for a weapons system for force protection. Once again, he has not received it. However, this time we know about the request before enemy action can injure or kill U.S. personnel.

My colleagues surely remember the request for tanks and infantry fighting vehicles to protect United States Armed Forces deployed in Mogadishu, Somalia. They also remember that Secretary Aspin decided against providing those needed armored vehicles, a decision that I and many others think contributed directly to the loss of 19 U.S. soldiers' lives when their attempt to capture Mohammed Farah Aideed became a firefight with his militia.

Now, Gen. Gary E. Luck, Commander of the United Nations Command and U.S. Forces, Korea, has reportedly "* * * requested 'about three dozen' of the box-like Patriot missile launchers, each of which contains four missiles." He wants "* * * to deploy the Patriots * * * as a partial defense around South Korean ports and airfields that would be used by arriving United States reinforcements in a crisis."

These surface-to-air missiles also have a limited antitactical ballistic missile capability, one that they displayed so memorably during the gulf war. The Patriots are needed in Korea because "North Korea manufactures a variant of the Scud as well as a more sophisticated version, the Rodong, with a range of up to 635 miles." The Post's article calls the longer range missile the Rodong, but its correct name is the Nodong. "'This—the Patriot SAM system—is our first line of defense in the event of short-range missile attacks,' said Frank Wisner, undersecretary of defense for policy, in a breakfast meeting with reporters," the story reported.

Mr. President, here we once again face the situation of a field commander asking for a weapons system to protect his troops, while the White House and the Pentagon stall. The story reports that "an officer on the military's Joint Staff, who spoke on condition of anonymity, described Luck's request as 'still deep in the pipeline,' pending resolution of South Korean concerns. 'Really the South Koreans are driving the train,' the officer said. 'Since any mistakes would be borne by them, we want to make absolutely clear that we're going to defer' to Seoul on the decision."

Mr. President, the protection of United States forces in South Korea is the responsibility of the United States commander on the scene, and of his superiors—in this case, the Secretary of Defense and the President. This responsibility cannot be deferred to South Korean sensibilities.

If our troops in South Korea—approximately 40,000 men and women—and United States citizens—perhaps as many as 100,000, including about 6,000 dependents of United States military personnel—are threatened by North Korean ballistic missile attack, there are only two honest choices—either do what is necessary to defend them from attack, or get them out.

While the story says that "the Clinton administration is 'looking favorably' on a plan to send Patriot air defense batteries to South Korea to guard against possible missile attack by communist North Korea," they haven't yet made a decision.

The last time this administration faced such a decision, Les Aspin reportedly "decided not to decide" on General Montgomery's request for tanks and infantry fighting vehicles to protect his forces in Mogadishu, because Aspin was worried about how dispatch of these armored forces would be viewed on the Hill and in foreign capitals, in light of our declared policy of drawing down our forces in Somalia.

Is Secretary Aspin once again going to decide not to decide, this time because of concern about how the South Koreans—and the North Koreans—would view an action to protect our troops from attack?

We may be witnessing an instant replay of the Somalia disaster by indecision caused by President Clinton's foreign policy team waffling when it should have acted.

Far more lives are at stake here—and far larger national interests—than were at stake when Les Aspin waffled on the tanks for Mogadishu. We should tell the South Koreans we are sending the missiles now, because we are responsible for the safety of our troops and our civilians.

If there is a North Korean attack—and the deadline of February 22 for North Korean compliance with IAEA inspection requirements could bring the current crisis to a head—we must be concerned about possible North Korean ballistic missile attack. We can all remember the concern the Israelis felt at the possibility of Iraqi chemical or biological warheads on the Scuds the Iraqis fired at Israel. Well, the same fears are justified concerning possible North Korean attacks on South Korea.

In fact, the United States Government has stated that it believes that North Korea may have enough nuclear material to have made one or two nuclear devices. While there is doubt about whether these devices exist, and whether, if they do exist, they could be delivered by Scud or Nodong missiles, prudence demands that we assume that they do exist and that they can be delivered.

One of the lessons of the gulf war is that Iraq was more advanced in its weapons of mass destruction development programs, and particularly in its nuclear program, than we thought before the war. Suppose that North Korea, an obsessively secretive state, is also more advanced that the cautious judgments we hear would lead us to believe it is. Suppose Les Aspin dithers and delays again. Then, suppose North Korea strikes with devastating surprise against United States forces, forces who have been denied any defense against ballistic missile attack.

Who will stand before the American people and take the blame for the dead and wounded? Will it be the President of South Korea? Or will it be the President of the United States?

Whether or not President Clinton knows it, this crisis may be the key to his Presidency. Moreover, it measures his performance in office against a very high standard—Harry Truman's courageous decision a very high standard—Harry Truman's courageous decision to come to South Korea's aid after North Korea invaded in June 1950. Indeed, just as Truman said, the buck does stop here, on the President's desk. And it will not matter if he would rather be doing health care reform instead.

Mr. President, we are waiting for the decision on General Luck's request for Patriot missiles. I hope, for the sake of our forces and citizens in Korea, that the decision comes quickly and that it is a positive decision—to send the Patriots to Korea as soon as possible. Otherwise, Les Aspin may have a second, larger disaster to account for due to his, and the administration's, indecision.

Finally, I ask unanimous consent that an article entitled "U.S. Weighs Deployment Of Patriots to S. Korea," by John Lancaster and Ann Devroy, that was published in this morning's Washington Post on page A17, be printed in the CONGRESSIONAL RECORD at the end of my remarks.

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

[From the Washington Post, Jan. 27, 1994]

U.S. WEIGHS DEPLOYMENT OF PATRIOTS TO S. KOREA

(By John Lancaster and Ann Devroy)

The Clinton administration is "looking favorably" on a plan to send Patriot air defense batteries to South Korea to guard against possible missile attack by communist North Korea, but no final decision has been made, senior officials said yesterday.

The top U.S. military commander in South Korea, Army Gen. Gary E. Luck, requested the Patriots earlier this month, officials said. The Patriots, the same variety used against Iraqi Scud missiles in the Persian Gulf War, would be deployed around major ports and airfields and possibly the South Korean capital of Seoul.

Luck made his request amid rising tensions on the Korean peninsula stemming from North Korea's refusal to permit international inspections of its nuclear facilities. U.S. officials have said repeatedly that if diplomacy fails to persuade North Korea to permit the inspections, they will ask the United Nations to impose economic sanctions, a step that North Korea has said could lead to war.

Although U.S. officials have warned for months that "time is running out" for a diplomatic solution, a senior administration official hinted strongly this week that the United States and its allies have set a virtual deadline of Feb. 22 for North Korean compliance. That is the date of the next

meeting of the board of governors of the Internal Atomic Energy Agency, which carries out inspections under the nuclear Non-Proliferation Treaty. North Korea has signed the treaty, but suspended adherence last year.

"We're talking of a very short time before there's another board of governors meeting," the official said.

U.S. officials believe North Korea bellicosity is more of a negotiating tactic than a genuine threat to peace on the peninsula. But given the unpredictability of the isolated Pyongyang regime, they said it is best to be prepared. North Korea manufactures a variant of the Scud as well as a more sophisticated version, the Rodong, with a range of up to 635 miles.

Senior officials confirmed a report in yesterday's New York Times that Luck had requested "about three dozen" of the box-like Patriot launchers, each of which contains four missiles. They emphasized, however, that while the administration is inclined to grant Luck's request, it is waiting for a green light from South Korean officials, who remain concerned that even the deployment of defensive missiles would be read by the North as a provocation.

An officer on the military's Joint Staff, who spoke on condition of anonymity, described Luck's request as "still deep in the pipeline" pending resolution of South Korean concerns. "Really the South Koreans are driving the train," the officer said. "Since any mistakes would be borne by [them], we want to make absolutely clear that we're going to defer" to Seoul on the decision.

Patriots are hardly a foolproof solution to the North Korean missile threat. The missiles achieved a mixed record against Iraqi Scuds and would likely have an even harder time against the more sophisticated Rodongs. That is because the newer missiles approach targets at higher speeds and steeper angles, according to retired Air Force Col. Robert Gaskin, who wrote a classified assessment of North Korean military capabilities while a Pentagon strategist in 1991.

But senior defense officials asserted yesterday that it makes sense to deploy the Patriots if only as a partial defense around South Korean ports and airfields that would be used by arriving U.S. reinforcements in a crisis.

"This is our first line of defense in the event of short-range missile attacks," said Frank Wisner, undersecretary of defense for policy, in a breakfast meeting with reporters. Wisner said once the decision has been made, the Patriots would likely be sent to South Korea from Army air defense units in Europe, where the need has diminished.

White House press secretary Dee Dee Myers said the administration is "looking favorably" on Luck's request. She said no final decision has been made, but that members of relevant committees in Congress had been briefed on the potential move.

Senior officials emphasized that plans were underway to deploy the Patriots in South Korea—or preferably to sell them to the South Korean government—even before the recent flare-up over the North Korean nuclear program.

"I got the impression from Luck that even if tensions had not recently risen, their force improvement plans always included the eventual deployment of Patriots to South Korea. But because tensions had been higher, they asked that" the transfer be expedited, said an individual who recently spoke with Luck. The United States also is going ahead with plans to deploy two battalions of Apache helicopters to replace units equipped with older Cobra helicopters.

A senior military officer involved in planning for South Korea's defense said the Patriots could "complicate the terror equation" on the peninsula by helping defend major population centers. "It's a pretty wise step, something we maybe should have done six months ago," the officer said. "If you think it's a good idea to bring those rascals in there, then probably they ought to be in there before circumstances deteriorate."

Officials would give no timetable for final approval or installation of the Patriot batteries but said no serious objections had been raised in the administration or among members of Congress briefed on the issue Monday.

Officials said the White House remains concerned that installing the Patriots would "create new tensions" with North Korea that would make it resist further steps toward allowing inspections. President Clinton has vowed to prevent North Korea from obtaining nuclear weapons, but some intelligence sources believe it already has one such weapon. In his State of the Union Address Tuesday night, Clinton repeated his broader commitment to "achieving a Korean peninsula free of nuclear weapons."

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. William W. McCathran, 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.)

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-2018. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the compliance report for calendar year 1993; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, and to the Committee on the Budget.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-333. A resolution adopted by the U.S. Navy Cruiser Sailors Association relative to Task Force 16; to the Committee on Armed Services.

POM-334. A joint resolution adopted by the Legislature of the State of California; to the Committee on Armed Services.

"RESOLUTION CHAPTER 91

"Whereas, the national security interests of the United States are constantly changing in response to changing world conditions and threats; and

"Whereas, the Armed Forces of the United States must adapt to these changing circumstances and train to respond to them with resourcefulness and innovation; and

"Whereas, as demonstrated during Operation Desert Storm, weapons systems have undergone great changes in effectiveness, speed, and range, since the opening of the National Training Center (NTC) in 1981; and

"Whereas, beginning in 1985, the United States Army and the NTC have continuously evaluated and analyzed training requirements, thereby identifying the need to acquire 238,000 additional maneuver acres adjoining the NTC for realistic task force training at Fort Irwin, California located in San Bernardino County; and

"Whereas, since 1986 in consultation with the United States Fish and Wildlife Service, the Bureau of Land Management, the California Department of Fish and Game, other regulatory agencies, university researchers, and representatives of concerned environmental organizations, the army has conducted extensive, ongoing, environmental studies to determine which lands adjoining the NTC would meet the training requirement while minimizing impacts on flora, fauna, and the human environment; and

"Whereas, since 1987 the army has monitored and analyzed real estate market conditions to help identify the least expensive configuration of lands meeting both training mission and environmental compatibility goals; and

"Whereas, the army's record of training in an ever-improving, environmentally responsible manner at the NTC has attracted international interest and recognition as evidenced by the request of cabinet level officials of the Republic of Mexico to visit the NTC for onsite inspection of current environmental activities and discussion of future plans and programs; and

"Whereas, the army's innovative environmental programs at the NTC have also attracted national interest and recognition as demonstrated by the recent visit by officials of the National Geographic Society for onsite inspections of current environmental activities and discussion of future plans and programs; and

"Whereas, the army's record of environmental progress and successes at the NTC has been recognized by the environmental community locally as evidenced by the NTC receiving the 1992 Conservation Award from the Los Serranos Group, San Gorgonio chapter of the Sierra Club at the annual local Sierra Club Founders Day dinner ceremony in Claremont, California for efforts in exploring geothermal energy, as an alternative fuel source; and

"Whereas, based on review of environmental research and consideration of the army's identified land requirement, Dr. David Morafka, internationally respected biologist and Director of the Pan-American Laboratory for Systematics at California State University at Dominguez Hills, independently concluded in January 1993 that acquisition of lands to the east of Fort Irwin in the Silurian Valley, now known as the Silurian Valley alternative, constitutes the most environmentally preferable land configuration to meet the army's requirements; and

"Whereas, analysis of overall project costs for the land configuration is also the least expensive and most cost-effective for the

taxpayers of all acquisition alternatives previously presented to the public for review and comment during scoping meetings and opportunities; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature commends the army for its resourcefulness and diligence in seeking to accomplish its training mission at the National Training Center while upholding high standards of environmental stewardship; and be it further

"*Resolved*, That the Legislature acknowledges and supports the army's need to obtain an additional 238,000 net maneuverable acres for training use; and be it further

"*Resolved*, That the Legislature concurs with the army's goals of acquiring the needed maneuver acreage in the most environmentally responsible, cost-effective manner; and be it further

"*Resolved*, That the Legislature endorses the Silurian Valley plan as the acquisition alternative that best balances the requirements of mission needs, environmental stewardship, and cost-effectiveness for the taxpayers; and be it further

"*Resolved*, That the Legislature respectfully memorializes the Base Realignment and Closure Commission, the President, and the Congress of the United States, to similarly support and endorse the Silurian Valley plan as the most progressive effort to meet the objective of providing for the national defense while maintaining high standards of environmental stewardship; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, to each member of Base Realignment and Closure Commission, to the President and Vice President of the United States, to the Secretary of Defense, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-335. A resolution adopted by the Town Commission of Redington Beach, Florida relative to the National Flood Insurance Program; to the Committee on Banking, Housing and Urban Affairs.

POM-336. A joint resolution adopted by the Legislature of the State of California; to the Committee on Commerce, Science and Transportation.

"RESOLUTION CHAPTER 79

"Whereas, Los Angeles International Airport is a successful public facility and a valuable public resource to the people of Los Angeles; and

"Whereas, the voters of Los Angeles, on November 3, 1992, approved an amendment to the Los Angeles City Charter which lifts longstanding charter restrictions on the use of surplus airport revenues for off-airport purposes; and

"Whereas, these restrictions were imposed half a century ago, during a period when Mines Field, then a modest regional airfield, needed major infusions of revenue to finance its upgrading to a full-fledged commercial airport, and airport operating profits were the first obvious source for these funds; and

"Whereas, the federal government intervened via the Airport and Airway Improvement Act of 1982, which further restricted the use of operating revenues to onsite uses at airports accepting federal grant moneys, such as Los Angeles International Airport and San Francisco International Airport; and

"Whereas, Los Angeles International Airport has long been a booming success and no longer requires such artificial restriction to guarantee its continued healthy operation and growth; and

"Whereas, the Los Angeles City Department of Airports is a proprietary, quasi-independent management entity whose careful decisions and policymaking will ensure that the administrative, operational, capital improvement, and maintenance needs of Los Angeles International Airport and the other airports under its jurisdiction are its foremost concern; and

"Whereas, the Los Angeles City Charter amendment further ensures that no airport moneys may be considered for use offsite until all airport needs are met; and

"Whereas, prohibitions in the Airport and Airway Improvement Act of 1982 must be removed by Congress or the executive branch of the federal government in order to permit the full functioning of the charter amendment; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to amend the Airport and Airway Improvement Act of 1982 to provide (Section 2208, Title 49 Appendix, United States Code), either nationality or specifically with regard to airports owned by the City of Los Angeles and the City and County of San Francisco, that the local agency with jurisdiction may determine airport surplus revenues to be unnecessary for the administrative, operational, capital improvement, and maintenance needs of an airport in any given budgeting period, and may make those revenues available to meet other legitimate airport-related needs of the local jurisdiction; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Chairperson of the Federal Aviation Administration, and to each Senator and Representative from California in the Congress of the United States.

POM-337. A petition from the Governor of the Commonwealth of Puerto Rico relative to a plebiscite; to the Committee on Energy and Natural Resources.

POM-338. A petition from the Governor of the Commonwealth of Puerto Rico relative to a plebiscite; to the Committee on Energy and Natural Resources.

POM-339. A joint resolution adopted by the Legislature of the State of California; to the Committee on Energy and Natural Resources.

"RESOLUTION CHAPTER 63

"Whereas, with the entrance of non-Native Americans into the area that became the State of California, not only were the lands upon which Native Americans lived, hunted, fished, and gathered the products that fed and sheltered them lost, but the very earth that was blessed and held the remains of tribal dead were destroyed; and

"Whereas, in the State of California, the lack of traditional burial grounds has caused a great problem for many tribal peoples; and

"Whereas, Native Americans know the procedures that are available for claiming their ancestral remains and the associated grave goods, but do not have access to tribal burial grounds; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California hereby memorializes the President and the Congress of the United States to provide a minimum of two sites, at least one each in northern and southern California, to accommodate the burial and reburial of Native Americans; and be it further

"*Resolved*, That the sites be located on federally owned land that is returned to Native Americans for this purpose, be of sufficient size to meet the present and projected needs of Native Americans in this state, be near existing tribal communities, be easily accessible, and be located in appropriate natural settings; and be it further

"*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative from California in the Congress of the United States."

POM-340. A resolution adopted by the Alaska Porcupine Caribou Commission relative to the Arctic Monitoring and Assessment Program; to the Committee on Environment and Public Works.

POM-341. A resolution adopted by the Board of Commissioners of Henry, Tennessee relative to Interstate 69; to the Committee on Environment and Public Works.

POM-342. A joint resolution adopted by the General Assembly of the State of Illinois; to the Committee on Environment and Public Works.

"HOUSE JOINT RESOLUTION NO. 95

"Whereas, through the federal Clean Air Act and its amendments, the federal government has undertaken the necessary task of cleaning up our nation's air; and

"Whereas, a balance must be struck between the steps to be taken to reduce air pollution and the adverse impact those steps may have upon the economy, the business climate, and the cost of government; and

"Whereas, under the Clean Air Act Amendments of 1990, the states classified as extreme or severe non-attainment areas are forced to adopt employee commute options and trip reduction laws; and

"Whereas, efforts to clean the nation's air are being conducted through the imposition of onerous and burdensome travel restrictions on the employees of companies having one-hundred or more employees; and

"Whereas, the federal government has launched this ill-conceived initiative through the Clean Air Act and its amendments, modeled after California legislation; and

"Whereas, the effectiveness and cost of California's program are now coming to the surface; and

"Whereas, trip reduction efforts have cost California between $136 and $197 million per year; and

"Whereas, the costs experienced by California amount to approximately $3,000 per car taken off the road and $232 per employee; and

"Whereas, the United States Environmental Protection Agency has estimated that it will cost the economies of just the ten non-attainment areas a staggering $1.5 billion per year or $337 per employee; and

"Whereas, The General Accounting Office estimates that trip reduction programs will only yield a 1-3 percent reduction in vehicle traffic which will be quickly reversed by expected urban growth; and

"Whereas, Trip reductions and any resulting benefits will be short-lived at best and will never meet the goals of the Clean Air Act as the California experience, the General Accounting Office studies, and urban growth have demonstrated; and

"Whereas, The General Accounting Office believes that virtually none of the trip reduction measures called for in the Clean Air Act will significantly reduce emissions; and

"Whereas, The General Accounting Office believes that market-based trip reduction measures will be required if traffic and emissions are to be successfully reduced; and

"Whereas, Recent studies cited by Transportation Quarterly indicate that not more than nine percent of all cars are responsible for as much as fifty percent of automotive emissions; and

"Whereas, The General Accounting Office has concluded that the existing models used to predict emission reductions for trip reduction measures cannot be used with confidence to estimate reductions; and

"Whereas, There is no data or analysis to demonstrate that the Clean Air Act mandates will accomplish the trip and emission reductions mandated in the Clean Air Act; and

"Whereas, It is obvious to every employer, employee, governmental entity, and the General Accounting Office that the costs and results of the mandated trip reduction measures do not justify the economic and social hardships which will occur in non-attainment areas if employee trip reduction mandates continue as part of the Clean Air Act; and

"Whereas, Despite the fact that other avenues may be available which would result in, among other things, the elimination of the federal mandate for a vehicle reduction program, it is imperative that the path chosen not result in the disruption of many critical and environmentally desirable programs along with the desired elimination of such program; and

"Whereas, It is in the best interests of the employees and the employers of time State of Illinois, as well as other states, to chose the course of action which is directed towards accomplishing one thing—the elimination of the federally mandated vehicle trip reduction program; therefore, be it

"*Resolved, by the House of Representatives of the eighty-eighth General Assembly of the State of Illinois, the Senate concurring herein,* That we strongly urge Governor Jim Edgar and the members of the Illinois Congressional Delegation to work with other states and their congressional delegations to seek amendment to the Clean Air Act Amendments of 1990 so as to eliminate the provision that an Employer Trip Reduction program be required in extreme and severe non-attainment areas and, in lieu thereof, leave such program as an option to be implemented by the States based on relative costs and benefits of such program; and be it further

"*Resolved,* That a suitable copy of this preamble and resolution be presented to Governor Jim Edgar and every member of the Illinois Congressional Delegation and the Governor of every affected state."

POW-343. A joint resolution adopted by the Legislature of the State of Montana; to the Committee on Environment and Public Works.

"SENATE JOINT RESOLUTION 4

"Whereas, there is proposed legislation in the United States Congress to place additional standards and restrictions, to be implemented by the states, on aboveground storage tanks; and

"Whereas, the enactment of federal requirements that must be implemented by the states results in an additional burden for financially troubled states; and

"Whereas, the State of Montana is already in the process of implementing complex requirements for regulation and removal of underground storage tanks; and

"Whereas, the regulation and removal of underground storage tanks have been costly and frustrating to Montana citizens, necessitating extraordinary financial measures to meet the requirements for storage tanks; and

"Whereas, additional federal requirements for aboveground storage tanks would impair the state's ability to address the environmental hazards of storage tanks in an economical and efficient manner; and

"Whereas, the State of Montana already has a comprehensive uniform fire code that regulates the siting and construction of aboveground storage tanks. Now, therefore, be it

Resolved, by the Senate and the House of Representatives of the State of Montana:

(1) That the United States Congress be strongly urged to refrain from imposing on aboveground storage tanks new standards and restrictions that must be implemented by the states.

(2) That copies of this resolution be sent by the Secretary of State to the President of the United States, the United States Congress, and the Montana Congressional Delegation."

POM-344. A resolution adopted by the Southern Nevada Retired Teachers Association relative to Social Security; to the Committee on Finance.

POM-345. A resolution adopted by the Senate of the Legislature of the State of Illinois; to the Committee on Finance.

"SENATE RESOLUTION NO. 536

"Whereas, the U.S. Congress is considering whether or not to renew China's Most-Favored-Nation status; and

"Whereas, initially granted in 1979, Most-Favored-Nation status has benefited both countries in their trade and economic exchanges; and

"Whereas, since 1979, Sino-U.S. trade has increased fourfold, from $2.45 billion to $11.77 billion; and

"Whereas, American investment in China has grown from practically nothing to $4.31 billion; and

"Whereas, China has invested more than $400 million in the U.S.A. since 1979; and

"Whereas, without the sound basis provided by the mutual MFN status, Sino-U.S. trade could not have developed to the present level; therefore, be it

"*Resolved,* by the Senate of the eighty-eighth General Assembly of the State of Illinois, that we urge the U.S. Congress to renew the Most-Favored-Nation status of the People's Republic of China; and be it further

"*Resolved,* That suitable copies of this preamble and resolution be presented to the President of the U.S. Senate, to the Speaker of the U.S. House, and to each member of the Illinois Congressional Delegation."

POM-346. A joint resolution adopted by the General Assembly of the State of Illinois; to the Committee on Finance.

"HOUSE JOINT RESOLUTION NO. 27

"Whereas, health care costs are already consuming 14% of the gross national product and are still rising; and

"Whereas, the country's inability to slow health care spending threatens the nation's economic security; and

"Whereas, businesses are being forced to confront rising health care costs by cutting back benefits and wages for employees; and

"Whereas, American workers stand ready to help reduce what their employers spend on health care but not by giving up benefits; and

"Whereas, there is increasing statistical evidence that it is not just health care costs that are out of control but our health care spending; and

"Whereas, the Congressional Budget Office agrees, having said in effect that there is no incentive to control our health care spending because once we get past the deductible we are all spending someone else's money; and

"Whereas, because of this the normal market factors do not come in to play in our health care spending like they do for the rest of our spending; and

"Whereas, in recognition of this fact, 169 bipartisan Senators and Representatives of the 102nd Congress sponsored legislation aimed at providing a real incentive for Americans to reduce their health care spending, by providing them the option of having Medical Savings Accounts; and

"Whereas, with Medical Savings Accounts Americans would be free to manage their own routine health care by letting them choose the doctors, hospitals, and treatments they want, while being protected against the cost of catastrophic bills and illnesses; and

"Whereas, the administrative savings realized by Americans paying routine health care bills directly would provide a real and immediate savings to our health care system; and

"Whereas, a growing number of influential business leaders and syndicated columnist throughout the country agree with this approach and are calling for a change in the tax code that would allow employees to keep any money they did not spend out of their account each year; and

"Whereas, the RAND Study, among others, has proven that people who pay a greater percentage of their own health care bills spend less and utilize the health care system less, without suffering any adverse health conditions; and

"Whereas, Medical Savings Accounts, by distributing the money currently being spent on health insurance, in effect make the money put into each worker's account that worker's own money; and

"Whereas, making Medical Savings Accounts an available option will provide the incentive needed to reduce our health care spending; therefore, be it

"*Resolved, by the House of Representatives of the Eighty-Eighth General Assembly of the State of Illinois, the Senate Concurring herein,* That we urge the Congress of the United States to enact the appropriate changes in the tax code to allow employers to set up tax-free Medical Savings Accounts that empower consumers to control medical care spending; and be it further

"*Resolved,* That Medical Savings Accounts be included as an option of choice in any health care reform package developed by Congress and signed by the President of the United States; and be it further

"*Resolved,* that copies of this preamble and resolution be sent to each member of Illinois' Congressional delegation."

POM-347. A joint resolution adopted by the Legislature of the State of California; to the Committee on Foreign Relations.

