SENATE—*Monday, January 31, 1994*

(Legislative day of Tuesday, January 25, 1994)

The Senate met at 1 p.m., on the expiration of the recess, and was called to order by the Honorable WENDELL H. FORD, a Senator from the State of Kentucky.

PRAYER

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

Let us pray:

*I beseech you therefore * * * by the mercies of God, that ye present your bodies a living sacrifice, holy, acceptable unto God, which is your reasonable service. And be not conformed to this world: but be ye transformed by the renewing of your mind, that ye may prove what is that good, and acceptable, and perfect, will of God.*—Romans 12:1,2.

Gracious Father in Heaven, as You know my heart, I have never felt a prayer more deeply than the one today.

Your servant, the Apostle Paul, who wrote the words with which this prayer begins, reminds us that our bodies were created to be God's temple, that God has a plan for each of us. And in that plan, we fulfill our maximum potential as persons. As we present our bodies to You, we take the first step in fulfilling the Lord's prayer: "* * * Thy will be done on Earth as it is in Heaven."

Mighty God, grant that every Senator and family may somehow comprehend this fundamental truth. And may every one of us who has the privilege of laboring on Capitol Hill comprehend this incredible possibility.

Save us, dear Lord, from being just a cheap copy of the Divine original God intended; a "might-have-been" rather than all we have the potential to be.

In His name who is love incarnate we pray. 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 31, 1994.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WENDELL H. FORD, a Senator from the State of Kentucky, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. GRAHAM). Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1:15 p.m. with Senators permitted to speak for not to exceed 5 minutes each. The Senator from Texas [Mr. GRAMM] is recognized for up to 10 minutes.

The Senator from Texas.

Mr. GRAMM. Mr. President, I thank you for your recognition.

EDUCATION IN WELFARE REFORM

Mr. GRAMM. Mr. President, last week, when I introduced a bill to expand the North American Free Trade Agreement to all of the Americas, I had an opportunity to talk about trade promotion and job creation.

I had an opportunity last week, when I introduced a crime bill to imprison predator criminals, to talk about the fact that for 9 years the Congress has talked about getting tough on crime, but yet during those 9 years, although we adopt tough bills in the Senate and often adopt tough bills in the House, those tough and effective measures are not enacted and nothing ever happens.

Last week I had an opportunity to talk about health reform, first on a consensus package that contained the five provisions of health reform that have been contained in every one of the major health reform proposals that has been introduced or discussed. I also introduced and spoke on a comprehensive health care reform proposal that builds on the strengths of the current system and that attempts to remedy the problems we have in health insurance and health care without destroying the private practice of medicine, without having Government take over and run our health care system.

Another subject that will be debated in Congress, and that I did not have an opportunity last week to talk about, is welfare reform, and I would like to devote my time today to that issue. The President has not yet proposed a bill, so what I would like to do is simply give one Member's thoughts on the subject and, hopefully, in the process not only clarify my own thinking but suggest to the administration and others how we might move ahead with welfare reform.

First of all, Mr. President, I believe that when the American public talks about welfare reform, they envision a dramatic change in the current system. I think that when most Americans talk about welfare reform, they mean spending less money on welfare and instituting reforms which ultimately mean fewer people riding in the wagon and more people helping to pull the wagon.

My frustration in the past with what Congress has called welfare reform is that it has almost always meant more spending, has generally meant more people qualifying for more benefits, has almost always meant larger bureaucracies, and has more often than not been the exact opposite of what most Americans would think of as welfare reform.

Here are my thoughts on the subject and areas that I intend to work on and push as we debate this important subject.

First of all, Mr. President, I believe everybody drawing public assistance ought to either work or go to school. I do not think anybody ought to be drawing welfare and doing nothing.

Let me talk about going to school. One of the problems that we have, obviously, is the cost involved in educating people. Another is that mothers with young dependent children have difficulty getting out of the house. I wish to make public today an idea that I have been working on which I think is vitally important and can be an important element in what ultimately will be our welfare reform bill this year.

When I was going to college, at the end of my freshman year I ran out of money and went out and looked for a job. In order to qualify for the GI bill, I had to maintain a certain number of hours of credit, which was very difficult while going to night school and working during the day. One of the things I did was to take correspondence courses. Basically the old correspondence course was a system whereby you signed up and you were sent lessons. You had to complete them and send them back to the university. They graded your lessons, sent them back to you, and then at the end of the term you went in, generally to a local community college, took a final exam, and they then gave you a grade.

We have the capacity today to offer every welfare mother in America an opportunity to visit nearby test centers, take a test, which could be graded by computer and which in 1 hour, could allow us to assess exactly what im-

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

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provements were needed in reading, writing, calculating, and reasoning. We could design a course of work that would be targeted toward her particular needs, so that we would literally have thousands of different levels of learning that would be present in these home correspondence courses.

We could mail the material to the welfare mother. She would get the material and a little punch card that she would simply mark with a lead pencil. We have the capacity to administer a tailormade course to every welfare mother in America to provide her with the wherewithal to improve her reading, her calculation skills, her reasoning skills, and we could grade that correspondence course material and make the payment of the welfare check contingent on participation, in and completion of this course work. This work could be done in the home. It would not take time away from child care. This is something the mother could do while she was actually in the home with the child.

I think that is something at which we ought to look.

In terms of general job training, we have tried Government training for a long time, and our experience has been almost uniform; that is, we end up training people to do things for which there is no market.

I strongly believe we ought to use welfare payments as a vehicle to provide subsidies to private businesses to train people who are drawing welfare to do real jobs and to do, in fact, real jobs in their own businesses.

I think it is very important when we adopt a welfare reform provision that the training provision be based in private industry. What we should do for those companies that are willing to train and hire people currently in receipt of public assistance is pay the company the welfare benefit; they in turn pay a training wage to the worker; and the welfare benefit ought to phase out as they complete training to help us make it possible for people to get into the private sector and for people to acquire real job skills.

I believe everybody in America on welfare who does not have young dependent children ought to be working. I have always been stunned at these welfare reform bills that have a provision that makes it illegal—and that will be, I would be willing to predict today, in the President's welfare submission, if it is anything like the past; there will be a provision that makes it illegal for us to use welfare recipients to do work that we are currently paying somebody to do. I do not understand that.

If the objective is to get positive public benefit, why can we not take welfare recipients and require them to work the number of hours that their check would require them to work at the minimum wage, and have that work substitute for work that we are now paying for so that we can save the taxpayers' money?

I believe that there are literally thousands of different things that the recipients could do. They could pick up paper along the streets. They could help us clean up our parks. They could wash windows on public buildings. We could take maintenance personnel that we now pay and use them as supervisors, and in the process clean up our parks, clean up our highways, clean up our cities, and get positive benefit in the process.

I believe there are many people receiving public assistance who, if they had to get up every morning and go to work for the city cleaning up parks, would have increased incentive to go out and look for jobs in the private sector at a real wage if they have to work anyway. I think we would have a greater incentive for people to take real jobs.

Finally, I think the time has come to reform a system that now encourages welfare mothers to conceive children out of wedlock. I do not think it makes any sense that a society should have positive economic incentives that encourage such behavior. I think we should have a serious debate as to whether we ought to increase the assistance for the first child born to a welfare recipient. But I think there ought not to be much debate about the second child. I do not think we ought to be encouraging people to have children in order to receive increased welfare payments.

I will speak about these proposals again as the welfare reform debate continues.

I thank the Chair for his indulgence.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

ORDER OF PROCEDURE

Mr. DORGAN. Mr. President, I ask unanimous consent to be allowed to proceed for 6 minutes in morning business.

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

Mr. HELMS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HELMS. I am not objecting. I want to know what the request is.

The PRESIDING OFFICER. The request of the Senator from North Dakota was to proceed for 6 minutes as if in morning business. Morning business is currently, under the order, to terminate at 1:15.

Mr. HELMS. I have no objection whatsoever.

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

Mr. DORGAN. Mr. President, I thank my colleagues.

DISPUTE OVER GRAIN SHIPMENTS

Mr. DORGAN. Mr. President, I want to alert my colleagues to a piece of legislation I intend to introduce in the Senate this week dealing with the trade dispute on the shipments of grain from Canada to the U.S.

I know that the shipment of grain, wheat, Durum, and barley does not mean very much to somebody unless you produce wheat, Durum, or barley, in this country. But unfair trade practices from our neighbors and trading partners mean a lot if you are a producer and it is taking money out of your pocket.

Let me describe this situation just a bit. Two weeks ago, a group of farmers used grain trucks to blockade a couple of country elevators in Montana, Scobey, MT. Why did they do that? Because of unfair grain shipments flooding into this country from Canada. This week, there is going to be a demonstration, or at least a gathering of farmers, up at the Peace Garden near the North Dakota/Canadian border on the same subject.

What is this trade dispute with Canada? It comes from the United States-Canadian Free Trade Agreement which our negotiators negotiated with Canada which resulted in a flood of grain coming into this country, sold in this country at below its cost, undercutting our farmers and costing our farmers hundreds of millions of dollars of lost income.

It is a new version accomplished in trade of the old proverb about the national economic cow that feeds in the Midwest and is milked on both coasts. The fact is, this trade negotiation was one that sold out American agricultural interests.

I have tried everything I can over 4 years to try to change this. We have had hearings. We have had legislation. We have done everything. We had trade negotiators negotiating, people running here and there. Everybody says good, smooth the problems. Yes; this is a problem. Yes; we can deal with it.

The fact is, the problem is getting worse, not better. Let me describe to you last month's information that we just received.

This is Durum wheat coming in from Canada. You can see what has happened. None in 1986; now it is equal to one-fourth of our domestic market. In the first 5 months of this year, 9.5 million bushels. You can see what is going to happen. We are going to be way above last year. The same is true with spring wheat. Exactly the same is true with barley. This problem is not getting better. This problem is getting worse.

I am going to introduce a bill this week in the United States Senate asking for us to rescind the provisions of the United States-Canada Free-Trade Agreement that deal with the agricultural titles. I am just flat sick and

tired of it. I am tired of bureaucrats. I am tired of excuses. I am tired of explanations. I am tired of negotiations which do not work. I am just flat tired.

If we cannot have a trade system that demands of our neighbors fair trade rules—I am not asking for something special; just fair trade rules. If we cannot have that, then we ought not to have a trade agreement, period.

So I have been through this for 5 years now. Everybody keeps saying, yes, we are doing this, that, or the other thing. The problem is getting worse. Yes; this trade Ambassador is better than anybody we have ever had. Yes; they are trying to take some action. But it is not fast enough. And this problem is growing.

So I am just flat sick and tired of this problem. This problem sucks money out of the pockets of people out there struggling to make a living. And unfair trade practices, sanctioned by our trade negotiators, who in my judgment struck an unfair deal with Canada—unfair for us—by selling out our agricultural interests, put our farmers in a position they should not be in.

We deserve and expect action. We deserve and expect trade agreements with our neighbors to represent fair trade.

You know the old proverbial thing about hitting the mule over the head with a 2 by 4 to get the mule's attention. I have hit these folks over the head, the Government over the head, with a Redwood tree. No one has blinked. Something is wrong.

I am just saying today that I am trying to protect it by saying if you cannot fix this United States-Canada Free-Trade Agreement, then scrap it and rescind the provisions that deal with agriculture. Let us start over.

Family farmers who plant a crop in the spring and risk their all in the hope they will harvest in the fall and have a decent price do not deserve to have that price undercut. They do not deserve to lose hundreds of millions of dollars because of unfair trade that was sanctioned in the trade agreement that never, in my judgment, should have been approved by the U.S. Congress.

So I will introduce this legislation this week. I hope that some of my colleagues will consider it an expression of opposition to incompetent trade negotiations and sign on with me, and let us try to ratchet up the pressure and see if we cannot do something that says, on behalf of those Americans who produce: We stand behind you. We very much expect you to compete. But at least we will make sure the rules are fair when you are forced to compete.

Mr. President, I yield the floor.

REMARKS BY SENATOR JOHN C. DANFORTH AT THE YALE LAW SCHOOL ALUMNI DINNER

Mr. CHAFEE. Mr. President, I ask unanimous concent to print in the RECORD a speech by our colleague, the senior Senator from Missouri, Senator JOHN C. DANFORTH, that he gave to the Yale law school alumni dinner in October of last year.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR JOHN C. DANFORTH AT THE YALE LAW SCHOOL ALUMNI DINNER, NEW HAVEN, CT, OCTOBER 8, 1993

Every Senate office is decorated with photographs of famous people. Many have Presidents, past and present. Some have Pope John Paul II, some Anwar Sadat; some Archbishop Tutu.

My office features a picture of Guido Calabresi, Dean of Yale Law School.

Actually, it is a picture of my daughter, Mary, graduating from the Law School five years ago, and Guido happens to be in the picture. But it is typically Guido. Mary is receiving her degree, a big smile on her face. Guido is in his exotic graduation get-up, the one he claims he received from an Italian university. His hand is on Mary's shoulder, and he is about to plant a kiss on her cheek, just as he kissed many, if not all, of the graduates that day.

I look at that picture often, always with pride in Mary, and always with the sense that it says a lot about Guido in particular and Yale Law School in general. Having attended but one law school, I have no basis for comparison, but I wonder how many law schools have kissing deans. I wonder how many law schools treat their students as whole persons, not as disembodied brains or, what is worse, disembodied sticky fingers.

There is no doubt in my mind that Yale Law School gives something special to its students. On this, I do have a basis of comparison, for, over the years, I have hired perhaps hundreds of young lawyers from many law schools. Yale graduates are bright, of course. But, beyond that, those I have known are whole persons. They have broad interests and good values. They are good lawyers, good Senate staffers and very good company. Surely, there are exceptions, but if generalizations are ever accurate, this is my experience with the graduates of Yale Law School.

It is not necessary to go on and on with the kudos, especially now that the alumni fund drive is over. I have a broader point to make which is that the qualities of Yale Law School, its values, its civility, are the very qualities that are in short supply in our country, especially in the public sector. Perhaps Yale Law School has more to offer America than a remarkable influx of its alumni into positions of public responsibility. Perhaps the law school, its faculty, students and alumni have opportunities to raise the level of public discourse in America from a point which is now so abysmally low.

A number of alumni have found their way into elective politics. Yet the spirit of Yale Law School is so far from the reality of today's political campaigns.

I came to this law school in 1960, the year of the Kennedy-Nixon election. I was an oddity, an open Nixon supporter. I recall vigorous arguments, especially one with Mike Horowitz, who later worked for Ronald Reagan. That was when he was a liberal. But no arguments at law school bear any resemblance to the outrage that is today's American political campaign.

Most discussion of campaign reform centers on the financing of campaigns. Most legislative efforts at reform concentrate on financing. But campaign financing is such an insignificant part of the overall outrage as to be beside the point. No politician is going to be corrupted by a $2,000 gift to a $5 million campaign, and no politician is going to be more honest if there is less to spend on an election.

The sickening quality of the modern campaign has nothing to do with financing. It has everything to do with format. It has everything to do with the 20 second sound bite and the 30 second commercial, because those short bursts of emotion and viciousness have become the near totality of today's campaigns.

Serious positions on significant issues cannot be expressed in 20 seconds. So the public receives a steady diet of frivolous positions on trivial issues. A candidate cannot lay out views on reducing the deficit or reforming health care in a matter of seconds. A candidate who wants to win cannot take an unpopular position without the time to explain that position. So politics has become a relentless quest for the negative sound bite: Congressman Jones voted to cut Social Security 18 times. Congressman Smith voted to raise his own salary. And, along with the quest for the sound bite is the officeholder's flight from any position that would invite a 20 second attack.

There is no way to abolish the 30 second commercial. But there is a possibility of supplementing sound bite politics with longer and more serious discourse.

In the spring of 1992, three Republican and three Democratic Senators went on Ted Koppel's program, "Nightline," to challenge the presidential candidates to appear separately on one-hour television programs to be interviewed by knowledgeable questioners on the single subject of the budget deficit. Our theory was that any politician can duck a question for a few minutes. No one can duck a question for an hour. That was just one idea about campaign format; there could be countless others.

My thought is that interested faculty, students and alumni of Yale Law School might address the subject of the format of political campaigns. Much of a lawyer's work is the clarification of issues and the development of means to address them. Those same skills could be applied to elective politics. It would be possible to identify, say, three major issues in a campaign, to create a format for addressing those issues, and to induce or even shame candidates into using that format. Raising the level of political campaigns would be a worthy extension of the spirit of Yale Law School.

A second area that cries out for a healthy infusion of civility is the Senate's methods of confirming presidential nominees. In saying this, I do not intend to refight old battles in which I was engaged. My concern extends beyond any specific individual to a system that has so run amuck that it is no system at all. The only rule today is that anything goes in the pursuit of ideological warfare. If you don't like a person's beliefs, you have a license to destroy the person, and there are no procedural protections, none whatever, to protect the nominee.

There is no right to counsel, no right to confront accusers, no power to take depositions or discover documents, no statutes of limitation, no rules of evidence—nothing. So confirmation fights are now scrambles to get the dirt on the nominee and get it into the hands of a willing media.

This law school has watched its own family fall victim to the confirmation process. If any institution in this country has a cause

and a duty to speak out on this obvious injustice, it is Yale Law School. And it cannot matter if you are a liberal or a conservative, a Democrat or a Republican. It was wrong to humiliate Bob Bork and Clarence Thomas, and it was just as wrong to humiliate Zoe Baird. The cause of justice cannot ebb and flow with changes in ideology or party label.

Members of the law school community could suggest the development of procedural safeguards that would provide at least some protection for presidential nominees. At a minimum, these safeguards should include the right to counsel. But, formal procedures in the confirmation process, however essential, are only part of the answer to what has become a national embarrassment. If the humiliation of nominees is the objective, ways will be found to accomplish that end regardless of the procedures we develop. For example, strict rules against leaking confidential material have not prevented leaks. At least as important as adequate procedural safeguards is a public outcry when injustice occurs. The Yale Law School community can make it a point to lead that outcry.

This, in fact, was done during the confirmation struggle of Bob Bork. To the great credit of the Law School faculty, dozens of its members, led by Guido and John Simon, signed an open letter. The letter states that, regardless of their differences on whether Judge Bork should be on the Court, the signers agreed that the characterization of him bore no resemblance to the person they knew.

Whether in election or confirmation contests, the no holds barred approach to political controversy is rationalized by the same claim: anything goes in the pursuit of victory. The candidate believes that the goal of public service justifies whatever means are necessary to get elected. The interest group believes that a nominee is so abhorrent that personal destruction is permissible. In each case, it is the same old claim. The ends are so worthy that any means are allowed to accomplish them.

There are two ways to counter such rationales, both of which deserve the attention of our Law School community. The first is based on experience; the second on higher claims to our loyalty.

The great lesson of experience is humility. Experience tells us that no political candidate ushers in the new age promised in the campaign. Few packages of legislation bring about the lofty goals envisioned by their sponsors.

A few weeks ago, the New York Times ran a story saying it was unclear whether the Cable Television Act lowered or raised the cost of cable TV. That was my legislation. I traveled the state of Missouri and beyond, telling all who would listen that because of my valiant efforts, their cable bills would go down. Maybe yes, maybe no.

Consider the parable of Clyde Orton, former sheriff of Pemiscot County, Missouri. This was my early lesson in the limits of government. Charging the sheriff with a variety of offenses against law and the public trust, then state Attorney General Danforth files a lawsuit to oust him from office. After a year or so in court, I succeeded. The bad guy was out. The new guy looked like Marshal Dillon, clean cut and strapping. It was a lot of effort, but what a victory for good government. I was so proud of myself, until the new guy was arrested for embezzlement.

That is the way of public life—a series of major battles, all waged with great energy and conviction, some own, some lost. And at the end, one wonders, I wonder, whether the victories did more good than harm, or is it the other way around.

I do not mean to sound cynical, for I am the opposite. One of the great things about this country is that whoever is in office, and whatever the agenda, life goes on, and life is good.

Not long ago, a person I know of Republican leanings put an earnest question to me. "Tell me," he said, "is Clinton a disaster for the country, or will we live through it?" I said, "I think we will live through it." When you see the President tomorrow, feel free to pass on my compliments.

Here is my point. Politics is combative. It is a clash of people and a clash of ideas. What makes civility possible is an element of doubt that your side might be wrong and the other side might be right. The implanting of that doubt is a great gift, whether to law students or interests groups or politicians.

Realism that comes from experience tells us that no political program deserves such confidence that it justifies destroying our opponents. So does the knowledge that there are higher claims to our loyalties than political agendas. If political platforms do not deserve ultimate loyalty, they cannot justify any means to attain them.

Consider the case of Dennis Johnson, a middle age, unemployed machinist for Greenwood, Indiana. Because he is a Boy Scout troop leader, he owns a large army tent. When he learned of the Great Flood of '93, he put his tent in the back of his car and drove to St. Louis County where he contacted the Salvation Army. He put up his tent, and for nearly six weeks, cooked three meals a day for flood victims. Dennis Johnson was not responding to any government leader or any government program. He was responding to the claim of a higher value that gives perspective on what government can do.

Earlier today, Yale Law School sponsored a panel discussion on religion and law. One of Yale's professors, Stephen Carter, has written a balanced book on the changing role of religion in American life. I doubt that many other American law school professors have written on this subject. My view is that religion can have a profound effect, for ill or good, on political discourse in this country. The idea that there are higher norms than those achievable on the floor of the Senate or at a White House signing ceremony can provide perspective and ultimately humility.

If one believes that religious values or higher ethical norms can be encapsulated in political programs, that the state can serve as the secular arm of the church, then political discourse becomes a confrontation between those who are on and those who are against the side of God. This notion that God's will can be both confidently known and concretely politicized is the message of the religious right. It is a notion that, I believe, will never be widely accepted in this country, and will always create angry reaction.

But, if one believes that religious values or higher ethical norms cannot be encapsulated in political programs, that the claim of religion transcends the best government can hope to achieve, that religious values are the standard by which all ideology is measured and found wanting, then that belief puts smug claims of moral superiority in their proper place, and makes civil discourse possible.

Yale Law School is a far cry from being sectarian or a promoter of religious values, but without being so it can recognize the moderating claims of higher values.

I suspect that for Dennis Johnson, the man with the army tent in St. Louis County, no politician, no political program, no ideology is worth living for and none is worth dying for. I suspect that most people are like him. They are good people and their goodness transcends politics. Perhaps the most important contribution a politician can make has nothing to do with any election or with any new program. Perhaps our best contribution is to respect, and maybe even evoke that goodness. If so, the in your face liberalism and in your face conservatism which dominates today's politics is both extraneous and insulting.

What a contrast between the warmth of Yale Law School and the cold, cold world of today's politics. This community has a long way to go in spreading its warmth to the world beyond. But it can start. It can start by examining the format of political campaigns and the process of Senate confirmation. It can speak out against the injustice of humiliation when it sees it. It can point with realism to the limitations of ideological agendas, and to the higher values that transcend political programs.

And, in the minds of the most combative and self-righteous of political adversaries, it can imprint the wonderful image of its kissing dean.

Mr. CHAFEE. Mr. President, I have always considered Senator DANFORTH to be one of the most thoughtful Senators there is in this body. When he turns his attention and thoughts to a problem and discusses it, I for one—and I think most of my other colleagues, likewise—pay attention to what he has to say.

This speech which he gave, as I mentioned, at the Yale Law School alumni dinner, dealt with the problems that are now occurring in connection with not only the modern campaigns but the confirmation process. I think it pertains to so much that comes up before us in these recent days and during the last year and going back further than the last year.

Mr. President, I might say I am very discouraged that it takes so long for these nominations to get up here. I do not think it is the fault of the Senate and I do not want to blame the administration because the administration feels it has to go through this background check and find out if someone paid Social Security on his or her baby sitter, and on an on it goes. But whatever is happening in connection with these nominations there comes a frequent viciousness and I think even an effort to humiliate some of the nominees. I think it is wrong, and I urge all my colleagues to read what Senator DANFORTH has to say on that subject.

I might say, Mr. President, in passing, that something seems to go askew in this nomination process. I was nominated for a Presidential appointment in 1969. A new administration came in. President Nixon's administration came in. It was a new administration and of a different party. The President was sworn in on January 25, 1969, I was sworn in, having been through the entire process on January 31, 6 days later.

They reviewed my records and they went over whatever financial holdings I had, and I appeared before a committee and I came to the Senate and was confirmed 6 days after the President was sworn in.

Now we have a situation where from my State we do not even have the U.S. attorney sworn in yet, a year after the Attorney General came into office—or, I guess she did not come in quite a year ago—and discharged all the old U.S. attorneys from the other party. The Senator from my State, the Democratic Senator, chose a fine replacement, and that replacement has not even come up before the Judiciary Committee yet.

So, Mr. President, I just hope we will step back and give some thought to this whole process, see what is going wrong, and particularly pay attention to the speech that was given by our distinguished colleague. I will just read a couple of lines from it, if I might.

> Whether in election or confirmation contests, the no holds barred approach to political controversy is rationalized by the same claim: anything goes in the pursuit of victory. The candidate believes that the goal of public service justifies whatever means are necessary to get elected. The interest group believes that a nominee is so abhorrent that personal destruction is permissible. In each case, it is the same old claim. The ends are so worthy that any means are allowed to accomplish them.

And on he goes. He deplores what took place with Robert Bork. He deplores what took place with Clarence Thomas. And he deplores what took place with Zoe Baird.

Mr. President, I have real concern over whether we are going to be able to attract our finest people to service in this Federal Government if this warfare continues as it has in the past.

So, Mr. President, I commend to my colleagues this speech by Senator DANFORTH and hope they will read it. I hope all of us will absorb the fine lessons that are in it.

I thank the Chair.

JACKIE VAUGHN

Mr. SIMON. Mr. President, one of the really effective leaders in the State of Illinois died from cancer recently.

She was Jacqueline Vaughn, who was the president of the Illinois Federation of Teachers and president, for many years, of the Chicago Teachers Union.

She was a fighter with a great sense of responsibility.

I had the opportunity to work with her, not only on education issues but other issues, and always came away with the feeling that Illinois was fortunate to have Jackie Vaughn in our midst.

The State of Illinois has lost one of its finest citizens with the death of Jacqueline Vaughn.

IRRESPONSIBLE CONGRESS? HERE'S TODAY'S BOXSCORE

Mr. HELMS. Mr. President, as of the close of business on Friday, January 28, the Federal debt stood at $4,512,950,244,156.40, meaning that on a per capita basis, every man, woman and child in America owes $17,310.16 as his or her share of that debt.

THE RETIREMENT OF JEANNE ROBY

Mr. MOYNIHAN. Mr. President, I rise today to recognize an individual who has very ably served the Senate Finance Committee and the Congress for the past quarter century. Earlier this month, during the recess period, Jeanne Roby retired from the staff of the Finance Committee. I know that everyone who worked with Jeanne will miss her greatly.

Jeanne joined the Finance Committee staff in 1971, after working for 3½ years at the Committee on Banking and Currency in the other body. At Finance, she served in various capacities, most recently handling administrative matters for the tax division. Jeanne's professionalism, dedication to duty and hard work were unsurpassed. She made a major contribution in accomplishing the work of the committee. Having served under five Finance chairmen, Jeanne also became an important source of the institutional memory of the committee. Her kindness, thoughtfulness, and wonderful sense of humor made her a joy to work with.

Jeanne leaves us for a part-year post with the Maryland General Assembly. This will give her more time to be with her husband Roby, for boating on the Chesapeake, and, of course, for her beloved Scottish Terrier Watson.

On behalf of the Finance Committee, I would like to thank Jeanne Roby for over 22 years of hard work, and to wish her all the best in the coming years. I hope she will remember fondly her days with us. We will all certainly miss her.

JAMES BROWN

Mr. THURMOND. Mr. President, I rise today to recognize one of our Nation's best known personalities, the Godfather of Soul—James Brown.

When describing the career of Mr. Brown, one must use words such as "prolific" and "enduring." From the streets of his historic hometown, the garden city of Augusta, GA, Mr. Brown has spoken to people of all generations, races, and nationalities through his unique music. There are few people in the world who do not know who the "hardest working man in show business" is, or who could not sing a few lines of their favorite James Brown song, when asked to do so.

Mr. President, James Brown is truly an international figure and an Ambassador of Good Will.

VIETNAMESE POW/MIA COOPERATION

Mr. KERRY. Mr. President, last week we had an important discussion about Vietnam and progress on POW/MIA accountability. That vote was a very important vote.

Those who voted for the resolution regarding the embargo I know did so with both the hope and conviction that the POW/MIA accounting process will not only continue, but that it will be significantly enhanced by the process of opening up.

In furtherance of the debate I had requested from the Defense Department a detailed accounting of some of the progress that had been made with respect to that accounting process and the criteria set down by President Clinton.

I now ask unanimous consent that a letter responding to my inquiry from the Acting Deputy Assistant Secretary of Defense, Ed Ross, on this matter, be printed in the RECORD.

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

THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,
Washington, DC, January 28, 1994.

Hon. JOHN F. KERRY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KERRY: Enclosed is the information you requested highlighting Vietnamese progress in the four key areas President Clinton identified in his July 2, 1993 speech on POW-MIA affairs. I hope this meet your needs. Please let me know if my office can be of any further assistance.

Sincerely,

EDWARD W. ROSS,
Acting Deputy Assistant Secretary of Defense, POW-MIA Affairs.

Enclosures.

VIETNAMESE POW/MIA COOPERATION

On July 2, 1993, President Clinton stated that further steps in U.S.-Vietnam relations would be based on "tangible progress" towards the fullest possible accounting. The President set out four key areas in which we seek progress:

Concrete results from efforts by Vietnam to recover and repatriate American remains.

Continued resolution of 92 discrepancy cases, live sightings, and field activities.

Further assistance in implementing trilateral investigation with the Lao.

Accelerated efforts to provide all POW/MIA related documents that will help lead to genuine answers.

REMAINS

President's Criterion: Concrete results from efforts by Vietnam to recover and repatriate American remains.

Since the President's call, 39 remains have been repatriated, bringing the total repatriated in 1993 to 67. This is more than twice the number repatriated in 1992 and the third highest number for a single year since the end of the war.

August 1993: As a result of information gained from photographs, documents, and interviews provided by the Vietnamese, we were able to present the SRV with a list of 84 cases in which the U.S. believed Vietnamese at one time had custody of American re-

mains. Vietnam pledged its assistance. Hanoi stepped up publicity of its remains amnesty program, including a promise of payment for valid remains.

September 1993: JTF-FA and Hanoi formed Special Research Team to conduct field investigations to attempt recovery of these remains in 84 cases.

October 1993: Special Remains Team traveled to U Minh Forest in southern Vietnam to search for remains. Vietnamese located witnesses who pointed out grave sites; 7 excavations are scheduled for the upcoming dry season.

January 1994: Three sets of remains returned in 1993 identified; 8 in final identification stage; 25 more recommended for identification; balance still under analysis.

PREVIOUS PROGRESS

1974-83: Vietnamese returned 87 sets of identifiable U.S. remains.

1985-86: In conjunction with ASD Armitage's efforts to encourage an increase in unilateral repatriation of remains, Hanoi returned 57 sets of identifiable remains.

1987-90: Vessey initiative sparked increased repatriations, 122 remains identified, with a high of 62 identified in 1988.

1991-92: Repatriations of identifiable remains dropped; 11 sets identified.

DISCREPANCY CASES

President's Criterion: Continued resolution of 92 discrepancy cases, live sightings, and field activities.

After July 2, 1993, the priority case investigation team (PCIT) focused on joint U.S.-SRV investigations of 92 remaining priority last-known-alive discrepancy cases. Between July 93 and January 94 information provided by the PCIT process enabled DOD to confirm the death of 19 individuals. As of January 1994, we have confirmed the death of 123 of the original 196 individuals associated with priority last-known-alive discrepancy cases.

April 1993: Based on results of joint investigations and archival research, confirmed fate of 43 individuals, bringing number of priority discrepancy cases down to 92.

June 1993: JTF-FA formed Priority Case Investigation Team (PCIT) to provide quick follow-up of leads throughout Vietnam.

August 1993: Vietnam facilitated rapid follow-up live sighting investigations based on refugee reports.

September 1993: PCIT reports enabled DOD to determine fate of 12 individuals, bringing original 196 total down to 80.

January 1994: Continued investigations by PCIT resulted in additional confirmation of death on 7 individuals, bringing total priority cases down to 73.

PREVIOUS PROGRESS

August 1987: General Vessey gets Vietnamese agreement to investigate cases that illuminate the live prisoner issue.

September 1988-May 1990: Ten iterations of joint investigations in Vietnam completed. Cooperation slowly increased. Number of U.S. personnel permitted in country per round doubled, and number of cases investigated per round more than tripled.

July 1990: Based on results of joint investigations and remains repatriations, fate was confirmed on 57 of the total 196 individuals involved in priority cases.

August 1990-December 1991: Iterations 11-15 of joint investigations completed; results in determination of fate for four priority cases, bringing total down to 135.

November 1991: Vietnam permitted first in-country live sighting investigation.

January 1992: JTF-FA established.

February 1992—March 1993: Iterations 16-22 completed; by 22nd Iteration, teams had again doubled in size. Vietnamese cooperation continued to increase in terms of access, frequency and scope of our investigations.

March 1992: Vietnam agreed to expand live sighting, investigations and permit short notice visits. To date, the U.S. has conducted 78. None of these investigations produced evidence of a live POW.

TRILATERAL INVESTIGATIONS

President's Criterion: Further assistance in implementing trilateral investigation with the Lao.

In December, 1993 we completed the first ever trilateral investigation of 14 border cases involving 39 individuals. Continued trilateral cooperation with Vietnam and Laos is key to resolving these border cases where the vast majority of our losses in Laos occurred.

May 1993: Vietnamese agreed to consider simultaneous joint activity in Vietnam and Laos. Also provided summary of interviews with 21 senior PAVN officers who served in Laos.

August 1993: U.S., Lao, and Vietnamese officials agreed on mechanism for trilateral cooperation.

September 1993: Vietnam provided record of aircraft shot down by Group 559, the Vietnamese military organization responsible for actions along the Ho Chi Minh Trail in Laos. Record contained information on 111 cases involving 217 unaccounted-for Americans.

November 1993: JTF-FA, Vietnamese, and Lao conducted trilateral preparation meetings in Hanoi.

December 3-20, 1993: Trilateral investigation of 14 border cases involving 39 individuals. JTF-FA indicated exceptional Vietnamese cooperation; however, adverse weather severely hampered progress.

PREVIOUS PROGRESS

October 1989: General Vessey identified a group of Vietnam-Laos border cases. He proposed to the Vietnamese that the U.S., Vietnam, and Laos conduct trilateral investigations in order to resolve these cases.

December 1991: Vietnamese attended trilateral meeting in Laos and agreed to provide information on cases.

ARCHIVES

President's Criterion: Accelerated efforts to provide all POW/MIA related documents that will help lead to genuine answers.

After President's July 2, 1993, call for progress, the Vietnamese have given us access to especially important wartime political and military documents directly related to POWs and combat incidents that could provide leads to the location of remains of MIAs. To date, more than 25,000 documents, artifacts, and photographs related to U.S. POW/MIAs have now been examined with over 600 items correlating to missing servicemen.

April 1993: To General Vessey: 7 records of U.S. graves with sketch maps; rosters of Americans captured in southern Vietnam and in northern Vietnam; list of Americans who died in captivity in southern Vietnam.

May/June 1993: Opening of Joint Document Center in Hanoi. Senator Kerry and document center provided with multiple documents, including statistical summaries, battle sketches and summaries, and POW medical records. Began survey of 319 wartime films from Vietnamese archives.

July 1993: 15 documents, including: 8 battle sketches; 2 shootdown records; 4 sketches of air defense engagements; record of U.S. aircraft shot down in Military Region 3.

August 1993: 12 documents including burial documents and battle sketches of air defense engagements in Military Region 2.

September 1993: 6 documents related to Group 559 activities on Ho Chi Minh Trail, including comprehensive 58-page air defense record of aircraft reportedly shot down. Collection of 548 documents from Group 875, the POW camp administration group.

December 1993: Three groups of multiple documents, including responses to queries on 84 remains cases; unilateral Vietnamese case investigation reports; list of American personnel who were killed in Vietnam but whose remains were not recoverable.

January 1994: Personal war diary of former PAVN air defense battalion commander.

PREVIOUS PROGRESS

May 1991: U.S. researchers began coordination in Central Army Museum in Hanoi for longterm exploitation of Vietnamese records and artifacts. This marked the beginning of a systematic and extensive program to review Vietnamese archives, resulting in eventual examination of over 25,000 items related to U.S.POW/MIAs.

February 1992: Given to General Vessey: summary shootdown record of U.S. aircraft in Military Region 4.

November 1992: To Senator Kerry: six documents, including 1 province list of pilots captured and killed, 3 shootdown records, and 2 graves registers. Archival Research Team in Hanoi began work at Hanoi's Central Army Museum.

December 1992: To Senator Kerry: 6 shootdown records; 3 graves registers; 1 book; miscellaneous photos, etc.

ADDITIONAL POINTS

In addition to results in the President's four key areas, there have been other aspects in which Vietnam has assisted POW/MIA accounting:

July 1991: U.S. POW Office established in Hanoi. Initially Vietnam limited the staff to four Americans. By January 1994, the staff had been permitted to expand to 19 permanent personnel, some of whom frequently travel or work throughout the country.

January 1992: Joint Task Force—Full Accounting established to conduct expanded joint operations in Southeast Asia.

May 1993: Vietnam instituted oral history program, agreeing to facilitate interviews of 83 persons identified by U.S. By January 1994, 70 interviews completed, resulting in information on 20 unresolved cases.

July 1993: Defense Prisoner of War/Missing in Action Office established consolidating the DIA Special Office on POW/MIAs, the Central Documentation Office, the U.S. Army's Task Force Russia, and the Office of the Secretary of Defense for POW/MIA Affairs.

FOREIGN RELATIONS AUTHORIZATION ACT

The PRESIDING OFFICER. 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) Helms Amendment No. 1290, to give fullest possible consideration to asylum applications from Chinese nationals fleeing coercive population control policies.

(2) Helms Amendment No. 1291, to express the sense of the Senate that certain conditions should be met before the People's Republic of China is accorded nondiscriminatory most-favored-nation treatment.

The PRESIDING OFFICER. Under the previous order, the Senator from Mississippi [Mr. LOTT] is recognized to offer his listed amendment.

PRIVILEGE OF THE FLOOR

Mr. LOTT. Mr. President, I first ask unanimous consent that Carl Biersack be granted floor privileges for the duration of Senate consideration of S. 1281, the State Department authorization bill.

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

AMENDMENT NO. 1315

(Purpose: Prohibition on security assistance for countries that consistently oppose the United States position in the United Nations General Assembly)

Mr. LOTT. Mr. President, 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 Mississippi [Mr. LOTT], for himself and Mr. HELMS, proposes an amendment numbered 1315.

On page 82, after line 23, add the following new section:

SEC. 170B. PROHIBITION ON SECURITY ASSISTANCE FOR COUNTRIES THAT CONSISTENTLY OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY.

(a) PROHIBITION.—Security assistance may not be provided to a country that consistently opposed the United States position in the United Nations General Assembly during the most recent session of the General Assembly.

(b) CHANGE IN GOVERNMENT.—If—

(1) the Secretary of State determines that, since the beginning of the most recent session of the General Assembly, there has been a fundamental change in the leadership and policies of the government of a country to which the prohibition in subsection (a) applies, and

(2) the Secretary believes that because of that change the government of that country will no longer consistently oppose the United States position in the General Assembly,

the Secretary may submit to the Congress a request that the Congress enact an exemption from that prohibition for that country. Any such exemption shall be effective only until submission of the next report under section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991. Any request for such an exemption shall be accompanied by a discussion of the basis for the Secretary's determination and belief.

(c) WAIVER AUTHORITY.—The Secretary of State may waive the requirement of subsection (a) if the Secretary determines and reports to the Congress that despite the United Nations voting pattern of a particular country, the provision of security assistance to that country is necessary to promote United States foreign policy objectives.

(d) DEFINITIONS.—As used in this section—

(1) the term "consistently opposed the United States position" means that the country's votes in the United Nations General Assembly coincided with the United States position less than 25 percent of the time, using for this purpose the overall percentage-of-voting coincidences set forth in the annual report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991;

(2) the term "most recent session of the General Assembly" means the most recently completed plenary session of the General Assembly for which overall percentage-of-voting coincidences is set forth in the most recent report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; and

(3) the term "security assistance" means assistance under—

(A) chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) chapter 5 of part II of that Act (relating to internationally military education and training), or

(C) the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act,

except that the term does not include narcotics-related assistance.

(e) EFFECTIVE DATE.—This section takes effect upon submission to the Congress of the report pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, that is required to be submitted by March 31, 1994.

Mr. LOTT. Mr. President, I ask unanimous consent that Senator HELMS be added as an original cosponsor of this legislation.

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

AMENDMENT NO. 1316 TO AMENDMENT NO. 1315

(Purpose: Prohibition on security assistance for countries that consistently oppose the United States position in the United Nations General Assembly)

Mr. HELMS. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDENT OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 1316 to amendment No. 1315.

Mr. HELMS. 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 the first word, and insert:

SEC. 170B. PROHIBITION ON SECURITY ASSISTANCE FOR COUNTRIES THAT CONSISTENTLY OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY.

(a) PROHIBITION.—Security assistance may not be provided to a country that consistently opposed the United States position in the United Nations General Assembly during the most recent session of the General Assembly.

(b) CHANGE IN GOVERNMENT.—If—

(1) the Secretary of State determines that, since the beginning of the most recent session of the General Assembly, there has been a fundamental change in the leadership and policies of the government of a country to which the prohibition in subsection (a) applies, and

(2) the Secretary believes that because of that change the government of that country will no longer consistently oppose the United States position in the General Assembly,

the Secretary may submit to the Congress a request that the Congress enact an exemption from that prohibition for that country. Any such exemption shall be effective only until submission of the next report under section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991. Any request for such an exemption shall be accompanied by a discussion of the basis for the Secretary's determination and belief.

(c) WAIVER AUTHORITY.—The Secretary of State may waive the requirement of subsection (a) if the Secretary determines and reports to the Congress that despite the United Nations voting pattern of a particular country, the provision of security assistance to that country is necessary to promote United States foreign policy objectives.

(d) DEFINITIONS.—As used in this section—

(1) the term "consistently opposed the United States position" means that the country's votes in the United Nations General Assembly coincided with the United States position less than 30 percent of the time, using for this purpose the overall percentage-of-voting coincidences set forth in the annual report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991;

(2) the term "most recent session of the General Assembly" means the most recently completed plenary session of the General Assembly for which overall percentage-of-voting coincidences is set forth in the most recent report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; and

(3) the term "security assistance" means assistance under—

(A) chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) chapter 5 of part II of that Act (relating to internartional military education and training), or

(C) the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act,

except that the term does not include narcotics-related assistance.

(e) EFFECTIVE DATE.—This section takes effect upon submission to the Congress of the report pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, that is required to be submitted by March 31, 1994.

Mr. LOTT. Mr. President, I would like to say to the distinguished manager of the bill, I believe they both have a copy of this amendment.

Mr. HELMS. That is right.

Mr. LOTT. Mr. President, in these tight budgetary times, we have all been asked to examine the Federal Government and its programs to see if we can do a better job of controlling the funding and make sure that once they are funded they run properly.

I believe that foreign policy authorizations should not be exempt from the

same fiscal scrutiny that our domestic programs are now undergoing. Having said that, I find it difficult to defend spending American tax dollars on nations that block our initiatives and vote to oppose our values in the United Nations.

I ask my colleagues to just think about this when you go home to your respective States—in Florida, Massachusetts, North Carolina, and Mississippi. People always ask questions about our foreign policy and about foreign aid. We all know foreign aid is not very popular, and we all know that some of it is constructive and has been helpful in promoting freedom and democracy around the world. But if people really knew that we were giving their taxpayer dollars to nations that consistently, regularly, aggressively oppose the United States in the United Nations on positions that are important to our country, they would not believe it.

This amendment would say if a country does not vote with us at least 25 percent of the time, that they would not get military assistance—and I will give the details of this later—not 100 percent, not 80 percent, not 50 percent, not even 40 percent, but at least 25 percent of the time. There are 43 countries that vote against us 75 percent of the time or more and still get military assistance grants. That does not include countries like North Korea and Vietnam. Forty-three nations consistently oppose the U.S. position and still get military assistance grants.

So there should be some reasonable standard criteria before we provide security assistance to a nation. A threshold of 25 percent voting coincidence with the United States during the most recent United Nations General Assembly is an excellent yardstick. In other words, let us look at how much they voted with us in the previous year. The State Department is required to keep a compilation of this list.

Failing to support America at least a fourth of the time will affect grants a nation receives from the following accounts: International Military Education and Training [IMET]; Foreign Military Financing [FMF]; and Economic Support Fund [ESF].

The amendment exempts humanitarian aid and developmental assistance from this criteria. Now, think about that. We are talking about the money that goes for military training—grant money from the United States taxpayers—to a country that votes with us less than 25 percent. We are giving them military aid.

Some people would say: "But what about the people?" I thought about that, and I exempted certain programs. Let us not punish the people for the bad actions of their government. Let us, frankly get at the governments. Why should we be aiding them militarily while they are voting against us, consistently, at the United Nations? So humanitarian and developmental assistance are specifically exempted.

Let me tell you, the people back home would want that to be cut, also. They do not think we ought to even be giving humanitarian or developmental assistance to a country if they are consistently opposing our positions in the United Nations. The rationale is clear. Assistance which goes directly to the government would be stopped, but economic assistance which supports their needy citizens would not be impacted.

I emphasize that this is not something that has not been considered before either; it has been. In fact, this amendment, or language like this, was offered by Congressman Goodling of Pennsylvania in the House and is included in Chairman Hamilton's foreign assistance bill, H.R. 2404. There are some differences, but fundamentally the principle is the same. It sets a minimum percentage of support in the United Nations in order to get this military assistance.

We are under no moral obligation—in fact the reverse is true—to give U.S. taxpayer dollars to enhance a nation's security when that same nation mocks our own security efforts and ideals. However, I have provided a waiver provision if it is requested by the Secretary of State. I have learned from past experience on amendments to State Department bills and authorizations for foreign aid, if you give the Secretary of State, whether it is this administration or previous administrations, this wavier, quite often, unfortunately, they will come in and say: "This is in our national interest."

I do not like that, but we wanted to give that leverage. If there were overriding national security interests, for us, then the Secretary of State would be able to request this exception.

Foreign aid as a handout is over. We all know that. And the committee is trying to tighten up on it in a number of ways. But there are some questions I think we have to ask. Why aid the security of another nation when they subsequently vote against our security at the United Nations? Why spend taxpayer dollars on nations that block our initiatives and vote to oppose our values at the United Nations?

There are too many nations who clearly do not see things our way, the way we do things, and they disagree with us. That is OK. They have a right to make a decision of what they want to do or how they want to vote at the United Nations. But it is not OK to subsidize that attitude and behavior and that opposition with our taxpayer dollars.

It is both ineffective and counterproductive to provide security assistance to countries who clearly do not share America's security interests.

The amendment is not coercing nations to vote with us. No, the standard is not coercive. It is not 100 percent or 80 percent; it is only 25 percent. It is not a congressional mandate prescribing how the money will be spent, nor does it usurp the President's power to direct foreign policy. You have the waiver that can be made by the Secretary of State. This amendment just says nations will not get military grants if they do not vote with us. Only the actions of each individual nation will negatively affect its own security assistance. It is their choice. They can make that decision. But they need to know we are not going to subsidize that decision.

If this language had been in the law last year, it would have saved $190 million. I have the list of support right down the line of countries that vote with our position: Israel, 92.3 percent; Croatia, 78.9; United Kingdom, 73.6; Belgium, France, Germany, Italy, Russia. Russia has been voting with us 59.6 percent of the time. Canada, Japan, Greece, Turkey, all vote with us overwhelmingly on key issues. But there are 43 nations on this list that get this foreign security assistance and vote against us 75 percent of the time or more. I have the list if any Senators would like to look at it. It might surprise people. The list includes Algeria, Angola, Belize, Ethiopia, India, Jordan, Lebanon, Mexico, Morocco, Mozambique, and 33 more. If they change their voting pattern, they would not be affected.

So I urge my colleagues to support this amendment. It makes good common sense. Clearly, the people would support it.

The House has language in its foreign assistance bill, and I think that it is long overdue that we at least take a look at how nations vote at the U.N. and how much military foreign assistance they receive.

Mr. President, before I yield I would like to request the yeas and nays.

Mr. KERRY. Mr. President, will the Senator withhold?

Mr. LOTT. I am glad to withhold at this point, and for the sake of facilitating debate I would be glad to yield the floor at this time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank my colleague for withholding, and I asked him to withhold because I want to discuss with him the potential of the modification on his own behalf.

This amendment raises very legitimate important questions. I think there are many of us who are apprehensive about a policy of a rigid, if you will, formula by which you begin to make a determination about who gets what. It is never that easy in foreign policy, as I know my friend from Mississippi understands.

On the other hand, he has tried to be sensitive to that and I think has been sensitive to that with a very fair provi-

sion here, very broad discretionary provision for the Secretary to make determinations.

So what the Senator is really doing is raising a very important question and laying it upon the table as strongly as possible without clashing with that fundamental distinction between Presidential prerogative on foreign policy and congressional oversight. I think we all appreciate that tension.

I would like to ask the Senator if he might not consider, first of all, a modification which might exempt IMET. There are three types of assistance which the Senator has included. The economic support fund, the foreign military financing, which used to be foreign military sales, and IMET, the international military education training.

The reason I suggest that is that IMET of the three functions is perhaps the one most directed towards trying to prevent people from behaving in ways that we find abhorrent, and it is, in fact, that specific training that tries to reduce the potential for abuse among militaries, tries to maximize legal systems within their structure, with some process of responsibility. I am not sure that we are well-serving our own best intentions by reducing that very tool.

On the other hand, obviously you do not want military weapons, you do not want undue economic assistance. And so I simply raise this issue with my colleague as to whether or not that might or might not be worth considering.

But apart from that, I would say to the Senator that I think this is an amendment that we could accept. As he says, it is in the House aid bill, and I think it is something that can be adhered to.

I would ask my colleague a couple of questions, if I might. Would he share with other colleagues in the Senate perhaps a few examples of some of the issues that have fallen into that 25 percent level or 30 percent level where countries whom we are giving assistance to have not, in fact, seen fit to be supportive and how it has made a difference to us? I think this would simply help to articulate why this is important.

Mr. LOTT. First, if the Senator will yield, let me respond to his earlier suggestion. IMET is the smallest piece of the three military assistance funding areas. I believe actually of the $190 million that would have been affected only $17.28 million come under the category of the IMET, International Military Education and Training.

I understand what the Senator is saying, but I still think that it is pretty hard to explain to the people or justify that we are providing funds for military education and training to countries that vote against us 75 percent of the time or more.

I realize some of it may be used in good ways. I can understand that. But I am hesitant to take that feature out. I recognize that it is for education and training. But when you are talking about providing our taxpayers' dollars to those nations who oppose us and give them even more military training, I think Americans would be very, very hesitant to feel like that would be a wise and proper investment.

In direct answer to the Senator's request of examples of how they vote against us, again I point out that these 43 nations voted against us 75 percent of the time.

Some argument might be made that many of these votes are just procedural in nature and they really do not matter. Well, all votes count. Look. They vote against us on an entire range of matters that are very important.

Because all votes are considered, I picked this relatively low threshold. I did not want it to drive or unduly influence procedural or unimportant issues. The bottom line is that these countries are voting against America on important world issues.

If you like during the process of this debate, I will find a couple of examples that help our argument.

Mr. KERRY. Let me say to my friend, that I do not ask the question by means of suggesting that the answer would not help. I know it will. I simply thought that the RECORD ought to reflect the rationale for this so that we have a full understanding of the types of situations so people can have a better understanding of why it is important. I think it could be good if we could put that in the RECORD.

I might say to my friend, also, that the type of training in military education, it is really command and control, justice-oriented, systems-oriented in the context of accountability, and not the kind of training that teaches them how to go out in the field and shoot other people. Training to our advantage is fundamentally what I am suggesting, something we tried to do, for instance, in the military in El Salvador. I could run through a number of the countries where it has been important. But, at any rate, I would just like to pursue that a little bit further with you.

I see the Senator from North Carolina is on his feet. Why do we not pursue it later? If the Senator wants to address this issue, I will yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

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

The PRESIDING OFFICER. The pending amendment is the second-degree amendment.

Mr. HELMS. Correct.

The PRESIDING OFFICER. Is there a sufficient second for the yeas and nays on the second-degree amendment?

At the present time there does not appear to be a sufficient second.

Mr. HELMS. 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. 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, subject to the request of the managers to recall the amendments, the amendment of the Senator from Mississippi and the second-degree amendment of the Senator from North Carolina be temporarily set aside.

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

Mr. KERRY. Mr. President, I believe the Senator from Maine has an amendment which we will proceed to; again, subject to the call of the managers.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 1317

(Purpose: To require a report on Russian military operations in the Independent States of the former Soviet Union)

Mr. COHEN. Mr. President, 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 Maine [Mr. COHEN] proposes an amendment numbered 1317.

Mr. COHEN. 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:

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 Russian Federation, outside the borders of the Russian Federation and, specifically, 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 Armenia, 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 November 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.

Mr. COHEN. Mr. President, Russian nationalists have been gaining influence for some time. Not just bombastic extremists like Vladimir Zhirinovsky, but also a large segment of the Russian senior officer corps and foreign policy elite. This includes many who are viewed in the West, not necessarily incorrectly, as democratic reformers. The primary focus of these nationalists is what they call the near abroad: the new countries formed after the breakup of the Soviet Union that have significant Russian minorities.

The new Russian military doctrine, which Yeltsin approved after October's violent showdown, seems to display both imperialist designs on Russia's neighbors and deep-seated fears that the West is implacably hostile to Russia.

This imperialist threat is more than just a paper doctrine. The Russian military has been putting it into practice. To give you an example, this summer, it set up a protection racket in the caucuses. First, it gave military aid to separatists fighting the Georgia government led by former Soviet Foreign Minister Shevardnadze—whom the Russian military blames for having lost Eastern Europe. Then, after bringing Shevardnadze to the point of defeat, it agreed to save his government in exchange for Georgia joining the Commonwealth of Independent States. This grouping might be more accurately named the Commonwealth of Temporarily Independent States, since many Russians hope to use it as the vehicle to rebuild their empire.