"RESOLUTION CHAPTER 115

"Whereas, women, men, and children have been raped in systematic conduct by military forces in the towns and villages of the former Yugoslavia; and

"Whereas, this terror has been condemned internationally as a crime against humanity; and

"Whereas, many of the victims, including many women and children, have died as a result of the rape or other sexual abuse; and

"Whereas, the rapes and other incidents of sexual abuse are being carried out in particularly sadistic ways so as to inflict the maximum humiliation and terror; and

"Whereas, the systematic use of rape and other sexual abuse in this pervasive manner demonstrates a pattern of conduct knowingly used by the military as a weapon of war, with the conscious intention of demoralizing and terrorizing communities and driving them from their home regions through demonstration of the terrible power of the invading force, thereby achieving the intended result of providing the invading force with a tactical military advantage; and

"Whereas, use of rape and other sexual abuse as a military strategy in this conscious, systematic, and pervasive manner is not akin to the incidental abuses that have been evidenced in prior wars, but must be recognized as the knowing, systematic weapon of terror that it is; and

"Whereas, an ancillary purpose behind this systematic conduct appears to be a desire to achieve "ethnic cleansing"; and

"Whereas, the rape and other sexual abuse is a terrible component of an overall pattern of destruction of life, property, and human rights; and

"Whereas, the United Nations Security Council declared rape when committed in armed conflict and directed against any civilian population, a crime against humanity; and

"Whereas, the United States has historically taken the lead in the community of nations to identify, condemn, and outlaw weapons of war that rely, for their success, upon the terror they instill in civilian populations, and to condemn wartime conduct that violates human rights and dignities; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to condemn, in the strongest possible terms, war atrocities relating to the systematic use of rape and other sexual abuse of men, women, and children by the military; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

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. WARNER (for himself and Mr. SARBANES):

S. 1805. A bill to amend title 10, United States Code, to eliminate the disparity between the periods of delay provided for civilian and military retiree cost-of-living adjustments in the Omnibus Budget Reconciliation Act of 1993; to the Committee on Armed Services.

By Mr. NICKLES:

S. 1806. A bill to rescind the fee required for the use of public recreation areas at lakes and reservoirs under the jurisdiction of the Army Corps of Engineers, and for other purpose; to the Committee on Environment and Public Works.

By Mr. GRAMM (for himself, Mr. MCCAIN, Mr. COATS, Mr. BROWN, Mr. COVERDELL, Mrs. HUTCHINSON, Mr. BENNETT, Mr. HELMS, Mr. LOTT, Mr. FAIRCLOTH, and Mr. WALLOP):

S. 1807. A bill to guarantee individuals and families continued choice and control over their doctors, hospitals, and health care services, to secure access to quality health care for all, to ensure that health coverage is portable and renewable, to control medical cost inflation through market incentives and tax reform, to reform medical malpractice litigation, and for other purposes.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SASSER (for himself and Mr. MATHEWS):

S. Res. 179. A resolution to express the sense of the Senate commending The University of Tennessee Bicentennial; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NICKLES:

S. 1806. A bill to rescind the fee required for the use of public recreation areas at lakes and reservoirs under the jurisdiction of the Army Corps of Engineers, and for other purposes; to the Committee on Environment and Public Works.

ENGINEERS LAKE USER FEES ACT OF 1994

• Mr. NICKLES. Mr. President, today I am introducing legislation to rescind an onerous new user fee which was created in last year's omnibus budget reconciliation bill. This new user fee, which is really nothing more than a middle-class tax hike, would apply to day use activities at U.S. Army Corps of Engineers lakes.

Mr. President, my State depends heavily upon corps lakes for tourism and recreation. And although camping overnight is very popular, the majority of the visitors to our lakes come for the day to launch their boats, eat a picnic lunch, swim, or fish.

In the past, visitors have enjoyed these activities at no cost, which is entirely appropriate since the facilities themselves were paid for with tax dollars long ago. However, the law now directs the corps to collect a fee for the use of boat ramps and swimming beaches.

Several of my constituents have asked me, "Senator NICKLES, where did these fees come from? Who proposed them?" Mr. President, I will include for the RECORD two pages from President Clinton's budget manifesto "A Vision of Change for America" which he released nearly one year ago. In this document, on page 77, President Clinton asked Congress to place user fees on boat ramps and swimming beaches at Corps of Engineers lakes. The President's tax bill was then considered and enacted by Congress last August. I opposed this legislation in the Senate, where it passed after a tie was broken by Vice President GORE's vote.

Mr. President, I am very concerned about the negative impact these new lake fees will have on Oklahoma's tourism and recreation industry. Tourism is very important to our economy, and even a small fee will cause visitors to refrain from using these facilities and spend their money elsewhere. This will be especially hard on the many small, rural communities which surround our lakes.

I am also concerned that the cost of collecting and administering the fees will consume most if not all the revenue they may generate. The corps believes these fees can be collected for little or no extra cost, but I believe applying the legendary corps' bureaucracy to this task is bound to create more problems than it solves.

The public outcry against this tax on public recreation is just now beginning, Mr. President, and I predict that it will grow very loud indeed. Few Members of Congress and even fewer constituents have yet deciphered section 5001 of H.R. 2264. However, when the spring crowds arrive and the corps begins charging people to launch their boat, there will be a great deal of interest in my legislation.

Mr. President, I urge my colleagues to support this worthy effort.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

A VISION OF CHANGE FOR AMERICA

WHAT WE MUST NOW DO

Interior/Implement a Federal irrigation water surcharge. Authorize a per acre-foot surcharge on water sales to Reclamation projects throughout the West (except for the Central Valley Project in California, for which a similar surcharge was recently enacted). Revenue from the surcharge would be deposited into a special fund for use (subject to appropriations) in mitigating harm to fish and wildlife caused by irrigation. These costs are currently paid by the Federal taxpayer or repaid by project beneficiaries (without interest) over 50 years. The surcharge would also encourage more rational water use that would reduce the harmful impacts of nonpoint source pollution. Estimated savings are $15 million in 1997, $45 million over four years.

Army Corps of Engineers/Increase recreation fees at existing Corps of Engineers areas. This proposal would give the Corps of Engineers authority to increase certain camping fees and eliminate free camping sites in order to increase the amount of Corps of Engineers' cost that are offset by the users of these facilities. Additionally, the Corps could add fees for use of some facilities. The fee increases would be in the range of $1 to $3 per site or activity, but in

no case greater than $3 per site or activity. Fees would not be charged for wayside exhibits, overlook sites, general visitor information, or comfort facilities. The increased fees would be collected in a special account to be used (subject to appropriation) to offset recreation program costs. No Corps of Engineers entrance fees would be charged. The Corps of Engineers currently charges camping fees, averaging $6 per site, and special-use fees for activities such as use of group picnic shelters. Estimated savings over four years, $72 million, including $18 million in 1997.

Interior/Increase recreation fees at certain national parks and other recreation areas. Authority would be given to the Secretary of the Interior to increase entrance fees for certain National Park Service and Fish and Wildlife Service areas. Also establish entrance fees at other National Park units and Bureau of Land Management developed recreation sites where justifiable. Where appropriate, the Bureau of Land Management would also increase special-use permit charges. With the exception of entrance to national parks, increases in current fees would be no greater than $3 per entry. This proposal would generate an anticipated $147 million in 1994–1997 receipts ($45 million in 1997) to be used, subject to appropriation, to maintain and enhance recreational opportunities furnished by the Department of the Interior.•

By Mr. GRAMM (for himself, Mr. MCCAIN, Mr. COATS, Mr. BROWN, Mr. COVERDELL, Mrs. HUTCHISON, Mr. BENNETT, Mr. HELMS, Mr. LOTT, Mr. FAIRCLOTH, and Mr. WALLOP):

S. 1807. A bill to guarantee individuals and families continued choice and control over their doctors, hospitals, and health care services, to secure access to quality health care for all, to ensure that health coverage is portable and renewable, to control medical cost inflation through market incentives and tax reform, medical malpractice litigation, and for other purposes; which was introduced.

THE COMPREHENSIVE FAMILY HEALTH ACCESS SAVINGS ACT

Mr. GRAMM. Mr. President, I thank my dear colleagues for letting me have an opportunity to introduce a health care bill aimed at helping Americans get and keep good health insurance, and trying to fund a system that will help every American get health insurance, and trying to reform the system, building on the strengths of a system—that, with all of its problems, is the greatest system in the history of the world—and trying to fix what is broken, without destroying what we all love about the American health care system.

In the last 6 months, together with some of my Republican colleagues, I have held town meetings all over America. I held a meeting in Denver, as the distinguished Presiding Officer knows. We held public forums in San Diego, in Miami, in Indianapolis, and in Houston, basically getting an opportunity to listen to Americans and their concerns about health care. I think the American people want change in the health care system. They want insurance that you do not lose when you change jobs. They want insurance that you do not lose when you get sick. They want to make the system more efficient, more competitive. They want to deal with legal liability. They want to give the consumer more choices. They want to bring the pressures of price competition to bear in the health care market. But they do not want the Government to take over and run the health care system.

I am introducing a bill today that will make insurance portable, so you can change jobs without losing it; that will make insurance permanent, so it can never be canceled or taken away, as long as you pay your premiums. I am introducing today a bill that will provide a system where we can help the working people of this country get and keep good private health insurance; cut down on paperwork; cut down on litigation, and produce market competition. But there are really two impediments to adopting a health care bill in this Congress, and both of them come from the President. One is the insistence of the President on having the Government take over and run the health care system.

We can fix what is wrong with the health care system in America today without having the Government take over and run the health care system. We can fix what is wrong in the health care system today, without denying people a right to choose their own health insurance and their own doctor. The President talks about private health insurance, but, under his bill, private health insurance is canceled, people are forced to buy health insurance and buy health care through the Government.

Under the President's plan, if anybody tries to sell you private health insurance in competition with the Government, they are fined $10,000. The bottom line with this Comprehensive Family Health Access and Savings Act that I offer on behalf of myself and 10 of my colleagues is that we can fix what is wrong with the health care coverage system in America, making sure it is portable and permanent and help working people get it and keep it and promote competition. But we can do it without having the Government take over and run the health care system. We can do it by preserving the right of people to choose for themselves. We can do it by assuring that when people are sick, they talk to a doctor, not a bureaucrat. That, I think, is the choice.

I am hopeful that we will legislate this year. I do believe the problems in the health care system need to be fixed. But I do not believe that we fix the problems in the health care system by destroying the greatest health care system that the world has ever known, by tearing down what is right with the health care system to let the Government take over and rebuild it in the image of Government. I believe in private medicine, and so do the American people.

If there were only one choice in fixing the problems that exist in the American health care system and that choice was the Clinton health care plan, Americans might be torn. But there are other choices. We can fix what is broken without destroying the things about the system that we love: The quality, the choices, the freedom. Who can argue in a free society that an American should be denied the right to go out into the marketplace and buy private health insurance? Who can argue that in a free society we should cancel people's private health insurance against their will and force them to pay money to a Government collective to buy health care, and if they are unhappy with its services, force them to continue to pay and deny them the right to go out and buy private health insurance.

That is what the President's bill does. I think it is wrong, and I think we can fix what is broken, without destroying private medicine in America as we know it today and as we love it today.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

THE COMPREHENSIVE FAMILY HEALTH ACCESS AND SAVINGS ACT

I. ENHANCE SECURITY FOR THOSE PRESENTLY INSURED BY MAKING PRIVATE INSURANCE PORTABLE AND PERMANENT

Portability

To enhance the capacity of American workers to change jobs without losing their health insurance coverage, existing law under COBRA (which allows individuals temporarily to continue their health insurance coverage after leaving their place of employment by paying their premiums directly) would be modified to allow individuals two additional lower-cost options to keep their health insurance coverage during their transition between jobs. Workers could:

(A) Continue their current insurance coverage during the 18 months covered by COBRA by paying their insurance premiums directly;

(B) Continue their current insurance coverage during the 18 months covered by COBRA by paying their insurance premiums directly, but with a lower premium reflecting a $1,000 deductible; or

(C) Continue their current insurance coverage during the 18 months covered by COBRA by paying their insurance premiums directly, but with a lower premium reflecting a $3,000 deductible.

With these options, the typical monthly premium paid for a family of four would drop by as much as 20 percent when switching to a $1,000 deductible and as much as 52 percent when switching to a $3,000 deductible. Also, premium payments made by families would now be excluded from income in the manner described in title III of this bill.

In addition, individuals would be permitted to make penalty-free withdrawals from their Individual Retirement Accounts and 401(k)s to pay for health insurance coverage during the transition period.

The transition period of coverage would end once a person is in a position to get coverage from another employer.

Permanence

Health insurance would be made permanent (belonging to the family or individual) by these three reforms:

Those with Individual Coverage:

(A) No existing health insurance policy can be cancelled due to the state of health of any person covered by the policy. Insurance companies must offer each policy holder the option to purchase a new policy under the conditions of part B of this section with the terms to be negotiated between the buyer and seller of the policy.

(B) All individual health insurance policies written after the enactment of this legislation must be guaranteed renewable, and premiums cannot be increased based on the occurrence of illness.

Those with Group Coverage:

(A) Existing group policies must provide each member of the group the right to convert to an individual policy when leaving the group. This individual policy will be rated based on actuarial data, but cannot be cancelled due to the state of health of those covered by the policy. In addition, any group policy holder (i.e. employer obtaining coverage on employees' behalf) will have the right to purchase a new group policy under the conditions stated under part B of this section with the terms to be negotiated between the group's benefactor or representative and the seller of the group policy.

(B) All group policies issued after enactment of this legislation must be permanent, and premiums cannot be increased based on the health of the members covered under the group policy. In addition, similar to part A of this section, new group policies must provide each member of the group the right to convert to an individual policy when leaving the group. However, the premium charges of the individual leaving the new group plan cannot be based on the individual's state of health and cannot be cancelled except for nonpayment of premiums.

Those with Employer-provided Self-funded Coverage:

(A) Companies currently operating self-funded plans must make arrangements with one or more private insurers to offer individuals leaving the self-funded plan individual coverage. The individual policy will be rated based on actuarial data, but cannot be cancelled due to the state of health of those covered by the policy.

(B) All self-funded plans created after enactment of this legislation must (like part A of this section) make arrangements with one or more private insurers to offer individuals leaving the self-funded plan individual coverage. However, the premium charges of the individual leaving the self-funded plan cannot be based on the individual's state of health and cannot be cancelled except for nonpayment of premiums.

II. EXPAND FAMILY HEALTH INSURANCE CHOICES TO PROMOTE COMPETITION AND CONTROL COSTS

As under present law, employer contributions for the purchase of medical insurance coverage for employees will continue to be excluded from employee income and deducted by the employer; however, to continue receiving the deduction and exclusion, employers who elect to offer their employees health insurance coverage must offer employees at least the following three options:

(A) Continued coverage under employer-selected health insurance arrangement;

(B) HMO coverage or any other health care arrangement—such as a voluntary purchasing group, a preferred provider organization, or managed care—where the employer pays the current employer-paid share of health insurance costs to the alternate plan chosen by the employee; and

(C) Establishment of a Medical Savings Account program where the employer would contribute to the program the amount currently being spent by the employer on the employee's existing health insurance arrangement.

A new Medical Savings Account program would be established through enabling legislation allowing current employer and employee contributions to go first toward the purchase of a $3,000 deductible catastrophic insurance policy, which would be chosen by the employee from among plans offered by private insurers and paid for by the employer and employee in the same manner conventional insurance is now purchased, with remaining amounts currently spent on conventional insurance coverage going into a Medical Savings Account. Contributions to the Medical Savings Account of up to $3,000 per year by either the employer or employee shall be tax exempt. Such a catastrophic policy will cover expenses such as physician services, hospital care, diagnostic tests, and other major medical expenses once the policy holder meets the $3,000 annual deductible. Tax-free withdrawals from the Medical Savings Account could be made to pay for qualifying out-of-pocket medical expenses which apply toward the insurance policy's deductible. If the funds in the Medical Savings Account are not spent so that as new deposits are made, the sum grows beyond the $3,000 deductible, the employee can invest excess tax-free in a long-term care package or withdraw the excess and treat it as income.

The individual employee would contract with the HMO or Medical Savings Plan and pay those costs in excess of the employer's current contribution for the purchase of health insurance coverage. Employees will have a 2-month period each year (an "open season") to choose a new option for the following year. Should the cost of the HMO or Medical Savings Account program be less than the employer currently pays for conventional insurance, the employee can keep the difference.

Each employer shall determine whether the employer's contribution into the alternate plan shall be based on the average cost of providing coverage for its employees under the current plan or the actual cost per individual employee. Whichever method the employer selects shall apply to any employee leaving the employer's current plan and selecting an alternative plan.

III. PROVIDE EQUAL TAX TREATMENT FOR THE SELF-EMPLOYED AND UNINSURED

Self-employed workers, who currently are permitted to deduct 25 percent of their expenses for medical insurance coverage will now be allowed to exclude from gross income a percentage of their medical insurance coverage costs equal to the national average that employers contribute. Those individuals without employer-provided health insurance coverage will be accorded similar tax treatment. This percentage will be recalculated annually and will ensure that anyone without employer-based health insurance coverage will be treated equitably. The exclusion will be phased in over five years up from 25 percent to the national average for the employer's payment. The tax exclusion will apply to the purchase of conventional health insurance, HMO coverage, Medical Savings Account contributions, or any other prepaid medical plan.

IV. ALLOW SMALL BUSINESSES TO POOL THEIR HEALTH INSURANCE PURCHASES

Regualtory and legal impediments that restrict the ability of small businesses and other organizations (trade and professional groups, churches, etc.) to group together voluntarily to allow their employees or members to pool their health insurance purchases will be removed.

V. ASSIST INDIVIDUALS WITH PRE-EXISTING CONDITIONS IN PURCHASING HEALTH INSURANCE

Individuals uninsured due to pre-existing conditions that preclude affordable insurance cannot be denied coverage. The federal government will pay that amount of the premium which exceeds both 150 percent of the average for those of the same age, sex, and geographic area and 7.5 percent of the individual's or family's income. This assistance shall be given for the purchase of a high-deductible catastrophic policy and private insurers shall bid for the policy in a risk pool. Such a catastrophic policy will cover expenses such as physician services, hospital care, diagnostic tests, and other major medical expenses once the policy holder meets the $3,000 annual deductible. The subsidy for pre-existing conditions does not cover premiums that are higher due to current behavior that is risky or unhealthy.

VI. ENCOURAGE RESPONSIBLE BEHAVIOR BY THE FINANCIALLY CAPABLE

Financially capable individuals (those with incomes above 200 percent of the poverty level—$13,864 for individuals and $27,848 for a family of four) who choose not to purchase at least a catastrophic insurance policy that covers physician services, hospital care, diagnostic tests, and other major medical services with a deductible no higher than 20 percent of their adjusted gross income or $3,000, whichever is higher, will not be eligible to receive federal premium assistance based on any pre-existing condition after the first year of enactment of this legislation. In addition, such an individual who incurs medical expenses will be the "payer of first resort." All state and federal laws governing the collection of unpaid debt shall apply to medical expenses incurred by individuals who were financially capable of purchasing health insurance but who refused to do so.

VII. PROVIDE ASSISTANCE TO LOW-INCOME WORKERS IN PURCHASING HEALTH INSURANCE

85 percent of Americans currently have health insurance coverage. By providing equal tax treatment to those who purchase their own insurance coverage without employer-provided assistance, by having the federal government partially subsidize the cost of insurance coverage for high-risk individuals, by providing incentives for financially capable individuals to obtain health insurance coverage now, and by making all health insurance policies portable and guaranteed renewable, we will ensure that most of the remaining 15 percent will have health insurance coverage. In addition, this proposal will not displace Community Health Centers, the Indian Health Service, the VA Health system, or CHAMPUS.

To achieve total coverage, a credit will be available to families and individuals not eligible for Medicaid and having income below 200 percent of the poverty level. For families

below the poverty level, the credit will allow them to fully fund the cost of a catastrophic insurance policy covering physician services, hospital care, diagnostic tests, and other major medical services with an annual deductible equal to the higher of 20 percent of adjusted gross income or $3,000 and a preventive package for immunizations, routine physicals, pap smears, mammograms, prostate exams, and other basic preventive care. This credit will be reduced as family income rises and will be eliminated at 200 percent of the poverty level. This credit will be phased in over five years.

Those eligible to receive a total or partial credit who refuse to purchase at least a catastrophic policy will not be eligible to receive federal premium assistance based on any preexisting condition after the first year of enactment of this legislation. In addition, if such an individual incurs medical expenses, he shall be the "payer of first resort." All state and federal laws governing the collection of unpaid debt shall apply to medical expenses incurred by individuals who were eligible to receive a total or partial credit for the purchase of health insurance but who refused to do so.

VIII. REWARD PREVENTIVE MEDICINE AND HEALTHY LIFESTYLES

Insurance companies may charge different rates based on the willingness of the insured family to live healthy lives and use preventive medicine, including vaccines and physical exams.

Individuals with moderate incomes who receive federal assistance will be required to pay more if they are overweight, smoke, drink excessively, or engage in other activities that are harmful to their health. These extra payments will be based on the risk differentials that develop in the private insurance market.

IX. REFORM MEDICAID AND EXPAND CHOICES IN MEDICARE

(A) Medicaid payments to states will be made on a per capita basis. That is, states will receive an annual payment, indexed for medical inflation, from the federal government equal to the average federal cost per Medicaid enrollee on a state-by-state basis. The payment will vary by major risk categories. States will then be allowed the flexibility to design their own systems which could:

(1) continue the existing Medicaid coverage;

(2) enroll recipients into a private Health Maintenance Organization or other health care arrangements; or

(3) establish a Medical Savings Account plan to cover the recipient's medical expenses, where, except for qualified medical expenses, no amount can be withdrawn from the Medical Savings Account which takes the account below the annual catastrophic deductible amount.

Also, states would be permitted to develop other innovations and requirements, including use of copayments.

(B) Those currently covered by Medicare could keep their present coverage or receive annual government assistance up to the expected cost of their annual Medicare coverage (based on age, sex, and geographic area) for the individual retiree to enroll in a private Health Maintenance Organization or other health care arrangement or buy a Medical Savings Account.

Those choosing to opt out of the current Medicare system who are able to purchase comparable health care coverage for less than the federal Medicare payment coverage will be permitted to keep one-half of the difference. In addition, retirees may keep the entire difference if it is invested in a long-term care package.

Upon becoming eligible for Medicare (currently at age 65), individuals would have one year to decide whether or not to stay in the current Medicare system. This decision to opt out of the traditional Medicare program and to employ any private health care coverage arrangement is final.

Under the Medical Savings Account option, the federal Medicare annual payment would be used to purchase the retiree's catastrophic coverage from a private vendor, with the remaining funds going into the retiree's personal Medical Savings Account. Additional Medical Savings Account contributions or out-of-pocket expenses could be made by the retiree or anyone else on the retiree's behalf. The Medical Savings Account would also be established and maintained with a private vendor.

X. ENHANCE EFFICIENCY THROUGH PAPERWORK REDUCTION

(A) Medicaid, Medicare, and all other federal entities involved in the funding or delivery of health care shall standardize their health care forms and must reduce their total health care paperwork burden by 50 percent within two years of enactment of this legislation. The paperwork burden must be reduced by another 50 percent over the following three years, achieving a total paperwork reduction of 75 percent over a 5-year period.

(B) State agencies involved in the funding or delivery of health care, like federal entities, shall standardize their health care forms. Also like federal entities, within five years of enactment, states must reduce their total health care paperwork burden by 75 percent in order to remain eligible for federal health assistance.

(C) A private commission will be established to develop, within 12 months from enactment, standardized forms to be used by private health care providers and private insurers. In order to receive federal reimbursement, private health care providers and private insurers must use these standardized forms. This commission shall be comprised solely of private health care providers and private insurers.

XI. PROVIDE MEANINGFUL MEDICAL LIABILITY REFORM

(A) Any claim of negligence not "substantially justified" or which has been improperly advanced will result in an automatic judgement against the plaintiff rendering the plaintiff liable for the legal fees incurred by the health care provider, as well as any losses as a result of being away from the practice.

(B) The liability of any malpractice defendant will be limited to the proportion of damages attributable to such defendant's conduct.

(C) A health care provider can negotiate limits on medical liability with the buyer of health care in return for lower fees.

(D) Non-economic damages cannot exceed $250,000 adjusted annually for inflation.

(E) Lawyer's contingency fees will be capped at 25 percent.

(F) Malpractice awards will be reduced for any collateral source payments to which the claimant is entitled, and the claimant will be required to accept periodic payment as opposed to lump sum on awards in excess of $100,000 adjusted annually for inflation.

(G) No malpractice action can be initiated more than two years from the date the alleged malpractice was discovered or should have been discovered, and no more than four years after the date of the occurrence.

(H) No punitive damages will be awarded against manufacturers of a drug or medical device if such drug or medical device has been approved by the Food and Drug Administration as safe and effective.

XII. PROMOTE EFFICIENCY IN THE HEALTH CARE MARKET BY REMOVING ANTITRUST BARRIERS

By limiting certain antitrust impediments that restrict cooperative efforts, communities and providers will be given an opportunity to coordinate the delivery of health care and enter into joint ventures that promote greater efficiencies, and expand access.

XIII. GUARANTEEING OFFSETS TO HEALTH CARE REFORM COSTS

The taxpayer costs of the three new health care benefits contained in this proposal—the universal health insurance tax exclusion; the high-risk insurance pool subsidy; and the low-income worker tax credit for insurance purchase—will be put into effect under the following conditions:

(A) None of the benefits shall take effect until savings accrued by the reforms contained in this plan have actually occurred.

(B) Phase-in priorities based on achieved savings shall be as follows:

(1) high-risk insurance pool subsidy.

(2) universal health insurance tax exclusion will be phased up in annual 10 percentage point increments to 75 percent.

(3) low-income worker tax credit for insurance purchase will be phased in first for families in poverty, then singles in poverty, and lastly, for families and singles above the poverty level.

COSTS AND SAVINGS OF THE COMPREHENSIVE FAMILY HEALTH ACCESS AND SAVINGS ACT

Costs

PHASED-IN COSTS

[In billions of dollars]

	1995	1996	1997	1998	1999	2000	Total
High-risk pool	.....	$4	$4.2	$4.2	$4.2	$4.2	$20.8
Health insurance exclusion	.....	6.2	8.7	11.4	14.6	18.2	59.1
Low-income worker tax credit	.....	0	4.3	10.3	19.6	30.1	64.3
Total costs	.....	10.2	17.2	25.9	38.4	52.5	144.2

Savings

(A) Medicaid:

Medicaid savings are achieved in three ways. First, Medicaid spending is "capitated," meaning that states would receive an annual federal payment based on the number of Medicaid recipients and the risk classes they fall into. States would then be given the flexibility to institute the reforms outlined in section IX. The payment to states would grow each year by the increase in the medical price inflation index.

SAVINGS

[In billions of dollars]

	1995	1996	1997	1998	1999	2000	Total
Medicaid savings from capitation and state flexibility	$7.4	$13.8	$19.8	$26.3	$33.5	[1]n.a.	$100.7

Second, with the introduction of price competition in health care through expanded consumer choice contained in sections II and IX, the current differential between the medical price inflation index and the consumer price index is projected to decrease by one-

half over five years. The resulting Medicaid savings are as follows:

SAVINGS
[In billions of dollars]

	1995	1996	1997	1998	1999	2000	Total
Medicaid savings from lower medical inflation	.....	$.3	$.9	$2.0	$3.8	[1]n.a.	$7

Third, with the introduction of a high-risk individual subsidy and a universal tax exclusion, some Medicaid recipients will be brought under private plans. The resulting savings are as follows:

SAVINGS
[In billions of dollars]

	1995	1996	1997	1998	1999	2000	Total
Transfer out of Medicaid to private insurance	.....	$.6	$1.3	$1.4	$1.5	[1]n.a.	$4.8

(B) Medicare:

The introduction of price competition in health care generated by the reforms in sections II and IX is assumed to cut the current differential between the medical price inflation index and the consumer price index by one-half over five years. Further, the cumulative effects of this package are assumed also to cut the current difference between the rate of growth in Medicare and the medical price inflation index in half over five years. With this change, we assume savings of only half of the Medicare savings assumed by the President:

SAVINGS
[In billions of dollars]

	1995	1996	1997	1998	1999	2000	Total
Medicare savings	$3.5	$7.5	$11	$16.5	$23	[1]n.a.	$61.5

(C) Other offsets:

With creation of the risk pool coverage and universal access to catastrophic health care coverage, the use of the present deduction of health care costs in excess of 7.5% of income will drop dramatically. This estimate assumes a total reduction of 50%.