In 1992, a purportedly run-away Russian division came to the aid of ethnic Russian separatists in Moldova, setting up the self-proclaimed Dneister Republic on Ukraine's western border. This sent a signal to other near abroad countries that they, too, might be carved up if they did not cooperate satisfactorily. It also put Ukraine in Russian pincers, with a western front ready to be opened in the event Russian-Ukraine disagreements turn to hostilities.

Earlier this year, the Russian military helped oust the democratically elected leaders of Azerbaijan. First, they provided military aid to Armenia, whose resulting military successes weakened by Azerbaijan's government. Russia then reportedly dealt the fatal blow by providing heavy armaments to a renegade Tajik military unit that moved on the capital and by supporting the former communist head of Azerbaijan in his successful effort to regain the Presidency.

The Russian military is also heavily involved in the civil war in Tajikistan, supporting the former Communist apparatchiks against the democratic and Islamic opposition.

The Clinton administration's response over the past year to these Russian military interventions was to ignore them, while supporting efforts to aid President Yeltsin's government and cooperate with the Russian military. When it finally did turn its attention to this disturbing trend, however, the policy the administration adopted can be described as confused, at best.

During the Moscow summit, President Clinton compared Russian military interventions in the so-called near abroad to United States operations in Panama and Grenada and other places near our area. He specifically cited as stabilizing Russia's choreography of the conflict in Georgia, which led to an offer of protection that Shevardnadze could not refuse. Besides asserting its claim that Georgia falls within Moscow's sphere of influence, the humiliation of the government of Shevardnadze—whose policies led to German unification, freedom for Eastern Europe, and the break-up of the Soviet Union—involved a symbolism that may be lost on the administration, but not on Russians nor their neighbors.

No doubt emboldened this Clinton doctrine, as Washington Post columnist Stephen Rosenfeld recently described it, Russian Foreign Minister Andrei Kozyrev clearly stated Russia's intent to reestablish a "sphere of Russian interest." "We should not fear the words," he declared in a statement obviously directed at his fellow Russians and not Russia's neighbors.

Then, just 2 weeks ago, the world was stunned with a statement attributed to Kozyrev that Russian troops might not withdraw from Latvia and Estonia, after all, despite an agreement signed in Moscow by Presidents Clinton and Yeltsin reaffirming that Russian troops would be withdrawn. While Kozyrev quickly asserted that he had been misquoted, the view attributed to him is certainly held by many high-ranking Russian military officials. And Kozyrev himself has advocated that Russia has a "special role and influence over the former Soviet republics," as he put it at the United Nations in September, and he has emphasized the role of the Russian military in exercising this "special role."

He followed this up in October with a warning that Russia must intervene in the "near abroad" lest it risk "losing geographical positions that took centuries to conquer." This imperialist attitude has prevailed in the Foreign Ministry since at least late 1992 when, according to a Wall Street Journal article by James Sherr of Oxford University, it issued a policy document advocating a "divide and influence policy" using force when necessary to "ensure firm good neighborliness" by other former Soviet republics and ensure that Russia is the "leader of stability and security on the entire territory of the U.S.S.R." All of this from the ministry in the Russian Government that has proved to be the most amenable to cooperation with the West.

As Henry Kissinger notes in his article published in the Washington Post recently:

> The Foreign Minister of Russia has repeatedly put forward a scheme for a Russian monopoly on peace-keeping in the "near abroad," indistinguishable from an attempt to re-establish Moscow's domination. By its silence and repeated invocation of an American-Russian partnership, the United States acquiesces in these actions.

Dr. Kissinger goes on to state that:

> A moderate Russian foreign policy will be impeded, not helped, by turning a blind eye to the reappearance of historical Russian imperial pretensions.

Perhaps we should give the administration the benefit of the doubt and assume that it simply has not been paying attention to these matters. While this may seem incredible, there may be some basis to believe it.

The Washington Post has reported that a recent national intelligence estimate forecasts the partition of Ukraine into Ukrainian and Russian states accompanied by ethnic conflict. According to the Post, when the NIE was circulated earlier this month, it "shook up a lot of people" in the administration. Perhaps White House officials or Members of Congress who have to say on top of the full breadth of domestic and international issues can be forgiven for being surprised by such a forecast. But administration officials responsible for foreign and security policy should hardly be surprised, given the many indicators over the past 2 years. These have included calls by ethnic Russians in Ukraine for secession or incorporation into Russia of Ukrainian territory in which Russians predominate and the assertion of sovereignty over the Crimea previous Russian parliament.

The first step in correcting U.S. policy in addressing these matters is to compel the administration to study

them and publicly address them in detail.

My amendment would call for a report by mid-year on activities by the Russian armed forces in the former Soviet republics. Among the issues to be covered would be Russian intervention in the conflicts in Georgia, Azerbaijan, Moldova, and Tajikistan the implications of the new Russian military doctrine for Russian relations with other former Soviet republics.

Such a report would serve as an important input to further congressional consideration of these important issues. I urge my colleagues to support the amendment.

Mr. President, I ask unanimous consent to print in the RECORD the articles by Mr. Rosenfeld, Mr. Sherr, and Dr. Kissinger.

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

[From the Washington Post, Jan. 25, 1994]

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 east 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-fulling 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 artificially of the conception.

The administration's tendency to treat Russian leaders as if they were fragile novices easily flustered by exposure to their 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 Tajikistan, and participate insome 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 Russia has repeatedly put forward a scheme for a Russian monopoly on peace-keeping 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 ambi-

guity about dividing lines, not their existence, and ambivalence about Western reactions, not their certainty, 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 primiarly 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 disciplines of a cooperative international system as well as its benefits.

[From the Washington Post, Jan. 21, 1994]

PERMISSION FOR KREMLIN INTERVENTION

(By Stephen S. Rosenfeld)

In Moscow, Bill Clinton pretty much handed off to Russia the task of policing the unrest in the borderlands that formerly were part of the Soviet Union. Boris Yeltsin had asked the United Nations for just such a grant of "special powers." Clinton enunciated a kind of Clinton doctrine, one applying not to restrictive standards for American intervention but to permissive standards for Russian intervention.

He characterized Russia's involvement in Georgia—where in fact the Russian army first contributed to and then exploited the local government's duress—as "stabilizing." He went on to liken Russian involvement in such operations to American involvement in Panama and Grenada "and other places near our area."

Two standards were specified: Intervention must be consistent with international law, and when possible it must be supported by other nations through the United Nations or otherwise. But Clinton then offered a broad blanket dispensation for cases where the demise of totalitarian rule uncorked old conflicts; this can be read to apply to almost every little war in the Russian "near abroad."

The striking aspect of this pronouncement is, or course, that Clinton is so much more clear and forthright about Russia's intervention in situations of strife near its borders than he is about America's intervention in situations of strife far from its own borders.

No less striking, he is making a gesture of great deference to Yeltsin. The Russian president is under growing pressure from the nationalist right to conduct a vigorous and interventionist Russian foreign policy.

Already Secretary of State Warren Christopher had observed that the countries of the former Soviet Union were "a long, long ways from the United States" and that Russia could act to guarantee regional stability if it respected "international norms."

Little wonder, then, that days after a beaming Clinton came home from Moscow, Yeltsin's foreign minister—and he is one of the good guys—fudged an earlier pledge to pull all troops out of the Baltics. Openly he enunciated a claim to reestablish a traditional "sphere of Russian interest" ("we should not fear the words") in the newly independent states created out of the former Soviet Union.

This from a man—Andrei Kozyrev—who a year ago was himself cautioning of a comeback by those with a "fascist ideology" and with "a grand vision of restoring Russia in its grandeur to the borders of the former U.S.S.R."

Let us stipulate that it comes naturally to a country with a long geopolitical reach (the United States) or an old imperial habit (Russia) to assign neighborhood intervention rights to the metropolitan power. Set aside the modest irony of a somewhat liberal American president embracing the Reagan-Bush interventions in Grenada and Panama. Set aside as well the painful irony of the lapse of the American interventionist urge in present-day Haiti. Policing what is, whatever it is called, a sphere of interest is a familiar geopolitical chore and far from an inherently reprehensible one.

What President Clinton failed to fold into his remarks in Moscow, however, is the potential dark side of the current Russian interventionist trend. Researchers Fiona Hill and Pamela Jewett spell it out in a new Kennedy School paper "Back in the USSR." Moscow, pretending to good deeds, is exploiting regional conflicts to destabilize its neighbors and reestablish its own authority, they say; Washington is "acquiescing in the de facto reconstitution of the USSR by turning its head."

That strikes me as an exaggerated or at least premature conclusion. But it is no more exaggerated than the Clinton premise that Russian interventionism is essentially a civilizing force.

The Clinton view skips past the fact that the Russian army is moving not in the relatively settled geopolitical conditions of Central America and the Caribbean but in an anything-can-happen context where no rules reliably apply. Here civilian Russian nationalism is compounded by a headstrong Russian army's desperate quest for institutional survival.

Russia's policy in the near abroad is becoming more evident and more unsettling. Clinton's responses are going to have to be sharpened. His commitment to Yeltsin cannot be allowed to extend to the point where the United States becomes by default a party to the reconstruction of the Russian empire. Clinton's approach to many tough foreign policy dilemmas is to talk out loud about them. Let him broaden his public address to this one.

[From the Wall Street Journal, Dec. 17, 1993]

RUSSIA'S NEW THREAT TO NEIGHBORS

(By James Sherr)

The disturbing results of Russia's elections raise an obvious question. Could Russia once again become a danger to others as well as to itself? The publication of Russia's new military doctrine in November is persuading many that it could. It is a revealing and often blunt document, leaving no doubt that military power will remain an important instrument of Russian policy for years to come.

Those certain to be discomfited by the doctrine—Ukraine, the Baltic states and the former Warsaw Pact countries—must ask whose thinking the doctrine expresses. In Mr. Yeltsin's Russia, the military has been only one institution among many. Despite the dramatic triumph of the nationalists, institutional discord is likely to remain the rule rather than the exception. Who ultimately is making military and foreign policy decisions, and who will do so in the future? And will the army actually be given the means to act on its intentions?

In the nuclear sphere, these intentions are plainly unsettling. The most striking feature of the new doctrine is its reversal of the "no first use" nuclear policy which had been in existence since 1982. Given the collapse of the Warsaw Pact and the first echelon of Soviet military power, the revocation of this policy is not altogether surprising.

But what is surprising is how far that revocation extends. In the first place, Russia reserves the right to launch nuclear strikes in response not only to a conventional attack but also to a conventional attack carried out by a non-nuclear state, if that state has an alliance agreement with a nuclear state. This is a clear reference to Turkey and a clear warning to Poland and other former Warsaw Pact countries who seek to join NATO.

Second, Russia adopts a most permissive definition of "attack." It encompasses not only Russian Federation territory, but also C.I.S. allies and Russia's forces abroad, as well as "actions to destroy or disrupt" strategic nuclear forces, the early warning system, nuclear power and chemical installations.

Equally unsettling is the document's treatment of local war, which the new doctrine now labels, "the main threat to stability." For one thing the focus is still largely on how local war can escalate into general conflict. In a veiled reference to NATO, the risk that local conflict "might be used as an excuse" by "other states" to launch a general war is deemed "considerable." For this reason, such conflicts must be "localized and suppressed" as quickly as possible, the army must be free to operate offensively or defensively, as it sees fit, and forces must be trained to fight "in any scenario where war is unleashed and conducted, amid the massive use of modern and future weapons."

The distinctly local aspects of the doctrine have also raised eyebrows. Suppression of the "rights, freedoms and legitimate interests" of the 25-million-strong Russian diaspora in the former Soviet Union is defined not as a security concern but as a military threat to Russia itself. Russia reserves the right to maintain forces abroad and to "terminate any unlawful armed violence" within the C.I.S. as a whole. Its notion of peacekeeping, in contrast to Western practice, calls for using force to "create the conditions" for peace, rather than simply to enforce a peace once it has been reached.

The doctrine seems to give Russia's foreign policy a set of military teeth, but the question remains of the extent to which the defense establishment is creating its own foreign policy. According to Russian foreign ministry sources, the doctrine, including its political aspects, was drawn up by the defense ministry and general staff without the collaboration of any civilian agency. It was

then rubberstamped by the security council at Boris Yeltsin's insistence.

Antagonism between the defense ministry and the foreign ministry on the "near abroad" issues is no secret. Yet that antagonism arose more out of a policy vacuum than a policy difference. From the collapse of the Soviet Union to the end of 1992, the foreign ministry focused its efforts on the West. The army, with several hundred thousand troops in former Soviet republics, quickly found itself making policy by default. For its part, the foreign ministry lacked the resources to deal with what, until recently, had been internal matters. It also lacked the inclination. Most foreign ministry officials believed that the economic dependencies of the old Soviet system would pull the former republics back in orbit around Moscow. Little policy would be needed; still less, coercion.

The dashing of these hopes has made the foreign ministry more realistic and has narrowed policy disagreements with the army. A December 1992 foreign ministry document argues that Russia must be the "leader of stability and security on the entire territory of the former U.S.S.R.," and that it should pursue a "divide and influence policy," using force where necessary "to achieve firm good neighborliness."

Disagreements nonetheless remain. To the authors of the military doctrine, Western untrustworthiness is axiomatic; to Russia's diplomats, the West is a partner whose longing for stability can be used to strengthen Russia's hold over the near abroad. The army believes that Russia, as a great power, should not shy away from brandishing swords or using them; the foreign ministry believes that Russia must achieve its aims with reference to "universal principles," even if it does not always abide by them. For all these disagreements, the army has been the bad cop in a liberal foreign policy. If military hard-liners did not exist, they would have to be invented.

Before this month's elections the real foil to the army was the economic radicals in Mr. Yeltsin's entourage, for the simple reason that shock therapy would quickly bankrupt most of Russia's remaining defense enterprises. After the election, these radicals are seriously weakened. Yet in the future the military will still be foiled by economic reality. Shock therapy or not, the army is likely, in Bismarck's phrase, to be left with "a big appetite and poor teeth." Yet those, like the Balts, who have no teeth at all will derive little comfort from that.

The PRESIDING OFFICER (Mrs. FEINSTEIN). The Senator from Massachusetts.

Mr. COHEN. I have one additional amendment I can offer at this time or later.

Mr. KERRY. I ask the Senator, is that the amendment on Germany?

Mr. COHEN. Yes.

Mr. KERRY. Does the Senator want to dispense with this amendment first?

Mr. COHEN. 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. KERRY. Madam 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. Madam President, let me say to my friend from Maine that I appreciate his holding off on that. I think it may be that we wind up having a record vote on it. I am perfectly prepared to accept this amendment. It ought to be that we would have enough certainty in the reports that we get or the evaluations that we get that we should not have to ask for this report. But the Senator, who is an expert in these affairs, and has served both on the Armed Services Committee and the Intelligence Committee, understands, as I have come to learn as a member of the Intelligence Committee and also as a Foreign Relations Committee member, that that is not true; there is no certainty. For whatever reasons, we have had a bad history of missing certain developments and certain trends.

So I think the Senator is wise to ask that we evaluate this very carefully, particularly in light of the other things that we are being asked to do with respect to the former Soviet Union, and also particularly in light of the debate that we have just had and which will be ongoing about the new form of NATO and the question of the rapidity of the membership within NATO of the Eastern bloc states. Clearly, these activities will have a bearing on all of those questions.

So to have a solid, targeted analysis of what is going on would be extraordinarily helpful to us. I commend the Senator for suggesting it.

Mr. COHEN. Madam President, I thank my friend from Massachusetts for his comments. At this time, I would like to defer the question of whether to have a recorded vote. I understand that the committee is now faced with a proliferation of recorded votes which may take a good deal of time tomorrow. It may be that I will simply allow it to pass on a voice vote.

The purpose, of course, in asking for a recorded vote would be to draw as much attention as possible to the significance of what is taking place in the former Soviet Union. I think too much of the Russian military's activities have been either ignored or downplayed in order to serve our own political ends, and yet as we look to that part of the world, it is very disturbing.

We are seeing on the political front at least a succession of moderates who are resigning from office who see and detect a very substantial reactionary drift. The voices of the extremists are becoming louder. Those of the moderates tend to be drowning out. In conjunction with that, we are seeing the military engage in what I call the protectionist racket by bringing governments nearly to the point of collapse and then offering protection provided they agree to join the Commonwealth of Independent States, which is now under the control of the Russian military.

So you see a spread of the influence of the Russian military, and we may very well see simply a replacement of the Russian flag over states that formerly had the banner and the flag of the U.S.S.R. flying above them.

So the purpose of requesting a recorded vote would be to highlight the importance that we place on following and tracking and perhaps even having some influence, at least politically, with the direction that the Russian military seems to be going.

Mr. KERRY. Madam President, the Senator is correct. If you look at events in Georgia and the terrible Hobson's choice that President Shevardnadze and the people now face with respect to the presence of the army, and you also look at Azerbaijan and Armenia, what has been happening there, the trends are certainly worthy of significant questions, if not deemed disturbing. So, as I say, we are happy to proceed. I appreciate the forbearance on the issue of the vote. It may be that we will not have as many votes backed up, but I think it would be unfortunate if we had a series of 100 to zero votes and then had a series of very contentious ones. So I appreciate the Senator's forbearance.

AMENDMENT NO. 1318

(Purpose: To encourage Germany to assume full and active participation in international peacekeeping activities, and for other purposes)

Mr. COHEN. Let me say to my friend that I have another amendment, on which I will ask for a recorded vote, which I now send to the desk and ask for its immediate consideration.

Mr. KERRY. Madam President, I ask unanimous consent that the prior amendment of the Senator from Maine be temporarily set aside.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Mr. COHEN] proposes an amendment numbered 1318.

Mr. COHEN. 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:

SEC. . POLICY REGARDING GERMAN PARTICIPATION IN INTERNATIONAL PEACEKEEPING OPERATIONS.

(a) FINDINGS.— The Congress 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 meeting 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 to 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) one important element in the German debate is the attitude of the international community toward 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 it position on the question of such German participation; and

(19) distinctions between peacekeeping, peacemaking, and peace-enforcing measures are becoming burred, making absolute separation of such measures difficult, if not impossible.

(b) SENSE OF CONGRESS.—It is the sense of the Congress 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, in light of its increasing political and economic influence, its successful integration into international institutions, and its commitment to peace and democratic ideals, 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.

Mr. KERRY. Madam President, if my colleague will withhold, I would ask unanimous consent that with respect to the amendment the Senator from Maine just set aside, no second-degree amendments be in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and that is the order.

Mr. COHEN. Mr. President, in 5 weeks, about the time that this bill is signed into law, the people of Germany will celebrate one of the most important dates in German history.

March 4 will mark the third anniversary of the entry into force of the Two-Plus-Four Agreement under which the four allied powers of World War II gave up their special rights and responsibilities and Germany returned to the world stage as a sovereign, full fledged member of the family of nations.

Within months of regaining the reins of its destiny, Germany began exercising previously unimaginable international political leadership, as it cajoled and pressured its European Community partners and eventually the United States into recognizing Solvenia and Coratia. Some called it muscle-flexing. Others viewed it as a natural, if somewhat undiplomatic, testing of the newfound possibilities afforded by Germany's new status and abetted by German officials still heady from unification.

Unfortunately, many Germans have not been as quick to recognize that rights are accompanied by responsibilities—and that Germany's new situation and status brings with it not only new opportunities but new obligations, as well.

Principal among these is the need for Germany to join with other nations in efforts to maintain and, if necessary, restore international peace and security.

When the Federal Republic joined the United Nations 20 years ago, it did so without reservation. The Federal Republic's deed of accession to the United Nations states that it "accepts the obligations contained in the charter of the United Nations and solemnly undertakes to carry them out." Yet, while it has contributed to U.N. peacekeeping efforts financially and occasionally with military personnel for humanitarian functions, the Federal Republic declared itself unable to fully participate notwithstanding its obligations and its economic and military resources.

Similarly, while the Federal Republic has been a faithful ally within NATO for nearly four decades, it is hesitating now that NATO is extending its operations eastward in accord with its new mission to support international peacekeeping.

The same is true with regard to the Western European Union, which has also declared its intent to support international peacekeeping operations—ironically at a meeting at which Germany presided.

This hesitation was understandable so long as Germany was a divided nation, lacking full sovereignty and, in the first decades after the war, still coming to grips with the Nazi era. But Germany's situation and status have changed, removing these impediments to the Federal Republic's full and active participation in international military operations.

To their credit, Chancellor Kohl, Defense Minister Ruehe, and other prominent political figures in Germany have worked to enable the Federal Republic to meet these responsibilities. The Chancellor, supported by most German legal scholars, argues that the Basic Law, the Federal Republic's constitution, permits the Bundeswehr to participate in international military operations to a much greater extent than it has in the past. In an effort to move Germany toward fulfillment of its international responsibilities, he and Defense Minister Ruehe have sought to further define the Federal Republic's constitutional policy through both public debate and praxis. I will give you some notable examples:

German destroyers have helped to monitor the United Nations embargo on the former Yugoslavia, although German vessels are not engaged in interdiction;

Some 1,600 German military personnel are in Somalia, where the UNITAF rules of engagement exceed those of past United Nations peacekeeping operations; and

German military personnel helped to operate NATO AWACS planes during the gulf war and, at the insistence of the Defense Minister, have been helping to operate NATO AWACS in enforcing the Bosnian no-fly zone.

To go beyond this marginal progress, the Chancellor has proposed a constitutional amendment to build the politi-

cal consensus needed for full German participation in efforts to maintain and restore international peace and security.

While these efforts by the German Government are to be commended, I find it quite disturbing that some Germans, particularly in the political opposition, are arguing that even if the Basic Law is amended, Germany will for reasons of history not be able to participate fully in international military operations.

Some have even argued that German troops cannot be sent anywhere that was overrun or occupied by German forces during the Second World War—an area that extends from the Atlantic to the Caucasus, from the Maghreb to the Barents Sea—an area, moreover, which includes many of the regions now undergoing or expected to undergo communal, ethnic, and religious conflict. Such an effort to circumscribe Germany's international role would essentially nullify the constitutional amendment now under consideration.

Mr. President, Germany cannot hide from history, but neither can it hide behind history.

We cannot accept the argument that the events of history forever bind nations and their leaders. One of the principal reasons war has returned to the Balkans is that leaders there insist upon dredging up old grievances to justify digging fresh graves.

Germany—whose citizens have forthrightly grappled with the aggression and atrocities of the Nazi era, built a solidly democratic state, and securely anchored Germany in international institutions—should not now invoke the past to avoid the responsibility to build a better future.

Having worked so diligently to overcome their history, Germans cannot now seek refuge in it nor opportunistically stoke fears abroad of German interventionism.

Claims by some in Germany that the world community does not want Germany to fulfill its obligations in the security sphere mischaracterize international opinions in an effort to manipulate the German constitutional debate, and we have an obligation to set the record straight.

U.N. Secretary General Boutros-Ghali has clearly and forcefully stated that the United Nations "needs the full participation of Germany in peacekeeping, peacemaking, and peace-enforcing measures."

The purpose of this amendment is to bolster the Secretary General's clarion call by putting the Senate on record as favoring the full and active participation of Germany in such operations. To the extent that the German constitutional debate is based on international opinion, it is critical that our views be clearly understood.

Mr. President, I would like to emphasize that this is not just a question of obligations and burden sharing, although these are not to be discounted. The end of the cold war and the collapse of communism are unleashing powerful forces that, despite our best efforts to manage them, have led and will continue to lead to conflicts in Europe and elsewhere. Given its political, economic, and military status and potential, Germany will play an important role in determining the success or failure of international efforts to deal with these conflicts.

Full German participation in these efforts is not only right, it is absolutely needed, as the Secretary General has stated.

To the extent that Germany any longer needs to atone for the evils of an earlier generation, an appropriate way to do so in today's world would be to join with other nations in combating threats to international peace and stability.

The German people must be commended for dealing forthrightly with the evils of the Nazi era, for building a democratic state, and for integrating Germany into an international institution designed to strengthen democracy and international security.

I believe an appropriate response to Germany's past would be for it to fully participate in international efforts to restore or maintain international peace and stability. My amendment would call on the President to encourage Germany to take the necessary measures with regard to its constitutional law and policy and military capabilities to enable it to participate fully in these international military operations.

I urge my colleagues to support this amendment.

As I indicated, Madam President, at the appropriate time I am going to ask for a recorded vote on this for another reason. William Perry will be coming before the Senate Armed Services Committee this week for his confirmation hearings. I hope the Senate will move rather quickly to confirm Mr. Perry.

Mr. Perry is also planning to attend an important conference to be held in Munich beginning this Friday. I am told he will propose a major policy statement at that important conference that is held annually. It is important because it annually brings together all of the senior NATO officials, and the defense ministers and some foreign ministers from the NATO countries. Also attending will be many officials from the Eastern European countries that are seeking membership in NATO.

The Russian defense minister has been invited. But because of the instability that is currently taking place in that country, we do not know if he is going to be attending the conference, although he did have plans to address the conference.

So it is going to be a very important conference at which William Perry will make an important policy statement.

This amendment, supported overwhelmingly by the United States Senate, will, I think, add to the importance of what Mr. Perry will say at that conference. It will also send a very strong signal to the German people that as far as we are concerned, and we are part of world opinion, we want Germany to assume full responsibility as a member of NATO and the United Nations, and not simply hide behind its historical past and say we really cannot be engaged in any area that we occupied during World War II.

So for that reason, tomorrow I will be asking for a recorded vote.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, the views expressed by the Senator from Maine I think are probably shared by the vast majority of the Members of the Senate. There is no question in my mind that in a world that is increasingly having to deal with issues of peacemaking and peacekeeping, and as we increasingly try to find a more refined method for the United Nations to be able to adequately represent our interests and guide those efforts, you cannot have major economic powers, leading economic powers of the world, and major powers in terms of technology and military capacity, totally out of the mix. It is incomprehensible if you are really going to make the United Nations the kind of entity it ought to be.

The only question I would ask my colleague is: The Senate passed last Friday, I believe, an amendment of the Senator from Delaware with respect to Germany's membership within the Security Council of the United Nations, and Japan's. And as a component of the conditions for that membership we expressed our view that Germany must be able to carry out the full responsibilities of membership, including peacemaking and peacekeeping.

I would simply ask my colleague if he does not believe that amendment does not adequately say to Germany, we are not only permissive as to Germany's role within peacekeeping and peacemaking we are actually encouraging, we are advocates of their assuming this role. I think that position of advocacy was well stated. Again, maybe the Senator wants to go further with specificity.

Mr. COHEN. Madam President, I would point out that whether or not Germany becomes a permanent member of the Security Council my amendment would apply. My concern is and has been for the past year with the political debate that has been taking place in Germany in which some have sought to exploit, if not create, fears about Germany becoming an active

participant in military peacekeeping-peacemaking operations. I found it to be unacceptable from my perspective that we would allow a nation as strong militarily and financially to simply pass that responsibility to other members.

So I believe that having the Senate going on record specifically on the need for Germany to fulfill its responsibilities will add to Secretary-designate Perry's statement when he appears before this NATO conference this weekend.

Mr. KERRY. Madam President, I know the Senator from Maine cannot fault me for trying as manager of the bill to reduce the total number of votes. But I cannot disagree with his judgment. If it is all right with the Senator from Maine—I do not know if the Senator from North Carolina wishes to address this amendment—if he does not, if it is all right with the Senator from Maine to at least temporarily set this aside and I guarantee him that at the appropriate time pending the only question is whether another Senator wishes to address this issue we will set this up for a vote as agreed upon.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

I say to the Senator from Maine that both of the amendments of the Senator from Maine are acceptable on this side. I do not blame him for wanting a rollcall vote on both of them. I commend him for offering each of them.

I join Senator KERRY in suggesting that we lay both of these amendments aside.

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

AMENDMENT NO. 1319

(Purpose: To prohibit assistance to countries expropriating United States citizens property)

Mr. HELMS. 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 North Carolina [Mr. HELMS] proposes an amendment numbered 1319.

Mr. HELMS. 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 179, after line 6, insert the following:

SEC. 714. PROHIBITION ON ASSISTANCE TO COUNTRIES EXPROPRIATING UNITED STATES PROPERTY.

(a) PROHIBITION.—None of the funds made available to carry out the Foreign Assistance Act of 1961 as amended, the Arms Export Control Act, or the Support for East European Democracy Act may be provided to a country (other than a country described in subsection (c) whose government (or any agency or instrument thereof)—

(1) has before, on, or after the date of enactment of this Act—

(A) nationalized or expropriated the property of any United States person, or

(C) taken any other action (such as the imposition of discriminatory taxes or other exactions) which has the effect of seizing ownership or control of the property of any United States person, and

(2) has not, within a period of 3 years (or where applicable, the period described in subsection (b), returned the property or provided adequate and effective compensation for such property in convertible foreign exchange equivalent to the full value thereof, as required by international law.

(3) the President may waive the prohibition in section (a) if he determines and so notifies Congress that it is in the national interest to do so. Such determination must be made on a country by country basis every 180 days.

(b) EXTENDED PERIOD FOR COMPENSATION IN THE CASE OF NEWLY ELECTED DEMOCRATIC GOVERNMENTS.—In the case of a democratically elected foreign government that had been a totalitarian or authoritarian government at the time of the action described in subsection (a)(1), the 3-year period described in subsection (a)(2) shall be deemed to have begun as of the date of the installation of the democratically elected government.

(c) EXCEPTED COUNTRIES AND TERRITORIES.—This section shall not apply to any country established by international mandate through the United Nations or to any territory recognized by the United States Government to be in dispute.

(d) REPORTING REQUIREMENT.—Not later than 90 days after enactment of this Act, and every 180 days thereafter, the Secretary of State shall transmit to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate, a report containing the following:

(1) A list of all countries in which a United States person has an outstanding expropriations claim.

(2) The total number of outstanding expropriation claims made by United States persons against any foreign country.

(3) The period of time in which each claim has been outstanding.

(4) All efforts made on a case by case basis by the United States government, any international organization, and the country in which the expropriation claim has been made, to return the property or provide adequate and effective compensation for such property.

(e) DEFINITION.—For purposes of this section, the term "United States person" means a United States citizen or corporation, partnership, or association at least 50 percent beneficially owned by United States citizens.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I just ask my colleagues' indulgence for a moment, and 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. Madam 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. Madam President, I again thank the Chair.

Madam President, this amendment is almost identical to a Helms amendment adopted by the Senate 92 to 4 back on September 23 of last year. It involves the confiscation of American property overseas, which I consider to be an outrageous set of circumstances. This amendment's language is the exact language, as I say, as that adopted last year with an additional requirement that the State Department report to Congress on the status of these outstanding claims.

The State Department has sat on its hands year after year on this question. Frankly, I am sick and tired of it. I want Congress to know what if anything the State Department is doing when this amendment becomes law.

Despite the efforts of Senators MCCONNELL and LEAHY, the House refused to accept the provision adopted by the Senate last year. It was in the foreign aid appropriations conference and the House typically did not go along with it.

Since this provision was dropped, the Senate is obliged to address this issue again.

I intend to be a conferee on this bill this time. I say that we will work to ensure the inclusion of this amendment in the final conference report on the State Department authorization bill.

For the record, let me outline the impact of the pending amendment. It is very simple. It would cut off U.S. foreign aid money, furnished by the American taxpayers, to any country whose government has confiscated the property of U.S. citizens and has not returned that property or fairly compensated the legitimate owner within a period of 3 years.

I realize that every country is going to argue that it has a right to confiscate property for national interest reasons. But they also have the obligation to compensate the original owner. Far too often, in too many countries, the property rights of U.S. citizens are being violated willy-nilly.

For years, Madam President, I have been besieged with letters from American citizens in various countries who have had their homes or their businesses or both confiscated around the world. Every letter tells a similar story. When attempting to reclaim their property, they find a deaf ear and a closed door at the U.S. Embassy. The State Department is just not interested in helping American citizens who are being mistreated by foreign countries. Worse, many American citizens have told me that the U.S. Embassy plays the role of the host government's foreign ministry. That is not an exaggeration. I have run into it. I have checked into it, and it is the absolute truth. The State Department aides, in

fact, side with the foreign government and not with the American taxpayers. I want to build a fire down in Foggy Bottom. I felt this way in the previous administration, and I certainly feel this way now. It is a perfect outrage.

Let us go back a little bit in time. Last year, along about this time, Secretary Christopher stated at his confirmation hearing before the Foreign Relations Committee, of which I am ranking member, that he, Mr. Christopher, intended to have an "American desk" at the U.S. State Department if, as, and when he became Secretary of State. Well, that is a phrase he borrowed from former Senator Herman Talmadge of Georgia. I do not know how many times I heard him on the Senate floor say, "What we need is an American desk down at the State Department." He said, "We have a European desk, a Latin American desk, an Asian desk, but we ain't got no American desk." He was right.

I applauded what Mr. Christopher said when he was bidding to become U.S. Secretary of State. Well, I wish that he had followed up on his pledge. But if progress on these property claims is any guide, I see no evidence of an "American desk" down at Foggy Bottom today.

To put it another way, it is high time that the State Department started putting American interests first. We do not have an embassy in Nicaragua to kowtow to that government. We have an embassy there to look after American interests there. We do not send ambassadors around the world to sip tea and drink cocktails. We send them there to look after the American people and the interests of this country in general.

I imagine that some Senators might ask which countries will be affected by this amendment. Will it hurt a country that we like? I hope I do not hear that, because my answer might be a little sharper than I would want to make it, because I do not give a damn which country will be affected. I care about protecting the rights of the American citizens.

Some may remember that this issue first came to light with the Hickenlooper amendment to the Foreign Assistance Act in the year 1962. That law, while highlighting the problem of the expropriation of American citizens' property, has been all but ignored by the executive branch. And this is a bipartisan folly. I am not pointing fingers simply at the present occupants of the White House. I am saying that it has been almost a custom, a bipartisan folly, as I say, of both administrations.

The executive branch, due to the overly broad language of the Hickenlooper amendment, has chosen to ignore the intent of the Hickenlooper amendment. Amendments over the years have weakened the original amendment to some extent, because since 1962, more than 30 years ago, Presidents have exercised the Hickenlooper amendment only two times. Meanwhile, thousands of innocent Americans have had their property unfairly taken from them. With the language of this pending amendment, Madam President, it will be perfectly clear to all that foreign governments will, one, have to return expropriated properties or compensate the owners, or, two, lose their foreign aid, which the American taxpayers are sick and tired of furnishing anyhow. The ball will be in the court of the foreign governments who are just now "thumbing their nose" at the American citizens and the United States of America.

Now, as I said earlier, a similar amendment that I offered a few months ago—5 or 6 months ago—was approved by the Senate 92–4. This amendment is only slightly different in that it requires the President to report to Congress as to the number of outstanding property claims covered by this amendment.

Madam President, I asked the State Department last year for a list of all the confiscation claims by American citizens in this hemisphere. I was told in a hearing of the Foreign Relations Committee that a review of this issue was underway, and that all U.S. Embassies would be reporting on outstanding claims in each country. To this day, almost 1 year later, I have received no report on this matter. I have concluded that officials at the State Department simply do not care—they do not want to risk hurting the feelings of a foreign government. For that reason I have added a provision to this amendment which requires the State Department to report to Congress every 6 months on the countries in which American citizens have outstanding claims.

My office is currently working on the expropriation claims of hundreds of American citizens in many countries. My staff is aware of more than 1,200 claims in Nicaragua, Costa Rica, and Honduras alone. I have done everything in my power to resolve these cases, but the State Department almost always jumps to the defense of the foreign government. And I cannot make progress on these cases unless pressure is brought to bear on the offending government by the State Department. The most direct pressure we have is U.S. foreign aid.

Let me respond to the question about how this amendment might affect Russia. First of all, I would say that if any Senator is aware of outstanding expropriation claims Americans have in Russia, I would be very interested to know. They must have access to high-placed friends at the State Department because I have asked State repeatedly for the number of outstanding American claims worldwide—not just in Russia. But State has refused to provide that information and that is why this amendment requires the State Department to report on how many outstanding claims Americans have in Russia and everywhere else.

This amendment does not cut off aid to Russia. It does not cut off aid to any Republic of the Former Soviet Union. Under my amendment, each of these countries has 3 years from the date its first democratically elected government took office since emerging from totalitarianism to settle outstanding claims.

Russia, for example, still has plenty of time to settle up with Americans who have had their property unfairly stolen. Since Boris Yeltsin was elected president in June 1991, Russia has time to settle outstanding claims. This amendment simply lets these governments know that the clock is ticking. It makes sure Russia and other countries make this issue a priority and compensate Americans fairly—and promptly.

Now, the Communists seized power in Russia in 1917. That was a long time ago. After that, Lenin and his cronies quickly—and brutally, I will add—confiscated all private property. I have no idea if Americans lost property during that time, but if they did, I think after 75 years these Americans sure as heck deserve compensation for it.

This year alone, Russia and the other former Soviet Republics will receive about $2.5 billion from United States taxpayers. That's no small change. And it's coming straight out of the pockets of hard working Americans. If these countries don't want to make property claims a priority, then they don't deserve our money.

Furthermore, those who are worried about the implications of cutting off aid to a certain country should consider what happens when these countries have no respect for private property rights. Governments which do not respect property rights do not gain foreign investment—thus, no amount of money from the U.S. Treasury will buy those countries economic stability. As Andrew Carnegie said, "Upon the sacredness of property civilization itself depends—the right of the laborer to his hundred dollars in the savings bank, and equally the legal right of the millionaire to his millions."

Madam President, we were each elected to the United States Senate to defend and protect American citizens. Unfortunately, many who are serving at American Embassies around the world are suffering a severe case of what I call clientitis, backing foreign governments instead of American citizens. That is just plain wrong.

If this amendment is passed into law, the State Department will no longer be able to make excuses for foreign governments as to why those governments have not settled thousands of property

claims by United States citizens. It will be perfectly clear to all those receiving U.S. foreign aid that there will be no more aid until all American claims are settled.

Mr. KERRY. Madam President, we are prepared to accept this amendment. As the Senator said, it was voted on previously in the Senate and passed overwhelmingly. That should not indicate, however, that there are not in the language as it is currently framed certain problems that can arise in terms of the certitude of the conditions under which a country is going to automatically lose its entire foreign assistance program if just one American's property is affected or if one contract is broken or nullified. There might be significant, legitimate questions between countries as to why a particular contract is at issue. Those are definitional problems and those are more practical problems.

I want the Senator to understand that I share completely with him the notion that American interests have to be put out there in a significant way. There is no advocate in the Senate who is more dogged or adamant in his placing of those American interests first, and I know this amendment is well intended and intended to assert those interests. I know of some of the instances the Senator refers to, where we have people who some time ago lost property in countries, and now we are giving those countries assistance in one form or another, and these people are desperately struggling within the eternal processes of those countries with a thousand different wheels spinning in different directions trying to get their property back or some compensation for it.

So we need to make it clear that we have an expectation that American citizens' legitimate claims are responded to. The trick is balancing this desire in a way that does not become draconian in its implementation. So you wind up cutting off assistance in a case where you do not really want to, for some claim that says you ought to, but in point of fact there are serious questions about the claim itself.

I think the Senator has tried to take care of that in a waiver that he has allowed and, in the fact, that the President can explain the circumstances which permit us to continue the aid.

I really wanted to cite those kinds of tensions so that the RECORD is clear as to how we come at this. But nevertheless I think that the overall intent of the Senator is sound, and it is certainly a priority that we ought to be putting front and center in our dealings with these countries.

So we are prepared, with those understandings, to accept this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment of the Senator from North Carolina?

Mr. HELMS. Madam President, I have sent for some examples of the absurd things that are going on. I had not intended to burden the RECORD with those, but just to indicate that there is nothing frivolous about this amendment. There is not the slightest intent that it be implemented without good reason. I want to give some examples of what has been going on, and the State Department has not lifted a finger to correct it.

Apparently, I am going to have to look in my records because one country seized the property of an American citizen and it is now being occupied by the Cuban Embassy. You know that is just absolutely absurd. But I will put those in the RECORD at a later time.

As to confiscations that we know of in Latin America alone, there are 50 in Honduras; there are 17 in Costa Rica; there are 790 people with 1,200 pieces of property in Nicaragua; two in Panama; two in Venezuela; one in Argentina, and so forth and so on.

But I am not going to await the delivery to me of the information that I frankly did not ask my staff to get up for me, but we will get it up and we will insert it in the RECORD later on.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, let me just say to my friend that I hope he did not interpret my remarks in any way as somehow indicating other than seriousness of it because, as I said in the remarks, I have worked with him and I am well aware of some of these egregious situations, and I think it would be healthy if the RECORD reflected it.

Madam President, the point is well taken. The language does say that all of the aid would be cut off if the nationalized or expropriated property of any United States person—you can wind up with one situation. I think you want to be careful to balance it. I know the Senator does not intend for an absurd situation to be put in place. I think he intended for us to eliminate the absurdity.

Mr. HELMS. I thank the Senator. None of us favor unreasonable implementation of anything.

Having said what I have said in criticism of this sort of thing that has been going on, let me say in my 21 years in the Senate, I have hundreds of examples of where U.S. Embassies in Europe and other places in the world have gone out of their way to be helpful to U.S. citizens. So there are two different sides to the story, but most of what I am talking about has happened in Latin America.

I thank the Senator and I thank the Chair.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment of the Senator from North Carolina?

So the amendment (No. 1319) was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Madam 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. 1320

(Purpose: To maintain the current number of Assistant Secretaries of State and State Department officials compensated at level IV of the Executive Schedule)

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

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 1320.

Mr. HELMS. 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 32, line 19, strike out "20" and insert in lieu thereof "18".

Beginning on page 32, strike out line 21 and all that follows through line 3 on page 33.

On page 33, line 4, strike out "(c)" and insert in lieu thereof "(b)".

On page 34, line 19, strike out "(20)" and insert in lieu thereof "(18)".

On page 34, line 22, strike out "(d)" and insert in lieu thereof "(c)".

On page 35, line 5, strike out "(e)" and insert in lieu thereof "(d)".

Mr. HELMS. Madam President, I understand that the pulse rate of the other side begins to quicken when I call up this amendment. I hope they will see the light, because I am perfectly willing to accept this one on a voice vote. But if there is not that willingness, I am going to insist on a rollcall vote.

All I want to do is put a hold on the current size of the bureaucracy at the U.S. State Department. My amendment deals specifically with the number of Assistant Secretary positions.

Let me go down the list and see how other Cabinet officers or Departments handle their affairs, in terms of Assistant Secretaries.

Let us see how many employees each Assistant Secretary is responsible for.

At the Commerce Department, each Assistant Secretary is responsible for 6,372 employees; at the State Department, each Assistant Secretary is responsible for 702 employees; at the De-

fense Department, each Assistant Secretary has responsibility for 34,141 subordinates; at the State Department Assistant Secretaries are responsible for 702.

At the Justice Department, each Assistant Secretary, or equivalent, is responsible for 4,660 employees; and I repeat the State Department, 702 employees.

The Treasury Department, each Assistant Secretary is responsible for 25,247 employees; and I repeat that the State Department, each Assistant Secretary is responsible for 702.

I ask unanimous consent that this table be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. HELMS. Mr. President, the amendment now pending is not punitive. It simply authorizes the Secretary of State to operate with the same number of Assistant Secretaries and equivalent paid positions as Mr. Christopher had when he was first appointed Secretary of State. I might add, Secretary Christopher is operating with two additional Assistant Secretaries, two more Assistant Secretaries than he had during his last tour of duty with the Carter administration.

When Warren Christoper and his Deputy Secretary appeared before our committee for their confirmations about 12 months ago, they promised—and this is a matter of record—they promised to dedicate themselves to the implementation of what they called a "broad-based reorganization. * * * which would reduce excessive layering" of bureaucrats "within"—I inserted the word "bureaucrats"—"layering within the State Department and streamline the bureaucracy." The President, himself, proclaimed last February that "it was time to shift from top-down bureaucracy to entrepreneurial government that generates changes from the bottom up." To even my surprise, I found myself falling in step with this kind of talk. I was, of course, disappointed as the months passed and we pulled off pages of the calendar and we found that, after all, it was just plain rhetoric.

But a year ago I told Secretary Christopher if he was serious about streamlining to count me in. The price was that I would hold him to his promise. That is what I am doing here right now.

So, here we go with another full load of rhetoric for the past year. When the State Department transmitted its official request for authorization to our committee, the broad-based reorganization sure was broad based, broad at the top, broad at the sides, and broad in the middle. That is the way the bureaucracy has always been. The proliferation of bureaucrats, and especially top level positions at State, was astounding to anyone who was keeping an eye on it.

Let me quote President Clinton's statement, found in the National Performance Review, page 23. He said:

> First, we must cut the waste and make government operations more responsive to the American people.

Anybody who did not say amen to that rhetoric was just off the wall. Of course all of us agreed to that.

Then the President continued:

> It is time to shift from top-down bureaucracy to entrepreneurial government that generates change from the bottom up.

But, as I have indicated just a moment ago, this same administration that wanted to shift from top-down bureaucracy requested a 33-percent increase in bureaucrats, specifically the Assistant Secretary-titled positions at the topmost layers of the State Department bureaucracy.

This ballooning, in the overall spectrum, may not make a lot of difference when you are talking about a $4.4 trillion Federal debt and all of that. But if you are not exercising good stewardship with smaller things, then you end up with that kind of debt and you end up with that kind of annual deficit. That is what is wrong with this Government today. The State Department almost alone in the bureaucracy has insisted on having more striped pants guys strolling up and down the corridors of the State Department. This ballooning translated into an additional 6 Assistant Secretary titles, all of whom would be politically appointed positions.

The State Department also requested an additional 5 positions to be compensated at the executive level IV rate, and that costs, salary-wise, about $115,000 a year a person, not to mention the additional salaries for the new staff and all the accompanying administrative expenses.

Again, I acknowledge that in the overall spectrum what I am talking about is not much money. But it is the principle of the thing. The State Department's request would have cost the American taxpayers another $1.3 million in new salaries alone, not to mention the additional duplicative administrative support expenses and additional staff positions associated with setting up all of these new bureaucrats in office.

Let me give an example. When the South Asia Bureau was created by the State Department a couple of years ago, the State Department study estimated that each new bureau with management and administrative personnel and staff and equipment, space and supplies, et cetera, et cetera, would cost the taxpayer at the minimum $2 million more each year.

That mushrooming effect is certainly apparent now.

The distinguished Democratic Senators on our committee had a difficult time supporting their own administration on this one back in July. The Foreign Relations Committee rejected the bloated administration request but unfortunately passed a provision giving the administration two more Assistant Secretary titles and two more paid positions than they now have.

If I understood the President and the Vice President and the Secretary of State correctly over the past 12 months, and I think I have understood, they have said over and over and over, this is not the time for more bureaucracy. They have said one way or another at one time or another—all of them—that this is the time for belt tightening and streamlining, and certainly I agree with that.

Again, let me read from the National Performance Review, page 83, where President Clinton was quoted as saying:

> In short, it's time our Government adjusted to the real world, tightened its belt, managed its affairs.

Our committee withstood a 17-percent decrease in funding in staffing support in the last 12 months. The pending amendment does not require that the State Department take any sort of staffing decrease. This amendment is fair and reasonable. I know we are going to hear arguments against it, but I do not think they will withstand close examination.

This amendment gives the State Department precisely what they are working with at the present time. We do not cut anybody. We do not eliminate any jobs. I would like to, but I know the facts of life. But we are not increasing it. We do not propose to increase. We are going to let them stay with the bureaucrats they now have.

Let me tell you, Mr. President, I have looked over the personnel graphs of the high-level executives in other Federal agencies. At present, as I said at the outset, there is already one Assistant Secretary for every 700 or so State Department employees. When you compare that to one Assistant Secretary for every 34,000 employees at the Department of Defense and one Assistant Secretary for every 25,000 employees at Treasury, it is strikingly obvious that the State Department ought to quit while they are winning and stop pushing for more and bigger bureaucracy.

Let me be clear about this. This amendment does not affect any sort of congressionally mandated Assistant Secretaries. It does not direct the Secretary of State to create or maintain or abolish or modify any existing Assistant Secretary position. It does not cut into the State Department's current management structure, and it does not eliminate any existing political appointee positions. Instead, this amendment holds the State Department to the promises of its own administration during these austere economic times.

EXHIBIT 1

EXECUTIVE PAY PLANS BY LEVEL—FEDERAL AGENCIES

[Executive Level IV=Assistant Secretary/AS]

	Number of positions by level					Total employees	
	I	II	III	IV	V		AS:Employee ratio
Agriculture	....	1	....	.....	6	125,765	
Commerce	....	1	....	6	1	38,232	1:6,371
Defense	1	5	2	27	2	921,817	1:34,141
Justice	1	2	3	21	13	97,878	1:4,660
Labor	1	1	....	12	2	17,299	1:1,441
Energy	1	1	1	16	....	20,681	1:1,292
Education	1	1	....	10	6	5,095	1:509
HHS	1	1	....	14	1	129,144	1:9,224
HUD	1	1	....	11	....	13,389	1:1,217
Interior	1	1	....	9	9	80,894	1:8,988
State	1	2	5	24	....	16,885	1:702
Transport	1	3	4	7	1	69,971	1:9,995
Treasury	1	3	4	7	1	176,729	1:25,247
Veterans	1	1	2	10	....	268,943	1:26,894
SecDef	1	2	2	16	1		.....
Air Force	....	1	....	.....	....	196,009	.....
Army	....	1	....	6	1	306,914	.....
Navy	....	1	....	5	....	285,600	.....

Source:

A. U.S. Office of Personnel Management and "Policy and Supporting Positions", Committee on Governmental Affairs, United States Senate, November 10, 1992.

B. Office of Personnel Management, March 1993.

Mr. HELMS. Mr. President, since I understand that there will be no inclination on the part of the other side to accept this amendment, I ask for the yeas and nays.

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

The yeas and nays were ordered.

Mr. HELMS. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, my friend from North Carolina has indeed accurately read the mood. There will need to be a vote on this.

I would like to ask my colleagues to think carefully about the comparisons that the Senator has asked us all to make and also to examine very carefully what the State Department does and what the Assistant Secretaries are asked to do, particularly in this new world of the post-cold-war so-called order, better described as a disorder, really.

My colleague from North Carolina has been quick to point out that at the Commerce Department there are 6 Assistant Secretaries overseeing 6,372 people; in the Defense Department, 27 overseeing 34,141, and so forth, and has repeatedly pointed out that in the State Department, Assistant Secretaries oversee only 702 people. I think it is admirable that there are only 702 people. The functions of the Commerce Department and the Department of Defense, particularly in view of the latter's involvement with managing millions of people in uniform, really do not relate to the responsibilities and duties of the State Department.

I respectfully submit that the qualifications and the rigorous examination and the backgrounds of the people that we ask to go into the State Department are significantly different from those who make up the 34,000 people within the Defense Department, most of whom are at a different tier within the bureaucracy and perform far more ministerial and bureaucratic functions. But in the State Department, we have a cadre of people who have been brought in with a large portion of them with significant language skills or skills they gain once they are in the Department, with doctorates, master's degrees, and significant graduate education, law degrees, because we are in fact talking about diplomacy measured against administration of certain kinds of functional duties within departments. It is a very different job to be sitting on a desk and evaluating what is happening in the Middle East or what is happening in Africa or what is happening in Latin America and to be able to make judgments about a whole set of interests: International narcotics trafficking, international terrorism, international crime, global environmental issues, the problems of various conflicts, civil disorder, the peace process, the interests and rights of citizens under international law, the problems of emerging nations in development, the administration of aid programs, developmental loan programs. There are many totally different kinds of decisions that we are asking people within the State Department to either make or to evaluate which are just night and day differentiated from the other bureaucracies that my colleague has articulated.

Moreover and significantly—I hope my colleague is listening in the cloakroom because I would like him to know or at least to reflect on the fact because I believe he does know it—the Secretary of State has already ordered significant cuts within the Department. You cannot come out here and just say, "Well, we should not have three additional Secretaries at the Assistant Secretary level to better manage affairs of a Department," when the Department is already making significant cuts. A 14-percent cut in administrative costs from fiscal year 1994 to fiscal year 1997, and that is in line with the Department's 1994 budget that represents a 3-percent reduction in administrative costs. There will also be a reduction in personnel.

So my colleague is coming to the floor and asking us to micromanage the Secretary's choice of what he would like at the top level in order to be able to better manage this overall Department.

Somehow my colleague is suggesting that we in the Congress are better equipped to tell Secretary Christopher he should not have 20 or 21 Assistant Secretaries to better feed information to him; he ought to have just the 18 that have been there; I might add, in a world that is totally different from the world in which we have just been living. It is one thing to contemplate the kinds of decisions the State Department had to make in a world where you had the Soviet Union against the United States and most of the world's foreign policy decisions were divided in East-West terms. Most of our focus was divided in East-West terms.

I might add, Mr. President, during the time that we were so focused and most of the energy of these good minds was trying to figure out East-West, we were in fact missing an awful lot of the North-South and South-East, and so forth. But be that as it may, you had a more simply defined diplomatic equation.

I do not think anybody is going to come to the floor of the Senate in 1994 and suggest you have an easily definable diplomatic equation today. In fact, one of the things that has struck me in the course of my travels to various countries in the course of Senate business is the degree to which we could actually use more input, not less—the degree to which we are being taken to the cleaners in the foreign marketplace because we do not have enough people in our foreign commercial service or because we do not have enough oversight or because we do not have enough people to enable our businesses to jump through the export hurdles or jump through the access hurdles in these countries, and we are denying ourselves jobs in this country.

My colleague from North Carolina would be one of the first people to come to the floor and say, "I want the people of North Carolina to be working." I know in the triangle down there around Raleigh-Durham they have one heck of a complex of technology and universities and health care not unlike that which we have in Massachusetts. Those folks could use more assistance from an Assistant Secretary who is dealing with exports, which is precisely what Secretary Christopher wants to do. Secretary Christopher, whose words were quoted by the Senator from North Carolina about what he wants to do with the Department, came to the Senate in his confirmation hearings and said, "I think we ought to have an America desk in the State Department—an America desk, a desk in our embassies that is geared to try to put people in the United States to work by taking advantage of these new opportunities in these foreign markets.