SAVINGS
[In billions of dollars]

	1995	1996	1997	1998	1999	2000	Total
Less use of medical deduction	$2.8	$2.9	$3.1	$3.3	$3.6	[1]n.a.	$15.7

TOTAL SAVINGS
[In billions of dollars]

1995	1996	1997	1998	1999	2000	Total
$13.7	$25.1	$36.1	$49.5	$65.3	[1]n.a.	$189.7

Deficit reduction: $45.5 billion

[1] "n.a." refers to not applicable. Savings in the sixth year are not applicable because the first five years of achieved savings will be used to fund benefits paid in each of the following years.

Cost and savings estimates and assistance provided by the National Center for Policy Analysis using the NCPA/Fiscal Associates Health Care Model, static estimates.

Mr. COATS. Mr. President, I rise today to join with the distinguished Senator from Texas in sponsoring the comprehensive Family Health Access and Savings Act.

Senator GRAMM's involvement with the health care reform debate is not new. In fact, it dates back to his days as a University of Texas professor of economics, and so I am pleased that he is taking a lead on this issue.

This week during his State of the Union Address, the President's health care rhetoric about the importance of good health care was impressive.

Unfortunately, it bears no resemblance to the realities of the Government-run, bureaucratic health care plan he is proposing.

While the American people know that our health care system needs reform, they also recognize that we have the best health care system in the world.

In America, there are no waiting lists for desperately needed operations; we are not forced to visit impersonal clinics, or reexplain our health problems to a different physician every time we visit the doctor's office. We know that if we need a specialist, or a special procedure, that service is available, without wait, without red tape.

That's why we need to build upon the strengths of our current system—Fix what's wrong, but retain what's right.

That's why Senator GRAMM's bill is so important.

Unlike the President's plan, which places its faith in government bureaucracy, Senator's GRAMM's unique, market-based solution, is founded upon the principle Americans have always valued: consumer choice.

I am especially pleased that many major parts of Senator GRAMM's legislation were born and bred in Indiana.

Two of those key provisions are medical savings accounts and malpractice reform.

Last year, I sponsored an Indiana-inspired health reform proposal called Healthsave.

Under this market-based reform plan, small medical bills are covered by funds set aside each year in a special tax-free account, while major expenses are still covered under high-deductible catastrophic insurance.

One of the greatest strengths of this proposal is that it directly addresses the problem of cost containment by encouraging patients to become more responsible health care consumers.

Changing consumer behavior is key to health care reform, because unless patients have an incentive to be prudent shoppers, health care costs will never be contained.

And unlike a government-run or managed competition system which places additional layers of bureaucracy between doctor and patient, Healthsave accounts eliminates most of the middlemen.

Under Healthsave, the decision about whether a service is "medically necessary" is made by patients and their doctors, not by gatekeepers or government bureaucrats.

My Healthsave legislation, which spurred debate about the role of market-based health care reforms, is one of the centerpieces of Senator GRAMM's bill.

The second key provision of the Gramm plan, which was also fostered in Indiana, is medical malpractice reform.

Indiana was one of the first States to tackle the malpractice reform debate, and this Hoosier plan has been a model for the reform efforts of many other States, and it inspired many provisions in Senator GRAMM's bill.

I commend my colleague for his efforts to promote meaningful and responsible reform of our Nation's health care system, and I am pleased that Indiana initiatives have influenced his proposal.

Mr. MCCAIN. Mr. President, I strongly support the Comprehensive Family Health Access and Savings Act introduced today by Senator PHIL GRAMM. This bill will substantially enhance the health security of all Americans without compromising choice or quality in our health care system or the vitality of our economy.

There is no question that too many Americans have no health coverage, and that aspects of the system need reform. What should not be overlooked, however, is that 85 percent of Americans do have insurance, and more than 81 percent of these individuals are satisfied with their coverage. Even among the 15 percent of the population who lack insurance, fewer than half are uninsured for extensive periods of time. Moreover, the care that is received by all Americans—including the uninsured—is the envy of the world. Consequently, the approach to health care reform that we should take is to build upon what is good in the system, and correct what is flawed.

America is now at a crossroads. We can reform the health care system to contain costs and enhance access while expanding the vitality of our economy. Alternatively, we can reform the system in a highly regulatory and bureaucratic manner that will damage our health care system and harm our prospects for economic growth.

Unfortunately, the Clinton administration chose the latter course. Rather than building on the strengths of the system, their proposal would fundamentally restructure the entire health care industry—one-seventh of our economy. Its reform proposal relies on mandatory quasi-governmental purchasing cooperatives to induce competition, backed up by global budgets and premium controls. History has taught us that such controls cannot work. They will ultimately reduce competition, reduce quality, and when removed, will increase costs.

Moreover, by mandating coverage of the entire population and offering a Cadillac standard benefits package, the

Clinton plan ensures that it will expand demand and costs dramatically. Our experience with Medicare demonstrates that cost projections for such programs are typically highly underestimated. It was initially projected that Medicare would cost $10 billion in 1990, while it actually cost about 10 times that amount—$100 billion. If we make a similar mistake with respect to health care reform, we will substantially increase our budget deficits and national debt, imposing enormous harm to our economy.

Perhaps the most disturbing aspect of the Clinton proposal is that it will severely limit choice for consumers, with the vast majority of Americans being relegated to a managed care plan. According to a recent report of the General Accounting Office, this approach is unlikely to save substantial costs. The Clinton plan's standard benefits package will prevent consumers from choosing the coverage that they need and want. For example, a person who does not drink alcohol will be forced to have coverage of treatment of alcoholism.

The Clinton plan mandates all employers to pay for the coverage of their employees. Even the insurance of part-time employees must be paid by employers on a pro-rata basis. These provisions are the direct equivalent of a new payroll tax on all employers up to 7.9 percent of payroll. Anything beyond that amount will be subsidized by the American taxpayer.

The Clinton plan will damage many small and marginal businesses. Many will have no choice but to cut back on operations and lay off workers. Like Senator GRAMM, I believe that the only thing worse than being without health coverage is being without health coverage and out of work. Low wage workers will be most at-risk of losing their jobs, because health benefits constitute a large percentage of their overall wage and benefits package.

As I indicated earlier, we do not have to take this highly bureaucratic, regulatory, and anticompetitive approach. We can reform our health care system in a manner that will actually help the economy while containing costs and enhancing access. This is precisely what the Comprehensive Family Health Access and Savings Act does.

Our bill does not include any mandates, employer or individual. Instead, it offers strong incentives through the tax system for individuals to obtain coverage either through their employers or the individual market. It offers tax credits for individuals up to 200 percent of the poverty level to assist them in purchasing health insurance. It also gives self-employed individuals tax benefits similar to those available to other individuals.

The bill includes the insurance market reforms that were included in the bill which passed twice in the Senate last year, only to be voted down in the House. This includes a prohibition against insurers excluding an individual on the basis of a preexisting condition, and a requirement that all policies are renewable and may not be canceled unless the enrollee fails to pay the premium. In addition, insurers may not raise premiums based on the occurrence of an illness. People with preexisting conditions resulting in high premiums would receive a subsidy to help them purchase coverage.

Under our plan, an individual who currently has employer provided coverage could either keep his current coverage or take the amount being spent for that coverage to purchase any other private health plan. One cost-effective option would be to obtain a low cost $3,000 deductible catastrophic policy with excess funds applied to a medical savings account—similar to an IRA. At the end of the year, the individual could keep what has not been spent in the medical savings account.

Our approach will be good for the economy because it addresses the root causes of our health care cost problem. It does this by focusing on catastrophic coverage in conjunction with medical savings accounts, which will substantially increase the cost consciousness of consumers. It also fundamentally reforms our malpractice system, which will make doctors' premiums affordable and reduce expensive defensive medicine. Because our proposal is financed soundly, and no costs would be incurred until savings accrue, it will not have a negative effect on our budget deficit or our overall economy.

The Clinton health reform plan will harm our health care system by taking choices and responsibility away from consumers, and will harm our economy by imposing large costs on our businesses and taxpayers.

Our proposal, which is based on the noncoercive free market, personal choice, and individual responsibility, will achieve all of the objectives of health care reform without hurting our economy. It will be good for our health care system and good for our country.

ADDITIONAL COSPONSORS

S. 575

At the request of Mr. KENNEDY, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 575, a bill to amend the Occupational Safety and Health Act of 1970 to improve the provisions of such act with respect to the health and safety of employees, and for other purposes.

S. 990

At the request of Mr. KENNEDY, his name was added as a cosponsor of S. 990, a bill to promote fair trade for the United States shipbuilding and repair industry.

S. 1171

At the request of Mr. BREAUX, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 with respect to the taxation of certain sponsorship payments to tax-exempt organizations and certain amounts received by Olympic organizations.

S. 1208

At the request of Mr. WOFFORD, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 1208, a bill to authorize the minting of coins to commemorate the historic buildings in which the Constitution of the United States was written.

S. 1458

At the request of Mrs. KASSEBAUM, the name of the Senator from Connecticut [Mr. DODD] 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 name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor 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. 1661

At the request of Mr. DURENBERGER, the names of the Senator from Pennsylvania [Mr. WOFFORD], the Senator from South Carolina [Mr. THURMOND], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of S. 1661, a bill to amend the Occupational Safety and Health Act of 1970 to provide for uniform warnings on personal protective equipment for occupational use, and for other purposes.

S. 1676

At the request of Mr. MACK, the names of the Senator from Colorado [Mr. BROWN] and the Senator from Georgia [Mr. COVERDELL] were added as cosponsors of S. 1676, a bill to provide a fair, nonpolitical process that will achieve $65,000,000,000 in budget outlay reductions each fiscal year until a balanced budget is reached.

S. 1677

At the request of Mr. HATFIELD, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1677, a bill to prohibit United States military assistance and arms transfers to foreign governments that are undemocratic, do not adequately protect human rights, are engaged in acts of armed aggression, or are not fully participating in the United Nations Register of Conventional Arms.

S. 1800

At the request of Mr. GRAMM, the name of the Senator from Texas [Mrs.

HUTCHISON] was added as cosponsor of S. 1800, a bill to protect the personal security of Americans by ensuring the imprisonment of violent criminals.

S. 1804

At the request of Mr. THURMOND, his name was added as a cosponsor of S. 1804, a bill to amend title 10, United States Code, to eliminate the disparity between civilian and military retiree cost-of-living adjustments caused by the Omnibus Budget Reconciliation Act of 1993.

SENATE JOINT RESOLUTION 146

At the request of Mr. WOFFORD, the names of the Senator from Tennessee [Mr. MATHEWS], the Senator from Texas [Mrs. HUTCHISON], the Senator from Utah [Mr. HATCH], the Senator from New York [Mr. D'AMATO], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Rhode Island [Mr. PELL], and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of Senate Joint Resolution 146, a joint resolution designating May 1, 1994, through May 7, 1994, as "National Walking Week."

SENATE RESOLUTION 179—RELATIVE TO THE UNIVERSITY OF TENNESSEE BICENTENNIAL

Mr. SASSER (for himself and Mr. MATHEWS) submitted the following resolution; which was considered and agreed to:

SENATE RESOLUTION 179

Whereas, under a succession of able leaders including its current president, Dr. Joseph E. Johnson, The University of Tennessee has become one of the nation's major institutions of higher education in endowments, research funding, and library holdings; and

Whereas, the University has produced distinguished alumni who have achieved national fame in the arts, sciences, medicine, nursing, pharmacy, education, engineering, business, communications, social work, librarianship, law, the military and sports; and

Whereas, those alumni include in their numbers one Nobel Laureate, six Rhodes Scholars, four Pulitzer Price winners, two National Book Award winners, one justice of the U.S. Supreme Court, nine U.S. senators, and one chief of staff to the President of the United States; and

Whereas, in the field of athletic competition, the Lady Vols basketball team has won three national championships, the Vol track program three national championships, and the Vol football and swimming teams one national championship each; and

Whereas, 1994 marks the 200th anniversary of the founding of Tennessee's flagship state university: Now, therefore, be it

Resolved, That it is the sense of the Senate that—this distinguished body, recognizing the rich history and tremendous achievements of The University of Tennessee over the past 200 years, extends heartiest congratulations to the students, alumni, faculty, staff, and administrators of this great institution on the occasion of its bicentennial, and offers best wishes for continued success in its third century.

AMENDMENTS SUBMITTED

FOREIGN RELATIONS AUTHORIZATION ACT OF 1994

BUMPERS (AND OTHERS) AMENDMENT NO. 1267

Mr. BUMPERS (for himself, Mr. DORGAN, Mr. BROWN, Mr. NICKLES, MR. WELLSTONE, and Mr. FEINGOLD) proposed an amendment to the bill (S. 1281) to authorize appropriations for the fiscal year 1994 and 1995 for the Department of State, the U.S. Information Agency, and related agencies, to provide for the consolidation of international broadcasting activities, and for other purposes; as follows:

At page 103, strike lines 1 and 2 and insert in lieu thereof the following:

"racy" $35,000,000 for the fiscal year 1994 and $35,000,000 for the fiscal year 1995."

BROWN AMENDMENT NO. 1268

Mr. BROWN proposes an amendment to the bill S. 1281, supra; as follows:

On page 179, after line 6, add the following new section:

SEC. 714. STUDY OF DEMOCRACY PROGRAM EFFECTIVENESS.

(a) FINDINGS.—The Congress finds that—

(1) the National Endowment for Democracy will fund $35,000,000 in democracy development programs overseas in fiscal year 1994;

(2) the Agency for International Development will fund approximately $400,000,000 worth of democracy development programs overseas in fiscal year 1994;

(3) it is in the interest of the United States to have a coordinated approach to the funding of international democracy programs supported by United States Government funds:

(4) both the Agency for International Development and the National Endowment for Democracy have funded overlapping programs in the same country; and

(5) the recent study of the independent Board for International Broadcasting and the United States Information Agency's Voice of America yielded a plan for a new, more cost-effective structure for United States Government-sponsored broadcasting that reduces cost and increases coordination.

(b) REPORT.—(1) Not later than 60 days after the date of enactment of this Act, the President shall establish a commission for the purpose of conducting a study of United States Government-funded democracy support activities, including activities funded through the National Endowment for Democracy and the Agency for International Development. Such commission shall submit a report to the President and to the appropriate committees of the Congress on a streamlined, cost-effective organization of United States democracy assistance.

(2) The report shall include—

(A) a review of all United States-sponsored democracy programs and identification of those programs that are overlapping.

(B) a clear statement of achievable goals and objectives for all United States-sponsored democracy programs, and an evaluation of the manner in which current democracy activities meet these goals and objectives;

(C) a review of the current United States Government organization for the delivery of democracy assistance and recommended changes to reduce cost and streamline overhead involved in the delivery of democracy assistance; and

(D) a review of all agencies involved in delivering United States Government funds in the form of democracy assistance and a recommended focal point or lead agency within the United States Government for overall coordination and consolidation of the effort.

(3) The report required by paragraph (1) shall be submitted not later than 180 days after the commission is established.

BROWN (AND KERRY) AMENDMENT NO. 1269

Mr. BROWN (for himself and Mr. KERRY) proposed an amendment to the bill S. 1281, supra; as follows:

At the appropriate place in the bill, add the following new section—

SEC. 17. PROHIBITION ON CONTRIBUTIONS TO THE INTERNATIONAL JUTE ORGANIZATION.

None of the funds authorized to be appropriated by this Act or any other Act may be used to fund any United States contribution to the International Jute Organization.

COHEN AMENDMENT NOS. 1270–1271

(Ordered to lie on the table.)

Mr. COHEN submitted two amendments intended to be proposed by him to the bill S. 1281, supra; as follows:

AMENDMENT NO. 1270

On page 179, after line 6, add the following:

SEC. . REPORT ON RUSSIAN MILITARY OPERATIONS IN THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

(a) IN GENERAL.—Not later than July 1, 1994, the President shall submit to Congress a report on the operations and activities of the armed forces of the Russian Federation, including elements purportedly operating outside the chain of command of the armed forces of the Russian Federation, in the other independent states that were a part of the former Soviet Union and the Baltic States.

(b) CONTENT OF REPORT.—The report required by subsection (a) shall include, but not be limited to—

(1) an assessment of the numbers and types of Russian armed forces deployed in each of the other independent states of the former Soviet Union and the Baltic States and a summary of their operations and activities since the demise of the Soviet Union in December 1991;

(2) a detailed assessment of the involvement of Russian armed forces in conflicts in or involving Armenian, Azerbaijan, Georgia, Moldova, and Tajikistan, including support provided directly or indirectly to one or more parties to these conflicts;

(3) an assessment of the political and military objectives of the operations and activities discussed in paragraphs (1) and (2) and of the strategic objectives of the Russian Federation in its relations with the other independent states of the former Soviet Union and the Baltic States;

(4) an assessment of other significant actions, including political and economic, taken by the Russian Federation to influence the other independent states of the former Soviet Union and the Baltic States in pursuit of its strategic objectives; and

(5) an analysis of the new Russian military doctrine adopted by President Yeltsin on No-

2, 1993, with particular regard to its implications for Russian policy toward the other independent states of the former Soviet Union and the Baltic States.

(c) DEFINITIONS.—For the purposes of this section—

(1) "the other independent states of the former Soviet Union" means Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan; and

(2) "the Baltic States" means Latvia, Lithuania, and Estonia.

AMENDMENT NO. 1271

On page 179, after line 6, add the following:

SEC. . POLICY REGARDING GERMAN PARTICIPATION IN INTERNATIONAL PEACEKEEPING OPERATIONS.

(a) The Senate finds that—

(1) for more than four decades following the Second World War, Germany was a divided nation;

(2) notwithstanding the creation of the Federal Republic of Germany on September 7, 1949, and the German Democratic Republic on October 7, 1949, the Four Allied Powers retained rights and responsibilities for Germany as a whole;

(3) the Federal Republic of Germany acceded to the United Nations Charter without reservation, "accept[ing] the obligations contained in the Charter . . . and solemnly undertak[ing] to carry them out", and was admitted as a member of the United Nations on September 26, 1973;

(4) the Federal Republic of Germany's admission to the United Nations did not alter Germany's division nor infringe upon the rights and responsibilities of the Four Allied Powers for Germany as a whole;

(5) these circumstances created impediments to the Federal Republic of Germany fulfilling all obligations undertaken upon its accession to the United Nations Charter;

(6) Germany was unified within the Federal Republic of Germany on October 3, 1990;

(7) with the entry into force of the Final Settlement With Respect to Germany on March 4, 1991, the unified Germany assumed its place in the community of nations as a fully sovereign national state;

(8) German unification and attainment of full sovereignty and the Federal Republic's history of more than four decades of democracy have removed impediments that have prevented its full participation in international efforts to maintain or restore international peace and security;

(9) international peacekeeping, peacemaking, and peace-enforcing operations are becoming increasingly important for the maintenance and restoration of international peace and security;

(10) United Nations Secretary General Boutros Boutros-Ghali has called for the "full participation of Germany in peacekeeping, peacemaking, and peace-enforcing measures";

(11) the North Atlantic Council, meeting in ministerial session on June 4, 1992, and December 17, 1992, stated the preparedness of the North Atlantic Alliance to "support, on a case-by-case basis in accordance with our own procedures, peacekeeping activities under the responsibility of the Conference on Security and Cooperation in Europe" and "peacekeeping operations under the authority of the United Nations Security Council";

(12) the Federal Republic of Germany participated in these North Atlantic Council meetings and fully associated itself with the resulting communiques;

(13) the Western European Union (WEU) Ministerial Council, in the Petersberg Declaration adopted June 19, 1992, declared that "As the WEU develops its operational capabilities in accordance with the Maastricht Declaration, we are prepared to support, on a case-by-case basis and in accordance with our own procedures, the effective implementation of conflict-prevention and crisis-management measures including peacekeeping activities of the CSCE or the United Nations Security Council";

(14) the Federal Republic of Germany presided over this Western European Union Ministerial Council meting and fully associated itself with the Petersberg Declaration;

(15) the Federal Republic of Germany, by virtue of its political, economic, and military status and potential, will play an important role in determining the success or failure of future international efforts to maintain or restore international peace and security;

(16) Germany is currently engaged in a debate on the proper role for the German military in the international community and, in this regard, on how to amend the provisions of the Federal Republic's Basic Law that govern German military activities;

(17) an important element in the German debate is the question of whether the international community would welcome or oppose full German participation in international peacekeeping, peacemaking, and peace-enforcing operations;

(18) it is, therefore, appropriate for the United States, as a member of the international community and as a permanent member of the United Nations Security Council, to express its position on the foregoing question; and

(19) distinctions between peacekeeping, peacemaking, and peace-enforcing measures are becoming blurred, making absolute separation of such measures difficult, if not impossible.

(b) The Senate commends the German people for their efforts over several decades—

(1) to acknowledge forthrightly the evils perpetrated during the National Socialist period;

(2) to construct a democratic state deeply rooted in German society; and

(3) to integrate Germany into international institutions designed to strengthen, protect, and promote democracy and international peace and security.

(c) It is the sense of the Senate that—

(1) an appropriate response under current circumstances to Germany's past would be for Germany to participate fully in international efforts to maintain or restore international peace and security; and

(2) the President should strongly encourage Germany to assume full and active participation in international peacekeeping, peacemaking, and peace-enforcing operations and to take the necessary measures with regard to its constitutional law and policy and its military capabilities so as to enable the full and active participation of Germany in such operations.

BROWN (AND OTHERS) AMENDMENT NO. 1272

Mr. BROWN (for himself, Mr. BUMPERS, and Mr. FEINGOLD) proposed an amendment to the bill S. 1281, supra; as follows:

On page 123, between lines 19 and 20, insert the following new section:

SEC. 229. PRIVATIZATION OF FUNDING FOR THE NATIONAL ENDOWMENT FOR DEMOCRACY.

(a) IN GENERAL.—Except as provided in subsection (b), in fiscal year 1994, the total amount of grants awarded on a noncompetitive basis to a NED core grantee in fiscal years 1994 and 1995 may not exceed an amount which represents the following percentage of the total amount of such grants allocated for such grantee by the National Endowment for Democracy for that fiscal year:

(1) For fiscal year 1994, 85 percent.

(2) For fiscal year 1995, 80 percent.

(b) EXCEPTION.—The percentage limitation of subsection (a) may be exceeded by a NED core grantee in a fiscal year to the extent that such excess amount if matched by grants and donations received by the NED core grantee from private donors.

(c) FUNDS AWARDED BY THE NATIONAL ENDOWMENT FOR DEMOCRACY.—Except as provided in subsection (d), in fiscal years 1994 and 1995, the total amount of grants awarded by the National Endowment for Democracy on a competitive basis in any fiscal year may not exceed an amount which represents the following percentage of the total amount of grants awarded on a competitive basis by the National Endowment for Democracy for that fiscal year:

(1) For fiscal year 1994, 85 percent.

(2) For fiscal year 1995, 80 percent.

(d) EXCEPTION.—The percentage limitation of subsection (c) may be exceeded by the National Endowment for Democracy in a fiscal year to the extent that such excess amount is matched by grants and donations received by the National Endowment for Democracy from private donors.

(e) FUNDS RETURNED TO THE U.S. TREASURY FOR DEFICIT REDUCTION.—To the extent that funds allocated for a NED core grantee or the National Endowment for Democracy's competitively awarded grants in excess of the percentage limitation of subsections (a) and (c) are not matched by private contributions, such funds shall be returned to the United States Treasury for the purpose of deficit reduction.

(f) SENSE OF THE CONGRESS.—It is the sense of the Congress that the National Endowment for Democracy and its core grantees should rely on increasing amounts of private sector donations in future years.

(g) DEFINITION.—For the purpose of this section, the term "NED core grantees" refers to the International Republican Institute (IRI), the Free Trade Union Institute (FTUI), the National Democratic Institute (NDI), and the Center for International Enterprise (CIPE).

MURKOWSKI (AND BROWN) AMENDMENT NO. 1273

Mr. MURKOWSKI (for himself and Mr. BROWN) proposed an amendment to the bill S. 1281, supra; as follows:

At the appropriate place in the bill, add the following new section—

SEC. . High-level visits to Taiwan. It is the sense of the Congress that—

(a) The President should be commended for his meeting with Taiwan's Minister of Economic Affairs during the Asia-Pacific Economic Cooperation Conference in Seattle;

(b) The President should send Cabinet-level appointees to Taiwan to promote American interests and to ensure the continued success of U.S. business in Taiwan;

(c) In addition to Cabinet-level visits, the President should take steps to show clear United States support for Taiwan both in our bilateral relationship and in multilateral organizations of which the United States is a member.

PELL AMENDMENT NO. 1274

Mr. PELL proposed an amendment to the bill S. 1281, supra; as follows:

At the end of the bill, add the following new section:

SEC. . FREEDOM OF INFORMATION EXEMPTION FOR CERTAIN OPEN SKIES TREATY DATA.

(a) IN GENERAL.—Data collected by sensors during observation flights conducted in connection with the Treaty on Open Skies, including flights conducted prior to entry into force of the Treaty, shall be exempt from disclosure under the Freedom of Information Act or any other Act—

(1) in the case of data with respect to a foreign country—

(A) if the country has not disclosed the data to the public; and

(B) if the country has not, acting through the Open Skies Consultative Commission or any other diplomatic channel, authorized the United States to disclose the data to the public; or

(2) in the case of data with respect to the United States, if disclosure of such data could be reasonably expected to cause substantial harm to the national defense as determined by the Secretary of Defense or to the foreign relations of the United States as determined by the Secretary of State.

(b) EXTENSION OF WITHHOLDING OF CERTAIN DATA.—(1) For purposes of subsection (a)(2), data held for a period of 5 years from the date of collection shall be deemed not to cause substantial harm to the national defense or foreign relations of the United States and shall be released unless the head of the agency that made the initial determination determines otherwise, in which case the data may be withheld for an additional period or periods of 5 years each.

(2) In no case may data be withheld under this subsection for more than 10 years from the date of collection.

(3) Determinations under this subsection may not be delegated.

(c) STATUTORY CONSTRUCTION.—This section constitutes a specific exemption within the meaning of section 552(b)(3) of title 5, United States Code.

(d) DEFINITIONS.—For the purposes of this section—

(1) the term "Freedom of Information Act" means the provisions of section 552 of title 5, United States Code;

(2) the term "Open Skies Consultative Commission" means the commission established pursuant to Article X of the Treaty on Open Skies; and

(3) the term "Treaty on Open Skies" means the Treaty on Open Skies, signed at Helsinki on March 24, 1992.

PELL AMENDMENT NO. 1275

Mr. PELL proposed an amendment to the bill S. 1281, supra; as follows:

On page 179, after line 6, insert the following:

SEC. . TRANSFER OF CERTAIN OBSOLETE OR SURPLUS DEFENSE ARTICLES IN THE WAR RESERVE ALLIES STOCKPILE TO THE REPUBLIC OF KOREA.