Mr. President, I was just in Hong Kong meeting with our foreign commercial service personnel. We have a couple of Americans there, just a couple. They were telling me they are working from 6 in the morning until midnight every day, and there is so much to do they are missing opportunities to get contracts for American businesses. They cannot keep up.

We could be harnessing billions of dollars of contracts, I am certain, all through Asia, Europe, and other places if we had a greater ability to help our companies find out what business is being offered, what are the terms of the

requests for proposals, when will they be due, how many companies can compete, how do you get into this business, who is going to help me get the export licensing, how do I learn how to do this when I have never done it before? A host of midsized and small American businesses could double their business tomorrow if we were willing to put two people to work. They would pay for themselves in 1 week. They would probably pay for themselves in 1 day, but I will give them 1 week, Mr. President. We are sitting here micromanaging two or three positions for the Secretary of State, who wants to engage in that kind of enterprise.

Now, we are not talking about the management of the employees of the IRS. My colleague cites the Treasury Department as an example of a whole lot of employees and just one or two managers. Well, the IRS lends itself to that kind of management. Most of these people are working on computers. Most of these people are moving paper or processing documents in a fairly formatted, regimented way.

That is not diplomacy, Mr. President. It takes an Assistant Secretary of State to go to a particular country with the imprimatur of his office or her office, Secretary or Assistant Secretary of State to be able to sit down with leaders of other countries and proffer either the early grounds of a treaty, the early terms of an international trade agreement, the early terms of a nonproliferation agreement, or a hazardous waste agreement.

More and more of the world is international. More and more of the dealings of the world are going to be trying to create an international playing field where we understand the rules of engagement between ourselves and other countries. You cannot become Fortress America, putting your head in the sand and believing that somehow, because we were No. 1, we have a birthright to be No. 1. You do not have that birthright. You have the birthright to compete and the birthright to have opportunity and the birthright of equal opportunity in a country unparalleled to be able to go out and compete. But if we sit here ignoring what the real world is doing and stripping our ability to be engaged by taking these kinds of positions away, I think we are just denying ourselves the opportunity to put our birthright to its best advantage.

Mr. President, I will tell you, as a Senator, when I have gone to these countries and met with their Presidents and their foreign ministers and their defense ministers, we have been able to get business done. We have been able to talk about things that are of interest to our countries and find avenues of opportunity that will put Americans to work and, indeed, meet the security interests of our Nation. Person after person I hear say, "We have not seen an Assistant Secretary of State or anybody from your administration over here," or, "We have never met," or, "Gee, do you think we can get in to see the Secretary or Assistant Secretary at some point so we could make our points about why we are pursuing a certain policy?"

I would respectfully suggest to my colleague, that I share his desire to reduce the bureaucracy. I think bureaucracy in our own Government is the enemy, and we have too much of it. You can point to the Agriculture Department as an example where we have more bureaucracy, more bureaucrats than there are farmers in America. It is ridiculous. But the administration is cutting the State Department's midlevel bureaucracy.

Lest my colleague doubt that, let me be very, very precise in the numbers. Under the Secretary of State's reorganization plan, the Department has already reduced the number of Deputy Assistant Secretaries and Deputy-Assistant-Secretary-equivalent positions from roughly 120 down to 76. So my colleague is complaining about adding two or three people, and it is not even fixed that they are going to be added. It simply gives the Secretary the permission to do it, gives him the permission at the upper level to set up a chain of command which allows the Secretary the capacity to make the judgments the Secretary needs to make to move the decisionmaking process, to engage people in a field like exports, which is particularly one of the assistant secretaryships we are talking about. And the Department cut underneath that level from 120 to 76. This represents a cut of 37 percent of the Deputy-Assistant-Secretary-equivalent positions.

Let us repeat that. We are talking about allowing the Secretary of State to organize his Department as he wants, to streamline decisionmaking, and to implement the cuts he is trying to make. We should not micromanage or second-guess or undermine the Secretary's ability to be able to do that, particularly when you measure it against the fact that the Secretary has done precisely what the Senator from North Carolina wants and what he says the Secretary said he would do in the course of his confirmation hearings. He has cut the number of Deputy Assistant Secretary and DAS-equivalent positions from 120 to 76.

In addition, the Department has made a number of other position changes, and those have been spread throughout the Department through a process of absorption.

I think my colleague knows negotiating the agreements in this new world is not easy.

If we are going to get other countries adhering to our standards on working out agreements, you have to have somebody who has the stature within the Department to be able to engage in the discussions that lead to those treaties, or agreements.

I think that for us to sit here and suggest to the Secretary that he cannot have somebody to help him open up the export markets of the world and in a sense have an America's desk that is engaged in opening up job opportunities for North Carolina and Massachusetts, is to deny the State Department one of the most important tools of guidance that the embassies have. We should remember that most of these other Departments that operate in our embassies are precisely that. They are in the Embassy; the Commerce Department, ExIm, the others. It is the Embassy and the Secretary of State who have the best handle on the levers that are available to help create the maximum opportunity in any particular country. In fact, it is the ambassadors who, working with the Secretary, can best balance the other policy interests of a particular region of the world or a particular country in the effort to help our companies compete against other countries that are not bashful about putting their government officials in those countries and spending more sums than we are in an effort to advantage their workers and their companies.

It is time for the United States of America to wake up, if we are going to put American citizens first and American interests first. You are not going to do it with a State Department that is shrinking by the day and whose capacity to be able to pursue some of these interests is diminished.

I am for getting rid of the bureaucracy at the lower level. But that is not what Secretary Christopher is asking for in these two or three positions which will help him to streamline and effect the overall changes that he seeks to effect in the Department.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, wonders never cease. I do not know what amendment the distinguished Senator from Massachusetts has been talking about. But he sure as heck has not been talking about mine, not the one that is pending. He got his figures all jumbled up. I do not know who wrote that thing for him. At one time he said Deputy Secretary, at another time he said Assistant Secretary, and so forth. He may have his staff correct the copy in the CONGRESSIONAL RECORD so it will be in order.

Let us review the bidding on what this amendment actually does, not what Senator KERRY says it does.

First of all, this amendment gives the State Department absolutely the same number of Assistant Secretaries and absolutely the same number of executive level IV pay positions as it has now.

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

Mr. HELMS. I did not interrupt my colleague.

Who has the floor, Mr. President?

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I sat quietly while the Senator engaged in a friendly diatribe, and now I want to refute it a little bit.

Mr. KERRY. Mr. President, will the Senator just yield for a question?

Mr. HELMS. Will the Chair please inform the Senator who has the floor once more?

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. KERRY. Mr. President, I know nothing in the rules of the Senate that do not allow me to ask the Senator if he would yield for a question. He can say no.

Mr. HELMS. I did not say there is.

The PRESIDING OFFICER. Does the Senator from North Carolina choose to yield for a question?

Mr. HELMS. Not now. I did not interrupt the Senator. I beg his indulgence because he was saying HELMS is against the building trade. That was the implication of what he said. He brought into this the Research Triangle Park in North Carolina. But I will tell you one thing about most of the businessmen from all over the country who come to me for help. They never say anything at all about what help the State Department gives them. It is the Commerce Department officials who they mention—not these people stationed over there in the embassies.

So it is a lot of baloney to say that, boy, these ambassadors are doing a great job. Some of them are. But I tell you the businessmen in my State and other States who come to me I have called many times overseas, I have written many times overseas and it is not the bureaucrat in the State Department who renders the help. It is the people from the Commerce Department who are stationed in the embassies.

So let us get that straight. I am not going to sit here and take a lot of baloney about what I am trying to do and what this amendment tries to do, because the amendment speaks for itself. I am perfectly capable of speaking for myself. I do not need the Senator from Massachusetts to speak for me. I do not try to speak for him.

I know that he is very sensitive about any suggestion of criticism of his administration, yet he was one of the most critical of the previous administration.

The present bill which gives the State Department 26 executive level IV pay positions and 20 Assistant Secretary title positions, and what was the figure per person—it cost $125,000.

By the way, so the Senator will know what I am trying to do, let me read you a little explanation that the American taxpayers understand. I put it in the RECORD every day the Senate is in session. At the close of business on Friday, January 28, Mr. President, the Federal debt stood at $4,512,950,244,156.40. That means that on a per capita basis, every man, woman and child in America owes $17,310.16 as his or her share of that debt.

That is what prompted this amendment. If you do not exercise good stewardship on small things, you are not likely to do it in overall things.

This amendment does not eliminate even one existing Assistant Secretary position. To hear the Senator from Massachusetts tell it—I did hear him, I heard every syllable when I was in the Cloakroom—we just propose mayhem. Now anybody knows that is not so. It does not require the Secretary of State to establish any particular bureau or any Assistant Secretary to accompany any bureau. We are not micromanaging.

I am trying to be a little faithful to what the American taxpayer is putting up with in terms of the deficit spending of this Government.

All congressionally mandated Assistant Secretary positions have been retained under this amendment. And the original administration request included 24 Assistant Secretary positions and 29 executive level IV positions. So let us review the bidding again.

The proliferation of bureaucracy throughout this Government and at the State Department is nothing new. I complained about this when the Republican administrations were in office.

Let me share with you the comments of former Secretary of State Dean Rusk on this topic, as recorded in "Annex H—Streamlining the Policy Process," which is a section of "State 2000," a report by the State Department Office of Management Task Force from January 1993. Mr. Rusk testified in 1963:

> I would say * * * that inside the Department of State, our principal problem is layering.

"Layering" is the word that Warren Christopher used approximately a year ago at his confirmation hearing.

Let me continue to read from Annex H of "State 2000":

> The major causes of layering are the proliferation of bureaus, bureau-equivalents, independent and semi-independent offices, deputy assistant secretaries and deputy assistant secretary equivalents, and staff for seventh-floor principals.

That means the seventh floor of the State Department.

Continuing:

> The larger the number of organizational units, the more participants there are on any given policy issue.

They like to sit around, look important, and take up time.

> This increases the number of clearances and lengthens the time required to make a decision.

When Dean Rusk made this criticism in 1963, the Department of State had 21 bureaus or bureau-equivalents, 6 independent or semi-independent offices, 46 Deputy Assistant Secretaries or Deputy Assistant Secretary equivalents and a fairly modest number of staff aides serving seventh-floor principals.

Let me continue from the report:

> Today there are 32 bureaus or bureau-equivalents * * * and 18 of these are assistant secretary positions with full bureaucratic regalia. There are * * * 14 independent or semi-independent offices, 121 deputy assistant secretaries or deputy assistant secretary equivalents and considerably larger staffs for seventh-floor principals * * * In addition, a number of the bureaus, bureau-equivalents and independent offices were established by Congress * * *

And that is the Lord's truth. I insert that parenthetically.

Continuing:

> The growth can be attributed, I believe, to Parkinson's Law.

That is an understatement, Mr. President.

> Justified or not, new units and positions contribute to the problem of layering and need to be reassessed in light of our changing diplomatic requirements.

I ask unanimous consent that at this point in the RECORD the table to which I am referring be printed.

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

Year	Bureau or equivalent	Ind. office	DAS or equivalent
1963	21	6	46
1992	32	14	121

Mr. HELMS. Mr. President, this, according to Annex H—Streamlining the Policy Process of the U.S. State Department, from State 2000, which, as I said earlier, is a January 1993 report from the office of management task force. That report recommended a new decrease—yes, I said it correctly; it recommended a decrease in the bureau positions or bureau-equivalent positions.

Read the amendment. I am not even saying a decrease. I am saying to hold it where it is. I am not micromanaging anything. I am just saying let us not push this debt any higher.

As the administration requested, the task force did not recommend an increase in positions as this bill provides, nor did the task force recommend a 33-percent increase in Assistant Secretary positions. This amendment, Mr. President, eliminates layering, and it eliminates bureaucratic growth.

I say again that it is not exactly correct to get up and say this amendment is against full participation in world trade. If you turn our businessmen loose from a lot of the bureaucratic controls, we will see how they function.

But never a day passes that I am not in contact with somebody overseas, seeing if I cannot get somebody in the door. Most of the time, I do not talk

with the Ambassador. I talk with the Department of Commerce or sometimes the Treasury Department representative in the embassy in question. The Senate can do what it pleases, of course, but I want it to vote on the amendment as it is, not as Senator KERRY described it.

I yield the floor.

Mr. KERRY. Mr. President, the amendment of the Senator is precisely as I have described it. The Senator says it leaves the situation exactly as it is today. It does not. It, in fact, cuts three existing executive level IV positions. So the Senator can stand here and say one thing, but saying it does not make it true. The fact is that the numbers here are three less than the Secretary currently has in the full paid positions.

Second, the Senator read a number of numbers of Deputy Assistants, but he took it from the old book. The Senator has made much of how important it is that we talk about reality here. The reality is that there are not 121 Deputy Assistant Secretaries. Let us understand this. Deputy Assistant Secretaries—they have been cut. They have been cut by Secretary Christopher, and they are down to the number of 76.

So the Senator can come here and offer an amendment to cut a status which does not exist and rail against a status that does not exist, and then come to the floor and say Senator KERRY is incorrect. But he cannot support it. He never addressed the question of how many Deputy Assistant Secretaries are now within Secretary Christopher's reorganization. The number is 76, not 121.

Moreover, when the Senator talks about we have to get rid of this layer that Dean Rusk talked about, that is precisely what Secretary Christopher is doing.

When you get rid of the 120 down to 76 Deputy Assistant Secretaries, you are stripping away a layer and you are getting rid of the in-between layers so that the people at the top layer can make decisions and be directly engaged with the decisionmaking process without the interference of layers.

So, let us try to deal with reality.

I want to report from our committee's markup, and this is the testimony of Assistant Secretary Wendy Sherman. I quote her line 10 of the testimony in the Foreign Relations Committee.

> There were 120 Deputy Assistant Secretaries and Deputy Assistant Secretary equivalents. We have tried to move that down to about 76 Deputy Assistant Secretaries, a substantial cut of 28 percent of the positions, and 37 percent of the Deputy Assistant Secretary equivalent positions.

We will save an additional 50 percent or more personnel in this process, and the Senator is right. It is a very difficult process, one that has to be driven very hard.

Now, let me continue further on bureau consolidation from the testimony in front of our committee, again, Assistant Secretary Wendy Sherman testifying:

> We had when we came in 30 bureaus and bureau equivalents. We have reduced those to 29. We had 12 independent units reporting to the Secretary when we came in. That is now reduced to 7, almost a 50 percent reduction in the independent units reporting to the Secretary.

That is what Secretary Christopher is trying to do.

My colleague comes here and reads Dean Rusk who has not been in the State Department with all due respect for how many years and is not there today, and that is not what we are addressing.

So, Mr. President, I want to make it clear. If the Senator wants to back it up with facts, then let us do that, but let us not do it on the basis of just someone's assertion.

Now, my colleague also says that this does not have anything to do with business, and he does not know how it is going to help business. Let me say to my colleague that we represent sections of our States that are very similar. North Carolina has done an extraordinary job of building up its technology capacity, its educational capacity, its export ability, and indeed the triangle is renowned and greatly respected across the country.

Those folks in that triangle will be benefited by having the ability to get into the export marketplace, and any one of them can tell you horror stories of what happens because of the export licensing process or the restraints on access.

The Secretary has determined that he wants a high-level person within his Department focused on export controls so that the United States is not always playing catchup in the marketplace, but rather we are ahead of the curve helping our businesses get in there, managing the commerce and other efforts within the Embassies and doing a much more effective job of helping our companies to find export opportunities or to reduce the restraints that exist at this point in time.

I say to my colleague with all due respect that the Secretary deserves the opportunity to indeed peel away the layers but to guarantee that when he is busy as he is in shuttle diplomacy or greatly in demand for the President at a summit, or whether it is Russia or Belgium, or wherever, that the people are there underneath him but immediately reporting to him who are empowered to do the business of this country and to get things done.

If we were not peeling away these other layers, I would stand here with my colleague and join him, and when he says I am sensitive about criticism being directed at this administration, I have directed criticism at this administration. I think the record is very clear that on a number of occasions in the course of the last months in more than foreign policy efforts or other efforts I have been willing to criticize where criticism is necessary.

But I ask my colleague to focus on the fact that this is pennywise and pound foolish when you measure what we will gain for it. For about $230,000 or so for two Secretaries, we are going to forgo conceivably millions and perhaps billions of dollars of contracts or the opportunity for them, and that is documentable.

Moreover, we cut $333 million from the State budget, and we cut another $170 million from the USIA budget, for a total of roughly $500 million from the level of the President's request, which is a real cut beneath this year's level because the President's request was a freeze.

So we are talking about a real cut in the Department's budget of $333 million, and we are talking about two or three positions that the Secretary of State has determined would make a difference in his ability to be able to manage and further cut the affairs of the Department or personnel places in the Department.

My colleague said he is doing this only to come and deal with the $4,512,950,000,000 debt, and so forth.

I applaud that, and I hope he will join me and other colleagues in voting for an additional $45 billion of cuts that we are bringing to the floor shortly which we proposed.

Let me show two charts, if I may, and I hope my colleague will take a look at these two charts. This chart, if I could show my colleague and perhaps have his attention.

Mr. HELMS. Just a minute.

Yes, I would be glad to give the Senator my attention.

Mr. KERRY. This sheet of paper, which I have shown my colleague, and I will make a copy of it for him, shows the current organization of the Department of State. This is what you have—a huge page of blocks of people reporting and layers. This is what the Secretary of State has done to this chart. Here is the comparison. It is highly simplified, highly streamlined. The Secretary has gotten rid of several layers.

So I hope my colleague will look at the difference between these two charts. That is a streamlining, and the Secretary, I think, deserves the right to complete the job and to finish that streamlining process.

My colleague says that this is not micromanagement. Let me respectfully disagree with my colleague and say why it amounts to micromanagement.

If the Secretary were not cutting at all, if we were not cutting, and we came to the floor and mandated some cuts, I would say to my colleague that is proper. We ought to do that. But we

have done that. We have mandated $333 million of cuts.

Moreover, the Secretary is proactively cutting and getting rid of almost 38 percent of the Deputy Assistant Secretary level positions. It seems to me that it is completely micromanaging to tell him that he cannot have two or three positions to be at a level that he wants them at in order to be able to better manage the Department. To deny him that right is to micromanage.

When the Secretary of State takes the number of DAS or DAS-equivalent positions from 120 down to 76, but we say he cannot have 2 or 3 Assistant Secretary positions that he wants, I cannot think of anything that is a more classical definition of micromanagement.

I understand what my colleague is trying to do. I think it is laudable that he wants to reduce the budget, but I believe in this effort we have in good faith brought serious cuts to the floor of the Senate. They are not without pain. They are not without dislocation. And I would hope my colleagues would give the Secretary the tools to address the needs of the post-cold-war world with some discretion rather than our sitting here and tying his hands completely.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER (Mr. DORGAN). The Chair recognizes Senator HELMS.

Mr. HELMS. Mr. President, again, I am obliged to wonder what amendment the Senator from Massachusetts is talking about. He is not talking about my amendment.

Furthermore, I wish the distinguished Senator from Massachusetts would send one of his aides to a telephone to ask the State Department—if you would listen to me, please—ask the State Department if one position, if one job, if one person has lost his job in all of this elimination of Deputy Assistant Secretaries.

Now, it is true enough that he has done away with a bunch of titles. But he still has the people there in another capacity. If the Senator doubts that, telephone to ask the State Department whether or not I am accurate about that. I do not know whether he wants to do that or not.

My amendment does not undermine or seek to at all impede the authority of the Secretary of State. I repeat, all it does is maintain what he already has. Our committee, including Mr. KERRY, voted to maintain the statutorily mandated positions, and that is how you define micromanagement. He voted for micromanagement. My amendment and my position in committee and my position now is to give the Secretary the judgment and let him make the judgment call on these things.

I do not know what the Senator from Massachusetts is talking about. And I must respectfully say that I do not think he does, either.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes Senator PELL.

Mr. PELL. Mr. President, I realize that questions like this look different depending on the holder's position, as they say, it is in the eyes of the beholder.

Well, in this case, is it micromanagement or not? In my view, it is micromanagement. I think we should let the Secretary, if he chooses, have any number of Assistant Secretaries or cut them, either way.

I feel particularly strongly on this, because many years ago not enough attention was being given to the 70 percent of the Earth that was covered by the ocean. I can remember arguing with Dean Rusk at several meetings and in several Congresses about the necessity of having a bureau that would focus on the oceans, which is now expanded to include scientific affairs on ocean and environmental affairs.

I think sometimes when Congress wants to underline that point, as they have on a couple of occasions, that should be permitted. I think to take this power away from the Secretary would be a mistake. And, as fond as I am of the Senator from North Carolina, I must regretfully disagree with him on this matter.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes Senator HELMS.

Mr. HELMS. Mr. President, Senator PELL has stated it correctly. He stated that it is his opinion. He carefully delineated between what is fact and what is opinion. Now, that is the reason I respect Senator PELL. I have enjoyed working with him on the committee.

But, when we start saying that another Senator has done so and so and he is taking on the whole business future worldwide of the United States of America, that is when I have to protest and that is when I say, "Read the amendment."

I accept Senator PELL's opinion as his opinion. I appreciate his comments because he is a thoroughbred gentleman.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Let me ask my colleague, without losing my right to the floor, a question or two.

Does the amendment of the Senator from North Carolina cut the number of Assistant Secretaries that are in the bill today? A very simple question. Does it cut the number that is in the bill today?

Mr. HELMS. Well, what do you mean by cutting? Are you talking about what the bill specifies or what the Secretary of State has now?

Mr. KERRY. My question to the Senator from North Carolina is: Does the amendment of the Senator from North Carolina cut the number of Assistant Secretaries authorized in the bill that is on the floor? It is not very complicated.

Mr. HELMS. Yes, it is complicated, because I want to know what you are talking about. Are you talking about people on the job or people proposed or what?

Mr. KERRY. Let me ask the question again so it is very clear.

Mr. HELMS. No, it is not clear.

Mr. KERRY. Does the amendment of the Senator from North Carolina seek to cut the number of positions that are authorized in the bill on the floor?

Mr. HELMS. Oh, that is a different thing.

Mr. KERRY. No, that is the same thing I have been talking about.

Mr. HELMS. No, it is not. We are not talking about anybody on the job. We are talking about what has been proposed by a majority of two on the Foreign Relations Committee, are we not?

Mr. KERRY. Mr. President, the last time I looked, this is a country that works by a majority. A majority, indeed, voted to do this, and it is in the bill.

My question to the Senator—and I think he has answered it affirmatively—is that the amendment that he is proposing seeks to undo what the Foreign Relations Committee has approved; correct?

Mr. HELMS. That is not the same question the Senator asked. But the answer to that question is yes.

Mr. KERRY. That is precisely the point.

Mr. HELMS. No, it is not.

Mr. KERRY. Now, when the Senator says that somehow he does not know what amendment I am talking about because his does not do what I am talking about, that is precisely what I am talking about.

Secretary Christopher has asked for those people. Those are an authorization at the request of the Secretary of State. Now, the exchange is this: the Foreign Relations Committee took those additional positions and gave them to the Secretary, recognizing that we had cut $333 million elsewhere in the Department's budget and recognizing that the Secretary was going to cut many other positions to make up for those two.

So, in effect, I am talking about the amendment of the Senator from North Carolina. I am saying that the U.S. Senate should not deny Secretary Christopher the right to the two people or three people he has asked for to help him effectively manage the State Department, particularly when you bear in mind the steps already taken to delayer the Department if you can put it that way.

Now, is it not accurate, I ask the Senator from North Carolina, that he does not want Secretary Christopher to

have the additional positions he has asked for to help him manage the Department in the way the Secretary has said he needs them?

Mr. HELMS. I certainly agree to that. And I think the majority of the American people, the taxpayers, would agree with it.

Mr. KERRY. Mr. President, this is really the nub of it. The Senator has acknowledged that he is trying to micromanage the Secretary's Department. The Secretary has come to us and said, "I need these three positions." He has also said to us, "I am cutting all these other positions," a 37 percent cut.

You tell me the American people are going to rise up and say, "Mr. Secretary, with all your years of experience and with all the difficult issues you have to face, we don't like it that you are cutting 50 people and putting three of them in a new position?"

I do not believe that. The American people would be proud of the fact that $333 million are cut in this bill. I think they would give the Secretary of State the discretion to put three people into important positions.

Now, what are those positions? Well, refugees. We have an increasing problem with refugees—refugees from Haiti, refugees coming out of Mexico or illegal aliens, refugees out of China. The Secretary is inundated with the problems of refugees. He wants somebody in his office reporting directly to him who can help discern what our policy ought to be with respect to it and to implement it.

Mr. President, this is an amendment that seeks to tell the Secretary of State he cannot manage his own office. We are going to tell him how many people he can have, even though he is busy cutting the entire Department.

I think it is wrong. I think it is penny wise, pound foolish, bad policy, and it simply should not be agreed to.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina.

Mr. HELMS. Mr. President, there he goes again. He said, "Cut 50 people. Cut 50 people."

No way. The Secretary has not eliminated one person. He has eliminated 50 titles. I ask—if the State Department gives a different report now than the report they gave to us, I want to check up on that, too.

I remind my colleague, in committee I proposed eliminating all congressionally imposed assistant secretaries, and allow the Secretary of State to reorganize as he wished, using fewer people. The majority of members of the committee rejected that amendment and mandated—I am sure it was at least five assistant secretaries. It may be more than that, but it was at least five.

Now, who is micromanaging? Not this amendment. Not the Senator from North Carolina.

I wonder if the chairman seriously wishes to repeal the requirements to have statutorily created Assistant Secretary positions. Chairman PELL and the manager of the bill on the other side refused to give the Secretary authority to organize without mandated offices. Micromanagement is what the other side did. They are pointing fingers—and saying "micromanagement"—at me. No way. I just want to cut the cost of operating the State Department. That always raises the hackles of some people in the Senate.

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

Mr. KERRY. Mr. President, let me say to my colleague—and we do not need to go back, and back, and back, and back and forth. I know he is earnest about wanting these changes and I have joined him in trying to get some of the reduction because there is too much bureaucracy. But let me tell my colleague exactly where we are in this. We just checked up and I want him to understand.

The Senator from North Carolina and I both know that you cannot take a Foreign Service Officer and summarily fire him or her without cause. You can take them out of a position, but you cannot remove them from the service unless they are bought out or they leave. That is happening.

So, the Senator is correct in saying that not every one of these 50 has gone from the Department. Some have, however. The Senator says to me he wants me to tell him if one person has left? And the answer is yes.

Let me be precise. The Deputy Assistant Secretary positions, the majority of them were filled by career Foreign Service Officers. So you can eliminate the layer but, absent cause, those folks go off into some other area of the Department unless they leave. The political appointees are all gone. The political appointees who were there under the other party left. Those positions have been eliminated. So there is an elimination of real people and positions.

Second, the Department is now eliminating 391 positions in this fiscal year. Real people going out of the door. The Senator from North Carolina has intelligently helped the Secretary to be able to do this through an amendment which gives the Secretary further ability by offering him what we call RIF, reduction in force, authority. So the Secretary has now, if we pass this, additional authority to be able to reduce positions.

So I would say to my colleague, this is an improvement. We are seeing genuine movement. And really I come back to the argument I made before. We do not need to beat a dead horse here, but I do think when you measure this good record of genuine attrition and loss of personnel and movement and the elimination of the bureaucracy itself—the elimination of the positions so a whole layer is stripped away, as I showed the Senator in the chart—I think you are on the right road. I think to say to the Secretary, "You cannot manage the sort of decisionmaking part of this," is a mistake.

I would simply, respectfully maintain that position. It is my judgment and my opinion it is based on the facts, and I emphasize facts, that I have laid before my colleague and the Senate.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina.

Mr. HELMS. Mr. President, this may be one of those times—I ask the Senator if he is familiar with the poem, The Blind Men and the Elephant, about the blind men of Indostan. They were asked to describe an elephant. One of them put his hand on the side of an elephant. "Surely he is built like a wall."

Another put his hand on the leg and he described him in some other fashion.

And then another one, the third one, put his hand on the trunk, and said "Surely the elephant is built like a snake."

But I will say this. The Senator from Massachusetts has acknowledged that nobody has been fired indiscriminately—or discriminately, for that matter. And all of this Assistant or Deputy Assistant Secretary, or whatever that layer is, they have been RIF'd, they have been retired, they have been kept on in another capacity. And all of that is going on all the time in the Government, throughout the Government, no matter who is President, no matter who is Secretary of Commerce or Treasury or Attorney General or Secretary of State.

So I am not willing, yet, to confer sainthood upon Secretary Christopher. He is a nice guy and all of that, but I do not know that he has done anything remarkable to any great extent.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, let me just say to my friend, the Secretary of State will be delighted to hear that he is at least eligible to be judged for sainthood. I thank the Senator for saying he has not done it yet. But "yet" means there is the possibility.

Mr. HELMS. Did I say statehood?

Mr. KERRY. Sainthood.

Mr. HELMS. That is right. I do not want to consider him for sainthood today. Talk to me tomorrow about that.

Mr. KERRY. I thank the Senator.

Mr. PELL. Mr. President, I appreciate and sympathize with the Senator's desire to streamline the Department's operations. Indeed, there is no disagreement about that goal between myself and the Senator or for that matter between the Senator and the Department itself. Shortly after taking office, Secretary Christopher an-

nounced a major reorganization at the Department, in large part to streamline its operations.

But what I think we have here is an unwarranted attempt at congressional micromanagement of the Department of State. Let's look at the overall picture.

President Clinton has proposed and the Department is implementing a 14-percent cut in administrative expenses from fiscal years 1994 to 1997; in line with this objective, the fiscal year 1994 budget request represents a 3-percent reduction from the 1993 baseline levels. In addition, the President has mandated a 4-percent cut in personnel over 3 years from fiscal years 1993 to 1995.

The committee cut $333 million out of the Department's fiscal year 1994 budget request. Moreover, with the exception of U.S. contributions to International Organizations and Peacekeeping activities, which are not really funding for the Department's operation in any event, the Department's budget is frozen into 1995.

At the same time that these cuts are being made, the committee has recommended that bureaus established by Congress in law remain so, and I support that position. Bureaus such as South Asia and Oceans and International Environmental and Scientific Affairs were created specifically to address issues that had not received sufficient attention at the Department. But given these congressionally mandated positions, I do not think we should add insult to injury by unduly limiting the Secretary's ability to establish bureaus that he believes are necessary.

Let us transfer this situation to a congressional office. We are all facing constraints on our office expenses which we accept grudgingly. But I don't think any of us would simultaneously accept a numerical cap on the number of legislative assistants we could have, while at the same time being told what some of their responsibilities must be. But that, in effect, is what this amendment would do.

Moreover, it is simply wrong to think that this amendment will result in a cost savings. It will not. As I just said, this committee cut $333 million out of the Department's request. The President's budget calls for reductions in both funding and personnel. Any additional Assistant Secretary positions will have to be accommodated within these constraints.

So what then does this amendment accomplish? To my mind, it prevents the Secretary and the Department from carrying out a plan with the goal I believe we should all support: to make the Department a more effective, responsive, streamlined organization. I urge my colleagues to oppose this amendment.

Mr. KERRY. Mr. President, if the Senator from Ohio is offering an amendment, I ask unanimous consent that this amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from Ohio.

AMENDMENT NO. 1321

(Purpose: To impose sanctions against any foreign person or United States person that assists a foreign country in acquiring a nuclear explosive device or unsafeguarded nuclear material, and for other purposes)

Mr. GLENN. 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 Ohio [Mr. GLENN] for himself, Mr. PELL, Mr. HELMS, Mr. RIEGLE, Mr. SIMON, Mr. D'AMATO, Mr. AKAKA, Mr. CAMPBELL and Mr. KERREY, proposes an amendment numbered 1321.

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

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. GLENN. Mr. President, going back to my first days in the Senate, way back when I was first sworn in in 1975, I started making inquiry about who was looking into matters dealing with nuclear nonproliferation because, having been through a couple of wars, it is hard to envision the horrors that nuclear war would bring upon us and the rest of the world. It turned out that no one was really doing quite as much in that area as I thought they should. There were some people who were looking at some things.

But I have been involved with this matter of nuclear nonproliferation ever since those days and in fact passed, in 1978, the Nuclear Nonproliferation Act of 1978.

One of the earliest actions I took on the Senate floor—in fact I believe it was one of the first amendments that dealt with any money—was to try and get a bit more funding for the International Atomic Energy Agency which was running out of money to pay their inspectors back in those days, in 1975 and 1976.

I think we got $1 million at that time, $1 million to help the IAEA put their inspectors out there on what is admittedly a thin red line, a very thin line of safeguards around the world. It is mainly an information-gathering agency.

Mr. President, we have passed a number of pieces of legislation through the years. This is another one that I send to the desk today.

This amendment is, in substance, the same bill that passed the Senate three times in 1992 but, for various legislative reasons between here and the House, it has not yet been enacted. But in 1992, it was passed on April 9, on September 18 and October 8, each time by unanimous consent. No one in the Senate disagreed with what we were trying to do.

What this amendment is designed to do is help take the profits out of nuclear proliferation. Specifically, the amendment expands Presidential authority to impose sanctions against companies that engage in illicit sales of nuclear technology and requires new sanctions against countries that traffic specifically in bomb parts or critical bomb design information. That seems so fundamental that it is no wonder we have passed this unanimously on three previous occasions.

The sanctions provisions include a ban on Government contracting with firms that materially and knowingly assist other nations to acquire the bomb and contain additional severe penalties against nations that traffic in bomb parts or critical bomb design information.

The amendment also contains a sense-of-the-Congress resolution that the United States pursue some 24 reforms to strengthen the implementation of safeguards administered by the IAEA, the International Atomic Energy Agency.

I am convinced that this international agency needs the support and cooperation of all nations as it undergoes many reforms in the wake of the lessons of Iraq and the new challenges from growing commercial uses of bomb-usable nuclear materials, as well as watching what is happening in the breakup of the old Soviet Union where nuclear material and nuclear know-how can be found scattered among some of the newly independent nations.

The amendment also contains a sunshine provision to require the public disclosure of nonproprietary data on United States nuclear-related exports, basic information about the implementation of United States nuclear sanctions policies, including demarches the United States has both received and sent relating to nonproliferation, and a summary of the progress of the former Soviet Republics, which I mentioned, in implementing their nonproliferation commitments.

The need for this legislation arises from three quarters. First, proliferation remains a profit-making activity for all too many people and companies both here and around the world. The temptation to go for the profits as opposed to what might be in the greater interest of the greatest number of people around the world is sometimes ignored.

Second, although the IAEA is gradually responding to the many new challenges it is facing, both from the global plutonium economy and from clandestine bomb programs, America must do more to encourage other nations to support and strengthen the agency as

it grapples with these problems in the years ahead.

Third, for too long Congress and the American people have been in the dark about illicit deals involving commodities that can contribute to the ability of other countries to build nuclear explosive devices. My amendment would help to keep us all better informed about such developments.

Might I add in that regard that the IAEA is basically an information-gathering agency so that it can keep the world informed about what is going on and about such developments of which I am speaking today.

Mr. President, I am very pleased and honored that this bill enjoys the original cosponsorship of the distinguished chairman of the Committee on Foreign Relations, my friend CLAIBORNE PELL, whose steadfast support of this proposed legislation in 1992 was in large measure responsible for its passage not once but three times by unanimous consent of the Senate.

I also add with regard to Senator PELL, when I first came to the Senate, I was on the Foreign Relations Committee for a number of years, back in those days when we were passing some of this early legislation with regard to nuclear nonproliferation, and I know of no one in the U.S. Senate that has been more steadfast in their support of trying to cut down on the proliferation of these weapons of mass destruction around the world.

Senator PELL deserves a great deal of credit for that, and I am glad to recognize him today since he was in large measure responsible for the passage of this particular piece of legislation on three different occasions as it went through the Foreign Relations Committee and, of course, he is chairman of that committee. I am very happy to have worked with him for all these years, and I look forward to working with him on these things in the future.

I am also pleased the amendment is cosponsored by Senators HELMS, RIEGLE, SIMON, D'AMATO, AKAKA, CAMPBELL, and KERREY of Nebraska. I encourage all of my colleagues to join me in this effort to revitalize these key elements of our nonproliferation strategy. Early enactment of this legislation will make the world a safer place for future generations.

Mr. President, I believe this has been cleared on both sides. It has passed before. I believe it has been cleared on both sides. I hope we will adopt it by unanimous consent again today.

I urge adoption of the amendment. I yield the floor.

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

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, first I just wish to thank the Senator from Ohio for his very kind remarks. Second, far more important is his support of this measure. This is an important measure. It may somewhat reduce the dangers to our grandchildren and great grandchildren and should be adopted once again. I hope it will finally be implemented.

Mr. President, I am pleased that the Senate is considering today the Nuclear Proliferation Prevention Act of 1994.

Mr. President, this bill is a cooperative effort dating back to the last Congress. Following passage of the Chemical and Biological Weapons Control and Warfare Elimination Act in the last Congress, the Senators from Ohio and North Carolina, Mr. GLENN and Mr. HELMS, and I realized that some serious updating of existing legislation setting forth sanctions for nuclear misbehavior was recognized. The Glenn and Symington amendments which had proved to be critically important deterrents to nuclear proliferation needed to be both broadened and toughened to reflect the continuing need to rely upon the application of sanctions and the threat of application of sanctions deter potential miscreants. Moreover, unless the nuclear provisions were updated, we would have been in a situation in which the deterrents to chemical and biological weapons misbehavior were greater than those for nuclear misbehavior.

Accordingly, the Senator from Ohio [Mr. GLENN] authored S. 1128, the Omnibus Nuclear Proliferation Control Act. This bill in its final form late in the session had been carefully worked out with the Bush administration, approved without dissent by the Committee on Foreign Relations and approved without dissent by the Senate three times.

Unfortunately, for reasons having nothing to do with the nuclear bill, it failed to gain passage in the House when, in the waning hours of the session, wrangling doomed a redrafted Export Administration Act, to which it was amended.

Senators GLENN, HELMS, and I recognized the critical importance of that effort and it has been reintroduced in this Congress as S. 1054 and has won the full support of the Clinton administration. The amendment under consideration today is comparable to the current legislation, that is an updated version of the 1992 final text so as to be acceptable as possible to both House and Senate.

Mr. President, this excellent legislation's primary author is Senator GLENN, who is a former member of the Committee on Foreign Relations, and presently chairman of the Senate Governmental Affairs Committee. The senior Senator from Ohio has labored tirelessly and effectively to solve problems of nuclear proliferation since he came to the Senate more than 19 years ago.

I am pleased, as is the Senator from North Carolina [Mr. HELMS], to have shepherded this legislation through the Committee on Foreign Relations last year with a strong Pell-Helms amendment added in markup to strengthen existing law regarding illicit weapons-related transfers and nuclear detonation added in markup.

The administration is currently developing its own nonproliferation policy. I firmly believe that this legislation, establishing a strong sanctions regime, would be an integral part of an effective new policy and would once again demonstrate U.S. leadership in the effort to curb nuclear proliferation.

The act applies to nuclear proliferation some of the same approaches taken in comprehensive chemical weapons legislation, the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991, which I authored with the Senator from North Carolina [Mr. HELMS].

The main purpose of the act is to create strong barriers against illicit exports that would help nations to acquire nuclear arsenals. Accordingly, the bill targets persons and firms that materially and with requisite knowledge contribute through the export of goods or technology to the efforts by any individual, group or nonnuclear-weapons state to acquire unsafeguarded weapons-grade uranium or plutonium or to use, develop, produce, stockpile or otherwise acquire a nuclear explosive device. Those engaged in such activities would lose, with certain specified exceptions, the right to sell to the U.S. Government for at least a year. Banks, insurers, and other financial institutions that willingly back this dangerous nuclear traffic could also be penalized.

In addition, the bill prohibits U.S. support for multilateral aid that would promote the acquisition of unsafeguarded nuclear materials or the acquisition of nuclear explosive devices; provides expanded presidential authority to impose economic sanctions against foreign firms under the International Emergency Economic Powers Act; and requires that the President ban Export-Import Bank credits to countries that willfully aid and abet other countries in the acquisition of nuclear explosive devices or weapon material.

Moreover, the bill authorizes payment of rewards for information useful in halting nuclear proliferation; eliminates Pakistan's special exemption from Glenn/Symington amendments of the Foreign Assistance Act; and, requires recipients of United States arms to comply with their nonproliferation commitments.

At the time of approval of this legislative initiative by the Committee on Foreign Relations, the Senator from North Carolina [Mr. HELMS], and I authored an amendment substantially expanding and toughening the sanctions that would be applied against nations

transferring or receiving nuclear devices and the means to make them.

At present, section 670 of the Foreign Assistance Act of 1961 provides for a cutoff of military and economic assistance, except for humanitarian aid, to any nation that transfers a nuclear explosive device to a non-nuclear-weapon state that either receives such or detonates one.

Our experience in recent years has demonstrated that section 670 provision should be made to apply to components and design information as well. Moreover, the Iraq experience and other problems have made it abundantly clear that the list of sanctions must be more far reaching so that no nation could doubt the severity of the price to be paid for nuclear misbehavior. Under these new sanctions any nation giving the wherewithal for a nuclear device to a nonnuclear-weapon state or any such state receiving such help would become a pariah among the world's nations so far as the United States was concerned. I would hope other nations would follow our lead, as they have before in proliferation matters.

The new country sanctions would consist of a ban on all foreign assistance except for humanitarian aid, on arms sales and arms sales financing, denial of U.S. Government credit or other financial assistance; opposition to multilateral bank assistance; a ban on bank loans except to buy agricultural commodities and a prohibition on exports to the sanctioned nations.

Mr. President, the headlines of the past few months, or even weeks, bear stark witness to the continuing and urgent problems of nonproliferation. Currently, the refusal of the North Koreans to agree to the inspections necessary for the reassurance of the nations concerned by the prospect of yet another maverick nations seeking nuclear weapons.

We still face the possibility of serious nonproliferation problems emanating from the former Soviet Union, with particular regard to Russia and Ukraine. I think that progress is being made in both nations with the strong backing of the Clinton administration and the Congress. Nonetheless, the possible diversion of highly enriched uranium, weapons grade plutonium, key components, scientific knowledge, or the scientists themselves remain threats of major significance.

There remain nations throughout the world who are committed to the attainment of a nuclear weapons capability as we should be to thwarting them. Our efforts to this end are in our own vital national security interests, but they also protect our friends and allies, as well as innocent peoples throughout the world.

Some believe that the best way to deal with potential proliferation is through cajolery and sweet talking. There is place for diplomacy. But it can well be backed by the kind of big stick provided by this legislation. We should make it clear that there will be rewards for those who help in the cause of nonproliferation. At the same time, there must be severe punishments for companies and corporations that misbehave.

Mr. President, the Symington amendment was conceived and enacted nearly two decades ago. It was followed by the Glenn amendment, the Nuclear Non-Proliferation Act of 1968, the Pressler amendment, and now the Omnibus bill. It is true that they have not saved the world from nuclear proliferation. Nonetheless, they have stopped proliferation in many cases, averted it in others, and slowed it in still other cases. Most importantly, they have helped create a climate in which the spread of nuclear weapons is anathema and those who seek such weapons are beyond the pale.

With this legislation, more effective barriers to the spread of weapons that can destroy civilizations will be created. There will remain more to be done later. For now, we must not do less.

The PRESIDING OFFICER. Is there further debate?

Mr. HELMS. Mr. President, I want to inquire of the Senator from Ohio if I am identified as a cosponsor of his amendment.

Mr. GLENN. Yes.

Mr. HELMS. I wanted to be sure about that. Of course, we have no objection on this side.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1321) was agreed to.

Mr. GLENN. 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 agree to.

Mr. KERRY. 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. 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, let me say that we will shortly propound a unanimous consent request with respect to votes tomorrow, but I would put Senators on notice that there will be two votes at least tomorrow morning beginning at approximately 10 o'clock in the morning subject to final confirmation from the leaders. This is a good time still for those who have amendments who want to make sure they do not run up against the barrier tomorrow to come to the floor. We would like to try to dispose of several amendments, if possible, or at least have the debate, if possible, and lay down a few if they need record votes tomorrow. So I ask colleagues, if they are listening or are here, to come to the floor so we can proceed to do that so everybody has ample opportunity not to run up against tomorrow night's deadline.

Mr. LOTT addressed the Chair.

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

Mr. HELMS. Will the Senator yield?

Mr. LOTT. I will be glad to defer to the Senator from North Carolina.

Mr. HELMS. I have one amendment on behalf of Senator HATCH, if the Senator will yield to me 1 minute.

AMENDMENT NO. 1322

(Purpose: To express the sense of the Senate regarding Israel's diplomatic status)

Mr. HELMS. Mr. President, I have an amendment, which has been cleared on both sides, to offer on behalf of Senator HATCH. It is a sense-of-the-Senate that the Secretary of State should make the issue of Israel——

The PRESIDING OFFICER. If the Senator will withhold, the Chair advises the Senator that the amendment of Senator HELMS is currently pending. Without objection, we will set the amendment aside. The Senator is recognized.

Mr. HELMS. I assumed that that had been done—of Israel's diplomatic status a priority and urge countries that receive American aid to immediately establish full diplomatic relations with the State of Israel. I send this amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS], for Mr. HATCH, for himself, Mr. DECONCINI, Mr. MOYNIHAN, Mr. GORTON, Mr. LIEBERMAN, Mr. D'AMATO, and Mr. PRESSLER, proposes an amendment numbered 1322.

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

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SEC. . The Congress finds that:

1. Israel continues to be a leader in the Middle East peace process and the only democracy in the region;

2. On May 14, 1948, the United States was the first country to accord de facto recognition to Israel;

3. After over forty-six years of independence Israel is recognized only by 132 countries around the world;

4. 49 countries have no diplomatic relations with Israel, including 32 that collectively receive in FY 94 over $523 million in U.S. foreign assistance;

5. China and India recognized the state of Israel in 1992;

6. Israel is a legitimate state and sovereign entity that deserves to be accorded full diplomatic recognition by members of the international community; and

7. The following states will receive direct and indirect U.S. foreign assistance this year and have failed to recognize Israel: Afghanistan; Algeria; Bahrain; Bangladesh; Botswana; Burundi; Cape Verde; Chad; Djibouti; Ghana; Guinea; Guinea-Bissau; Indonesia; Jordan; Laos; Lebanon; Madagascar; Maldives; Mauritania; Morocco; Namibia; Niger; Oman; Pakistan; Rwanda; Senegal; Somalia; Sri Lanka; Tanzania; Tunisia; Uganda; and Yemen.

Therefore, It is the sense of the Senate that the Secretary of State should make the issue of Israel's diplomatic status a priority and urge countries that receive American aid to immediately establish full diplomatic relations with the state of Israel.

Mr. HATCH. Mr. President, this amendment is simple and straightforward. It urges that the Department of State to request that recipients of American foreign assistance recognize Israel. I do not believe that the State Department has done enough to bring down the diplomatic walls that continue to isolate Israel, and it is my hope that this amendment serves as a catalyst for action.

Israel has existed since May 1948. Yet, 49 countries have failed to recognize her legitimate right to exist. Of this number, 32 countries receive some form of assistance from the United States. These states are shown on the map. It is imperative that these countries in particular understand the importance that the United States attaches to its relationship with Israel.

In fact, it is time that the international community treat Israel with the respect it deserves. Israel has existed for almost 46 years and is the most willing partner in the peace process. It should be commended rather than condemned and ignored by members of the international community.

In 1992 alone, China and India both recognized Israel. I should point out that I am pleased that Madagascar, which is on this map, decided to establish diplomatic ties with Israel beginning yesterday. Unfortunately, a large number of states have failed to follow their lead.

During the past 2 years, I have personally sent letters with a number of my colleagues to the leaders of Indonesia, Pakistan, and Bangladesh requesting them to recognize Israel. I have appealed personally to ambassadors of these countries. It is hard for me to understand how the PLO can enter into negotiations with Israel and yet these countries refuse to establish ties with Israel.

I do not understand why Indonesia, the largest Moslem country in the world, is unable to establish diplomatic relations with Israel. I do not understand why Pakistan is unable to do so. I do not understand precisely why Bangladesh, which has received substantial American aid during a series of natural disasters, denies one of our most important ally's the most basic and fundamental right accorded to a state.

I do not understand why Kuwait—a country that the United States helped liberate from Iraqi aggression—has not recognized Israel. While Kuwait does not receive direct American aid at this point, it was the most direct beneficiary of the Persian Gulf war.

Most important, I do not understand why the State Department is not doing more in this area. The United States will provide over $523 million to 32 of these countries that do not recognize Israel. I believe that every U.S. ambassador in such a country should be required to raise this issue with the host government.

I believe that only then will these countries get the message that the United States is serious about this matter.

Mr. KERRY. Mr. President, before we vote on this amendment I wish to make sure the RECORD reflects that this amendment is accepted in the spirit of encouraging further progress with respect to the peace process in the Middle East. The-sense-of-the-Senate states, in the amendment, that the Secretary of State should make the issue of Israel's diplomatic status a priority. I think there should be no inference that it is not now a priority.

Just over this weekend in Davos, Switzerland, where Foreign Minister Peres met with Yasser Arafat, there was significant discussion in the peace process with indications of significant progress being made. But at that meeting, in Davos, of the world economic community, former Assistant Secretary Spero said publicly, in the presence of Arafat, that it is time for the Arab communities to end the economic boycott, and there was resounding applause from the community, including the applause, I might add, of Yasser Arafat.

So this is very much on the administration's agenda. The Secretary himself has been obviously deeply involved in the process.

In the spirit of encouraging future and continued support, we accept this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1322) was agreed to.

Mr. HELMS. Mr. 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.

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

AMENDMENT NO. 1315

Mr. LOTT. Mr. President, I might speak briefly again, with regard to my amendment that I offered earlier this afternoon, to respond to some questions that were propounded by the Senator from Massachusetts.

Just so I can bring Members back to the issue being discussed, my amendment would say that for those countries which do not support the United States at least 25 percent of the time, they would lose their military and security assistance. It is not applicable to humanitarian or developmental aid; it is only applicable to international military, education and training, foreign military financing and economic support fund. I think the American people would be truly outraged if they knew in fact that we were giving military aid—I am not talking about humanitarian aid; I am talking about military aid—to countries that vote against us 80 percent of the time. So that is the amendment that is pending.

It has been suggested that this is not really a good way to do it because it might include procedural votes. Well, first of all, as Senators, we all know that sometimes the real vote is the procedural vote. In fact, more often than not the real vote in the Senate is the procedural vote. But this amendment sets the threshold low enough to accommodate votes which have no direct bearing on significant issues where America has taken a specific position. Members of Congress are fully aware of how an organization of this type can take selective votes and make it reflect any position they might want. So by setting it this low, 25 percent—that is all we ask—I think that takes care of the argument that it might involve too many procedural votes.

The Senator from Massachusetts said, "What kind of votes are we talking about?" I have here—and this is really the booklet on which we base this amendment—the voting practices of the United Nations in the year 1992 as compiled by the U.S. Department of State. This is not some organization unrelated to the position in the United Nations. This is our own State Department.

In this booklet they have the list of how countries vote, what percentage of the time they vote with us, the number of absences, and everything. But they also went on to select some key issues they thought were very important. So this is a case where we have countries voting against our position on such things as the United States embargo of Cuba—I would say that is pretty important—a number of resolutions involving Israel, including one on the Middle East and the Golan Heights; here is one with regard to the situation in Bosnia and Herzegovina. So these are a lot of very important votes where sometimes those we thought were our allies were voting against us 80 percent of the time.

Now, some of these countries, if they will improve their percentage of voting

with us just 5 or 10 percent of the time, they would still be eligible. This is a very low percentage, but it is very important. Also, if this had been in place last year, we would have saved $190 million in foreign military assistance.

So I just wanted to respond to that and put that information in the RECORD.

These are important votes. There are cases here, countries, that we have helped for many, many years that are voting against us 75, 76 and 80 percent of the time. I think we should ask that some of our allies do a little better job, quit voting like they are a part of the Third World or country bloc, and support the United States. As I have pointed out, in the last year even Russia voted with us over 59 percent of the time.

So I do not think it is asking too much for some of our closest allies to at least vote with us and certainly vote with us on these very important issues.

We are still working on trying to get an agreement on perhaps a unanimous-consent request on how this will be structured and on having a vote. But we have not gotten that worked out yet. I hope we will have that completed in a few minutes.

I yield the floor.

Mr. KERRY. Mr. President, I thank my friend from Mississippi. I think that the answers to those questions are helpful. We were just discussing this a few minutes ago. I think there may still be some concern in some quarters on our side about some of the countries that get pulled into this prohibition as a consequence.

I can understand on the surface one would say to oneself, well, if they are voting with us less than 25 percent of the time, to heck with them, they should not get the aid. I know there is that sort of quick and easy take on it.

All I am trying to do is make sure we have looked at it carefully to understand precisely what the impact might or might not be.

But you would see Cyprus pulled into this. You would see Jordan pulled into this which might have an impact obviously on the peace process. You would have the Philippines pulled into it; President Ramos and others involved in some very tricky balancing of nationalistic internal politics versus their desire to try to maintain a relationship with us.

So I just want to understand carefully the implications which is why we just are going to take a little time here to take a look at it further.

So if my colleagues will bear with us, I think we will just temporarily set it aside and maybe deal with it either today or tomorrow. I believe Senator SARBANES wanted to speak on this. I had heard earlier Senator MOYNIHAN might want to speak on it. So if we could simply reserve judgment on it until that time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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, let me just bring colleagues up to date on where we are.

As everybody knows, on Thursday we entered into an agreement with respect to amendments. We have proceeded through a number of amendments on the list. But there are still a number outstanding.

We are specifically here today in order to provide people an opportunity to bring amendments to the floor. We do not want to cut anybody off or not provide them the opportunity to bring those amendments.

Obviously, as is the pattern here, tomorrow, Tuesday, we will become a little busier, and all amendments are frozen in such a way that if they are not offered fully by 6 o'clock tomorrow evening, they are not eligible to be offered.

So I ask colleagues if they do have any amendments at this time to let us know immediately. If they can come to the floor right now, we would appreciate their doing so. We will shortly propound a unanimous-consent request with respect to votes tomorrow morning.

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

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

Without objection, the pending amendment is set aside.