(a) AUTHORITY.—(1) Notwithstanding section 514 of the Foreign Assistance of Act 1961 (22 U.S.C. 2321h), the Secretary of Defense is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary, any or all of the items described in paragraph (2).

(2) The items referred to in paragraph (1) are equipment, tanks, weapons, repair parts, and ammunition that—

(A) are obsolete or surplus items;

(B) are in the inventory of the Department of Defense;

(C) are intended for use as reserve stocks for the Republic of Korea; and

(D) as of the date of enactment of this Act, are located in a stockpile in the Republic of Korea.

(b) CONCESSIONS.—The value of the concessions negotiated by the Secretary of Defense shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States, and other items of value.

(c) ADVANCE NOTIFICATION OF TRANSFER.—Not less than 30 days before making a transfer under the authority of this section, the Secretary of Defense shall transmit to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the congressional defense committees a notification of the proposed transfer. The notification shall identify the items to be transferred and the concessions to be received.

(d) EXPIRATION OF AUTHORITY.—No transfer may be made under the authority of this section more than two years after the enactment of this Act.

MURKOWSKI AMENDMENT NO. 1276

Mr. MURKOWSKI proposed an amendment to the bill S. 1281, supra; as follows:

On page 179, after line 6, add the following new section:

SEC. 714. PILOT VISA WAIVER PROJECT FOR KOREANS VISITING ALASKA AND HAWAII.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) travel and tourism play a major role in reducing the United States unfavorable balance of trade;

(2) the characteristics of the Korean travel market do not permit long-term planning for longer trips;

(3) applications for United States visas cannot now be processed in the reasonable period of time;

(4) the United States Department of State has directed reductions in staff at the United States Embassy in Seoul, which promise to further expand the time necessary for potential Korean travelers to obtain a United States visa;

(5) most of the nations of the South Pacific and Europe do not currently require Koreans entering their countries to have a visa, thus providing them with a serious competitive advantage;

(6) the United States territory of Guam has been permitted by the United States Government to eliminate visa requirements for Koreans visiting Guam, with resultant impressive increases in travel and tourism from the Republic of Korea;

(7) the existing procedures to add any nation, including the Republic of Korea, to the group of favored nations exempted from United States visa regulations, would require many years during which time the United States could well lose its competitive advantages in attracting travel and tourism from the Republic of Korea; and

(8) the Republic of Korea as a gesture of goodwill has already unilaterally released United States travelers to the Republic of Korea from the necessity of obtaining a visa.

(b) POLICY.—The Secretary of State shall explore the procedures necessary to inaugurate a pilot study project which—

(1) would be aimed at greatly reducing the time and formalities needed to permit the Republic of Korea to join the other visa-waiver nations of the world; and

(2) would immediately permit the noncontiguous States of Alaska and Hawaii to join Guam as visa-free destinations for Korean travelers.

(c) DESCRIPTION OF PILOT PROJECT.—A pilot project conducted under subsection (a) should consist of the following elements:

(1) United States visas would be declared unnecessary for Koreans visiting Alaska or Hawaii.

(2) At United States Customs passport control stations in Alaska and Hawaii, Koreans would be expected to display their return trip airline ticket, with return to be effected within 2 weeks.

(3) At the end of 1 year, if immigration violations do not exceed the numbers experienced for Koreans entering other United States gateways, then the Department of State should consider extending visa waivers to all Koreans visiting the United States.

(d) EFFECTIVE DATE; TERMINATION DATE.—A pilot project conducted under subsection (a) should begin not later than May 1, 1994, and should terminate April 30, 1995.

HELMS AMENDMENT NO. 1277

Mr. HELMS proposed an amendment to the bill S. 1281, supra; as follows:

At the appropriate place, add the following:

SEC. . The United States Senate will not consent to the ratification of any Treaty providing for United States participation in an international criminal court with jurisdiction over crimes of an international character unless American citizens are guaranteed, in the terms establishing such a court, and in the court's operation, that the court will take no action infringing upon or diminishing their rights under the First Amendment of the Constitution of the United States, as interpreted by the United States.

HELMS AMENDMENT NO. 1278

Mr. HELMS proposed an amendment to the bill S. 1281, supra; as follows:

At the appropriate place, add the following:

SEC. . The United States Senate will not consent to the ratification of any Treaty providing for United States participation in an international criminal court with jurisdiction over crimes of an international character unless American citizens are guaranteed, in the terms establishing such a court, and in the court's operation, that the court will take no action infringing upon or diminishing their rights under the Fourth Amendment of the Constitution of the United States, as interpreted by the United States.

MCCONNELL AMENDMENT NO. 1279

Mr. MCCONNELL proposed an amendment to the bill S. 1281, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . The Congress finds that:

(1) The Warsaw Pact has been disbanded and replaced by governments with legitimate political, economic and security interests;

(2) It is in the national interests of the United States to preserve European regional stability through the promotion of political

and economic freedom and respect for territorial integrity and national sovereignty;

(3) The North Atlantic Treaty Organization has served and advanced U.S. and European interests in political stability and collective security for forty five years.

Therefore, it is the sense of the Senate that,

(1) European nations which have demonstrated both capability and willingness to support collective defense requirements and established democratic practices including free, fair elections, civilian control of military institutions, respect for territorial integrity and the individual liberties of its citizens share the goals of the North Atlantic Treaty Organization; and

(2) The United States should urge immediate admission to NATO for those nations which support and advance this common agenda.

McCONNELL (AND OTHERS) AMENDMENT NO. 1280

Mr. McCONNELL (for himself, Mr. LEVIN, Mr. SIMON, Mr. GORTON, Mr. MACK, Mr. McCAIN, Mr. KERRY, Mr. ROTH, Mr. BYRD, and Ms. MOSELEY-BRAUN) proposed an amendment to the bill S. 1281, supra; as follows:

Strike all after "Sec" and insert the following:

. The Congress finds that:

(1) The Warsaw Pact has been disbanded and replaced by governments with legitimate political, economic and security interests;

(2) It is in the national interests of the United States to preserve European regional stability through the promotion of political and economic freedom and respect for territorial integrity and national sovereignty;

(3) The North Atlantic Treaty Organization has served and advanced U.S. and European interests in political stability and collective security for forty five years.

(4) Poland, Hungary and the Czech Republic have expressed interest in joining NATO.

Therefore, it is the sense of the Senate that,

(1) European nations which have demonstrated both capability and willingness to support collective defense requirements and established democratic practices including free, fair elections, civilian control of military institutions, respect for territorial integrity and the individual liberties of its citizens share the goals of the North Atlantic Treaty Organization; and

(2) The United States should urge immediate admission to NATO for those nations which advance and support this common agenda.

DOLE (AND OTHERS) AMENDMENT NO. 1281

Mr. DOLE (for himself, Mr. LIEBERMAN, Mr. LUGAR, Mr. MOYNIHAN, Mr. HELMS, Mr. D'AMATO, Mr. BIDEN, Mr. FEINGOLD, Mr. KERRY, Mr. LEVIN, Mr. DECONCINI, Mr. ROBB, and Mr. REID) proposed an amendment to the bill S. 1281, supra, as follows:

On page 179, after line 6, insert the following new section:

SEC. . POLICY ON TERMINATION OF UNITED STATES ARMS EMBARGO.

(a) FINDINGS.—The Congress makes the following findings:

(1) On July 10, 1991, the United States adopted a policy suspending all licenses and other approvals to export or otherwise transfer defense articles and defense services to Yugoslavia.

(2) On September 25, 1991, the United Nations Security Council adopted Resolution 713, which imposed a mandatory international embargo on all deliveries of weapons and military equipment to Yugoslavia.

(3) The Unites States considered the policy adopted July 10, 1991, to comply fully with Resolution 713 and therefore took no additional action in response to that resolution.

(4) On January 8, 1992, the United Nations Security Council adopted Resolution 727, which decided that the mandatory arms embargo imposed by Resolution 713 should apply to any independent states that might thereafter emerge on the territory of Yugoslavia.

(5) On February 29 and March 1, 1992, the people of Bosnia and Herzegovina voted in a referendum to declare independence from Yugoslavia.

(6) On April 7, 1992, the United States recognized the Government of Bosnia and Herzegovina.

(7) On May 22, 1992, the Government of Bosnia and Herzegovina was admitted to full membership in the United States.

(8) Consistent with Resolution 727, the United States has continued to apply the policy adopted July 10, 1991, to independent states that have emerged on the territory of the former Yugoslavia, including Bosnia and Herzegovina.

(9) Subsequent to the adoption of Resolution 727 and Bosnia and Herzegovina's independence referendum, the siege of Sarajevo began and fighting spread to other areas of Bosnia and Herzegovina.

(10) The Government of Serbia intervened directly in the fighting by providing significant military, financial, and political support and direction to Serbian-allied irregular forces in Bosnia and Herzegovina.

(11) In statements dated May 1 and May 12, 1992, the Conference on Security and Cooperation in Europe declared that the Government of Serbia and the Serbian-controlled Yugoslav National Army were committing aggression against the Government of Bosnia and Herzegovina and assigned to them prime responsibility for the escalation of bloodshed and destruction.

(12) On May 30, 1992, the United Nations Security Council adopted Resolution 757, which condemned the Government of Serbia for its continued failure to respect the territorial integrity of Bosnia and Herzegovina.

(13) Serbian-allied irregular forces have occupied approximately 70 percent of the territory of Bosnia and Herzegovina, committed gross violations of human rights in the areas they have occupied, and established a secessionist government committed to eventual unification with Serbia.

(14) The military and other support and direction provided to Serbian-allied irregular forces in Bosnia and Herzegovina constitutes an armed attack on the Government of Bosnia and Herzegovina by the Government of Serbia within the meaning of Article 51 of the United Nations Charter.

(15) Under Article 51, the Government of Bosnia and Herzegovina, as a member of the United Nations, has an inherent right of individual or collective self-defense against the armed attack from the Government of Serbia until the United Nations Security Council has taken measures necessary to maintain international peace and security.

(16) The measures taken by the United Nations Security Council in response to the armed attack on Bosnia and Herzegovina have not been adequate to maintain international peace and security.

(17) Bosnia and Herzegovina has been unable successfully to resist the armed attack from Serbia because it lacks the means to counter heavy weaponry that Serbia obtained from the Yugoslav National Army upon the dissolution of Yugoslavia, and because the mandatory international arms embargo has prevented Bosnia and Herzegovina from obtaining from other countries the means to counter such heavy weaponry.

(18) On December 18, 1992, with the affirmative vote of the United States, the United Nations General Assembly adopted Resolution 47/121, which urged the United Nations Security Council to exempt Bosnia and Herzegovina from the mandatory arms embargo imposed by Resolution 713.

(19) In the absence of adequate measures to maintain international peace and security, continued application to the Government of Bosnia and Herzegovina of the mandatory international arms embargo imposed by the United Nations Security Council prior to the armed attack on Bosnia and Herzegovina undermines that government's right of individual or collective self-defense and therefore contravenes Article 51 of the United Nations Charter.

(20) Bosnia and Herzegovina's right of self-defense under Article 51 of the United Nations Charter includes the right to ask for military assistance from other countries and to receive such assistance if offered.

(b) POLICY ON TERMINATION OF ARMS EMBARGO.—(1) The President should terminate the United States arms embargo of the Government of Bosnia and Herzegovina upon receipt from that government of a request for assistance in exercising its right of self-defense under Article 51 of the United Nations Charter.

(2) As used in this subsection, the term "United States arms embargo of the Government of Bosnia and Herzegovina" means the application to the Government of Bosnia and Herzegovina of—

(A) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 Fed. Reg. 33322) under the heading "Suspension of Munitions Export Licenses to Yugoslavia"; and

(B) any similar policy being applied by the United States Government as of the date of receipt of the request described in subsection (a) pursuant to which approval is routinely denied for transfers of defense articles and defense services to the former Yugoslavia.

(c) POLICY ON MILITARY ASSISTANCE.—The President should provide appropriate military assistance to the Government of Bosnia and Herzegovina upon receipt from that government of a request for assistance in exercising its right of self-defense under Article 51 of the United Nations Charter.

ROTH AMENDMENT NO. 1282

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to the bill S. 1281, supra; as follows:

At the appropriate point, insert the following:

The Senate finds that:

In the post-Cold War period, the international community expects the United Nations to play a larger role, particularly in peacekeeping operations that may, on occasion, require the use of force against determined aggressors;

That in the past five years the United Nations has engaged in more peacekeeping operations than in the preceding forty,

That the Security Council is the U.N. body chiefly responsible for matters of peace and security;

That the United Nations structure and the Security Council's roster of permanent members have remained largely unchanged since the United Nations was founded almost half a century ago;

That Japan and Germany, as the world's second and third largest economies, respectively, have attained levels of global reach and influence equal to or surpassing current permanent members of the Security Council;

That both Japan and Germany have announced their desire to gain permanent membership in the Security Council;

That any country accorded permanent membership must be capable of fulfilling all the responsibilities of such status, including full participation in any U.N. military operations;

That according permanent membership to nations not capable of fully carrying out these responsibilities will allow those countries to play a central role in shaping U.N. peacekeeping operations which could endanger the lives of American and other troops, but in which their own forces could play no part;

That currently, in both Japan and Germany, the prevailing view is that each country is prohibited from carrying out all the responsibilities that permanent membership entails and appears reluctant to make the changes necessary to gain those capabilities;

That in Japan's case, making those changes will require the country to come to terms more adequately with its conduct during World War II and closely consult with its Asian neighbors who suffered during that period;

Now, therefore, it is the sense of the Senate that:

(1) In principle, the United States should support both Japan and Germany in their wish to gain permanent membership in the United Nations Security Council; but

(2) No action should be taken to further either nation's goal of achieving such status unless and until they are capable of discharging the full range of responsibilities accepted by all current permanent members of the Security Council.

DeCONCINI AMENDMENT NO. 1283

Mr. DECONCINI proposed an amendment to the bill S. 1281, supra; as follows:

At the appropriate place in the bill, add the following new section:

SEC. . Beginning ninety days after the enactment of this Act, and annually thereafter on the day the budget of the United States is submitted to the Congress, the Secretary of State shall submit to the Congress a detailed budget justification on the costs to provide security and protection to the Secretary of State both domestically and internationally. Such justification shall include the number of full-time permanent personnel assigned to Secretarial protection, the cost of salaries, overtime, per diem, travel, equipment and vehicles for carrying out such protective activities.

DOLE (AND OTHERS) AMENDMENT NO. 1284

Mr. DOLE (for himself, Mr. HATFIELD, Mr. KENNEDY, Mr. HARKIN, Mr. HELMS, and Mr. MURKOWSKI) proposed an amendment to the bill S. 1281, supra; as follows:

On page 123, between lines 19 and 20, insert the following:

SEC. . INTERNATIONAL EXCHANGE PROGRAMS INVOLVING DISABILITY-RELATED MATTERS.

(a) AUTHORITY.—Section 102(b) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)) is amended—

(1) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(2) by inserting after paragraph (8) the following:

"(9) promoting educational, cultural, medical, and scientific meetings, training, research, visits, interchanges, and other activities, with respect to disability-related matters, including participation by individuals with disabilities (within the meaning of section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2)) in such activities, through such nonprofit organizations as have a demonstrated capability to coordinate exchange programs involving diability-related matters;".

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of the United States Information Agency shall submit a report to the Congress describing the steps taken during the period since the date of enactment of this Act to implement section 102(b)(9) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)(9)).

(c) ANNUAL SUMMARY OF ACTIVITIES.—As part of the congressional presentation materials submitted in connection with the annual budget request for the United States Information Agency, the Director of the Agency shall include a summary of the international exchange activities carried out under section 102(b)(9) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b)(9)) during the preceding calendar year.

HUTCHISON AMENDMENT NO. 1285

Mrs. HUTCHISON proposed an amendment to the bill S. 1281, supra; as follows:

SEC. . DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

(a) REQUIREMENT TO DEOBLIGATE.—Except as provided in subsection (b), at the beginning of each fiscal year the President shall deobligate, and return to the Treasury, any funds that, as of the end of the preceding fiscal year, have been obligated for a period of more than 4 years for development assistance, economic support assistance, assistance from the Development Fund for Africa, assistance under chapter 4 of part I of the Foreign Assistance Act of 1961 (relating to the Multilateral Assistance Initiative for the Philippines), assistance under the Support for East European Democracy (SEED) Act of 1989, and assistance to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (relating to assistance to the independent states of the former Soviet Union), but have not been expended.

(b) EXCEPTIONS.—The President, on a case-by-case basis, may waive the requirement of subsection (a) if the President determines, and reports to the appropriate congressional committees, that—

(1) the funds are being used for a capital or long-term participant training project that requires more than 3 years to complete; or

(2) the funds have not been expended because of unforeseen circumstances, and those circumstances could not have been reasonably foreseen.

(c) COMMENTS ON SUBSECTION (b) REPORTS.—As soon as possible after submission of a report pursuant to subsection (b), the Inspector General for the administering agency for part I of the Foreign Assistance Act of 1961 shall submit to the appropriate congressional committees such comments as the Inspector General considers appropriate with regard to the determination described in that report.

BROWN (AND OTHERS) AMENDMENT NO. 1286

Mr. BROWN (for himself, Mr. MOYNIHAN, Mr. MCCONNELL, Mr. MACK, Mr. KEMPTHORNE, Mr. COATS, Mr. MCCAIN, Mr. BURNS, Mr. LAUTENBERG, Mr. FEINGOLD, Mr. DECONCINI, Mr. GRASSLEY, and Mr. MATHEWS) proposed an amendment to the bill S. 1281, supra; as follows:

On page 179, after line 6, add the following new title:

TITLE VIII—ANTI-ECONOMIC DISCRIMINATION ACT OF 1994

SEC. 801. SHORT TITLE.

This title may be cited as the "Anti-Economic Discrimination Act of 1994".

SEC. 802. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) certain countries maintain an economic boycott of Israel, including a secondary boycott of companies that have investments in or trade with Israel;

(2) the secondary boycott has caused economic damage to the countries that maintain the boycott as well as to Israel;

(3) the secondary boycott causes great difficulties for United States firms that trade with Israel, depriving them of trade opportunities and violating internationally accepted principles of free trade;

(4) the United States has a longstanding policy opposing the Arab League boycott and Untied States law prohibits American firms from providing information to Arab countries to demonstrate compliance with the boycott;

(5) many American companies may be denied contracts in the West Bank and Gaza for infrastructure development because they conduct business with Israel; and

(6) many American companies may be denied contracts by the Kuwaiti Government for the reconstruction of Kuwait because they conduct business with Israel.

(7) under the Administration's leadership the U.S. has sent a clear, consistent and unambiguous message that the Arab League boycott of companies that do business with Israel is an obstacle to peace and should be terminated;

(8) the United States has laws prohibiting United States firms from providing Arab states with the requested information about compliance with boycott regulations;

(9) the United States Trade Representative, in August 1993, commissioned the ITC to undertake a study of the boycott's impact on U.S. businesses which will provide, for the first time, a carefully researched estimate of the impact of the boycott on the U.S.;

(10) the Administration has conducted an active diplomatic campaign to convince Arab League countries that the time to end the boycott and economic discrimination against United States businesses is now;

(11) the Administration's efforts have produced encouraging developments, as for example, with statements by officials of the Arab League that at its next meeting in

March, the Arab League states will consider ending their discrimination against firms that do business with Israel and the decision to postpone the October 1993 meeting of the Central Boycott Committee;

(12) under U.S. leadership, the G-7 countries have unconditionally called for an end to the Arab boycott;

(13) the President, the Vice President, the Secretary of State and other senior Administration officials have assured the Congress that they will speak forcefully and candidly, in every forum which touches upon the search for peace in the Middle East, about the need to end the boycott;

(14) the Congress wishes to support the efforts of the Administration and to help see the promises made to date translated into tangible results;

(15) the statements made by Arab leaders must be translated into action, as measured by quarterly reports from the Office of Anti-Boycott Compliance.

SEC. 803. PROHIBITION ON CERTAIN SALES AND LEASES.

(a) PROHIBITION.—No defense article or defense service may be sold or leased by the United States Government to any country or international organization that, as a matter of policy or practice, is known to have sent letters to United States firms requesting compliance with, or soliciting information regarding compliance with, the secondary or tertiary Arab boycott, unless the President determines, and so certifies to the appropriate congressional committees, that that country or organization does not currently maintain a policy or practice of making such requests or solicitations.

(b) WAIVER.—

(1) 1-YEAR WAIVER.—On or after the effective date of this section, the President may waive, for a period of 1 year, the application of subsection (a) with respect to any country or organization if the President determines, and reports to the appropriate congressional committees, that—

(A) such waiver is in the national interest of the United States, and such waiver will promote the objectives of this section to eliminate the Arab boycott; or

(B) such waiver is in the national security interest of the United States.

(2) EXTENSION OF WAIVER.—If the President determines that the further extension of a waiver will promote the objectives of this section, the President, upon notification of the appropriate congressional committees, may grant further extensions of such waiver for successive 12-month periods.

(3) TERMINATION OF WAIVER.—The President may, at any time, terminate any waiver granted under this subsection.

(c) DEFINITIONS.—As used in this section—

(1) the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

(2) the terms "defense article" and "defense service" have the meanings given to such terms by paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act.

(d) EFFECTIVE DATE.—This section shall take effect 1 year after the date of enactment of this Act.

NOTICE OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. FORD. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding a hearing on Monday, January 31, 1994, beginning at 2 p.m., in 485 Russell Senate Office Building on S. 1757, the American Health Security Act.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., in SR-301, Russell Senate Office Building, on Thursday, February 3, and Thursday, February 10, 1994. As part of its oversight responsibilities, the committee will hold hearings on the provisions regarding the Government Printing Office contained in Title XIV of H.R. 3400, Title XIV of the National Performance Review, and the Organization of Congress Report of the Senate Members of the Joint Committee on the Organization of Congress.

Individuals and organizations who wish to submit a statement for the hearing record are requested to contact Bob Harris of the Rules Committee staff on 202-224-0285.

For further information regarding this hearing, please contact Mr. Harris.

SUBCOMMITTEE ON AGRICULTURAL RESEARCH, CONSERVATION, FORESTRY AND GENERAL LEGISLATION

Mr. FORD. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry Subcommittee on Agricultural Research, Conservation, Forestry and General Legislation will hold a hearing to review the process on the Federal meat inspection program. The hearing will be held on Thursday, February 10, 1994, at 9:30 a.m. in SR-332. Senator TOM DASHCLE will preside.

For further information, please contact Tom Buis or Tracey Henderson at 224-2321.

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT AND PRODUCTION

Mr. AKAKA. Mr. President, I would like to announce for my colleagues and the public that a hearing has been scheduled before the Subcommittee on Mineral Resources Development and Production.

The purpose of the hearing is to receive testimony on H.R. 2144, the Guam Excess Lands Act.

The hearing will take place on Thursday, February 3, at 2 p.m. in room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE, Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

For further information, please contact Lisa Vehmas of the subcommittee staff at 202/224-7555.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. KERRY. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet on Thursday, January 27, at 9:30 a.m. for a hearing on the subject: Reforming Government: What Really Needs To Be Done?

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. KERRY. 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 Thursday, January 27, at 10 a.m. to conduct a business meeting to consider the following items: Committee rules; 29 proposals for new building construction; various building namings; and miscellaneous items.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. KERRY. 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 Thursday, January 27, at 1 p.m. to conduct an oversight hearing on the response of the U.S. Department of Transportation and related agencies to the southern California earthquake.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, January 27, 1994, beginning at 2 p.m., in 485 Russell Senate Office Building on H.R. 734, an act to provide for the extension of certain Federal benefits, services, and assistance to the Pascua Yaqui Indians of Arizona.

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

COMMITTEE ON THE JUDICIARY

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, January 27, 1994, to hold a hearing on the nominations of Lesley Brooks Wells to be U.S. district judge for the district of northern district of Ohio, Michael A. Ponsor to be U.S. district judge for the district of Massachusetts, Thomas Vanaskie to be U.S. district judge for the middle district of Pennsylvania, Marjorie Rendell to be U.S. district judge for the eastern district of Pennsylvania, and Tucker Melancon to be U.S. district judge for the district of Louisiana.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, January 27, 1994, beginning at 9:30 a.m., in 562 Dirksen Senate Office Building to confirm Dr. Michael Trujillo as Director of the Indian Health Service.

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

SUBCOMMITTEE ON AGRICULTURAL RESEARCH, CONSERVATION, FORESTRY AND GENERAL LEGISLATION

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry Subcommittee on Agricultural Research, Conservation, Forestry and General Legislation be allowed to meet during the session of the Senate on Thursday, January 27, 1994 at 3 p.m. in SR-332 on the National Research Council's recent report entitled "Soil and Water Quality—an Agenda for Agriculture."

The PRESIDING OFFICER. Without objection it is so ordered.

SUBCOMMITTEE ON EMPLOYMENT AND PRODUCTIVITY

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources' Subcommittee on Employment and Productivity be authorized to meet for a hearing on creating public service jobs, during the session of the Senate on January 27, 1994, at 10 a.m.

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

SUBCOMMITTEE ON TECHNOLOGY AND THE LAW

Mr. KERRY. Mr. President, I ask unanimous consent that the Subcommittee on Technology and the Law, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Thursday, January 27, 1994, at 10 a.m. to hold a hearing on high-technology privacy issues in the health care.

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

SUBCOMMITTEE ON WESTERN HEMISPHERE

Mr. KERRY. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere and Peace Corps Affairs of the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Thursday, January 27, 1994, at 9:30 a.m. to receive a closed briefing on the situation in Mexico.

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

ADDITIONAL STATEMENTS

THE VIRGINIA CHILD ADVOCACY GROUP

• Mr. WARNER. Mr. President, I would like to bring to my colleagues' attention the founding of the Virginia Child Advocacy Group in Richmond, VA. This statewide, independent organization was recently established through a partnership between the Federal Home Loan Mortgage Corporation [Freddie Mac], and the National Association of Child Advocates [NACA].

This organization was set up to serve as a voice for the needs of children throughout the Commonwealth of Virginia. Although many organizations devoted to private, not-for-profit child advocacy exist in Virginia, limited State budgets restrict the flow of funds necessary for these organizations to exist. Because of this lack of revenue, the Commonwealth has, until now, lacked a strong, independent group with a comprehensive strategy to address the needs of Virginia's children.

The Virginia Child Advocacy Group is intended to serve as a self-sustaining organization, which will mobilize private resources within the State. Through an innovative effort to pair private industry with not-for-profit resources and expertise, Virginia will have the benefit of well-coordinated programs focused on the well-being of our young people.

Once again, I would like to commend the efforts of NACA, who provided the organizational development necessary to set up the Virginia Child Advocacy Group, and Freddie Mac, which, through the Freddie Mac Foundation, made the generous contribution to fund the organization's first year of operation. Freddie Mac has long been an advocate of children and families, and supports policies and programs which devote attention to their needs. Through the combined efforts of these two fine organizations, Virginia is the beneficiary of a group devoted to the young people of the Commonwealth.•

HONORING GENE KELLY

• Mr. DURENBERGER. Mr. President, most Americans consider themselves very fortunate when they are able to spend their lives doing what they enjoy the most. Today in Bloomington, MN, Gene Kelly will be retiring from just such a career—over 32 years as manager of the Bloomington Parks and Recreation Division. The citizens of Bloomington are indebted to him for making their suburban homes into a real community.