AMENDMENT NO. 1323

(Purpose: To amend the United Nations Participation Act of 1945 to facilitate coordination between the executive and legislative branches of Government regarding U.S. participation in, or the use of U.S. funds for, U.N. peacekeeping activities)

Mr. DOLE. 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 Kansas [Mr. DOLE], for himself, Mr. PRESSLER, Mr. DOMENICI, Mr. NICKLES, Mr. COCHRAN, Mr. HELMS, Mr. SIMPSON, Mr. D'AMATO, Mr. COVERDELL, Mr. GREGG, Mr. GORTON, Mr. THURMOND, Mr. KEMPTHORNE, Mr. LUGAR, Mr. MURKOWSKI, and Mr. DURENBERGER, proposes an amendment numbered 1323.

Mr. DOLE. 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:

Beginning on page 74, strike out line 6 and all that follows through line 18 on page 79.

On page 79, line 19, strike out "**SEC. 170A.**" and insert in lieu thereof "**SEC. 167.**".

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

TITLE VIII—PEACE POWERS ACT OF 1994

SECTION 801. SHORT TITLE.

This title may be cited as the "Peace Powers Act of 1994".

SEC. 802. STATEMENT OF PURPOSES.

The purposes of this title are to—

(1) maintain and ensure the primacy of United States national security interests with respect to United States participation in and support for United Nations peacekeeping activities;

(2) strengthen congressional oversight of United Nations peacekeeping activities and other United Nations activities;

(3) provide for advance notification to the Congress regarding anticipated United Nations peacekeeping activities;

(4) ensure that the United States contributions to United Nations peacekeeping activities are fair and equitable; and

(5) otherwise facilitate coordination between the executive and legislative branches of Government regarding United States participation in and support for United Nations peacekeeping activities.

SEC. 803. DEFINITIONS.

(a) AMENDMENT.—The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

"SEC. 10. For purposes of this Act—

"(1) the term 'appropriate congressional committees' means the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives;

"(2) the term 'Permanent Representative' means the Permanent Representative of the United States to the United Nations appointed by the President pursuant to section 2 of this Act; and

"(3) the term 'United Nations peacekeeping activities' means any international peacekeeping, peacemaking, peace-enforcing, or similar activity involving the use of nationals of member countries of the United Nations that is authorized by the Security Council under chapter VI or VII of the United Nations Charter.".

(b) APPLICABILITY TO NONAMENDATORY PROVISIONS.—The definitions contained in the amendment made by subsection (a) also apply with respect to the provisions of this title that do not amend the United Nations Participation Act of 1945.

SEC. 804. NOTICE TO CONGRESS OF PROPOSED UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

(1) by striking the second sentence;

(2) by inserting "(a)" before "The President"; and

(3) by adding at the end the following:

"(b)(1) Except as provided in paragraph (2), at least 15 days before any vote in the Security Council to authorize any United Nations peacekeeping activity or any other action under the Charter of the United Nations (including any extension, modification, suspension, or termination of any previously au-

thorized United Nations peacekeeping activity or other action) which would involve the use of United States Armed Forces or the expenditure of United States funds, the President shall submit to the appropriate congressional committees a notification with respect to the proposed action. This notification shall include a description of any anticipated involvement of United States Armed Forces, a cost assessment of such action (including the total estimated cost and the United States share of such cost), the mission and objectives of United States Armed Forces that would participate in such action, the duration and estimated termination date of the action, and the source of funding for the United States share of the costs of the action (whether in an annual budget request, reprogramming notification, a budget amendment, or a supplemental budget request).

"(2) If the President determines that an emergency exists which prevents submission of the 15-day advance notification specified in paragraph (1) and that the proposed action is in the national security interests of the United States, the notification described in paragraph (1) shall be provided in a timely manner but no later than 48 hours after the vote by the Security Council.".

SEC. 805. TRANSMITTAL TO CONGRESS OF UNITED NATIONS RESOLUTIONS AND REPORTS.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by section 804 of this title, is further amended by adding at the end the following:

"(c)(1) Not later than 24 hours after adoption by the Security Council of a resolution authorizing United Nations peacekeeping activities or any other action under the Charter of the United Nations (including any extension, modification, suspension, or termination of any previously authorized United Nations peacekeeping activity or other action) which would involve the use of United States Armed Forces or the expenditure of United States funds, the Permanent Representative shall transmit the text of such resolution and any supporting documentation to the appropriate congressional committees.

"(2) The Permanent Representative shall promptly transmit to the appropriate congressional committees any report prepared by the United Nations containing an assessment of any proposed, ongoing, or concluded United Nations peacekeeping activity.".

SEC. 806. NOTICE TO CONGRESS REGARDING CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by sections 804 and 805 of this title, is further amended by adding at the end the following:

"(d)(1) Not later than 15 days after the United Nations submits a billing requesting a payment by the United States of any contribution for United Nations peacekeeping activities, the President shall so notify the appropriate congressional committees.

"(2) The President shall notify the appropriate congressional committees at least 15 days before the United States obligates funds for any assessed or voluntary contribution for United Nations peacekeeping activities, except that if the President determines that an emergency exists which prevents compliance with the requirement that such notification be provided 15 days in advance and that such contribution is in the national security interests of the United States, such notification shall be provided in a timely manner but no later than 48 hours after such obligation.".

SEC. 807. NOTICE TO CONGRESS REGARDING UNITED STATES ASSISTANCE FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 7 of the United Nations Participation Act of 1945 (22 U.S.C. 287d-1) is amended—

(1) in subsection (a), by inserting "other than subsection (e)(1)" after "any other law"; and

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

"(e)(1) Except as provided in paragraph (2), at least 15 days before any agency or entity of the United States Government makes available to the United Nations any assistance or facility to support or facilitate United Nations peacekeeping activities, the President shall so notify the appropriate congressional committees.

"(2) If the President determines that an emergency exists which prevents compliance with the requirement that notification be provided 15 days in advance and that such contribution is in the national security interests of the United States, such notification shall be provided in a timely manner but no later than 48 hours after the assistance or facility is made available to the United Nations.

"(3) For purposes of this subsection, the term 'assistance'—

"(A) means assistance of any kind, including logistical support, supplies, goods, or services (including command, control, communications or intelligence assistance and training), and the grant of rights of passage; and

"(B) includes assistance provided through in-kind contributions or through the provision of support, supplies, goods, or services on any terms, including on a grant, lease, loan, or reimbursable basis; but

"(C) does not include the payment of assessed or voluntary contributions.".

SEC. 808. UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by section 804, 805, and 806 of this title, is further amended by adding at the end the following:

"(e)(1) The President shall, at the time of submission of his annual budget request to the Congress, submit a report to the Congress on the anticipated budget for the fiscal year for United States participation in United Nations peacekeeping activities.

"(2) The report required by paragraph (1) shall state—

"(A) the aggregate amount of funds available to the United Nations for that fiscal year, including assessed and voluntary contributions, which may be made available for United Nations peacekeeping activities; and

"(B) the aggregate amount of funds (from all accounts) and the aggregate costs of in-kind contributions that the United States proposes to make available to the United Nations for that fiscal year for United Nations peacekeeping activities.

"(3) The President shall include in his budget submission for fiscal year 1996 a projection of all United States costs for United Nations peacekeeping activities during each of fiscal years 1996, 1997, and 1998, including costs of in-kind contributions and assessed and voluntary contributions.".

SEC. 809. ANNUAL REPORTS ON UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by sections 804, 805, 806, and 808 of this title, is further amended by adding at the end the following:

"(f)(1) Not later than 90 days after the date of enactment of this subsection and each year thereafter at the time of the President's budget submission to the Congress, the Secretary of State, after consultation with the heads of other relevant Federal agencies (including the Secretary of Defense), shall submit to the appropriate congressional committees a report on United States contributions to United Nations peacekeeping activities.

"(2) Each such report shall include the following information:

"(A) The number and nature of ongoing United Nations peacekeeping activities.

"(B) The priority accorded to each ongoing United Nations peacekeeping activity, and the anticipated duration of each such activity.

"(C) An assessment of the effectiveness of each ongoing United Nations peacekeeping activity, its relationship to United States national security interests, and the efforts by the United Nations to resolve the relevant armed conflicts; and the projected termination dates for each such activity.

"(D) The total costs of each United Nations peacekeeping activity, both ongoing and concluded, and the total cost of all such activities.

"(E) The amount of United States assessed and voluntary contributions to each such activity, and the total of such contributions to all such activities.

"(F) The incremental costs incurred by the Department of Defense for each such activity, and for all such activities.

"(G) Any other assistance (as defined in section 7(e) of this Act, as added by the Peace Powers Act of 1994) made available by the United States for United Nations peacekeeping activities, specifying which assistance was provided on a reimbursable basis and which was provided on a non-re-imbursable basis or on concessional terms.

"(H) An assessment of the United Nations management and support for United Nations peacekeeping activities, including all recommendations for improvement made by the United States and any action to implement such recommendations by the United Nations.

"(I) A detailed description (including dollar amounts expended and credited) of efforts by the United States Government to seek and receive credit toward the United States assessment for United Nations peacekeeping activities for all United States assistance provided in support of United Nations peacekeeping objectives.

"(3) The first report submitted pursuant to this subsection shall include information with respect to costs and contributions for all United Nations peacekeeping activities since October 1945. Subsequent reports shall include such information for the immediately preceding fiscal year and (to the extent such information is available) for the then current fiscal year.".

SEC. 810. REIMBURSEMENT TO THE UNITED STATES FOR IN-KIND CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 7 of the United Nations Participation Act of 1945 (22 U.S.C. 287d-1), as amended by section 807 of this title, is further amended—

(1) in subsection (b)—

(A) by striking all that follows ": *Provided*," through "*Provided further*,";

(B) by adding at the end the following: "The Secretary of Defense may waive the requirement for such reimbursement if the

Secretary, after consultation with the Secretary of State and the Director of the Office of Management and Budget, determines that an emergency exists which justifies waiver of that requirement. Any such waiver shall be submitted to the appropriate congressional committees at least 15 days before it takes effect, except that if the President determines that an emergency exists which prevents compliance with the requirement that the notification be provided 15 days in advance and that the provision under subsection (a)(1) or (2) of personnel or assistance on a nonreimbursable basis is in the national security interests of the United States, such notification shall be provided in a timely manner but no later than 48 hours after such waiver takes effect."; and

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

"(f) In any fiscal year (beginning in fiscal year 1995), appropriated funds may not be used to pay any United States assessed or voluntary contribution for United Nations peacekeeping activities until the Secretary of Defense certifies to the Congress that the United Nations has reimbursed the Department of Defense directly for all goods and services that were provided to the United Nations by the Department of Defense on a reimbursable basis during the preceding fiscal year for United Nations peacekeeping activities, including personnel and assistance provided under this section (except to the extent that the authority of subsection (b) to waive the reimbursement requirement was exercised with respect to such personnel or assistance).

"(g)(1) The Secretary of State shall ensure that goods and services provided on a reimbursable basis by the Department of Defense to the United Nations for United Nations peacekeeping operations are reimbursed at the appropriate value, as determined by the Department of Defense.

"(2) Not later than one year after the date of enactment of this subsection, the Permanent Representative shall submit a report to the appropriate congressional committees on all actions taken by the United States mission to the United Nations to achieve the objective described in paragraph (1).".

SEC. 811. LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

Beginning October 1, 1995, funds made available to the Department of Defense (including funds for "Operation and Maintenance") shall be available for—

(1) United States assessed or voluntary contributions for United Nations peacekeeping activities, or

(2) the incremental costs associated with the participation of United States Armed Forces in United Nations peacekeeping activities,

only to the extent that the Congress has by law specifically made those funds available for such purposes.

SEC. 812. ASSESSED CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

(a) REASSESSMENT OF CONTRIBUTION PERCENTAGES.—The Permanent Representative should make every effort to ensure that the United Nations completes an overall review and reassessment of each nation's assessed contributions for United Nations peacekeeping activities. As part of the overall review and assessment, the Permanent Representative should make every effort to advance the concept that host governments and other governments in the region where a United Nations peacekeeping activity is carried out should bear a greater burden of its financial cost.

(b) UNITED STATES CONTRIBUTIONS.—(1) The Permanent Representative should make every effort to obtain agreement by the United Nations to a United States assessed contribution for United Nations peacekeeping activities that is no greater a percentage of such contributions by all countries than the United States percentage share of assessed contributions for other United Nations activities.

(2) The Congress declares that, effective for fiscal year 1996, it does not intend to make available funds for payment of United States assessed or voluntary contributions for United Nations peacekeeping activities that exceed 25 percent of the total amount of the assessed and voluntary contributions of all countries for such activities unless, after the date of enactment of this title, the Congress enacts a statute specifically authorizing a greater percentage contribution.

(3) The Permanent Representative shall inform the Secretary General of the congressional intent expressed in paragraph (2).

SEC. 813. "BUY AMERICA" REQUIREMENT.

No funds may be obligated or expended to pay any United States assessed or voluntary contribution for United Nations peacekeeping activities unless the Secretary of State determines and certifies to the appropriate congressional committees that United States manufacturers and suppliers are being given opportunities to provide equipment, services, and material for such activities equal to those being given to foreign manufacturers and suppliers.

SEC. 814. UNITED STATES PERSONNEL TAKEN PRISONER WHILE SERVING IN MULTILATERAL PEACEKEEPING FORCES.

(a) FINDINGS.—The Congress finds that—

(1) until recent years United States military personnel rarely served as part of multilateral forces under the United Nations or regional international organizations;

(2) despite infrequent service as part of multilateral forces, United States personnel, such as Colonel William Higgins in Lebanon, have been captured, tortured, and murdered;

(3) in recent years, United States military personnel have served much more frequently as part of multilateral forces;

(4) the capture and torture of Chief Warrant Officer Michael Durant in Somalia in October 1993 was a horrendous and recent example of the risk to United States personnel in multilateral forces;

(5) continued multilateral service increases the probability that United States military personnel will be captured, and subject to mistreatment;

(6) United States military personnel captured while serving as part of multilateral forces have not been treated as prisoners of war under the 1949 Geneva Conventions and other international agreements intended to protect prisoners of war; and

(7) failure of United States military personnel serving as part of a multilateral force to receive protection under international law increases the risk to personnel while serving in multinational forces.

(b) POLICY.—It is the sense of the Congress that—

(1) the President should take immediate steps, unilaterally and in appropriate international bodies, to assure that any United States military personnel serving as part of a multilateral force who are captured are accorded the protection accorded to prisoners of war; and

(2) the President should also take all necessary steps to bring to justice all individuals responsible for any mistreatment, torture, or death of United States military personnel who are captured while serving in a multilateral force.

(c) REPORT.—Each report submitted pursuant to section 4(f) of the United Nations Participation Act of 1945 (as added by section 809 of this title), shall include a separate section setting forth—

(1) the status under international law of members of multilateral peacekeeping forces, including the legal status of such personnel if captured, missing, or detained,

(2) the extent of the risk for United States military personnel who are captured while participating in multinational peacekeeping forces in cases where their captors fail to respect the 1949 Geneva Conventions and other international agreements intended to protect prisoners of war, and

(3) the specific steps that have been taken to protect United States military personnel participating in multinational peacekeeping forces, together (if necessary) with any recommendations for the enactment of legislation to achieve that objective.

SEC. 815. PROVISION OF INTELLIGENCE TO THE UNITED NATIONS.

(a) REQUIREMENT FOR AGREEMENTS.—The United States may provide intelligence to the United Nations only pursuant to a written agreement between the President and the Secretary General of the United Nations specifying—

(1) the types of intelligence to be provided to the United Nations;

(2) the circumstances under which intelligence may be provided to the United Nations; and

(3) the procedures to be observed by the United Nations—

(A) concerning who shall have access to the intelligence provided; and

(B) to protect the intelligence against disclosure not authorized by the agreement.

Any such agreement shall be effective for a period not to exceed one year from the date on which the agreement enters into force.

(b) ADVANCE NOTIFICATION TO CONGRESS.—An agreement described in subsection (a) shall be effective only if the President has transmitted the agreement to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives not less than 30 days in advance of the entry into force of the agreement.

(c) DELEGATION OF AUTHORITY.—The President may delegate the authority and assign the duties of the President under this section only to the Secretary of Defense or the Director of Central Intelligence.

(d) EXCEPTIONS.—Subsection (a) shall not apply to the provision of intelligence—

(1) only to and for the use of United States Government personnel serving with the United Nations; or

(2) essential for the protection of nationals of the United States, including members of the United States Armed Forces and civilian personnel of the United States Government.

(e) EXISTING LAW.—Nothing in this section shall be construed to—

(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403(c)(5)); or

(2) supersede or otherwise affect the provisions of—

(A) title V of the National Security Act of 1947; or

(B) section 112b of title 1, United States Code.

(f) EFFECTIVE DATE.—This section takes effect 60 days after the date of enactment of this section.

SEC. 816. UNITED NATIONS PEACEKEEPING BUDGETARY AND MANAGEMENT REFORM.

(a) WITHHOLDING OF CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—(1) At the beginning of each fiscal year (beginning with fiscal year 1995), 20 percent of the amounts of funds made available for United States assessed contributions for United Nations peacekeeping activities shall be withheld from obligation and expenditure unless a certification has been made under subsection (b).

(2) For each fiscal year (beginning with fiscal year 1995), the United States may not pay any voluntary contribution for international peacekeeping activities unless a certification has been made under subsection (b).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification by the President to the Congress that—

(1) the United Nations has established an independent and objective Office of Inspector General to conduct and supervise audits, inspections, and investigations relating to the United Nations peacekeeping activities carried out by the United Nations;

(2) the Secretary General of the United Nations has appointed an Inspector General, with the consent of the General Assembly, solely the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations;

(3) the United Nations Office of Inspector General is authorized to—

(A) make investigations and reports relating to the administration of the United Nations peacekeeping activities carried out by the United Nations;

(B) have access to all records and documents or other material available which relate to those activities; and

(C) have direct and prompt access to relevant officials of the United Nations, including any official of the United Nations Secretariat;

(4) the United Nations Office of Inspector General is keeping the Secretary General and the members of the Security Council fully informed about problems, deficiencies, and the necessity for, and progress of, corrective action;

(5) the United Nations has established measures to protect the identity of, and to prevent reprisals against, any staff member making a complaint or disclosing information to, or cooperating in any investigation or inspection by the Office of the Inspector General; and

(6) the United Nations has enacted procedures to ensure compliance with Inspector General recommendations.

Mr. DOLE. Mr. President, this amendment is, with two exceptions, identical to S. 1803, the Peace Powers Act, which I introduced last week together with 12 cosponsors. Three more Senators have now added their name as cosponsors of this amendment. The legislation has also been introduced in the House by Congressman HYDE.

Some may ask why the attention of the Congress has turned to U.N. peacekeeping. The fact of the matter is that the United Nations is now engaged in peacekeeping operations in more than 20 countries with some 80,000 personnel. The U.S. taxpayers will be asked to pay $1 billion more this year for peacekeeping, than the $401 million already appropriated by Congress for that purpose.

But, we are not just talking about financial obligations. U.S. military personnel are increasingly involved in U.N. operations. Let us not forget that 29 Americans lost their lives, and 170 more were wounded, to carry out a U.N. mission in Somalia that began as feeding hungry Somalis and evolved into law enforcement and Nation-Building.

Mr. President, substantial financial and military assistance is being provided to the United Nations, and, in ever more creative ways—to avoid congressional oversight and to circumvent legislative restrictions. For example, tanks are being leased to Boutros Boutros-Ghali to circumvent a congressional prohibition on aid. Votes in the U.N. Security Council commit United States Forces and United States dollars to U.N.-initiated operations in places from Georgia to Liberia, from Mozambique to Western Sahara, yet, these votes to begin new or to expand existing peacekeeping operations are made in the absence of consultation with Congress.

In addition, intelligence is being provided on an ad hoc basis—despite the fact that the United Nations includes such States as Libya, Iran, and North Korea as members.

Meanwhile, the U.N. Secretary General's position seems to be growing in authority and shrinking in accountability. Boutros Boutros-Ghali asserts veto power over the use of NATO air power in the former Yugoslavia, while thumbing his nose at United States proposals for an independent inspector general at the United Nations.

The rate of assessment for the U.S. share of peacekeeping keeps increasing. And, new assessments keep piling up with no discussions with Congress on how to pay for old ones.

In sum, Mr. President, U.N. peacekeeping—both at headquarters, New York, and in the field—is out of control.

This amendment seeks to introduce congressional oversight into the peacekeeping decisionmaking process and place some reasonable limits on U.S. participation in U.N. peacekeeping—without restricting the President's ability to act as Commander in Chief.

(Mrs. BOXER assumed the chair.)

Mr. DOLE. The United Nations Participation Act, passed in 1945, has only been amended twice—the last time nearly 30 years ago in 1965. My amendment simply brings the United Nation Participation Act into the modern world.

While the cosponsors of this legislation to date have all been Republican, I do not view the U.S. role in United Nations peacekeeping as a Republican-Democrat issue. This is a matter between the Congress and the executive—it is not about partisan politics, but about responsible congressional oversight.

This amendment will put Congress back in the loop. The legislation is the product of many hours of discussions and incorporates many ideas from my colleagues, especially Senator PRESSLER and Senator DOMENICI.

I have made two changes in offering this amendment. First, I have changed the withholding percentage of U.S. peacekeeping assessments until the appointment of an independent inspector general from 50 to 20 percent, to reflect the overwhelming bipartisan support for the Pressler-Byrd amendment—which passed 93-6 last week.

Second, I have decided to refrain, for the time being, because of administration concern. They have been up and talked to us. At least some of the administration representatives have talked to our staff. So we have refrained for the time being of offering the provision on foreign command.

While I do not think American servicemen and women should be asked to risk their lives for the U.N. flag, I do not want debate on the Peace Powers Act to be sidetracked by the constitutional issues raised by limiting foreign command. However, I may offer the foreign command amendment before the end of consideration of this bill, but I know it is a matter of great concern, probably the hottest button in the package. The administration is concerned, and we would like to accommodate the administration if we can in that area.

Madam President, this legislation attempts a balance between a wide range of views. Some Senators wanted to go much further in various provisions while others may think certain elements go too far.

Section 804 requires notification to Congress before U.N. Security Council votes on peacekeeping. It does not, contrary to some media reports, require congressional authorization before such votes. That is the view, for example, of my colleague from Nebraska, Senator KERREY, who wrote last October: "Every decision to participate in a U.N. peacekeeping operation should be subject to congressional approval."

That is precisely what we do. Instead of requiring authorization, the Peace Powers Act requires advance notification—and contains an exception for emergency situations. This provision—as well as many others in the amendment—should be welcomed by the administration as a way to facilitate consultation and share responsibility with the Congress. As the experience in Somalia taught us, with Congress in on the takeoff, the landings will be much easier—even if there is a crash landing. Sometimes you cannot avoid that. Sometimes things do not work out quite the way everyone plans.

There may be those who argue that this amendment amounts to massive new legislation that should be subject to hearings before it is voted on. I would point out, however, that much of this legislation has received broad bipartisan support in previous congressional action. Eight sections of this amendment are already in the underlying legislation in some form or included in the fiscal year 1994 Commerce, Justice, State Appropriations Act.

There are new provisions in this bill—on ensuring the safety of Americans captured in U.N. peacekeeping operations, on providing notice of U.N. bills submitted to the United States, on transmitting U.N. resolutions to the Congress—but these are not controversial issues that require long hearings.

With respect to U.S. funding, section 811 of my amendment will end the raiding of the Department of Defense budget for U.N. peacekeeping by requiring that DOD funds for peacekeeping be authorized by Congress. If the administration wants to ask for Defense Department money and Congress authorizes and appropriates the funds, that is fine. But it is high time to end back door assaults on a defense budget that is already stretched too thin, and there is concern all across America about stretching defense budget as thin as it is now.

Some may argue that the administration is ready to publicly discuss its review of peacekeeping—Presidential decision directive 13. Word of PDD–13 first leaked out last summer, about the time of committee action on the State Department bill. While there have been some informal briefings on U.N. peacekeeping, we have not been provided details about the administration's new policy. It is my understanding that the document is still classified and unavailable to Congress. The administration did, however, decide to talk to the news media about their plans. And I read some story over the weekend I think as a result in the New York Times so someone got hold of it. They generally get it before we do in any event.

Despite specific requests, administration officials did not want to come up and talk about the provisions of my amendment—maybe their minds are already made up. According to a New York Times story over the weekend, and I quote, "Suggestions from lawmakers may be incorporated, but administration officials said they did not expect to make major changes." I do not know what the amendment looks like. Maybe this amendment is consistent with their plan—I guess again I would have to ask the New York Times.

Last fall, the distinguished majority leader asked the Foreign Relations, Armed Services, and Intelligence Committees to review the war powers issue. Some of my colleagues may argue that action on my amendment should await that process. Madam President, I stand ready to talk about war powers—Presidential decisions to use force in defense of American interests—but today I stand ready to take action on peace powers. War powers in my view is an entirely different matter. I join with the majority leader in asking for review and asking those committees but I think this is entirely separate. I do not think it should be included in that discussion.

Madam President, this amendment updates the United Nations Participation Act, as I have indicated. During Senate debate in 1945, Senator Robert Taft offered an amendment which would have required congressional direction before the U.S. Ambassador to the U.N. voted on peacekeeping issues. That amendment was defeated—41 to 18—in large part by the argument that close consultation with Congress would occur before such votes. And of course we know there is not any consultation at all—maybe with the executive branch—but none with Congress, and we do have some authority under the Constitution when it comes to committing American troops and committing American dollars. We have the right under the Constitution to declare war and to appropriate money, and I think somehow we sort of loss track of this in all administrations, not just talking about this administration, but the past administrations, the past 12 years and prior to that time.

Recent events have demonstrated that such consultation has not occurred, despite the proliferation of U.N. peacekeeping operations. Enactment of this legislation will help avoid a repetition of what happened in Somalia, where missions were changed with little public awareness, operations conceived with little public understanding, and costs accrued with little public consensus.

In my view, this amendment strikes the balance between congressional oversight and Presidential power. This legislation should also help restore the American people's faith in the United States relationship with the United Nations.

Therefore, I urge my colleagues to support this legislation as a means to strengthen cooperation and consultation between Congress and the Executive, and between the United Nations and the United States.

Madam President, I will be placing this on everyone's desk, and we will have it tomorrow. What I might do tonight is make the statement of the amendment and make another statement on the second-degree amendment. There is a one-page summary of what the amendment does.

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

SUMMARY OF PEACE POWERS ACT OF 1994—AMENDMENT TO S. 1281

Requres congressional notification before U.N. Security Council votes authorizing, extending or expanding peacekeeping operations (section 804).

Requires congressional notification of: assistance to the United Nations (section 807); bills submitted by the United Nations for assessed contributions; and U.S. payments to the U.N. for peacekeeping (section 806).

Requires comprehensive annual peacekeeping funding request and 3 year cost projection (section 808).

Limits "raiding" of Defense Department funds for U.N. peacekeeping (section 811), and requires full reimbursement for Defense Department "in-kind" contributions to the U.N. (section 810)

Requires reduced U.S. assessment for peacekeeping equivalent to the assessment for general U.N. budget (25%) beginning in FY 96 (section 812).

Ensures access for U.S. manufacturers to U.N. peacekeeping contracts with "buy America" provision (section 813).

Requires steps to ensure safety of Americans captured during U.N. peacekeeping operations (section 814).