Playing in the city parks of East St. Paul, Gene early developed his love for parks, sports and people. At Harding High School, he lettered in football, basketball, and baseball, and was named an All-City Baseball and Basketball player. In 1938, he pitched his way to the American Legion Minnesota State Championship. He was a star at the University of Minnesota, where he lettered in basketball and baseball. As a pitcher, he only lost 3 games over the course of 3 years, and in basketball his proudest moment was when he made the winning free throw with 8 seconds to go to beat Indiana 48–47 in 1944.

Following graduation with a major in education and a minor in public health, Gene realized a lifelong dream and signed a professional baseball contract with the St. Paul Saints of the American Association; subsequently playing with Raleigh in the Carolina League, Evansville in the 3–I League, Seattle in the Pacific Coast League, and Syracuse in the International League. In retirement, Gene continued to keep his baseball enthusiasm alive by leading many community amateur teams to state and national championships.

In 1947, Gene left professional baseball and worked in the communities of Corydon, KY; Wake Forest, NC; Willmar, MN, where he held his first Parks and Recreation Directorship; and on to Elgin, IL, for another Parks and Recreation position. In 1961, Gene became Parks and Recreation Director in his beloved Bloomington.

He also became involved as an official in high school and college baseball, basketball, and football. For 37 years, he traveled to many Minnesota communities officiating for high school games and officiating college games in Minnesota, North Dakota, South Dakota, Iowa, Illinois, and Wisconsin. In fact, he also umpired with the "Big Leagues" in 1979 for the American League during the umpire strike.

It was during his officiating years that I had my first run-in with Gene, and he will never let me forget. It just so happens that Gene officiated a basketball game when I played for St. John's Academy. Under his scrutiny, I was fouled out before the end of the game. Afterwards, my father, who was athletic director at St. John's, met Gene and remarked, "You were pretty rough on my son out there." To which Gene replied, "Well, your son was pretty rough on the opponents."

Little did we know then that we would have an opportunity for many more meetings. When I started raising my family in Minneapolis, I was involved as a member and chair of the Hennepin Open Space and Parks Commission and the Metropolitan Parks and Open Space Commission. Gene was a prominent local official, involved in the Hennepin Parks Commission as well as the Metropolitan Parks and Open Space Commission.

Gene has dedicated his career to the acquisition, planning, growth, development and preservation of Bloomington's extensive park system, which has grown from several hundred acres to 8,000 and 110 park areas during his tenure in Bloomington. As a result of Gene's leadership, voters have approved bond programs totaling $12,640,000 for park land acquisition and site improvement which has resulted in a system of playfields, playgrounds, playlots, urban community and regional parks, and thousands of acres of conservation and open space areas.

Bloomington will long remember Gene's service to the community. His name is spoken with respect and honor. There is a Gene C. Kelly Youth Playfield, a spot for him in the Bloomington Hall of Fame; a Gene C. Kelly Award to recognize outstanding contributions of Bloomington citizens for the promotion of recreation programs and facilities, and there was even a Gene Kelly Youth Playfield Day on September 19, 1992.

Gene's desire was to provide a play area within walking distance for every child in Bloomington, including his own sons Jim, Bob, David, John, Michael, Paul, and Tom. It is always refreshing to drive through Bloomington, and see people enjoying the fruits of Gene's labor. The parks are used throughout the year—whether for baseball, soccer, skating, sledding, walking, running, or just enjoying the essence of Minnesota. Thanks to Gene, the residents of Bloomington have a park system that is at their doorstep and that is second to none. I join them in thanking him for a terrific career in the public service.●

COMMEMORATING THE BICENTENNIAL OF THE UNIVERSITY OF TENNESSEE

Mr. KERRY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 179, a resolution to commend the University of Tennessee on its bicentennial submitted earlier today by Senators SASSER and MATHEWS, that the resolution be agreed to, and the motion to reconsider laid upon the table, and that the preamble be agreed to.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSER. Mr. President, I rise today to submit a sense of the Senate resolution commemorating the bicentennial of the University of Tennessee. It is with great honor that I join my colleague from Tennessee, Senator MATHEWS, along with all of the university's students, faculty, staff and administrators, past and present, and distinguished alumni, to honor UT on the occasion of this historic milestone.

The University of Tennessee is a great institution with a richly textured heritage and a long record of outstanding achievements. From its founding 200 years ago as Blount College in Knoxville, to its status today as a major university with 42,000 students on four campuses, UT has built and maintained a tradition of excellence, innovation, ingenuity and public service. When I ponder the many reasons I'm so proud to hail from the Volunteer State, the University of Tennessee, its people and its proud past come swiftly to mind.

A great institution of higher education affords many gifts to the citizens of its host State. To be sure, the greatest wealth flowing from the University of Tennessee is represented in its graduates. As former university president Thomas Humes said back in 1879, "Tennessee's brightest jewels have been and will be its upright sons and virtuous daughters, trained in mind and heart and body for their work in life." For 200 years, our State has indeed been blessed with an abundance of such jewels—polished with great care and diligence at the University of Tennessee.

Mr. President, there is much I would like to say about the University of Tennessee—its history, its personalities, its accomplishments. All of the campuses in the UT system, young and old, have played an invaluable role in providing our State and Nation with leaders in government, science, medicine, agriculture, and the arts. They are each full partners in a noble tradition and heritage.

But instead, I would like to share with my colleagues the wisdom found in the University's bicentennial commemorative publication, "The Vision Lives On." I believe all who read it will understand why all of us with roots in Tennessee feel so strongly about its flagship State university. I ask that the text of "The Vision Lives On" be printed in the RECORD immediately following Senator MATHEW's remarks.

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

Mr. MATHEWS. Mr. President, I rise today to join my colleague Senator JIM SASSER in commemorating the bicentennial of the University of Tennessee.

The University of Tennessee was founded in 1794, 2 years prior to the creation of that State of Tennessee. Since that time, the history of UT has been intertwined with the history of our great State. Its first board of trustees was comprised of three future Governors of Tennessee, as well as both of Tennessee's first U.S. Senators, William Blount and William Cocke.

The University of Tennessee is renowned for its tremendous research performance. Spending for research exceeds $100 million annually, and the university has achieved numerous technological and agricultural advancements. The University of Tennessee is also recognized for its outstanding programs in the areas of business, education, nursing, pharmacy, engineering, communications, social work, and law.

The university maintains an outstanding research and library holding which includes the presidential papers of Andrew Jackson, James K. Polk, and Andrew Johnson; as well as the papers of the Pulitzer prize winning author of "Roots," the late Alex Haley.

Since its founding, the University of Tennessee has been at the forefront of education and leadership. The alumni rosters exceed 270,000, while distinguished graduates included former Senators Estes Kefauver and Howard Baker, Jr.

For 200 years, the University of Tennessee has enjoyed the designation as the academic flagship institution for the State of Tennessee, influencing and enriching the quality of life of all Tennesseans. Therefore, it gives me great pleasure today to recognize the rich history and outstanding achievements of the University of Tennessee. I would like to extend congratulations to the students, alumni, faculty, staff, and administrators of this distinguished institution, and offer my best wishes as they enter into their third century of academic excellence.

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

THE VISION LIVES ON

THE UNIVERSITY OF TENNESSEE

BICENTENNIAL—1794–1994

There is a timelessness here, a lingering presence that hovers over stone stairwells and filters through leaded glass panes, stirs the branches of an ancient magnolia, catches the edge of a yellow page and turns backward, then leafs ahead.

Standing on the Hill, you sense it: histories intertwined, new branches on the old tree. A young women glides up the steps from Cumberland, her ascent slow but steady. She carries a backpack. Her spiritual ancestors made the same journey, dressed in white lawn carrying parasols. They trained as teachers, as homemakers; this woman is a law student, perhaps, or an architect, or an engineer.

South College, brick mellowed by a century of seasons, holds its own secrets. Once it was a dormitory, a warren of tiny student rooms where gas light flickered and coal burned in grates. Scientists work there now, eyes fixed on the future, on a universe of dazzling possibilities.

Once the road below was a muddy track that led from a frontier outpost on the edge of the unknown. Once cannon fire echoed from nearby Fort Sanders; once soldiers camped on this hillside. Lives changed forever on this rise of land. Once, two hundred years ago a handful of pioneers decided their fledgling school had a future. They looked beyond the unpaved streets and the uncharted forest and envisioned the possible: a stronghold of knowledge, a proving ground for new generations of leaders, a steady beacon of light in the wilderness.

It was a vision sustained by courage, wisdom, often sheer force of will in the years that followed. The college, lacking leadership and funds, closed for 11 years in the early nineteenth century; the Civil War closed it again between 1862 and 1866. Designated Tennessee state university in 1879, UT would wait another 24 years before the state legislature offered any financial assistance. Two World Wars, the Depression, the upheaval of the sixties, the economic uncertainties of the present, have offered new challenges at every stage of the University's development.

And as every new visionaries have appeared, each with a clear picture of all that could be, all that must be. Their presence lingers, their timeless voices blend: now stubborn, now strident, exhorting, compel-

ling. The ascent, slow but steady, continues. The muddled tract widens; the forest recedes. From the Hill top, the view expands.

The vision lives on.

LIGHT IN THE WILDERNESS (1794–1840)

Knoxville in the late eighteenth century was a frontier town edged by mountains and forests where Indians still roamed. Amenities were scarce for the few hundred inhabitants, although the settlement boasted seven taverns. By 1794, it also had a college.

Blount College, an outgrowth of the seminary Presbyterian minister Samuel Carrick had started in his Knoxville home, was chartered on September 10 of that year. Named for territorial governor William Blount, the institution was open to "Students of all denominations." Tuition was $8 per session. The syllabus was classical, with an emphasis on Latin and Greek.

The college's early history is a study in pioneer spirit. James White, Knoxville's founder, provided a lot for a new building at the corner of Clinch and Gay Streets in 1795.

Governor Blount's daughter, Barbara, was enrolled in classes there in the early 1800s, and she was joined by four other young women, Polly McClung, Jenny Armstrong, and Mattie and Kitty Kain. Though the girls probably studied in the preparatory department, their presence has led some historians to name Blount the first coeducational college in the nation.

Carrick himself was a rare blend of courage, wit, and energy. He had founded two churches before opening his school. Legend has it that he left his wife's burial to repel an Indian attack. He taught all the classes, ran the struggling college on a shoestring, and in 1803 turned an attempt to close it down into an impromptu fundraiser. He netted $1,000 and kept the doors open, skimping on his own salary. When he died in 1809, the college owed him $87.82.

Carrick's death left East Tennessee College, as it had been renamed in 1807, without leadership and on shaky financial ground. The college closed until 1820. It reopened under the guidance of Reverend David Sherman and operated in conjunction with Hampden-Sydney Academy. In 1826, as fortunes gradually improved, 40 acres were purchased west of town, and by 1828, East Tennessee College had moved to the Hill.

The Reverend Charles Coffin, former president of Greeneville College, led the school until 1833. He was replaced briefly by James H. Piper, who resigned after one year.

The expanding college had its critics, chief among them local politicians like John Gunn, a candidate for the legislature in 1829. He hoped to win votes from the rural poor by condemning "that building for the rich man's son * * * this tomb of extravagance—this wild goose scheme * * *."

The vision of another charismatic leader shaped this era in UT history. Joseph Estabrook, named president in 1834, brought stability as well as innovation to the college. He organized the curriculum into regular classes, hired new faculty members, built dormitories, and published the first catalog. The first meeting of the Alumni Association was held during his tenure. Under his leadership, East Tennessee College became East Tennessee University in 1840.

A GROWING FLAME (1840–1879)

Estabrook looked to the day when the newly minted university would be truly worthy of the name. He worked tirelessly to raise academic standards, both for students and faculty. He dreamed of abolishing the Preparatory Department and founding a medical school.

The course Estabrook charted, with new emphasis on science and on the training of teachers for the state's emerging public education system, wavered after his resignation in 1850. The perennial problems of sporadic leadership and inadequate funding plagued the University through the next decade. Four presidents—W.B. Reese, Reverend George Cooke, Reverend William Carnes, and Reverend J.J. Ridley—served brief terms between 1850 and 1862.

The outbreak of the Civil War closed the University's doors again in 1862. Confederate troops occupied the campus until 1863, when the Union army took up positions on the Hill in the Battle of Fort Sanders.

Thomas Humes, who assumed the presidency in 1865, struggled to restore the ravaged campus. Students helped to fill in wartime trenches and to plant the trees which shade the Hill today.

Seeds of academic change were also taking root. The Morrill Land Grant Act of 1862 provided federal funds for at least one college or university in each state whose primary object was the teaching of agriculture and "the mechanical arts." In 1869, East Tennessee University was named Tennessee's land grant institution.

Meeting the stipulations of the Morrill Act occupied the attention of administration and trustees in the decade that followed. In keeping with the provision for military training, the University was organized along military lines. Cadets wore uniforms, lived in barracks, and drilled on a parade field.

In the classroom, the classical syllabus yielded slowly to the "scientific study of agriculture" and mechanics mandated for land grant universities. But curriculum reform had become a priority for many trustees. By 1879, agriculture and "mechanical philosophy" had separate chairs, with a provision for additional faculty and equipment. The trustees also approved the establishment of medical and dental departments through affiliation with the Nashville Medical College and authorized the granting of advanced degrees. East Tennessee University, now the University of Tennessee, was poised for growth.

A VISION DEFINED (1879–1919)

The stirring rhetoric of the University's inauguration in 1879 heralded "a new era" both for the state and its chosen school. The immediate outlook, however, was not so promising. Growing opposition to President Humes, criticized as an old-line classicist and one-time Union sympathizer, came to a head with his forced resignation in 1883. Once again, the University was without a strong leader. It would be four years before a new president was found.

Charles W. Dabney, named UT's 11th president in 1887, saw clearly the path that would lead the University into the twentieth century. Former director of the agricultural experiment station in North Carolina, he had recently completed a Ph.D. in chemistry at the University of Goettingen, in Germany. He was 32, energetic, and convinced that the future of Tennessee depended on the education of her youth "in the sciences and the useful arts." Dabney reorganized the curriculum to stress science and engineering, replaced much of the faculty, and abolished the Preparatory Department and the military regime. The entire University was opened to women in 1893, and any objections were silenced with Dabney's succinct pronouncement: "The ladies have not only come to the University, but they have come to stay."

Dabney's achievements were dramatic and far-reaching. The first direct appropriation of funds from the state legislature to the University was make during his administration. He oversaw the founding of the law school and a summer school that was the largest teacher training institute in the South, tripling of enrollment, and the building of dormitories, a library, and a gymnasium. His national reputation as an administrator and agriculturist won him the appointment of Assistant Secretary of Agriculture in 1894, a post he filled while continuing as UT president. When Dabney left the University in 1904, it bore little resemblance to the small, shabby college he had inherited. The promised "new era" had truly begun.

Brown Ayres, Dabney's successor, built on this strong foundation. He recruited experienced faculty and administrators like Harcourt Morgan to head the Agricultural Experiment Station and Theodore Glocker to run the new School of Commerce. He raised admissions and academic standards and gained accreditation from the Association of American Universities. Both enrollment and faculty size tripled during his tenure. The Medical and Dental Colleges were moved to Memphis and merged officially with the University.

But it was Ayres' vision of a state university supported by state funds that resulted in the most significant achievement of his administration. Marshalling the persuasive talents of his colleagues Philander Claxton, later U.S. Commissioner of Education, and Seymour Mynders, State Superintendent of Public Instruction, he lobbied the state legislature to increase appropriations for the University and for all public schools in Tennessee. UT received its first $1 million appropriation in 1917, and began a building campaign that included the landmark Ayres Hall.

THE BEACON WIDENS (1919–1969)

Harcourt Morgan, Ayres' successor, worked to increase legislative funding and to extend the University's statewide presence. Hall-Moody Institute, later UT Martin, came into the UT family at this time. A graduate school of Medical Sciences was established in Memphis.

Morgan won the support of gubernatorial candidate Austin Peay in a famous 20-minute meeting that stretched to an entire day. Peay remained a forceful ally during his three terms, garnering $2,500,000 in building funds for UT.

Despite the severe cutbacks of the Depression, Morgan kept the University moving forward. Agricultural experiment stations increased in number, as did agricultural extension offices. A division of continuing education offered evening courses, correspondence courses, and library and audiovisual aids. When Morgan resigned in 1934 to become a director of TVA, his vision of a statewide university had begun to take shape.

James Dickason Hoskins, who guided the University through the latter years of the Depression and World War II, brought the fierce loyalty of a native son to the job. An 1891 graduate of UT, he had served as professor and dean before becoming president.

Hoskins' organization of alumni was one of the key achievements of his administration. Encouraged by the president's enthusiasm, alumni secretary Victor M. Davis worked to build a strong base of alumni support that continues through the present day.

The University that President C.E. Brehm inherited in 1946 was experiencing growing pains. A wave of returning veterans had swelled enrollment to an all-time high of more than 10,000. Expansion of the physical

plant and development of the academic program were urgent priorities. Brehm, former Dean of the College of Agriculture, set about finding the money to meet these pressing needs.

Legislative appropriations increased dramatically during Brehm's administration. New buildings burgeoned on each of the three campuses. Knoxville added McCord Hall, Glocker, Claxton and Taylor buildings, Carolyn P. Brown University Center, and UT Hospital, which opened in 1956. Martin built its Administration and Agriculture buildings, and Memphis added new facilities for dentistry, cancer research, and pathology. Graduate programs were expanded and new academic departments created, including fine arts, journalism, and special education. The Tennessee School of Social Work in Nashville became part of the University in 1951. In the public service arena, the Municipal Technical Advisory Service was created to provide specialized help to cities throughout the state.

The land grant college mandate to provide education to all qualified students regardless of race or color had been an issue since the nineteenth century. African-American students in the past had been offered "separate but equal" facilities through arrangements with Fisk University and Knoxville College and later at a second land grant college, Tennessee Agricultural and Industrial, created in 1912. Partial integration at UTK was achieved in 1952 with the enrollment of African-American students in graduate programs; Lillian Jenkins was the first to receive a degree in 1954.

Extracurricular activities, both athletic and cultural, thrived. UT football, nationally prominent in the pre-war era under General Robert Neyland, again took the spotlight with a national championship in 1951. The Carousel Theatre, a joint effort of the University and the community, opened the same year.

Brehm presided over a period of record growth and change in UT's history. Enrollment doubled during his administration, state appropriations increased 210 percent, and alumni membership quadrupled. But the wave had not yet crested. The Baby Boom generation was about to enter college, and new challenges lay ahead.

Andrew D. Holt, UT's 16th president, was well matched to the task at hand. He had served as UT vice president under Brehm and was former president of the Tennessee Education Association. Holt had traveled the state raising grassroots support for UT and had cultivated a network of advocates among alumni and legislators alike. As president, he assembled a strong management team and encouraged his deputies to "spread their wings."

The results were impressive.

Academic Vice President Herman Spivey urged an expansion of graduate programs and research. Ties with Oak Ridge National Laboratory were strengthened with the help of a grant from the Ford Foundation. Distinguished professorships were created on all campuses. Graduate enrollment quadrupled; the number of master's degree programs grew from 79 to 117. Research dollars skyrocketed to an all-time high of more than $11 million by 1970. The Space Institute at Tullahoma was founded in 1964. A definitive benchmark in this period of academic improvement was the long-awaited founding of a chapter of Phi Beta Kappa in January 1965.

Another building boom was under way, led by Vice President for Development Edward Boling. A major urban renewal acquisition of 135 acres west of the campus provided land for new buildings including Hodges Library, McClung Tower, and the Communications and Extension Building. Boling lobbied successfully both for vastly increased state funding and for a new level of private gifts. Tom Black Track, Stokely Athletics Center, and Clarence Brown Theatre were funded in large part by private donors.

Statewide expansion of the University culminated with the merger with the University of Chattanooga and the formation of the University of Tennessee System in 1968. Primary campuses at Knoxville, Chattanooga, Martin, and Memphis were each to be headed by their own chancellors and unified by a central statewide administration headquartered in Knoxville.

The Holt era also marked the end of segregation on UT campuses. The first black undergraduates enrolled in 1961. An equal opportunity employment policy was established in 1965.

Early in Holt's administration, the University participated in a self-study designed to target areas for improvement and set goals for the future. The study's results were published in a 300-page document entitled Reaching for Greatness. As UT celebrated its 175th birthday in 1969, the reach seemed less daunting than ever before.

FOCUS ON EXCELLENCE (1970–1993)

President Edward Boling's 18-year administration began on a stormy note. The student-faculty protest over his appointment centered on the Board of Trustees' autonomy in making such decisions without consulting the faculty. But it was symptomatic of a nationwide spirit of dissent and challenge of authority. The Vietnam War was raging; on other campuses, like Kent State University in Ohio, protests had tragic consequences.

Boling initiated meetings with faculty and students in an attempt to improve communication and suggested that the Board admit students to non-voting positions on various standing committees. In 1974, Governor Winfield Dunn signed legislation providing for a voting student member of the Board of Trustees.

The dream of establishing a Nashville campus was realized in 1971, when the Nashville Extension Center became the University of Tennessee at Nashville. It would operate as part of the statewide system until 1979, when it merged with Tennessee State University.

Growth and change on all campuses continued under Boling's leadership. The Institute for Public Service was founded in 1971, incorporating many of the services the University has provided to city and county governments as well as business and industry into one centrally administered entity. At Knoxville, a College of Veterinary Medicine was founded, as well as a School of Nursing. A College of Community and Allied Health Professions was established at the Medical Units in Memphis; clinical education centers opened at Chattanooga, Knoxville, and Jackson. Following the enactment of the Governor's Better Schools Program, the first Center and Chairs of Excellence were created.

Boling's reputation as a fundraiser reached new heights in 1980, when the "Tennessee Tomorrow" campaign concluded with more than $57 million, far exceeding its $35 million goal. The campaign, organized by Vice President Joseph Johnson, was the first major development effort the University had ever undertaken. A significant portion of the money raised was earmarked for improving academics, attracting and retaining high quality faculty, and increasing student aid.

Former Governor Lamar Alexander succeeded Boling in 1988. Improving public education had been a priority during his governorship. As University President, Alexander lobbied vigorously for aggressive recruiting of Tennessee's brightest students and for the innovative programs and scholarships to retain them. A five-year plan was developed in 1990 with special emphasis on educating the work force of the new decade. The Whittle Scholars Program, funded by UTK alumnus Chris Whittle, was inaugurated in 1990. The full scholarships with an additional stipend for a year of study abroad now attract the cream of Tennessee's high school graduates each year.

The Academy for Teachers of Science and Mathematics, co-sponsored by the University, Martin Marietta, the U.S. Department of Energy, and the Tennessee Department of Education, was founded during Alexander's administration.

UT received national recognition for its academic and research programs. The University ranked among the top 50 research institutions in the United States in 1989. In 1990, UT was listed for the first time in the prestigious Fiske Guide to Colleges.

Alexander resigned when he was appointed to serve as Secretary of Education by President George Bush in 1991.

The appointment of Joseph Johnson as UT president in 1991 was the crown of a long and distinguished career with the University. A 1958 graduate, Johnson had served as special assistant to Andy Holt and later as vice president for development and as chancellor at Memphis. He had helped to design the statewide system and had participated in an era of unprecedented growth at UT. His encyclopedic knowledge of the institution and personal acquaintance with much of its vast population made him a leader uniquely equipped to guide the University into its third century.

The faltering economy of the early 1990s presented a formidable challenge to Johnson and his administration. Like many of his predecessors, he was confronted with the task of doing more with significantly less.

While working to cut costs and to reallocate resources, Johnson and his staff focused on specific initiatives to serve students better, help the state's local governments and businesses, improve public education at every grade level, and to increase the University's efficiency.

As UT enters its bicentennial year, progress toward these goals continues. The signs of achievement are evident on every campus and in the institutes.

At Knoxville, a new science and engineering building, 60 percent of which will be designated for research and laboratory use, is scheduled for completion in 1995. The new graduate program in business has been ranked in the nation's top 12 percent. The Academy for Teachers of Science and Mathematics received national recognition. The College of Education was awarded a grant from Philip Morris Inc. and a mandate to provide a national model for training teachers and administrators. This innovative project is now in its final phase.

At Memphis, the colleges of medicine and pharmacy were ranked in the top ten of "America's Best Graduate Schools" by U.S. News and World Report. UT Memphis was selected as one of 16 medical centers to conduct a national study of women's health problems. The College of Pharmacy received a U.S. Public Health Service grant for a Minority Center of Excellence to attract and retain black students.

At Martin, the new Children's Center, a state of the art childcare facility, has opened. Graduation rates rose by five percent, enrollment increased, and a new addition to the library has begun. The NASA Regional Teaching Resource Center, the first in Tennessee, opened.

At Chattanooga, the Fellowship of Southern Writers established its archive in UTC's Lupton Library. This distinguished organization includes such luminaries as Eudora Welty and Shelby Foote. Minority enrollment increased, and a number of innovative programs aimed at reaching prospective students and retaining undergraduates were established and developed.

The UT Space Institute continued its groundbreaking research in such areas as energy technology and laser use in outer space.

In the Institute of Agriculture, the future of farming is the focus of the Agri-21 Farming Systems Program. Developed by the Agricultural Extension Service, the program will use 40 farms in Tennessee as test sites for experiments in sustainable agriculture over the next decade. Construction is due to begin soon on a $38.5 million research complex on the Agriculture campus. The College of Veterinary Medicine's efforts to recruit more in-state students resulted in a 24 percent increase in Tennessee applicants.

The Institute for Public Service and Division of Continuing Education introduced new interactive classrooms to four Tennessee cities. Environmental issues were emphasized in programs designed to help leaders in government and industry reduce hazardous waste.

A LIGHT TO THE FUTURE

The expanded view now visible from the University's campuses did not simply materialize over the centuries. The horizon cleared slowly, often painfully, and at great cost. The five pupils who made their way to a wooden house on Gay Street in 1794 took the first faltering steps on an epic journey, an odyssey that the University's 42,000 students continue today. The pioneers who chartered Blount College and willed it into life share a certain kinship with those who guide UT into the next century. Financial hardship, competition, a new set of challenging questions link today's leaders with the Carricks and the Blounts, the Estabrooks and Dabneys. Their lingering presence evokes struggle and strength, continuity, progress. Their voices speak of a rickety little schoolhouse with a future, a light to be nurtured, a vision undimmed by the passage of years.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 179) was agreed to.

The preamble was agreed to.

The resolution with its preamble is as follows:

S. RES. 179

Whereas, under a succession of able leaders including its current president, Dr. Joseph E. Johnson, The University of Tennessee has become one of the nation's major institutions of higher education in endowments, research funding, and library holdings; and

Whereas, the University has produced distinguished alumni who have achieved national fame in the arts, sciences, medicine, nursing, pharmacy, education, engineering, business, communications, social work, librarianship, law, the military and sports; and

Whereas, those alumni include in their numbers one Nobel Laureate, six Rhodes Scholars, four Pulitzer Prize winners, two National Book Award winners, one justice of the U.S. Supreme Court, nine U.S. senators, and one chief of staff to the President of the United States; and

Whereas, in the field of athletic competition, the Lady Vols basketball team has won three national championships, the Vol track program three national championships, and the Vol football and swimming teams one national championship each; and

Whereas, 1994 marks the 200th anniversary of the founding of Tennessee's flagship state university: Now, therefore, be it

Resolved, That it is the sense of the Senate that—this distinguished body, recognizing the rich history and tremendous achievements of The University of Tennessee over the past 200 years, extends heartiest congratulations to the students, alumni, faculty, staff, and administrators of this great institution on the occasion of its bicentennial, and offers best wishes for continued success in its third century.

ORDERS FOR TOMORROW

Mr. KERRY. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:30 a.m., Friday, January 28; that on Friday, following the prayer, the Journal of proceedings be deemed approved to date; the time for the two leaders reserved for their use later in the day; and that the Senate then resume consideration of S. 1281, the State Department authorization bill; that upon resuming the bill, Senator SPECTER be recognized to offer his listed amendment relating to collateral aid; that with respect to the Brown amendment, No. 1286, no second-degree amendments be in order thereto or any language which may be stricken.

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

ORDER OF PROCEDURE

Mr. KERRY. Mr. President, I ask unanimous consent that following the conclusion of the remarks of Senator SIMPSON, the Senate stand in recess as previously ordered.

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

Mr. KERRY. Mr. President, pending the arrival of Senator SIMPSON, per the order, 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. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS UNTIL TOMORROW AT 9:30 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 9:30 a.m. on tomorrow.

Thereupon, the Senate, at 8:18 p.m. recessed until Friday, January 28, 1994, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 27, 1994:

THE JUDICIARY

FORTUNATO P. BENAVIDES, OF TEXAS, TO BE U.S. CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE THOMAS G. GEE, RETIRED.

ROBERT M. PARKER, OF TEXAS, TO BE U.S. CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE SAM D. JOHNSON, RETIRED.

CARL E. STEWART, OF LOUISIANA, TO BE U.S. CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

DIANA GRIBBON MOTZ, OF MARYLAND, TO BE U.S. CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

DEBORAH A. BATTS, OF NEW YORK, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK VICE RICHARD OWEN, RETIRED.

JAMES G. CARR, OF OHIO, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO VICE RICHARD B. MCQUADE, JR., RESIGNED.

RUBEN CASTILLO, OF ILLINOIS, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS VICE ICHILOAS J. BUA, RETIRED.

AUDREY B. COLLINS, OF CALIFORNIA, TO BE U.S. DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE ROBERT C. BONNER, RESIGNED.

CAMERON M. CURRIE, OF SOUTH CAROLINA, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE FALCON B. HAWKINS, RETIRED.

MARY M. LISI, OF RHODE ISLAND, TO BE U.S. DISTRICT JUDGE OF RHODE ISLAND, VICE FRANCIS J. BOYLE, RETIRED.

DEPARTMENT OF COMMERCE

THOMAS R. BLOOM, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE THOMAS JONES COLLAMORE, RESIGNED.

THOMAS R. BLOOM OF MICHIGAN, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF COMMERCE, VICE PRESTON MOORE, RESIGNED.

AFRICAN DEVELOPMENT FOUNDATION

WILLIE GRACE CAMPEBELL, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 1999, VICE C. PAYNE LUCAS, TERM EXPIRED.

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

ALICE CHAMBERLIN, OF NEW HAMPSHIRE, TO BE A COMMISSIONER ON THE PART OF THE UNITED STATES ON THE INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA, VICE ROBERT F. GOODWIN.

DEPARTMENT OF DEFENSE

EDWIN DORN, OF TEXAS, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS. (NEW POSITION)

DEPARTMENT OF THE INTERIOR

GORDON P. EATON, OF OHIO, TO BE DIRECTOR OF THE U.S. GEOLOGICAL SURVEY, VICE DALLAS LYNN PECK.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

ARNOLD GREGORY HOLZ, OF MARYLAND, TO BE CHIEF FINANCIAL OFFICER, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION. (NEW POSITION)

INTER-AMERICAN FOUNDATION

HARRIET C. BABBITT, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 20, 1994, VICE WILLIAM KANE REILLY.

MARK L. SCHNEIDER, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 1998, VICE JAMES HENRY MICHEL, TERM EXPIRED.

ALEXANDER FLETCHER WATSON, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 1996, VICE BERNARD WILLIAM ARONSON, TERM EXPIRED.

AFRICAN DEVELOPMENT FOUNDATION

JOHN F. HICKS, SR., AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, TO

BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 1997, VICE SCOTT M. SPANGLER, TERM EXPIRED.

IN THE COAST GUARD

REAR ADM. ROBERT E. KRAMEK, U.S. COAST GUARD, TO BE COMMANDANT, U.S. COAST GUARD, FOR A TERM OF 4 YEARS WITH THE GRADE OF ADMIRAL WHILE SO SERVING.

REAR ADM. ROBERT E. KRAMEK, U.S. COAST GUARD, TO BE CHIEF OF STAFF, U.S. COAST GUARD, WITH THE GRADE OF VICE ADMIRAL WHILE SO SERVING

IN THE MARINE CORPS

THE FOLLOWING NAMED BRIGADIER GENERALS OF THE U.S. MARINE CORPS FOR PROMOTION TO THE PERMANENT GRADE OF MAJOR GENERAL, UNDER THE PROVISIONS OF SECTION 624 OF TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. CLAUDE W. REINKE, [redacted]
BRIG. GEN. CARLTON W. FULFORD, JR. [redacted]
BRIG. GEN. CAROL A. MUTTER [redacted]
BRIG. GEN. FRANK LIBUTTI [redacted]
BRIG. GEN. TERRENCE R. DAKE [redacted]
BRIG. GEN. JAMES L. JONES, JR. [redacted]
BRIG. GEN. JOHN E. RHODES [redacted]
BRIG. GEN. THOMAS L. WILKERSON [redacted]
BRIG. GEN. PETER PACE [redacted]
BRIG. GEN. RAY L. SMITH [redacted]

THE FOLLOWING NAMED COLONELS OF THE U.S. MARINE CORPS RESERVE FOR PROMOTION TO THE PERMANENT GRADE OF BRIGADIER GENERAL, UNDER THE PROVISIONS OF SECTION 5912 OF TITLE 10, UNITED STATES CODE:

To be brigadier general

COL. KEVIN B. KUKLOK [redacted]
COL. ARNOLD L. PUNARO [redacted]

DEPARTMENT OF DEFENSE

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTIONS 154 AND 601:

To be Vice Chairman of the Joint Chiefs of Staff

To be admiral

ADM. WILLIAM A. OWENS, U.S. NAVY [redacted]

IN THE NAVY

THE FOLLOWING NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be admiral

ADM. DAVID E. JEREMIAH, U.S. NAVY [redacted]

THE FOLLOWING-NAMED CAPTAINS IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL (LOWER HALF), PURSUANT TO TITLE 10, UNITED STATE CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

MEDICAL CORPS

To be rear admiral (lower half)

CAPT. WILLIAM ROBERT ROWLEY [redacted], U.S. NAVY

SUPPLY CORPS

To be rear admiral (lower half)

CAPT. KEITH WAYNE LIPPERT [redacted], U.S. NAVY
CAPT. MICHAEL PATRICK SULLIVAN, [redacted] U.S. NAVY

CIVIL ENGINEER CORPS

To be rear admiral (lower half)

CAPT. LOUIS MARTIN SMITH [redacted], U.S. NAVY

DENTAL CORPS

To be rear admiral (lower half)

CAPT. JERRY KAY JOHNSON [redacted], U.S. NAVY

NURSE CORPS

To be rear admiral (lower half)

CAPT. JOAN MARIE ENGEL [redacted], U.S. NAVY

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

LINE OF THE NAVY

To be lieutenant commander

LAWRENCE A. BURNETT
JEFFREY D. NICHOLS
JOHN F. FLANAGAN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant

CHRISTOPHER W.D. ADAMS
EDGAR M. ALHAMBRA
JOHN F. ARNOLD, JR.
KEVIN A. ASKIN
DOUGLAS L. BAILEY
TIMOTHY S. BARBIER
RICHARD D. BARROW II
BEITO E. BAYLOSIS
JOHN T. BEAVER
THEODORE J. BORN
ROBERT M. BOWEN, JR.
CHRISTOPHER L. BRALEY
LAURA S. BRAMSON
BRUCE J. BULL
JOSEPH P. BURNS
TIMOTHY P. CALLAHAM
WILSON D. CALVERT, JR.
DANIEL S. CAVE
PETER I. CHUB
ROY A. CLARK
JOHN W. COGGINS, JR.
DAVID D. CORLEY
JAMES R. DANHAKL
JONATHAN M. DAVIS
BRET D. DAVISON
ALBERTO L. DIAZ
PAUL S. DILLMAN
DONNA E. DISMUKES
JAMES E. FIEDLER
JASON W. FOUGHT
TONY L. FOX
DOUGLAS P. FRANKS
RICHARD C. GALLAHER
CHRISTOPHER P. GATES
CHRISTOPHER N. GEDO
GORDON S. GIBBLE
JEFFREY T. GIBSON
MICHAEL A. GIRON
ROY D. GRAVES
CHRISTOPHER S. GRAY
JAMES W. GRAYBEAL
THOMAS S. GREENSPON
GARY S. GREER
DIANE K. GRONEWOLD
STEPHEN GULAKOWSKI
CHARLES R. GURLEY
GREGORY F. HAND
FRANK M. HARRILL
KAREN A. HASSELMAN
ROGER W. HAWKES
BRETT C. HEIMBIGNER
JURGEN HEITMANN
JEFFREY T. HELFRICH
MICHAEL K. HOLLOWELL
DONALD W. HOWELL, JR.
ROGER M. HURD
LEWIS S. HURST
THOMAS J. HYMAN
GREG M. JIMENEZ
KENNETH L. JONES
MATTHEW S. JUTTE
BRIAN G. KASPERBAUER
DONN W. KEELS, JR.
OLAV E. KJONO
KURT G. KNISELY
DAVID G. KOLARIK
STEVEN L. KRIEGER
MICHAEL C. KVICALA
ROBERT C. LAUBENGAYER
LUIS A. LEON, JR.
JOHN B. LESTER III
PAUL J. LJUBA
MICHAEL E. LOFY
FRED A. LUNDIN II
JOHN L. MAGEE
EMMANUAL E.M. MAGHIRANG
JAMES W. MARLIN
JAMES A. MARON
THOMAS D. MARTENS
SCOTT C. MARTIN
ERIC M. MATHIESEN
ISAAC H. MAY
JOHN J. MCAVOY
JEFFREY G. MCCANN
KENNETH G. MELGOZA
JOHN A. MESSIER
BRIAN J. MEYERS
PATRICK H. MILLER
PETER A. MILLER
STEVEN A. MUCKLOW
RANDALL J. NASH
MICHAEL T. NEITH
BRADY W. NIEDER
MICHAEL E. O'CONNOR
CHARLES D. OFFICER, JR.
JOHN L. OLLIGES
MICHAEL D. ORCHARD
DOLPHIN D. OVERTON IV
ROY S. PETTY
WILLIAM H. PEVEY
JOHN A. PIDGEON
TODD W. RADER
RIXON C. RAFTER
RANDALL E. RAMEL
DEBORAH J. RATTAN
JEFFREY D. RAY
STEVEN J. RAY
EDUARDO REED
JAMES L. REYBURN
KELVIN W. RICHARDSON
CATHLEEN O. RING
LEWIS C. ROGERS
JOSEPH K. ROUGH
LAURAN W. RYE
DAVID W. SCHNEIDER
STEPHEN A. SCHWING
ARMANDO A. SEGARRA
JOSEPH SILVA, JR.
SCOTT A. SMITH
WESLEY E. SPIDELL
GREGORY A. STANLEY
SCOTT T. STROBLE
CHRISTOPHER J. TADANIER
CLEMENT TANAKA
RANDALL D. TASHJIAN
KARL W. TRAHAN, JR.
NICHOLAS G. TREGLIA
RANDALL J. TUCKER
ALFRED R. TURNER
DANIEL P. TURNER
JOE T. TURNER III
JOHN C. TURNER
MAURICE R. VARGAS
MICHAEL A. VIZCARRA
MICHAEL M. WALLACE
MARGARET M. WARD
THOMAS D. WATERBURY
MICHAEL F. WEBB
FRANKLIN C. WEXLER
MICHAEL J. WHITE, JR.
DAVID P. WILFONG
DAVID M. WILLIAMS
DEAN A. WILLIAMS
JON K. WOODEN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE) IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant (junior grade)

JOHN C. BOYLE
KEVIN J. BUTLER
CHRISTOPHER R. CHURCH
ROBERT E. CLARK
ALLEN L. EDMISTON
MICHAEL E. ENGELS
MURRAY G. FINK
PATRICK M. HALLER
MARK A. HOOPER
MITCHELL C. KERMAN
ANTHONY T. LEWIN
EDWARD T. LYONS
DAVID A. MONTY
PHILIP B. OBRYAN
THOMAS D. PLAUTZ

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be ensign

SHANNON W. AMES
KENT A. ANDERSON
LAWRENCE D. BACH
JUDE A. BENAVIDES
MICHAEL D. BERGKOETTER
JARED E. BIETHMAN
RICHARD L. BRAK, JR.
DOUGLAS G. BRANHAM
CRAIG B. BRATTER
COLM M. CALLAN
JASON W. CARTER
JEFFERY D. CHIVERS
LEONARD M. CLINE, JR.
JAMES E. CROSLEY
JEFFREY W. DAVIS
MICHAEL J. DUFEK
ERIC D. ELI
THOMAS C. ERNST, JR.
BRETT E. ETTER
DEREK K. FELD
EDUARDO R. FERNANDEZ
CHRISTOPHER D. FISKE
MICHAEL G. FRIEBE
BRIAN M. GEARY
SHANE W. GERHART
ERIC J. GILES
ROBERT A. GREENE
DONALD T. HAMMACK
STEVEN L. HARTMANN
ROBERT F. HARTSTERN
PHILIP B. HICKMAN
JAMES D. HOLLINGSWORTH
STEPHEN T. HORNE
MICHAEL A. HOWELL
STACY K. IRWIN
DARREN G. JASEK
JAMES H. JENNINGS
DAVID W. JOHNS
MICHAEL F. JOIA
ROBERT S. KEATON
WILLIAM H. KIRBY, II
DARRIN W. KLINE
ANTHONY S. KOLLMANSBERGER
ROBERT A. KOONCE
WILLIAM R. LAPRADE
DONALD J. LEBAIGE
BRYAN J. LETHCOE
DANIEL R. LEVI
CHADWICK M. LICHT
JOHN A. LOBUONO
JAMES LONGO
MINH THANH LY
GREGORY T. MAHALICK
MICHAEL J. MCGOWAN
SHAUN L. MEREDITH
BRIAN R. MILLER
DANIEL S. MOFFIT
RAYMOND C. MORIN
DAVID S. MULLER
COURTLAND E. MULLIKEN
WILLIAM K. NORTON
RICHARD L. NULL
GREGORY B. OKEEFE
ALBERT G. ONLEY
GERALD L. ORICK, JR.
KENNETH R. OSMUN
DMITRY OZERYANSKY
MICHAEL PALM
RANDALL J. PATTERSON
STEVEN M. PFAFF
DAVID J. PRICE
JAMES H. PYLE
KREGG J. RADUCHA
ERIC A. RAUTENBERG
JOHN W. REXRODE
TIMOTHY A. REXRODE
ROBERT B. ROBERTS
REED C. ROBINS
PAUL S. ROGERS
ROBERT A. RONCSKA
JEFFREY D. SANDERS
THOMAS J. SCARBOROUGH
DANIEL N. SCHILDGE
THEODORE J. SCHINDLER
STEVEN S. H. SHIN
ROBIN E. SLOLEY
MATTHEW G. SMITH
BLAZE A. STANCAMPIANO
JOHN P. SWOPE, JR.
RANDALL L. TIELKING
ERIC H. TRAN
GILBERT A. TRENUM
JOHN D. TRASK
JOSEPH M. TURK
JOSEPH J. VERTENTEN
DAVID D. WALSH
MARK Y. WANG
BRYAN D. WILKING
BRANDON M. WILLIAMS
LAWRENCE K. WORKMAN
SAMUELL T. WORTHINGTON
STEVEN N. WRIGHT
ROBERT A. ZARAGOZA
JOHN J. ZERR, II

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be commander

MEDICAL CORPS

ZUBIN N. BALSARA
KAREN E. MEHALEK

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant commander

WARREN ANDERSON
JOHN C. BALEIX
WILLIAM T. BUSCH
DANIEL L. MAXWELL
SCOTT K. MCCLATCHEY
DOUGLAS H. ROBINSON
BRIAN E. SARGENT
LISA A. SWANN
ELIZABETH A. TONON

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT LIEUTENANT IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant

CHRISTOPHER CANTILENA

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant

SUPPLY CORPS

RICHARD R BACHMAN
ROBERT L BRUNSON, JR
CHARLES H GIFFORD, JR
GRADY E MARS
GEORGE R MCKEMEY
JOSEPH F RUSSELL IV
JOHN D BRUGHELLI
TERESA M FREDERICK
GLENN J LINTZ
PAUL E MARTIN
DOUGLAS C NEWELL
TROY D TERRONEZ

THE FOLLOWING NAMED LINE OFFICERS, TO BE REAPPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE) IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(B):

To be lieutenant (junior grade)

CHRIS A ANDERSON
RAYMOND W BICHARD
MICHAEL F EILERS
ERIC J KISALA
JOSE M RODRIGUEZ
PATRICK N SMITH
SARAVOOT P BAGWELL
ROBERT A BROOKS, JR
GREGORY S FRASER
JONATHAN G MONTILLA
MATTHEW A SCHER

THE FOLLOWING NAMED LINE OFFICERS, TO BE REAPPOINTED PERMANENT ENSIGN IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5582(B):

To be ensign

ROBIN L BARNES
ROBERT B CAWLEY
ROBERT K DEGUZMAN, JR
ANTHONY N HENDERSON
WALTER J KELLENBERGER
JAMES C MARTIN
DAVID R PFALZGRAF
RODERICK E SPIEGEL
TRACY A CARTWRIGHT
WALTER C DEGRANGE
MICHAEL A GISH
TIMOTHY S JANKOWSKI
JENNIFER L LASSWELL
MARTIN L MCMAHON
MARVIN P RUSH
MICHAEL D TOYRYLA

THE FOLLOWING NAMED LINE OFFICER, TO BE REAPPOINTED PERMANENT LIEUTENANT IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, U.S. CODE, SECTIONS 531 AND 5582(B):

CIVIL ENGINEER CORPS,

To be lieutenant

TIMOTHY M. COLE

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, U.S. CODE, SECTION 531:

To be lieutenant

LUANN S. CHAVEZ
MICHAEL S. DOUGLAS
JOHN M. ELLWOOD
NICKOLAS F. FLOREZ
LAURIE L. LAPLANTE
TRAN V. NGUYEN
CLIFTON G. ROSS

THE FOLLOWING NAMED LINE OFFICER, TO BE REAPPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE) IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, U.S. CODE, SECTIONS 531 AND 5582(B):

To be lieutenant (junior grade)

WILLIAM Q. ISAACS II

THE FOLLOWING NAMED LINE OFFICERS, TO BE REAPPOINTED PERMANENT ENSIGN IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, U.S. CODE, SECTIONS 531 AND 5582(B):

To be ensign

JEFFREY J. DOLVEN
DAVID E. GUSTAFSON

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE JUDGE ADVOCATE GENERAL'S CORPS OF THE U.S. NAVY PURSUANT TO TITLE 10, U.S. CODE, SECTION 531:

JUDGE ADVOCATE GENERAL'S CORPS,

To be lieutenant

MARCELLA J. AUCLAIR
MARSHA A. DEERE
DEAN L. DWIGANS
STEPHEN M. GALLOTTA
GLENN T. WARE

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE DENTAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

DENTAL CORPS

To be lieutenant commander

DEAN A. BETTY
PHILLIP A. CROCKETT
DOUGLAS E. HOBAUBH
CATHY JOSEPH
ROBERT M. LEVY
MICHAEL L. MARK
JAMES D. RILEY
JUAN A. SOLERMONTEQUIN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE DENTAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant

PAUL G. BYERS
GUIDO E. COSTA
ANN L. GILMORE
KLAUS D. GUTER
JONATHAN L. HAUN
GRANT D. LEMASTERS
CARRIE M. MEHL
KENNETH P. NOGACEK
JEFFERY S. NORDIN
MICHAEL L. POTTER
JOHN F. RANZINI
THOMAS K TYRE

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL SERVICE CORPS

To be lieutenant commander

JOHN H. HOELSCHER
ELIZABETH A. HUFFMAN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant

K.M. AL KOSHNAW
TIMOTHY D. BARNES
JOHN D. BELL
ANN BOBECK
DERRIK R. CLAY
MARY K. CRESSWELL
RONALDO O. CRUZ
THOMAS P. DELUCIA
NANCY A DICKEY
OSKER L. DUGGER
EILEEN M. FITZGERALD
ARNULFO A. GERMES
STEPHEN M. HASELROTH
LINDA S. HITE
PATRICIA S. HOPKINS
BRIAN R. HOSKINS
DENISE H. HOWELL
PEGGY A. JACKSON
SAMUEL G. JOHNSON
TERRI L. JONES.
SCOTT R. JONSON
CHRISTOPHER A. KELLY
ANITA M. KOBUSZEWSKI
SETH D. KOERNER
PATRICIA A. KRIER
STEVEN G. KUMMETH
MARK P. LAMBRECHT
THOMAS A. LEINBERGER
MICHAEL J. MACINSKI
ANTHONY L. MATHIS
STEVEN D. MAZZELLA
LISA K. MCWHORTER
KEVIN M. MOORE
ROBERT E. NEWELL
BUHARI A. OYOFO
DANIEL J. PACHECO
MAUREEN QUEENANFLORES
STEVEN E. RANKING
SCOTT A. REESE
SALLY A. ROLDAN
MARTHA M. SLAUGHTER
PAUL T. SPADA
HERBERT T. WEBB
ANN C. WEISZ

THE FOLLOWING NAMED REGULAR OFFICERS, TO BE REAPPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE) IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant (junior grade)

JEFFREY G. DENNY
FRANK P. PEARSON
LYNN G. ONEIL

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE) IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE. SECTION 531:

To be lieutenant (junior grade)

STUART D. HUBBARD
EDWARD L. KOWNSLAR
JUDITH E. NALEWAISKI
CAMERON L. WAGGONER

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NURSE CORPS

To be commander

HELEN L. SMITH

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10 UNITED STATES CODE, SECTION 531:

To be lieutenant

COLLETTE J. ARMBRUSTER
KATHRYN A. BALLANTYNE
LINDA A. BATTISTA
HOLLY S. BENNETT
TIMOTHY L. BLEAU
MARY A. BRANTLEY
PAULA M. BRICKELL
LOIS L. BUCHANAN
JO HANNA BYRD
EDA P. CLEMONS
DEBRA A. DELEO
KAREN A. DIRENZO
ANGELIA D. ELUMONEAL
PAUL J. GEARHART
BETH W. GERING
KERRY L. HENRY
JOHN M. HERNANDEZ
DEBRA S. LEE
PATRICIA LEE
JENNIFER T. MACKELLAR
JOY L. MARTIN
JEFFERY J. MCNEIL
SUSAN W. MILLER
ALICIA A. MORRISON
KIM M. MORSE
CAROL B. OTIS
STEPHEN B. PEARSON
VICTORIA G. PEREZ
MELISSA QUINONES
CAROL L. REMEY
PAMELA J. RONCZKOWSKI
PATRICK ROSATO
KATHERINE T. ROWAN
TRUDENCE L. SAGE
CAROLYN M. SHAW
DENISE L. SMITH
SHARON E. UNGAR
JENNIFER D. WALLIS
MARY K. WILCOX
RICHARD E. WILSON
ANGELA WOOD
DONALD C. WOODS

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT (JUNIOR GRADE) IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be lieutenant (junior grade)

MARJORIE ALEXANDER
JAMES G. BEASLEY
EFRAIN DELEON
JOHN E. ELSNER
PAUL M. HASSFIELD
IAN A. MACKENZIE
SUSAN A. MAHAR
LARRY L. NEWTON
KAREN L. SITES

THE FOLLOWING NAMED TEMPORARY LIMITED DUTY OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE LINE AS LIMITED DUTY OFFICERS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5589(A):

To be lieutenant

LIMITED DUTY OFFICERS

CHRISTOPHER N. COLLINS
BILL W. DAUGEREAU
JEFFREY D. WESTON

THE FOLLOWING NAMED TEMPORARY LIMITED DUTY OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT IN THE LAW PROGRAM AS LIMITED DUTY OFFICERS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531 AND 5589(A):

To be lieutenant

LIMITED DUTY OFFICERS, LAW PROGRAM

MYLES E. BROOKS, JR.
JOHNNY L. PHILLIPS

IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 593, 8218, 8373, AND 8374, TITLE 10, UNITED STATES CODE:

AIR FORCE RESERVE

To be major general

BRIG. GEN. ALMON B. BALLARD [redacted]
BRIG. GEN. WILLIAM A. COHEN [redacted]
BRIG. GEN. WALTER J. GILLER, JR. [redacted]
BRIG. GEN. JOHN M. MILLER [redacted]
BRIG. GEN. FRANK D. WATSON [redacted]

To be brigadier general

COL. BOYD L. ASHCRAFT [redacted]
COL. JOHN J. BATBIE, JR. [redacted]
COL. WINFRED N. CARROLL [redacted]
COL. DENNIS M. GRAY [redacted]
COL. JAMES E. HAIGHT, JR. [redacted]
COL. JOSEPH A. MCNEIL [redacted]
COL. GRANT R. MULDER [redacted]
COL. JOSEPH H. PENKAUL [redacted]
COL. DAVID B. POYTHRESS [redacted]
COL. RICHARD S. RITCHIE [redacted]
COL. DAVID S. SIBLEY [redacted]
COL. ROBERT B. STEPHENS [redacted]

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE AIR FORCE RESERVE, UNDER PROVISIONS OF SECTIONS 593, 8362 AND 8371, TITLE 10, UNITED STATES CODE.

LINE OF THE AIR FORCE RESERVE

To be colonel

RONALD H. ALLEN [redacted]
STEPHEN L. ALLER [redacted]
FRED L. BAKER [redacted]
RICHARD D. BARANZINI [redacted]
RICHARD A. BARAZZOTTO [redacted]
DOUGLAS H. BEAUMONT [redacted]
BRYON J. BEDNAR, [redacted]
JAMES H. BEHRENS [redacted]
FRANK P. BERNARD [redacted]
JOHN E. BETTS [redacted]
NORMAN H. BEULKE [redacted]
JAMES F. BLACKMAN [redacted]
THOMAS A. BLANK [redacted]
WILSON E. BLOUNT [redacted]
STEPHEN W. BOWCOCK [redacted]
TEMPLE BOWLING, IV [redacted]
PETER D. BROWN [redacted]
JOHN P. BRYANT [redacted]
ROBERT J. BUTLER [redacted]
KENNETH A. BYRD [redacted]
GARY D. CABLE [redacted]
ANTHONY P. CAPOCCIA [redacted]
THOMAS L. CARTER [redacted]
JAMES R. CHALAIRE [redacted]
JOSEPH CHIARELLI [redacted]
RONALD M. CHILDRESS [redacted]
ALAN B. CLUNE [redacted]
THOMAS L. COAKLEY [redacted]
BRYAN E. COFFEY [redacted]
WAYNE F. CONROY [redacted]
MONTFORD J. CORLEY [redacted]
JAMES M. CRYER [redacted]
STEVEN J. CUMMINS [redacted]
CHARLES T. CURRY [redacted]
KATIE CUTLER [redacted]
ROBERT F. DODSON [redacted]
ROBERT A. DUBSKY [redacted]
HENRY A. EIDENMULLER, JR [redacted]
ANTHONY J. EPIFANO [redacted]
CHARLES D. ETHREDGE [redacted]
THOMAS W. FELL, JR [redacted]
JOHN F. FERNBACKER, JR [redacted]
RICHARD W. FISHER [redacted]
RONALD E. FISHER [redacted]
GERALD P. FITZGERALD [redacted]
HUGH H. FORSYTHE [redacted]
GEORGE A. FRANK [redacted]
GALE H. FRENCH [redacted]

GEORGE R. FROST xxx-xx-x...
ROBERT A. FRYE xxx-xx-x...
ROYCE W. FUDGE, JR xxx-xx-x...
JAMES M. GIBBAR xxx-xx-x...
MICHAEL L. GOODE xxx-xx-x...
HENRY L. GRAVES, JR xxx-xx-xx...
EARL J. GUIDRY, JR. xxx-xx-x...
MICHAEL HARRIS xxx-xx-x...
PAMELA W. HART xxx-xx-x...
BARRY W. HATFIELD xxx-xx-x...
WILLIAM R. HEATON, JR xxx-xx-xx...
FREDDIE M. HEGLER xxx-xx-x...
ELLEN M. HERRBURGER xxx-xx-x...
NEAL R. HICKLE xxx-xx-x...
JAMES E. HOKE xxx-xx-x...
WERNER E. HOLT xxx-xx-x...
EARL D. HONEYCUTT, JR xxx-xx-x...
VICTOR J. HOOPER xxx-xx-x...
OSCAR C. HOPE III xxx-xx-x...
CHARLES H. HUETTNER xxx-xx-x...
FREDRICK V. IFFERT xxx-xx-xx...
ROBERT J. JAKEMAN xxx-xx-xx...
ROBERT F. JANUZZI, JR xxx-xx-x...
THOMAS JOHANI xxx-xx-x...
LEON A. JOHNSON xxx-xx-x...
ROLAND D. KANKEY xxx-xx-x...
THOMAS C.W. KEITEL xxx-xx-x...
KELVIN J. KELKENBERG xxx-xx-xx...
DOUGLAS F. KENNEDY II xxx-xx-x...
GEORGE W. KOHN xxx-xx-x...
GARY L. KOLDYKE xxx-xx-x...
EDWARD G. KOZLOWSKI xxx-xx-x...
HUGH W. LEWIS, JR xxx-xx-x...
OLIS L. LEWIS, JR xxx-xx-xx...
ROBERT E. LOACH xxx-xx-x...
VINCENT J. LODUCA xxx-xx-x...
ROBERT E. LYTLE xxx-xx-x...
IRENE S. MACALUSO xxx-xx-x...
JAMES C. MACK II xxx-xx-x...
CHARLES E. MAHAN, JR xxx-xx-x...
VIK C. MALLING xxx-xx-x...
CHARLES J. MANGANELLO xxx-xx-x...
DANIEL J. MANIX xxx-xx-x...
CARLOS E. MARTINEZ xxx-xx-x...
JOHN G. MASTERS xxx-xx-x...
CRAIG W. MAYS xxx-xx-x...
MICHAEL J. MCCORMICK xxx-xx-x...
GARY M. MCKENZIE xxx-xx-x...
DOUGLAS S. METCALF xxx-xx-x...
JON S. MEYER xxx-xx-x...
MICHAEL R. MICKELSON xxx-xx-x...
JOHN P. MOORE xxx-xx-x...
RICHARD R. MOSS xxx-xx-x...
RICHARD A. MURNOCK xxx-xx-x...
JEFFREY M. MUSFELDT xxx-xx-xx...
JAMES O. NEWHOUSE xxx-xx-x...
MICHAEL A. NOREEN xxx-xx-x...
ROBERT G. OLEAR xxx-xx-x...
LINDA R. OLSEN xxx-xx-x...
PRESTON L. PARKER xxx-xx-xx...
WILLIAM T. PARKER xxx-xx-x...
DAVID J. PAUL xxx-xx-x...
JOHN G. PHILLIPS xxx-xx-xx...
WILLIAM T. PONDER, JR xxx-xx-xx...
MICHAEL P. PORCARO xxx-xx-x...
DENNIS G. PUTMAN xxx-xx-x...
RONALD C. RAY xxx-xx-x...
MARIANNE C. REAM xxx-xx-x...
GEORGE C. RHYMES xxx-xx-x...
CHESTER W. RICHARDS xxx-xx-x...
JOHN A. RITNER, JR xxx-xx-xx...
STANLEY R. ROBINSON xxx-xx-x...
PAUL E. RONAN xxx-xx-x...
MICHAEL A. ROY xxx-xx-x...
THOMAS J. SALMON xxx-xx-x...
RONALD M. SEGA xxx-xx-x...
ALBERT E. SEVERN xxx-xx-x...
ROBERT D. SHANKEL xxx-xx-x...
JIMMY SHEHEE xxx-xx-x...
JAMES W. SHUMARD, III xxx-xx-x...
ERVIN M. SKOUSEN xxx-xx-x...
JOSEPH D. SMITH xxx-xx-xx...
ROBERT T. SMITH xxx-xx-x...
ROBERT A. STENEVIK xxx-xx-x...
MICHAEL J. STERLING xxx-xx-xx...
ERIKA C. STEUTERMAN xxx-xx-x...
ROGER J. STRANTZ xxx-xx-xx...
SIDNEY W. STUART xxx-xx-x...
KATHY E. THOMAS xxx-xx-x...
FREDERICK M. THURMAN xxx-xx-x...
MICHAEL J. TORREANO xxx-xx-x...
HOWARD C. TOWT xxx-xx-x...
TERRENCE N. TRENT xxx-xx-x...
ROGER L. VANDYKEN xxx-xx-x...
STEPHEN J. VANVEGHEL xxx-xx-xx...
CONRAD D. WAGGENER xxx-xx-x...
JOHN C. WAGNITZ xxx-xx-x...
ROBERT D. WELSH xxx-xx-x...
CARL S. WELTON xxx-xx-x...
GERALD F. WERTH xxx-xx-x...
EDWARD C. WHALEN, JR xxx-xx-x...
RICHARD D. WHITAKER xxx-xx-x...
FLOYD G. WHITEHOUSE, III xxx-xx-x...
MYRNA L. WHITNEY xxx-xx-x...
JOHN S. WILSON xxx-xx-x...
SETH G. WILSON xxx-xx-x...
JOHN B. WILT xxx-xx-x...
THOMAS H. WOLFF xxx-xx-x...
ELAINE A. WRIGHT xxx-xx-x...
LOUIS D. WRIGHT xxx-xx-x...

CHAPLAIN CORPS

To be colonel

ROBERT A. BRECKENRIDGE xxx-xx-x...
ROBERT G. CERTAIN xxx-xx-x...
FRANCIS W. LORDEMANN xxx-xx-x...
HAROLD E. OWENS xxx-xx-x...

DENTAL CORPS

To be colonel

DAVID F. ATACK xxx-xx-x...
DONALD B. EDWARDS xxx-xx-x...
BARTON L. MCGHEE, JR xxx-xx-x...
DONALD L. REVILL xxx-xx-x...
JAMES R. SMOUSE xxx-xx-x...

JUDGE ADVOCATE

To be colonel

DAVID A. BATEMAN xxx-xx-x...
KELLY R. BECKLEY xxx-xx-x...
RICHARD C. BRADLEY, III xxx-xx-x...
BRENDAN M. DIXON xxx-xx-x...
DOUGLAS W. LYONS, JR xxx-xx-x...
THOMAS S. MARKIEWICZ xxx-xx-x...
HERBERT T. MCINTOSH, JR xxx-xx-xx...
TODD E. NORTON xxx-xx-x...
RALPH E. OLSON xxx-xx-x...
RICHARD D. ROTH xxx-xx-x...
LESTER W. SCHIEFELBEIN, JR xxx-xx-xx...
STEVEN H. SCHIFF xxx-xx-x...
RICHARD R. SCHLEGEL xxx-xx-x...
WILLIAM R. WOODS xxx-xx-x...

MEDICAL CORPS

To be colonel

JAMES P. BAGIAN xxx-xx-x...
CARL W. BOURNE xxx-xx-x...
WALTER A. CERANSKI xxx-xx-x...
NENITA R. DUAZO xxx-xx-x...
CLIFFORD J. HATAWAY xxx-xx-x...
DOUGLAS W. JOHNSON xxx-xx-x...
KENNETH A. JONES xxx-xx-x...
GARY J. LATOURETTE xxx-xx-x...
JOSEPH A. LORENZETTI xxx-xx-xx...
BALTAZARA G. LOTUACO xxx-xx-x...
JOHN J. MACELUCH xxx-xx-x...
THOMAS E. MURPHY xxx-xx-x...
JAMES E. PALEN xxx-xx-xx...
CELESTINO M. PEREZ xxx-xx-x...
STEPHEN E. POHL xxx-xx-x...
MARIA M. TIAMSONBEATO xxx-xx-x...
TERENCE P. WADE xxx-xx-x...

NURSE CORPS

To be colonel

LLEWELLYN ALSPACH xxx-xx-x...
DONNA J. ALT xxx-xx-x...
MARIANNE F. AYRES xxx-xx-x...
NANCY A. DALPIAZ xxx-xx-x...
KAREN A. FOLSOM xxx-xx-x...
CYRENA M. GILMAN xxx-xx-x...
DOROTHY H. HOLLIDAY xxx-xx-x...
MICHELE A. KIRK xxx-xx-x...
ANNA J. LAVELLE xxx-xx-x...
CHERYL E. MCRAEBERGERON xxx-xx-x...
SUZANNE I. MILES xxx-xx-x...
PATRICIA L. MILLER xxx-xx-x...
THERESA M. NOVELLI xxx-xx-x...
JUDITH A. PEARSON xxx-xx-x...
FREDERICK W. TROUTMAN xxx-xx-x...
ELIZABETH R. WILLIAMS xxx-xx-x...

MEDICAL SERVICE

To be colonel

DOUGLAS A. WALKER xxx-xx-x...

BIOMEDICAL SERVICE CORPS

To be colonel

JOHN S. GLENN, JR xxx-xx-xx...
THOMAS J. OWENS xxx-xx-x...
CHARLES W. PAEPKE xxx-xx-x...
JERRY C. WALKER xxx-xx-x...
RICHARD D. WHEATLEY xxx-xx-x...

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE UNITED STATES AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be lieutenant colonel

JOSEPH A. ABBOTT xxx-xx-x...
RANDAL G. ABRAHAM xxx-xx-x...
PAUL R. ACKERLEY xxx-xx-x...
CHARLES A. ADAMS, JR. xxx-xx-x...
ALLAN R. ALBERT xxx-xx-x...
JOHN L. ALBERT xxx-xx-x...
JAMES A. ALBRIGHT xxx-xx-x...
DAVID M. ALDRICH xxx-xx-x...
GARY R. ALEXANDER xxx-xx-x...
THOMAS M. ALFORD xxx-xx-x...
GERRIT J. ALLEN xxx-xx-xx...
MARTIN W. ALLEN xxx-xx-x...
STEVEN G. ALLEN xxx-xx-x...
JOHN D. ALLERS xxx-xx-x...
DANIEL B. ALLRED xxx-xx-x...
JERRY C. ALTMAN xxx-xx-x...
JILL N. ALTMAN xxx-xx-x...
MICHAEL D. ALTOM xxx-xx-x...
GLENN N. ALTSCHULD, JR. xxx-xx-x...
ROBERT H. ANDERLITCH xxx-xx-x...
MARK E. ANDERSEN xxx-xx-x...
THOMAS K. ANDERSEN xxx-xx-x...
ANDY L. ANDERSON xxx-xx-xx...
DOUGLAS W. ANDERSON xxx-xx-x...
MARK A. ANDERSON xxx-xx-x...
SCOTT G. ANDERSON xxx-xx-x...
STEVEN C. ANDERSON xxx-xx-x...
MILDRED B. ANDREWS xxx-xx-x...
FLOYD R. ANIBLE xxx-xx-x...
DERRICK D. ANKROM xxx-xx-x...
DENNIS M. ANNEN xxx-xx-x...
JOHN F. ANTHONY, JR xxx-xx-x...
GARY M. ARDO xxx-xx-x...
EARLINE R. ARMOR xxx-xx-x...
BLANE A. ARMSTRONG xxx-xx-x...
JOHN L. ARMSTRONG xxx-xx-x...
JON W. ARMSTRONG xxx-xx-x...
CHARLES W. ARNOLD xxx-xx-x...
WADE B. ARNOLD xxx-xx-x...
MICHAEL J. ARTESE xxx-xx-x...
CRASTON M. ARTIS xxx-xx-x...
AIMEE A. ASBRIDGE xxx-xx-x...
DAVID ASCANI xxx-xx-x...
SUSAN P. ASHER xxx-xx-x...
CECILIA A. ASKUE xxx-xx-x...
MICHAEL L. ATWELL xxx-xx-x...
JEFFREY AULT xxx-xx-xx...
MICHAEL F. AUSSERER xxx-xx-x...
GEORGE R. AUTEN, JR xxx-xx-x...
CHARLES E. AYERS xxx-xx-x...
STEVEN B. AYLOR xxx-xx-x...
VINCENT AZZARELLI xxx-xx-x...
RANDY S. BAAREMAN xxx-xx-x...
STEVEN L. BABCOCK xxx-xx-x...
KEITH D. BAILEY xxx-xx-x...
THOMAS G. BAILEY xxx-xx-x...
TIMOTHY D. BAIR xxx-xx-x...
BEN C. BAKER xxx-xx-x...
PETER J. BALDETTI xxx-xx-xx...
DALE R. BALMER xxx-xx-x...
CHERYL S. BALOMBINI xxx-xx-x...
DOROTHY L. BALTES xxx-xx-x...
JONATHAN E. BANCROFT xxx-xx-x...
REGINALD A. BANKS xxx-xx-x...
KENNETH E. BANKSTON xxx-xx-x...
GARY A. BARE xxx-xx-x...
RICHARD W. BARKER xxx-xx-x...
GEORGE G. BARKSDALE, JR xxx-xx-x...
DOUGLAS N. BARLOW xxx-xx-x...
THADDEUS J. BARNAS xxx-xx-x...
LEE M. BARNBY xxx-xx-x...
DALE R. BARNES xxx-xx-x...
EUGENE D. BARR xxx-xx-x...
SAMUEL J. BARR xxx-xx-x...
TERENCE E. BARRETT xxx-xx-x...
JAMES H. BARRY xxx-xx-x...
RONALD T. BARTHOLOMEW xxx-xx-x...
LARRY J. BATTIN xxx-xx-x...
LYNN A. BAUER xxx-xx-x...
RONALD E. BAUGHMAN xxx-xx-x...
JAMES M. BAUMANN xxx-xx-x...
RANDALL BAXTER xxx-xx-xx...
KERMIT K. BEAHAN xxx-xx-x...
RICHARD A. BEAN xxx-xx-x...
CHARLES W. BEASON xxx-xx-x...
DEBORAH A. BEATTY xxx-xx-x...
CHRIS A. BEATY xxx-xx-x...
MICHAEL C. BEAUGH xxx-xx-x...
CHARLES L. BECK, JR xxx-xx-xx...
GEORGE E. BECK, JR xxx-xx-x...
RICHARD D. BEERY xxx-xx-x...
JAMES A. BEHRING xxx-xx-x...
KEITH R. BELL xxx-xx-x...
THOMAS D. BELL xxx-xx-x...
JAMES S. BELT xxx-xx-xx...
CRAIG V. BENDORF xxx-xx-x...
JOHN W. BENGTSON xxx-xx-x...
FRANCIS E. BENIK xxx-xx-x...
DOUGLAS A. BENJAMIN xxx-xx-x...
ROBERT W. BENNINGTON xxx-xx-x...
RICHARD B. BENSINGER xxx-xx-x...
LEONARD F. BENSON xxx-xx-x...
RICHARD E. BENSON xxx-xx-x...
JOHN M. BENTZ xxx-xx-x...
THOMAS F. BERARDINELLI xxx-xx-x...
ARTHUR R. S. BEREHULKA xxx-xx-x...
FREDERICK L. BERG xxx-xx-x...
ROBERT C. BERGER xxx-xx-x...
MERILYNN M. BERGSTRESSER xxx-xx-xx...
MARK H. BERNER xxx-xx-x...
PAUL M. BESSON xxx-xx-x...
CHRISTINE E. BEUERLEIN xxx-xx-xx...
JEFFERY T. BEYER xxx-xx-xx...
ROGER A. BICK xxx-xx-x...
JOHN S. BICKET xxx-xx-x...
THOMAS A. BILLIG xxx-xx-x...
EDDY R. BILLMAN xxx-xx-x...
KEITH F. BILYEU xxx-xx-x...

SHERMAN M. BINGHAM xxx-xx-x...
WANDA E. BISBAL xxx-xx-x...
MARK A. BISHOP xxx-xx-x...
BENNETT M. BITLER xxx-xx-x...
MARION A. BLACK xxx-xx-x...
STEVEN K. BLACK xxx-xx-x...
RICHARD H. BLACKMON xxx-xx-x...
DONALD I. BLACKWELDER xxx-xx-x...
KEVIN W. BLANCHARD xxx-xx-x...
ROBERT P. BLANCHETTE xxx-xx-x...
KATHI C. BLEVINS xxx-xx-x...
WESTANNA H. BOBBITT xxx-xx-x...
GORDON D. BOLTON xxx-xx-x...
GARY A. BOMAR xxx-xx-x...
DAVID J. BONHAM xxx-xx-x...
JOSEPH J. BONIN xxx-xx-xx...
ALDEN D. BORTON xxx-xx-x...
PAUL E. BOTTS xxx-xx-x...
LADDY F. BOVEY xxx-xx-x...
HOWARD A. BOWER xxx-xx-x...
ALBERT J. BOWLEY, JR. xxx-xx-...
OLEN E. BOWMAN xxx-xx-x...
WILLIAM J. BOWMAN xxx-xx-x...
CAMERON S. BOWSER xxx-xx-x...
JAMES A. BOYER xxx-xx-x...
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BRIAN A. BRADEN xxx-xx-x...
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ROBERT W. BRANDON xxx-xx-x...
JAMES G. BRASWELL xxx-xx-x...
CHARLES D. BRAYMER xxx-xx-x...
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DANIEL BRIAND xxx-xx-x...
ROGER D. BRICKLEY xxx-xx-x...
TIMOTHY C. BRIDGE xxx-xx-x...
JOHN W. BRIGHTON xxx-xx-x...
PETRA S. BRIGMAN xxx-xx-x...
LESLIE W. BROCKMAN xxx-xx-x...
ROBERT W. BROEKING xxx-xx-x...
THOMAS J. BRONDER xxx-xx-x...
ELIZABETH SPENCER BROOKS xxx-xx-x...
WYMAN BROOKS xxx-xx-x...
YVONNE BROOKS xxx-xx-x...
JAMES D. BROPHY II xxx-xx-xx...
STEVEN F. BROSS xxx-xx-xx...
TIMOTHY J. BROTHERTON xxx-xx-x...
BRIAN M. BROWN xxx-xx-x...
CURTIS L. BROWN, JR. xxx-xx-x...
EDWARD E. BROWN xxx-xx-x...
ERIC M. BROWN xxx-xx-x...
GLENN M. BROWN xxx-xx-x...
JAMES E. BROWN, JR. xxx-xx-xx...
JOSEPH LEE BROWN xxx-xx-x...
MARK P. BROWN xxx-xx-x...
RANDALL W. BROWN xxx-xx-x...
ROBIN D. BROWN xxx-xx-x...
WILLIAM E. BROWN, JR. xxx-xx-x...
EDWARD R. BRUCE xxx-xx-x...
JOHN M. BRUCE xxx-xx-x...
GREGORY L. BRUNDIDGE xxx-xx-x...
KELLY R. BRYAN xxx-xx-x...
FRITZ J. BRYANT xxx-xx-xx...
THOMAS A. BUCKLIN xxx-xx-x...
MICHAEL J. BUDDE xxx-xx-x...
HOWARD P. BUEHLER xxx-xx-x...
THOMAS G. BULLARD xxx-xx-x...
JOSEPH BUNECKE xxx-xx-x...
FRED A. BURAN III xxx-xx-x...
GARY D. BURG xxx-xx-x...
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DAVID BURLESON xxx-xx-x...
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DAAREL E. BURNETTE xxx-xx-x...
WILLIAM F. BURNETTE xxx-xx-x...
PAUL J. BURNS xxx-xx-x...
THOMAS M. BURWELL xxx-xx-x...
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BRUCE A. BUSLER xxx-xx-x...
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STEVEN W. BYRUM xxx-xx-x...
NONIE C. CABANA xxx-xx-x...
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DAVID A. CAHELA xxx-xx-x...
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THOMAS P. CAHILL xxx-xx-x...
RONALD W. CAIN, JR. xxx-xx-x...
JOHN T. CALLAWAY, JR. xxx-xx-x...
MARY A. CALLAWAY xxx-xx-x...
DAVID G. CALLINS xxx-xx-x...
JAMES E. CAMP xxx-xx-x...
DONALD H. CAMPBELL xxx-xx-x...
WENDY S. CAMPO xxx-xx-x...
JOHN E. CAMPS xxx-xx-x...
ROBERT C. CANFIELD xxx-xx-x...
EDWARD C. CANGELOSI xxx-xx-x...
JAMES C. CANTRELL, II xxx-xx-xx...
MICHAEL A. CAPPELANO xxx-xx-x...
KATHLEEN M. CARD xxx-xx-x...
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CHARLES F. CARMICHAEL, III xxx-xx-x...
MICHAEL J. CARNEY xxx-xx-x...
JOYCE M. CARO xxx-xx-x...
DONALD P. CARROLL xxx-xx-x...
JAMES W. CARTER, JR. xxx-xx-x...
MICHAEL G. CARTER xxx-xx-x...
WILLIAM L. CARTER xxx-xx-x...
PIA L. CARUSO xxx-xx-x...
ERNESTO D. CASIANO xxx-xx-x...
MARK A. CASLEN xxx-xx-x...
BARBARA J. CASSIDY xxx-xx-x...
GEORGE T. CAVALLI xxx-xx-x...
LANNY R. CAWTHON xxx-xx-x...
MELANIE A. CECERE xxx-xx-x...
MARTHA J. CENKCI xxx-xx-x...
RICHARD L. CERVETTI xxx-xx-x...
STEVEN A. CHABOLLA xxx-xx-x...
WILLIAM A. CHAMBERS xxx-xx-x...
WILLIAM L. CHAMBLEE xxx-xx-x...
JAMES CHAMBLISS, JR. xxx-xx-xx...
DEBBIE L. E. CHAMPEAU xxx-xx-x...
JESUS T. CHAN xxx-xx-x...
CHRISTOPHER M. CHAPIN xxx-xx-x...
MARGARET J. CHARLES xxx-xx-x...
KENNETH E. CHARPIE, JR. xxx-xx-xx...
EARL S. CHASE xxx-xx-x...
MARK G. CHAURET xxx-xx-x...
REYNALDO M. CHAVEZ xxx-xx-x...
JAMES E. CHILES xxx-xx-x...
MARYANN H. CHISHOLM xxx-xx-x...
MICHAEL E. CHORNEY xxx-xx-x...
LUCIEN H. CHRETIEN, JR. xxx-xx-xx...
LOUIS E. CHRISTENSEN xxx-xx-x...
MICHAEL J. CHRISTENSEN xxx-xx-xx...
TIMOTHY PAUL CHRISTI xxx-xx-x...
CLAYTON K. S. CHUN xxx-xx-x...
BARBARA L. CLARK xxx-xx-x...
PATRICK J. CLARK xxx-xx-x...
STEPHEN M. CLARK xxx-xx-x...
STEVEN D. CLARK xxx-xx-x...
THERESA R. CLARK xxx-xx-x...
THOMAS G. D. CLARK xxx-xx-x...
DANIEL P. CLATANOFF xxx-xx-x...
LAWRENCE J. CLAUSEN xxx-xx-x...
STEVEN E. CLAY xxx-xx-x...
SCOTT K. CLAYPOOL xxx-xx-x...
WAYNE G. CLEMONS xxx-xx-x...
WILLOW CLIFFSWALLOW xxx-xx-x...
STEPHEN L. CLIFT xxx-xx-xx...
MICHAEL A. CLINE xxx-xx-x...
MICHAEL J. CLOSE xxx-xx-x...
MICHAEL K. CLOUD xxx-xx-x...
JANET I. COHOON xxx-xx-x...
CARLOS D. COKER xxx-xx-x...
LARRY J. COLBERT xxx-xx-x...
RONALD A. COLBERT xxx-xx-x...
GARY H. COLE xxx-xx-x...
JAMES S. COLE xxx-xx-x...
LEROY M. COLEMAN xxx-xx-x...
NICHOLAS F. COLEMAN xxx-xx-x...
CORILLA D. COLLINS xxx-xx-x...
DAVID J. COLLINS xxx-xx-x...
KATHY R. COLLINS xxx-xx-x...
SUSAN M. COLLINS xxx-xx-x...
TIMOTHY J. COLLINS xxx-xx-x...
JOHN R. COMPTON xxx-xx-x...
HOLLY R. CONNER xxx-xx-x...
KENNETH W. CONOVER xxx-xx-x...
NEAL J. CONRAD xxx-xx-x...
BERTRAM CONROY xxx-xx-x...
CURTIS L. COOK xxx-xx-x...
MICHAEL R. COOK xxx-xx-x...
TIMOTHY J. COOK xxx-xx-x...
MICHAEL D. COOLEY xxx-xx-x...
DAVIS S. COOPER xxx-xx-x...
GARY L. COOPER xxx-xx-x...
STEPHEN R. COOPER xxx-xx-x...
DAVID K. COPP III xxx-xx-x...
STEVE C. COPPINGER xxx-xx-x...
REBECCA L. CORDER xxx-xx-x...
DANIEL P. CORLISS xxx-xx-x...
ARTURO M. CORONA xxx-xx-x...
IVAN A. CORRETJER xxx-xx-x...
ANTONIO CORVO xxx-xx-x...
CHARLES W. COTTERELL xxx-xx-x...
MICHAEL R. COUILLARD xxx-xx-x...
EDDIE COUSINS, JR. xxx-xx-x...
ANDREW H. COX xxx-xx-x...
MICHAEL G. COZORT xxx-xx-x...
JAMES L. CRAIG, JR. xxx-xx-xx...
BARRY W. CRAIGEN xxx-xx-x...
CHARLES G. CRAWFORD xxx-xx-x...
THOMAS M. CRESSMAN xxx-xx-x...
JAMES M. CRESTA xxx-xx-x...
ALLEN D. CRIDER xxx-xx-x...
CHARLES H. CRISP xxx-xx-x...
JERRY L. CRISSMAN xxx-xx-x...
THOMAS J. CROAK xxx-xx-x...
THOMAS CRONIN xxx-xx-x...
SAMUEL V. CROUSE xxx-xx-x...
NANCY L. CROWLEY xxx-xx-x...
ANDRES N. CUELLAR, JR. xxx-xx-x...
JEFFREY M. CUKR xxx-xx-xx...
THOMAS L. CULLEN xxx-xx-x...
RICHARD D. CUMMINS xxx-xx-x...
JOAN M. CUNNINGHAM xxx-xx-x...
JOHN L. CURRIE xxx-xx-x...
JOSEPH E. CUTHRELL, III xxx-xx-xx...
GUY K. DAHLBECK xxx-xx-x...
CHERYL L. DALY xxx-xx-x...
PATRICK R. DALY xxx-xx-x...
CHARLES P. DAVEY, JR. xxx-xx-xx...
RICHARD C. DAVIDAGE xxx-xx-x...
DONALD G. DAVIDSON xxx-xx-x...
WAYNE D. DAVIDSON xxx-xx-x...
BILLY G. DAVIS xxx-xx-x...
CLIFFORD M. DAVIS, SR. xxx-xx-x...
KEVIN J. DAVIS xxx-xx-x...
MICHAEL P. DAVIS xxx-xx-x...
EUGENE M. DAWSON, JR. xxx-xx-x...
HARRY A. DAYE xxx-xx-x...
NANCY K. DEAN xxx-xx-x...
CHARLES R. DEARTH xxx-xx-x...
ROBERT E. DEGRAPHENREID xxx-xx-x...
JULIE B. DELESPESSE xxx-xx-xx...
CARLOS E. DELGADILLO xxx-xx-x...
RUSSELL J. DELUCA xxx-xx-xx...
KAYE A. DERUIZ xxx-xx-x...
RICHARD M. DESIMONE xxx-xx-x...
DENNIS J. DIAMOND xxx-xx-x...
FRANK DIBARTOLOMEO, JR. xxx-xx-x...
LANSING E. DICKINSON xxx-xx-x...
RICARDO DICOCCO xxx-xx-x...
HERBERT L. DIEW xxx-xx-x...
BRIAN J. DILLON xxx-xx-x...
VIRGINIA A. DILLON xxx-xx-x...
ROBERT L. DIMMICK xxx-xx-x...
FLOYD RJR DISSINGER xxx-xx-xx...
JEFFREY C. DODSON xxx-xx-x...
CYNTHIA G. DOIL xxx-xx-x...
MARK J. DONAHUE xxx-xx-x...
ROBERT J. DONOVAN, III xxx-xx-x...
JAMES L. DORMAN, JR. xxx-xx-xx...
JAMES M. DORMAN xxx-xx-x...
MARY O. SULLIVAN DOSS xxx-xx-x...
DONALD L. DOTSON xxx-xx-x...
TIMOTHY S. DOTY xxx-xx-x...
DANIEL T. DOUGHERTY xxx-xx-x...
PHILIP J. DOUGLAS xxx-xx-xx...
JOSEPH S. DOWNS xxx-xx-x...
WILLIAM J. DOYLE, III xxx-xx-xx...
MORRIS C. DOZIER, JR. xxx-xx-x...
RICKY J. DRAKE xxx-xx-x...
DENNIS DRAKOPOULOS xxx-xx-x...
DANIEL LEE DRAPER xxx-xx-xx...
DENNIS L. DRAYER xxx-xx-x...
DAVID A. DREDDEN xxx-xx-x...
CATHY A. DREHER xxx-xx-x...
STEVEN F. DREYER xxx-xx-xx...
PHILIP L. DRISKILL xxx-xx-xx...
HARRY E. DROTTZ xxx-xx-x...
MICHAEL V. DUC xxx-xx-x...
ROBERT B. DUDLEY xxx-xx-x...
JAMES A. DUKE xxx-xx-x...
STEPHEN H. DUKER xxx-xx-x...
DANIEL L. DUNAWAY xxx-xx-x...
KIMBERLY DUNBAR xxx-xx-x...
BRUCE A. DUNCAN xxx-xx-x...
LAWTON G. DUNCAN xxx-xx-x...
MARVIN P. DUNCAN xxx-xx-x...
LEE S. DUNLAP xxx-xx-xx...
KEVIN W. DUNLEAVY xxx-xx-x...
GERALD B. DUTCHER xxx-xx-x...
JOHN C. DYMOND xxx-xx-x...
ALEXANDER M. EARLE, JR. xxx-xx-xx...
ROBERT E. EAST xxx-xx-...
JAMES N. EASTMAN, III xxx-xx-xx...
ROBERT E. ECCLESTON xxx-xx-x...
STEVEN C. EDGAR xxx-xx-x...
ALAN C. EKREM xxx-xx-x...
LESLYE J. ELBERT xxx-xx-xx...
WILLIAM B. ELMER xxx-xx-x...
MICHAEL S. ENNIS xxx-xx-x...
RONALD L. ESPENSHADE xxx-xx-x...
CARL D. EVANS xxx-xx-x...
JOHN J. EVANS xxx-xx-xx...
DAVID E. EVERHART xxx-xx-x...
MICHAEL S. EVERS xxx-xx-x...
PETER R. FABER xxx-xx-xx...
DAVID S. FADOK xxx-xx-x...
BRENT J. FALKENBERG xxx-xx-xx...
IVETTE FALTOHECK xxx-xx-x...
JEFFREY R. FANCHALSKY xxx-xx-xx...
FREDRICK C. FARNELL xxx-xx-x...
GEORGE C. FARRELL xxx-xx-x...
THOMAS A. FARRIER xxx-xx-x...
DAVID F. FARRINGER xxx-xx-x...
ESKER J. FARRIS, III xxx-xx-xxxx
LARRY J. FARRIS xxx-xx-xx...
FRANK FEDARKO xxx-xx-x...
JUDITH A. FEDDER xxx-xx-xx...
JOHN P. FEILER xxx-xx-xx...
NATHAN S. FELDMAN xxx-xx-x...
JEFFREY E. FELLMETH xxx-xx-x...
HAROLD L. FENNER, JR. xxx-xx-xx...
STEVEN A. FERBEZAR xxx-xx-xx...
JOAN S. FERGUSON xxx-xx-x...
LESTER C. FERGUSON xxx-xx-xx...
MICHELE C. FERRANTE xxx-xx-x...
DEBORAH K. FERREE xxx-xx-x...
EDDIE J. FERRELL xxx-xx-xx...
BURTON M. FIELD xxx-xx-x...
MICHAEL P. FILAN xxx-xx-x...
DAVID B. FILIPPI xxx-xx-xx...
MICHAEL J. FINNEGAN xxx-xx-x...
RODOLFO E. FIRPO xxx-xx-x...
DREW R. FISHER xxx-xx-x...
HENRY J. FISHER xxx-xx-xx...
KEVIN J. FITZHARRIS xxx-xx-xx...
PHILIP B. FITZJARRELL xxx-xx-xx...
RODNEY S. FITZPATRICK xxx-xx-x...
JEFFREY L. FLADING xxx-xx-xx...
ROBERT M. FLOWERS xxx-xx-x...
GUY D. FOLLANSBEE xxx-xx-x...
WILLIAM D. FOOTE xxx-xx-x...
GARY N. FORD xxx-xx-x...
GEORGE E. FOREST xxx-xx-xx...
MAURICE H. FORSYTH xxx-xx-x...
THOMAS L. FOSSEN xxx-xx-x...

MARK P. FOSTER, xxx-xx-x...
MICHAEL A. FOUGHTY, xxx-xx-x...
CAREY M. FOUNTAIN, xxx-xx-x...
RONALD D. FOWLER, xxx-xx-x...
DAVID A. FOY, xxx-xx-x...
MARTIN L. FRACKER, xxx-xx-x...
GEORGE K. FRANCOIS, JR., xxx-xx-xx...
JOSEPH H. FRANKLIN III, xxx-xx-xx...
ROBERT C. FRANKLIN, xxx-xx-x...
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GARY L. FRASER, xxx-xx-x...
WILLIAM E. FRASER, xxx-xx-x...
RUSSELL J. FRASZ, xxx-xx-xx...
JAMES A. FRAZIER, JR., xxx-xx-xx...
DOUGLAS W. FREEMAN, xxx-xx-x...
DAVID J. FROISETH, xxx-xx-xx...
PAUL J. FROMMELT II, xxx-xx-xx...
MITCHELL S. FRY, xxx-xx-x...
MITCHELL R. FRYT, xxx-xx-x...
PETER C. FUCCI, xxx-xx-x...
NICKIE J. FUERST, xxx-xx-xx...
MICHAEL J. FULLER, xxx-xx-x...
WAYNE R. FULLERTON, xxx-xx-x...
R. GAYLE FULTS, xxx-xx-x...
FRANCIS E. FURS, xxx-xx-x...
RONALD P. FURSTENAU, xxx-xx-x...
JOSEPH P. P. GABRIEL, xxx-xx-xx...
STEVEN N. GABRIEL, xxx-xx-x...
JAMES E. GAGNON, xxx-xx-x...
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WILLIAM E. MOLTER xxx-xx-x...
ROBERT J. MONGILLO xxx-xx-x...
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BARBARA MOOCK xxx-xx-x...
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DAVID R. MORTE xxx-xx-x...
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LAREN K. WATANABE xxx-xx-x...
NAN ETTA WATSON xxx-xx-x...
WILLIAM T. WATSON, JR xxx-xx-x...
GLENN D. WATT, JR xxx-xx-x...
CLAUDE E. WATTERS, III xxx-xx-x...
KENNETH R. WAVERING xxx-xx-x...
JOHN R. WAY, JR xxx-xx-x...
DANNY W. WEBB xxx-xx-x...
JEFFERY B. WEBB xxx-xx-x...
RICHARD D. WEBSTER xxx-xx-x...
RANDALL S. WEIDENHEIMER xxx-xx-x...
PHILIP D. WEINBERG xxx-xx-x...
ALLAN M. WEINER xxx-xx-x...
PAULA A. WELENC xxx-xx-x...
WILLIAM J. WELKER, JR xxx-xx-x...
GEORGE P. WELLER xxx-xx-x...
CATHERINE A. WELSH xxx-xx-x...
RICHARD R. WELTON xxx-xx-x...
WILLIAM W. WENNINGER xxx-xx-x...
FRANCES M. WENTWORTH xxx-xx-x...
MARK M. WERTHMANN xxx-xx-x...
ROBERT T. WEST xxx-xx-x...
DAVID C. WETLESEN xxx-xx-x...
LEE M. WETZELL xxx-xx-x...
BRIAN R. WHALEN xxx-xx-x...
DEREK P. WHEELER xxx-xx-x...
MARK J. WHETSTONE xxx-xx-x...
JAMES F. WHIDDEN, II xxx-xx-x...
ARVIL E. WHITE, III xxx-xx-x...
DAVID B. WHITE xxx-xx-x...
G. ANDERSON WHITE, III xxx-xx-x...
HILDERY P. WHITE, JR xxx-xx-x...
PAUL K. WHITE xxx-xx-x...
CRAIG C. WHITEHEAD xxx-xx-x...
JOHN A. WHITLEY xxx-xx-x...
MICHAEL M. WHYTE xxx-xx-x...
KENNETH E. WIECHERT xxx-xx-x...
BILLY R. WILHITE xxx-xx-x...
KEITH M. WILKINSON xxx-xx-x...
BILL E. WILLIAMS, JR xxx-xx-x...
CHAPMAN U. J. WILLIAMS xxx-xx-x...
HARVEY L. WILLIAMS, JR xxx-xx-x...
JAMES R. WILLIAMS, III xxx-xx-x...
KAREN S. WILLIAMS xxx-xx-x...
KEVIN E. WILLIAMS xxx-xx-x...
MICHAEL D. WILLIAMS xxx-xx-x...
RALPH W. WILLIAMS, III xxx-xx-x...
RONALD D. WILLIAMS xxx-xx-x...
SIMON L. WILLIS, JR. xxx-xx-x...
CARTER E. WILSON, III xxx-xx-x...
DAVID L. WILSON xxx-xx-x...
JESSE C. WILSON, JR xxx-xx-x...
SANDRA F. WILSON xxx-xx-x...
SYLVESTER E. WILSON xxx-xx-x...
JAMES E. WINGATE xxx-xx-x...
ROBERT D. WINIECKI xxx-xx-x...
DAVID A. WININGER xxx-xx-x...
DAVID G. WINTERROWD xxx-xx-x...
SANFORD C. WISE, III xxx-xx-x...
RICHARD B. WITT xxx-xx-x...
STEVEN J. WITT xxx-xx-x...
WILLIAM T. WITTMAN xxx-xx-x...
BARTON H. WOHL xxx-xx-x...
JOHN M. WOHLEBER, II xxx-xx-x...
GAIL E. WOJTOWICZ xxx-xx-x...
ROBERT A. WOLCOTT xxx-xx-x...
PAUL J. WOLF xxx-xx-x...
WALTER E. WOLF xxx-xx-x...
ALAN A. WOLOSZ xxx-xx-x...
DEBORAH J. WOOD xxx-xx-x...
SHERRY S. WOOD xxx-xx-x...
ISAAC K. WOODFORK xxx-xx-x...
CARL E. WORKMAN, JR xxx-xx-x...
LESTER D. WORLEY xxx-xx-x...
DAVID A. WORMALD xxx-xx-x...
JERRY R. WORSHAM xxx-xx-x...
JEFFREY A. WORTHING xxx-xx-x...
DAVID W. WRIGHT xxx-xx-x...
EDGAR A. WRIGHT xxx-xx-x...
JONNIE L. WRIGHT xxx-xx-x...
MICHAEL A. WRIGHT xxx-xx-x...
NEIL R. WYSE xxx-xx-x...
THOMAS D. YANNI xxx-xx-x...
CHARLES R. YATES, JR xxx-xx-x...
ROBERT YATES xxx-xx-x...
GLENN S. YEAKEL xxx-xx-x...
KENNETH W. YOUNG xxx-xx-x...
LANCE S. YOUNG xxx-xx-x...
ADELLE R. ZAVADA xxx-xx-x...
MICHAEL A. ZENK xxx-xx-x...
ROBERT H. ZIELINSKI xxx-xx-x...
JEFFREY A. ZINK xxx-xx-x...
WILLIE T. ZINNERMAN xxx-xx-x...
ANTHONY E. ZOMPETTI xxx-xx-x...
THOMAS J. ZUZACK xxx-xx-x...

THE FOLLOWING NAMED OFFICERS FOR PROMOTION IN THE U.S. AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE, AND THOSE OFFICERS IDENTIFIED BY AN ASTERISK FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM DUTIES INDICATED PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A GRADE HIGHER THAN INDICATED.

JUDGE ADVOCATE

To be lieutenant colonel

CHARLES D. ANKNEY xxx-xx-x...
EDMUND S. BLOOM xxx-xx-x...
GEORGE P. CLARK xxx-xx-x...
JEFFREY H. CURTIS xxx-xx-x...
JOHNNY H. EDWARDS xxx-xx-x...
DAVID R. FRANCIS xxx-xx-x...
WYCKLIFFE S. G. FURCRON xxx-xx-x...
MARK W. GOLDEN xxx-xx-x...
GARY L. HALBERT xxx-xx-x...
JOSEPH L. HEIMANN xxx-xx-x...
CAMERON G. HOLLAND xxx-xx-x...
EDWARD E. HUNT, III xxx-xx-x...
ATHENA R. JONES xxx-xx-x...
DWIGHT K. KELLER xxx-xx-x...
STEPHEN T. LYNCH xxx-xx-x...
BRENDA D. MACK xxx-xx-x...
OWEN C. MCLAUGHLIN xxx-xx-x...
TERRY M. PETRIE xxx-xx-x...
WILLIAM F. PHILLIPS xxx-xx-x...
MICHAEL C. PITOU xxx-xx-x...
RICHARD E. PRINS xxx-xx-x...
DAVID M. PRONCHICK xxx-xx-x...
JEANNE M. RUETH xxx-xx-x...
DENNIS W. SHEPHERD xxx-xx-x...
EUGENE J. SMITH xxx-xx-x...
GERHARD A. STUEBBEN xxx-xx-x...
JOHN J. THRASHER, III xxx-xx-x...
DEANNA M. TULEY xxx-xx-x...
ERIC E. WEISS xxx-xx-x...
LYNNE H. WETZELL xxx-xx-x...
EUGENE B. WHITAKER xxx-xx-x...
KEITH L. WILLIAMS xxx-xx-x...

NURSE CORPS

To be lieutenant colonel

REGINA C. AUNE xxx-xx-x...
JAMES H. BAKER, JR xxx-xx-x...
SHARON H. BAKER xxx-xx-x...
TERRY L. BEASLEY xxx-xx-x...
DAVID W. BEATTIE xxx-xx-x...
CRYSTAL S. BELSHEE xxx-xx-x...
SHIRLEY H. BLALOCK xxx-xx-x...
MICHELE M. BOLLINGER xxx-xx-x...
STANLEY W. BREAKIRON xxx-xx-x...
MINA L. BROWN xxx-xx-x...
R. JAMES BROWN xxx-xx-x...
SANDRA D. BRYANT xxx-xx-x...
NANCY E. CAMP xxx-xx-x...
VALERIE A. CARDONA xxx-xx-x...
DEBRA G. CARR xxx-xx-x...
DEBORAH A. CHAPIN xxx-xx-x...
DENISE M. CHILDRESS xxx-xx-x...
SUSAN J. CRAW xxx-xx-x...
JAMES C. DECKER xxx-xx-x...
THERESA C. DIRESTA xxx-xx-x...
JILL D. DIXON xxx-xx-x...
LEANNE DOLTON xxx-xx-x...
PATRICIA A. DURNINGYOUNG xxx-xx-x...
ELSIE M. ENRIQUEZMAERINA xxx-xx-x...
SARAH S. FERGUSON xxx-xx-x...
ROBERTA L. FIERRO xxx-xx-x...
GAIL M. FIGUEROA xxx-xx-x...
JEWELL B. FLEETWOOD xxx-xx-x...
CHERYL A. FOTI xxx-xx-x...
JUNE T. GAVRON xxx-xx-x...
COTTON HELENE M. GENSHEIMER xxx-xx-x...
SALLY A. GLOVER xxx-xx-x...
DEBORAH Y. HALL xxx-xx-x...
NONA G. HALL xxx-xx-x...
CAROL J. HAMMES xxx-xx-x...
LEE ANN J. HARFORD xxx-xx-x...
MARY E. HARPSTER xxx-xx-x...
BIANCANIEVES HERNANDEZ xxx-xx-x...
KATHY S. HIGGINS xxx-xx-x...
JAMES E. HOLLAND xxx-xx-x...
BETTY G. JAMES xxx-xx-x...
DEBRA J. JATTAR xxx-xx-x...
MARGARET A. JEALOUS xxx-xx-x...
YOLANDA JIMENEZ xxx-xx-x...
WANDA D. KATINSZKY xxx-xx-x...
COLLEEN M. KENNEDY xxx-xx-x...
DANIEL R. KIRKPATRICK xxx-xx-x...
LINDA C. KISNER xxx-xx-x...
MARYANNE KOLESAR xxx-xx-x...
JOHN S. LARY xxx-xx-x...
CAROLYN W. LERUM xxx-xx-x...
EILEEN C. LIGDAY xxx-xx-x...
KERRIE G. LINDBERG xxx-xx-x...
JAMES A. MACHETTA xxx-xx-x...
MARY A. MAIER xxx-xx-x...
CARYLON J. MANN xxx-xx-x...
WENDY A. MARTIN xxx-xx-x...
LARRY L. MAY xxx-xx-x...
JUDITH C. MAYNE xxx-xx-x...
MARK L. MCDANIEL xxx-xx-x...
KYMBERLE G. MCELWEE xxx-xx-x...
DANIEL M. MONCILOVICH xxx-xx-x...
ANNA K. MURPHY xxx-xx-x...
CLARA J. MURRAY xxx-xx-x...
CYNTHIA L. MURRAY xxx-xx-x...
VIRGINIA D. MUSSELWHITE xxx-xx-x...
ARTHUR J. NILSEN xxx-xx-x...
DAWN M. OERICHBAUER xxx-xx-x...
THOMAS R. PALMER xxx-xx-x...
GAIL L. PARKER xxx-xx-x...
PENELOPE A. PEJKA xxx-xx-x...
SALLY J. PETTY xxx-xx-x...
KENNETH G. PRICE xxx-xx-x...
REGINA T. PRICE xxx-xx-x...
CHERYLE K. RHOADS xxx-xx-x...
CHRISTINE E. RINTA xxx-xx-x...
CATHLEEN A. ROSSIMCLAUGHLIN xxx-xx-x...
SUSAN I. ROTHFUSS xxx-xx-x...
JOSEPH O. SCHMELZ xxx-xx-x...
HELEN K. SCHREUR xxx-xx-x...
PEQUITTE SCHWERIN xxx-xx-x...
JOANN L. SEYMOUR xxx-xx-x...
LINDA S. SHOREY xxx-xx-x...
MELANIE S. SHWED xxx-xx-x...
KIMBERLY A. SINISCALCHI xxx-xx-x...
MARY A. SOLANO xxx-xx-x...
LARRY F. STAMLER xxx-xx-x...
PAUL TARTARILLA xxx-xx-x...
GEORGE A. TIRABASSI, JR xxx-xx-x...
LINDA J. TUBBIOLO xxx-xx-x...
EATHYL L. TUCKER xxx-xx-x...
DOROTHY J. WELTZ xxx-xx-x...
DEBORAH A. WIPF xxx-xx-x...
KRISTAN J. T. WOLF xxx-xx-x...
CYNTHIA L. WOOD xxx-xx-x...

MEDICAL SERVICE

To be lieutenant colonel

THOMAS C. ARDOLINE xxx-xx-x...
CHARLES C. ARMSTEAD xxx-xx-x...
KAREN A. BRADWAY xxx-xx-x...
CORDELL W. BULLIS xxx-xx-x...
JAMES W. CAMPBELL xxx-xx-x...
JOHN B. CARLETON xxx-xx-x...
DEBRA A. CAVANAUGH xxx-xx-x...
ERIN T. CAVIT xxx-xx-x...
RALPH B. CHARLIP xxx-xx-x...
FRANCIS D. CUMBERLAND, JR xxx-xx-x...
GEORGE DEROSA xxx-xx-x...
GARY W. ERICKSON xxx-xx-x...
THOMAS E. FEWELL xxx-xx-x...
GARY S. FORTHMAN xxx-xx-x...
HOWARD D. GOOGINS xxx-xx-x...
JON F. HALL xxx-xx-x...
LINDA E. HANSON xxx-xx-x...
CHARLES V. HELVEY xxx-xx-x...
ROY J. HOBBS xxx-xx-x...
MICHAEL L. HOPPER xxx-xx-x...
KATHY A. JENNER xxx-xx-x...
LARRY A. KEMP xxx-xx-x...
BARBARA L. LEISEY xxx-xx-x...
PATRICIA C. LEWIS xxx-xx-x...
RICHARD D. MARSH xxx-xx-x...
GARY S. MELVIN xxx-xx-x...
MICHAEL J. MURPHY xxx-xx-x...
DAVID A. OLSEN xxx-xx-x...
DONALD A. PERRO xxx-xx-x...
GILBERT J. PILKINGTON, JR xxx-xx-x...
BRADLEY E. PROVANCHA xxx-xx-x...
CHRISTOPHER E. RAU xxx-xx-x...
ROY J. RUFF, JR xxx-xx-x...
GEORGE W. SHERMAN xxx-xx-x...
GEORGE L. SMALL xxx-xx-x...
GARY J. TRICHE xxx-xx-x...
ROBERT WAGENHALS, JR xxx-xx-x...
JAMES H. WARE xxx-xx-x...
EDWARD J. WRIGHT, JR xxx-xx-x...
ROMAN YBARRA, JR xxx-xx-x...

BIOMEDICAL SERVICE CORPS

To be lieutenant colonel

HARVEY J. U. ADAMS, JR xxx-xx-x...
JOSEPH R. AGOSTINELLI xxx-xx-x...
COY L. BARFIELD xxx-xx-x...
DEBRA L. BATES xxx-xx-x...
LANCE J. BOLLINGER xxx-xx-x...
KENNETH W. BRANTON xxx-xx-x...
JAMEY T. BRAUN xxx-xx-x...
CORNELIUS G. BRENNECKE, JR xxx-xx-x...
ROBERT S. BUCKINGHAM xxx-xx-x...
CHARLES C. BURGOON xxx-xx-x...
BEVERLY J. BUTLER xxx-xx-x...
JAMES E. CALHOUN, II xxx-xx-x...
FRANK E. CHENEY, JR xxx-xx-x...
ROBIN L. CHERRY xxx-xx-x...
ANDREW COLON xxx-xx-x...
GARY S. CORRICK xxx-xx-x...
JAMES P. CURRAN xxx-xx-x...
KEN M. DOBBINS xxx-xx-x...
WARREN C. DREW xxx-xx-x...
FREDDIE E. DRUMMOND xxx-xx-x...
RANDY W. DUTTON xxx-xx-x...
PHOEBE C. FISHER xxx-xx-x...
MICHAEL GALLAGHER xxx-xx-x...
MARK D. GREENWELL xxx-xx-x...
RANDY L. GROSS xxx-xx-x...
YONA HACKL xxx-xx-x...

HERSHELL P. HAMILTON xxx-xx-x...
CRAIG H. HOLLENBECK xxx-xx-x...
FREDERICK S. HOLLIS xxx-xx-x...
LEROY F. JACOBS, III xxx-xx-xx...
DON W. JORDAN xxx-xx-x...
MICHAEL E. KILCOMONS xxx-xx-x...
RALPH T. LEWKOWICZ xxx-xx-x...
ELVIN E. MAXWELL, JR xxx-xx-x...
BRIAN D. MCCARTY xxx-xx-x...
SUSAN B. MITCHELL xxx-xx-x...
BONNIE J. MITCHELTREE xxx-xx-xx...
MICHAEL R. NEWBERRY xxx-xx-x...
GREGORY NICOLAS xxx-xx-x...
JEFFREY B. PADDOCK xxx-xx-x...
JURGEN K. RASCHMANN xxx-xx-x...
SUSAN E. RICHARDSON xxx-xx-x...
LINDA C. ROLLINS xxx-xx-x...
DONNA M. RONCARTI xxx-xx-x...
JOHN G. SCHLEIFER xxx-xx-x...
ROBERT H. SCHWARZHOFF xxx-xx-x...
PAUL A. SEWARD xxx-xx-x...
STEVEN M. SHAFFER xxx-xx-x...
DANNY J. SHARON xxx-xx-x...
BARRY L. SIMON xxx-xx-x...
NANCY A. SLICNER xxx-xx-x...
ALAN J. SNYDER xxx-xx-x...
BOBBY C. SPRINGER xxx-xx-x...
THOMAS M. STEDMAN, JR xxx-xx-x...
KENT R. STRINGHAM xxx-xx-x...
RUPERT K. STRUM xxx-xx-x...
JAMES A. SWABY xxx-xx-x...
WILLIAM W. WARD xxx-xx-x...
HENRY C. WOODCOCK xxx-xx-x...