Requires intelligence sharing with the United Nations to be conducted only pursuant to an agreement (section 815).

Requires withholding of U.S. peacekeeping contributions until appointment of an independent Inspector General with authority to review U.N. peacekeeping activities (section 816).

Requires comprehensive annual reports on U.S. involvement in U.N. peacekeeping activities (section 809), and transmittal of U.N. resolutions and reports to Congress (section 805).

Mr. DOLE. Madam President, I think just to summarize, first of all, it requires Congressional notification before U.N. Security Council votes authorizing, extending, or expanding peacekeeping operations. That is section 804. I talked about that section.

It requires congressional notification of assistance to the United Nations—section 807—and also bills submitted by the United Nations for assessed contributions; and U.S. payments to the United Nations for peacekeeping. That is section 806.

Section 808 requires comprehensive annual peacekeeping funding requests and 3-year cost projection.

And as I just talked about, section 811 talks about limiting raiding of Defense Department funds.

Section 812 requires reduced U.S. assessment for peacekeeping equivalent to the assessment for general U.N. budget, 25 percent beginning in fiscal year 1996.

Section 813 ensures access for U.S. manufactures to U.N. peacekeeping contracts with buy American provision.

Section 814 requires steps to ensure safety of Americans captured during U.N. peacekeeping operations.

Section 815 requires intelligence sharing with the United Nations to be conducted only pursuant to an agreement.

We understand that there be some objection to that. Senator DECONCINI may have some objection to that.

Section 816 requires withholding of U.S. peacekeeping contributions until we appoint an independent inspector general. I referred to that in my statement.

Then the last section 809 requires comprehensive annual reports on U.S. involvement in U.N. peacekeeping activities. That is section 809; and certain transmitting of resolutions back to Congress, which is section 805.

Madam President, since I have priority of recognition, I could now offer a second-degree amendment but I have an agreement with Senator MITCHELL that we do not have any surprises around this place, and I do not know if Senator MITCHELL is available or not.

So I would just suggest that I have a second-degree amendment. I am prepared to offer a second-degree amendment. But, based on sort of an unwritten agreement that the two leaders have with one another, we do not have surprise parties on the Senate floor.

I would not want to be in the position, in the Senator's absence, to preempt him, because he has priority recognition over the Republican leader. So what I would suggest, unless there is some objection from the distinguished manager of the bill, is that we might have a brief quorum call where I could have a discussion with the Senator from Massachusetts and that I be recognized when the quorum call is rescinded.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call roll.

Mr. DOLE. Madam 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, on Tuesday of this past week, January 25 in my opening statement I stressed the enormous importance of the Senate's support for Senator DOLE's Peace Powers Act. I am named to be a cosponsor of the bill, S. 1803, and Senator DOLE's amendment is designed to bring coordination, responsibility, accountability, and congressional oversight to United States participation in United Nations peacekeeping activities.

As I indicated, Senator PRESSLER and I, and others attempted to bring accountability with teeth to S. 1281 by offering amendments to restructure U.S. participation in U.N.-sponsored activities in committee. For far too long we have turned a blind eye to the conduct of U.N. affairs.

The other day the Senate adopted the Pressler-Byrd amendment to withhold United Nations-assessed contributions until the U.N. creates an inspector general to systematically investigate fraud, waste, and abuse at the United Nations.

U.N. peacekeeping activities have rapidly become the international growth industry of the 1990's and the United States has been fanning these fires with a constant supply of the American taxpayers' money and resources.

We have followed the dangerously confused policy of a United Nations-based aggressive multilateralism. To illustrate just how aggressive the policy has been in the first 40 years of the United Nations existence, the United Nations approved 16 peacekeeping operations. Since 1988, the United Nations has approved 21 new peacekeeping missions and is considering another 5 more peacekeeping activities for approval.

In 1988, the United Nations spent $364 million on peacekeeping costs. Five years later, in 1993, the United Nations spent $3.6 billion on assessed peacekeeping activities, and in 1994 that figure will exceed $4 billion.

Bear in mine, Mr. President, that the United States share of that is 31.7 percent. The United States cannot afford to squander away its international credibility, not to mention the American tax payers' dollars, in pursuit of a series of ill-conceived, ill-defined, and short-sighted U.N. policy objectives. Any administration must realize—where there exists a policy vacuum, or a lack of well-defined policy goals and procedures, Congress will, if necessary, impose its will. This amendment establishes a structure to weigh these competing interests and strikes a careful balance between executive and legislative concerns. This amendment does not trample Presidential prerogatives; it clarifies them.

Over the past 50 years, the United Nations has become a world class bureaucracy, replete with unique idiosyncracies and organizational quirks that only a seasoned U.N. watcher can decipher. The United Nations has become, over the years, a very complicated bureaucratic and logistically uncoordinated mystery. There are no standards or definitions for many of the activities undertaken by the United Nations. Did you know the whole concept of peacekeeping under U.N. authority is a contrived concept? Secretary General Boutros Boutros-Ghali has stated "peacekeeping is a U.N. invention." It was not specifically defended in the charter but was intoned. Chapters VI and VII of the U.N. Charter are used as the basis for authorizing peacekeeping missions, although the charter itself does neither refer to peacekeeping as a U.N. function nor does the charter address the range of actions for a peacekeeping mission. Over the years the United Nations has developed its own unique practices which are not completely compatible with U.S. expectations. I say to my colleagues, if we cannot make sense out of the U.N. structure, we can at least define the terms of reference for U.S. participation in peacekeeping operations.

This amendment ensures constructive congressional and executive involvement in United Nations decision-making, and keeps the executive branch sensitive to the immediate impact of each decision. The bill limits the unbridled raiding of Defense Department resources in support of U.N. activities—requires the administration to notify Congress of the anticipated costs of peacekeeping—and mandates the creation of an inspector general to study U.N. fraud, waste, and abuse. Further, the amendment ensures access of U.S. manufacturing to U.N. contracts and ensures the safety of Americans captured during U.N. peacekeeping operations. The bill also recognizes a unique responsibility to protect the integrity of U.S. intelligence sharing with the United Nations by providing a mechanism to do so. This legislation also directs the reduction of our annual assessment for peacekeeping operations from 31.7 percent to 25 percent. This is nothing new—in the 1971 Foreign Assistance Act—Public Law 92-226—section 410 stated:

> Congress strongly urges the President to undertake such negotiation as may be necessary to implement that position of the recommendation * * * which proposes that portion of the regular assessed costs to be paid by the U.S. to the U.N. be reduced so that the U.S. is assessed in each year not more than 25 percent of such costs assessed all Members of the U.N. for that year.

This was the recommendation in the report of the "President's Commission for the Observance of the Twenty-Fifth Anniversary of the U.N."—the Lodge Commission. Since we are nearing the 50th anniversary of the United Nations, I think it most appropriate to correct this discriminatory U.N. practice of charging the United States over 30 percent—31.7 percent to be exact—for U.N. peacekeeping activities. If the United States is unwilling to say no to new U.N. missions, we should at least be willing to say enough is enough.

AMENDMENT NO. 1324 TO AMENDMENT NO. 1323

Mr. KERRY. Madam President, on behalf of the majority leader, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Massachusetts [Mr. KERRY] for Mr. MITCHELL, proposes an amendment numbered 1324 to amendment numbered 1323.

Mr. KERRY. 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:

> In the amendment, on page 2, line 4, strike all after "TITLE" and insert the following:

SEC. 167. COST ASSESSMENT REPORT REGARDING ANY UNITED STATES PARTICIPATION IN ACTION UNDER ARTICLE 42 OF THE UNITED NATIONS CHARTER.

(a) IN GENERAL.—Except as provided in subsection (b), at least 15 days before—

(1) any obligation of funds for United States participation in international peace operations, or

(2) any vote by the Security Council to take action under Article 42 of the Charter of the United Nations which would involve the use of United States Armed Forces,

the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report containing a cost assessment of the participation of the United States Armed Forces in those operations.

(b) EXCEPTION.—The period for submission of the report specified in subsection (a) shall not apply if the President determines that an emergency exists which prevents submission of the report in a timely manner.

(c) DEFINITION.—For purposes of this section, the term "United States participation in international peace operations" means the use of the United States Armed Forces—

(1) pursuant to, or consistent with, action taken by the Security Council under Article 42 of the Chapter of the United States; or

(2) consistent with the United Nations Participation Act of 1945.

SEC. 168. CONGRESSIONAL NOTIFICATION REGARDING ANY UNITED STATES IMPLEMENTATION OF ARTICLE 43 OF THE UNITED NATIONS CHARTER.

(a) IN GENERAL.—Except as provided in subsection (b), at least 15 days before any agency or entity of the United States Government makes available armed forces, assistance, or facilities to the United Nations under Article 43 of the United Nations Charter, the President shall so notify the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(b) EXCEPTION.—The period for notifying Congress in subsection (a) shall not apply if the President determines that an emergency exists which prevents making a notification in a timely manner.

(c) DEFINITION.—For purposes of this section, the term "assistance" means assistance of any kind, including the provision of logistical support and the grant of rights of passage.

SEC. 169. REPORT ON UNITED NATIONS PEACEKEEPING ACTIVITIES.

Not later than 90 days after the date of enactment of this Act, and each year thereafter at the time of the President's budget submission to Congress, the Secretary of State, after consultation with the heads of other relevant Federal agencies (including the Department of Defense), shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on United States contributions to United Nations peacekeeping activities. Such report shall include—

(1) the overall cost of all peacekeeping operations as of the date of the report;

(2) the costs of each peacekeeping operation;

(3) the amount of United States contributions (assessed and voluntary) on an operation-by-operation basis; and

(4) an assessment of the effectiveness of ongoing peacekeeping operations, their relevance to United States national interests, the efforts by the United Nations to resolve the relevant armed conflicts, and the projected termination dates for such operations.

SEC. 170. UNITED STATES PERSONNEL AND MATERIAL CONTRIBUTIONS TO PEACEKEEPING OPERATIONS.

(a) PERSONNEL.—(1) The United Nations should reimburse the United States for use of personnel of the Armed Forces of the United States in United Nations peacekeeping operations. The amount of the reimbursement should be the full United Nations reimbursement determined on a per-person-per-month basis.

(2) To the extent that funds are made available under law to the Department of Defense for peacekeeping activities, the Secretary of State may accept the United Nations reimbursement in the form of a credit against the amount of an assessment by the United Nations against the United States. If no such funds are available, the Secretary of State shall accept payment of the United Nations reimbursement and, out of the amount received, reimburse the Department of Defense for the incremental costs of use of the Armed Forces personnel in the United Nations peacekeeping operation.

(b) GOODS AND SERVICES.—The United Nations should reimburse the Department of Defense directly for goods and services provided to a United Nations peacekeeping operation. The Secretary of Defense may waive reimbursement for such goods and services if the Secretary determines that the waiver is justified by exceptional circumstances.

(c) VALUE OF GOODS AND SERVICES.—The Permanent Representative of the United States to the United Nations should use the voice and vote of the United States to ensure that goods and services provided by the United States to United Nations peacekeeping operations are reimbursed at the appropriate value.

(d) REPORT.—Not later than one year after the date of enactment of this Act, the Permanent Representative of the United States to the United Nations shall submit a report to the Chairman of the Foreign Relations Committee of the Senate and to the Speaker of the House of Representatives on all actions taken by the United States mission to the United Nations to ensure that contributions of personnel, goods, and services to United Nations peacekeeping operations are reimbursed at their appropriate values.

(e) REVIEW AND REASSESSMENT OF ASSESSED CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING OPERATIONS.—(1) The Permanent Representative of the United States to the United Nations should make every effort to ensure the United Nations completes an overall review and reassessment of each nation's assessed contribution for international peacekeeping operations.

(2) As part of the overall review and assessment, the Permanent Representative should make every effort to advance the concept that host governments and other governments in the region where a peacekeeping operation is deployed should bear a greater burden of its financial cost.

(3) The Permanent Representative should further make every effort to seek a United States contribution to United Nations peacekeeping operations that matches the United States share of assessed contributions.

SEC. . UNITED STATES PARTICIPATION IN UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) FINDINGS.—The Congress finds that:

(1) the President of the United States has asserted that reform of United Nations peacekeeping operations is to be of the highest national priority in furtherance of United States national security objectives;

(2) at the direction of the President of the United States the National Security Council is coordinating a comprehensive review of United States policy towards United Nations peacekeeping operations on which the Congress of the United States is to be consulted;

(3) in cooperation with the Congress of the United States, the purpose of the National Security Council review is to reform policies and programs governing United States participation in United Nations operations;

(4) in conjunction with the President's review, the Majority Leader of the United States Senate has requested the Committee on Foreign Relations, the Committee on Armed Services, and the Senate Select Committee on Intelligence to examine thoroughly the proper role of U.S. troops in the post-Cold War world and the implications for U.S. foreign policy with the intent of enacting legislation, in cooperation with the President, regarding U.S. policy toward post-Cold War conflicts, United States involvement in peacekeeping operations, and of establishing a process to ensure proper accommodations of Legislative and Executive Branch prerogatives in addressing such issues;

(5) such a process will embody sound constitutional principles and reflect the appropriate roles of the President and the Congress relating to the use of United States Armed Forces both in unilateral and multilateral operations in order for such operations to enjoy the support of both the Executive and Legislative Branches and the American people; and

(6) the concerned committees of jurisdiction have initiated a process of examination of the appropriate use of United States Forces.

(b) SENSE OF CONGRESS.—Therefore, it is the Sense of the Congress that—

(1) the primacy of United States national security interests with respect to United States participation in and support for United Nations peacekeeping activities must be maintained;

(2) congressional oversight of United Nations peacekeeping activities and other United Nations activities must be strengthened;

(3) coordination between the executive and legislative branches of Government regarding United States participation in and support for United Nations peacekeeping operations must be improved and communication between the two branches prompt;

(4) the Congress should be notified in advance of the intent to approve United Nations peacekeeping operations;

(5) for United Nations peacekeeping operations that would involve the participation of United States combat forces, such notification should include detailed information concerning command and control arrangements for such forces, their military mission and objectives, and their rules of engagement, and

(6) United States contributions to United Nations peacekeeping activities must be fair and equitable.

Mr. KERRY. Madam President, first of all, I thank the distinguished minority leader for indeed protecting the rights of the majority leader and for not creating surprises. I think the Senate, obviously, works a lot better when that happens. I respect him for doing so.

The amendment that I have sent to the desk on behalf of the majority lead-

er essentially asks that the process which he has put in place be respected. I would say for myself that I have just been skimming the amendment, now slightly changed from the prior draft, of the distinguished Senator from Kansas. I think it has an awful lot of good suggestions in it. This is a matter that has concerned a great many of us for a long period of time.

We witnessed fairly solid decisions by the Bush administration in the course of the Kuwait crisis, and there were many people who raised questions of congressional input at that point in time. So this is obviously not a new question.

But I would say to my friend from Kansas that there are as many questions that I can see raised in this as are answered in it—the period of time; the amount of notice necessary; what is the appropriate relationship of our input and what degree?

There is no question that the President of the United States himself consents with the fundamental thrust of this in that he has said very clearly that before he would ever think of putting troops in a peacekeeping effort in Bosnia he would want congressional input.

I think one of the great lessons we have learned, from Vietnam on, is that you do not want to put young Americans into harm's way without having a broad consensus and without having congressional input, which is the best way to bring the American people into the process.

I just do not know that every suggestion of the minority is, in fact, the way to do it. I am not sure all, or at least many, of my colleagues would be able to make that judgment very quickly. But I do think he raises a most important subject which we ought to debate in one forum or another. Obviously, it is here on the floor and there will be time for Senators to make comments on it tomorrow.

Again, I thank the minority leader for protecting the rights of the majority leader. I appreciate his forbearance.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. I hope there would be some time tomorrow. I know it is going to be crowded tomorrow. I do not think it would take a great deal of time to debate. I know others want to speak on this. I know the majority leader wants to speak on behalf of the second-degree amendment.

Perhaps, unless there is some objection, we could set this amendment aside, and then I will confer with the majority leader and we can have the managers give us some time tomorrow for debate.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Obviously, we will accommodate the majority leader and minority leader anytime that meets their schedule. We will be having a vote, at least one and possibly two, in the vicinity of 10 o'clock in the morning. Subsequent to that, there will be a period both for debate of amendments yet to come and for this amendment. So we will set aside some period of time.

I might just say with respect to this amendment—I know the Senator from South Carolina wants to speak—as we all know, no peacekeeping effort happens on behalf of the United Nations without the Security Council voting. So the rights of Congress and the rights of the American people are, in effect, protected by that vote.

It seems to me that the real issue here is: Does the President feel constrained, does any President feel constrained, first, to bring the issue up before Congress before taking the important question and voting to the Security Council and voting affirmatively in the Security Council?

Heretofore, obviously, Presidents have seen fit to direct our representative, the Ambassador to the United Nations, to vote affirmatively on peacekeeping, and then we have stopped afterward to try to figure out what the cost is going to be and whether or not it is something that we really are deeply committed to or are willing to stay the course in. That is not, particularly in the aftermath of the end of the cold war, proving to be satisfactory.

So the Senator from Kansas raises a very important question. The majority leader, recognizing this some months ago, assigned the chairman of the Subcommittee on European Affairs in the Foreign Relations Committee, Senator BIDEN; Senator NUNN, the chairman of the Armed Services Committee; and Senator PELL, the chairman of the Foreign Relations Committee, all to pull together a task force which is currently examining this question.

It is not just an examination of the War Powers Act. It is, in fact, an examination of when the United States ought to commit to using force of any kind, particularly for peacekeeping and peacemaking, and particularly what should the process be by which we come to that particular decision.

So this is on the table now, as I know the majority leader will describe in greater detail tomorrow. The real question here is whether or not we ought to just put this out here suddenly with very minimal debate, because of the timeframe which we are now operating in, and attach it to this bill, or whether we ought to take a harder look at it and work with the administration and come up with a reasonable approach.

That is, obviously, I think the basic framework for the arguments we will entertain tomorrow. But we will hold off until that time to really dig into the issues that are raised by the amendment of the Senator.

I believe the Senator from South Carolina wanted to speak to this at this point.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Madam President, it is gratifying to see that the Senate has not wasted any time in getting down to business. After returning from a long winter recess we wasted no time in taking up an important piece of legislation, the State Department authorization for fiscal years 1994 and 1995. I intend to reserve judgment regarding final support of this bill, because my vote will in large measure be determined by the success of the Dole amendment on U.N. peacekeeping operations. I wish to commend the able Senator from Kansas, Senator DOLE, for his remarks on this subject.

As ranking Rrepublican on the Armed Services Committee, I have been troubled over the past few months by fundamental changes in the direction of U.S. defense and foreign policy. These changes are a virtual revolution in our national security thinking, and were highlighted by the controversy over the nomination of Morton Halperin to be Assistant Secretary of Defense for Democracy and Peacekeeping. Mr. Halperin has quietly left the scene, for which we can be grateful. But the ideas and concepts which he represented, and which stirred up such broad-based opposition to him, remain deeply imbedded in the national security planning of the administration.

Consequently, the underl ing debate of that controversial nor ination is still with us, and that is why I so strongly support the Dole amendment. Quite simply, that debate is between those who believe that America's vital national interests should be the paramount consideration in U.S. defense and foreign policy, and those who are animated by a different vision.

I believe the Dole amendment addresses this significant but unresolved issue intelligently and forthrightly. As the distinguished minority leader has pointed out, his Peace Powers Act would restore the primacy of American national interests by placing limits on our involvement in U.N. peace operations abroad. It would mandate a stronger congressional oversight of U.S. participation in such operations, and bring about better accountability in how scarce U.S. defense dollars are spent for U.N. peacekeeping and peace enforcement.

I know some Members will object strenuously to the Dole amendment. But the burden is on them to explain why the United States should make the Utopianism of the 1960's and 1970's the foundation of U.S. foreign policy in the 1990's. They must explain why globalism is preferable to the primacy of America's national interests.

In making the United Nations and its so-called peace operations a major ele-

ment of U.S. foreign policy, the administration inevitably makes it difficult if not impossible to act unilaterally on our own behalf when necessary. First, by establishing a different ethic—that U.S. national interests are subordinate to the nebulous goal of global peacemaking—we will confuse and divide the American public, whose support is essential to maintaining a strong defense. Second, by spreading our troops, logistics, and other scarce resources around the world with the United Nations, we will become overextended, and may not have the means to defend our interests quickly and decisively when threatened. Third, by elevating the United Nations as the main instrument of peace and security, we compromise our sovereignty and the authority of the national government, which will further erode our ability to act decisively when our interests are directly challenged.

The American people are willing to make considerable sacrifices for national security. They pay the necessary taxes, endure long separations, and send their loved ones into danger all without complaint, and all for one primary reason—to safeguard American lives and vital interests. At the same time, Americans are a compassionate and generous people, and can be relied upon to help other people in distress. We show that compassion time and time again whenever there are disasters—manmade or natural—in the far corners of the globe. We proved it in Somalia, when United States forces went into a place of utterly no strategic importance to feed starving men, women, and children.

The Somalia intervention was an unselfish act of which we can be proud. But it turned into a national tragedy when the original humanitarian mission was quietly changed to the vague mission of peace enforcement and nation building. This ill-conceived new mission did not have the broad support of the American people or of the military. Our forces in Somalia were not adequately prepared for the bitter, urban guerrilla war in which they suddenly found themselves embroiled. The Somalia experience, and the near debacle in Haiti, speak far more eloquently than words of the need to include the Dole amendment in this bill.

Some Senators charge that Senator DOLE's amendment represents a swing toward isolationism. This is not so. There is nothing in his amendment that would impede U.S. cooperation with our allies, and I know my colleague from Kansas believes the United States must remain engaged as a leader in the world. But as we continue to play a world leadership role, our attention and our resources must be devoted to influencing the factors beyond our borders that most directly affect our economic and security needs.

Other Senators may also complain that the amendment intrudes on the executive branch. As a general principle, I do not believe the Congress should intrude on the foreign policy prerogatives of the Commander in Chief. But I remind my colleagues—this legislation is not a form of the War Powers Act. It is appropriately named the "Peace Powers Act." It would not restrain the President from acting promptly and decisively to defeat a threat to American lives or vital interests, as in Panama or the gulf war. It would only restrain his ability to use U.S. forces where the threat to national interests is uncertain. In such cases, the constitutional role of Congress in providing checks and balances is appropriate, even necessary. Congressional oversight of the administration's U.N. policy will do far less damage than the potential harm from unrestrained and ill-considered global operations under the flawed leadership of the United Nations.

Some Members have argued that our victory in the cold war requires us to carry out our global leadership responsibilities through the United Nations. They say we must replace the doctrine of containment that undergirded our foreign policy during the long struggle with Soviet imperialism with a new doctrine of globalism. But I must point out that it was primarily United States military and economic strength, combined with political resolve, that contained Soviet aggression until the Empire collapsed from its own internal contradictions. Although the United States and our allies won a great victory over Soviet imperialism, the resulting world of disorder does not mean that American power should be frittered away for dubious purposes. Today's world demands more than ever an America whose political, economic, and military power are focused and dependable. That power must be wielded for the good of the Nation and the world not by faceless U.N. bureaucrats, but by democratic leaders accountable to a free and independent people.

Lest anyone think the cold war has dispensed with future threats, let me remind my colleagues that it is still a dangerous and uncertain world. Today we are facing new enemies, ethnic and religious as well as political, which are extreme in their intensity and essentially irrational. In many respects, this kind of threat is far more difficult to deter than a traditional, rational power, and often harder to defeat if deterrence fails. Irrational or nontraditional threats in this new age of chaos are also far more difficult to predict. We may not be able to anticipate where and whom we will have to fight. We will have to be prepared for the unexpected, for major regional crises that rise suddenly—in other words, for contingencies.

A case in point is the gulf war. Prior to August 1990, no one anticipated we would find ourselves in a major war with Saddam Hussein. Fortunately American and coalition armed forces were more than a match for Iraq. Moreover, I am glad that the coalition had U.N. sanctions to repel Iraqi aggression. But would anyone seriously argue that Operation Desert Storm would have been more successful as a U.N. peace enforcement operation? The answer is obvious. Without strong, unequivocal American leadership, Saddam Hussein might still be occupying Kuwait.

Rather than attempt to meet global challenges under the auspices of the United Nations, I believe it is the first responsibility of the executive branch and the Congress to make sure we always have the means and the will to safeguard American lives and interests. As we reduce our military capabilities, we still have several responsibilities to meet. We must maintain existing commitments, for example, in Europe, South Korea, and the Persian Gulf area. At the same time we must be able to counter new regional threats to our vital interests such as key resources or trade routes. Though I am not enthusiastic about the United Nations, I do acknowledge there are times when we will want to participate in limited U.N. peacekeeping operations. But if we give the United Nations a blank check for vast new peacekeeping duties around the world, a mismatch between our commitments and our resources will be the inevitable result. This will leave us dangerously overextended and vulnerable in a future crisis.

This is a prescription for disaster and loss of American lives. This is why Senator DOLE's Peace Powers Act and the primacy of American interests and responsibilities must be the centerpiece of future U.S. foreign policy.

I thank the Chair, and ask unanimous consent that I be added as a cosponsor of the Dole amendment.

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

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, as I said, this will be the subject, I am sure, of some debate tomorrow. The important thing to remember with respect to the United Nations is that the United Nations gets no check at all, no blank check, no paid-amount check unless the President of the United States directs the Ambassador to the United Nations, whom the President appoints, to vote for a particular peacekeeping effort.

So we already have a veto. We have to remember that. Nothing that the United Nations does in terms of peacekeeping or peacemaking happens if we vote no and unless the other permanent members of the Security Council, the five powers—China, France, Great Britain, and Russia—vote yes or abstain. It does not happen without those five votes.

You can look back at the administrations of President Reagan, President Bush, President Nixon, President Ford, and President Eisenhower, and you can find involvements of the United Nations somewhere in the world where we have engaged in some peacekeeping effort in one form or another. We have not always had our people there, but we have voted for people to engage in that.

The obvious issue now in the wake of Somalia—where, incidentally, we lost some soldiers tragically but all of them under American command. We recall how a lot of people were coming to the floor of the Senate saying, "By God, we can't allow our soldiers to be under the command of foreign leaders." They were not, except to the degree that Boutros Boutros-Ghali and the United Nations had overall command. But in terms of tactical, strategic, day-to-day command, those folks were under the command of the Americans.

I think we have to put this in the proper perspective as we come at this debate. Very legitimate questions are raised which a lot of us share. We do not want a President all by himself or herself making a decision that the United States is going to pay the long staying price of some particular effort, putting our prestige on the line, asking young Americans to involve themselves somewhere, possibly die, if we have not been part of the decision—we being the Congress representing the American people.

Indeed, we want the American people, because everyone, at least of this generation, has learned that if you do not have the support of the American people when the shooting starts, you are going to see trouble if you have not talked about it first. The last thing we can afford is for defeats to be thrust on us—defeats for the United Nations or for us individually—by virtue of the lack of staying power. I think nothing could be worse.

So I am all for bringing the Congress into the process. I think we are a lot stronger when that happens. I know President Clinton feels that way. It is absolutely clear that the President would not think of putting our troops on the ground, I believe, at this point, without the Congress helping to sign off on it and the American people being part of the debate.

So the amendment that the Senator brings is good in many respects and problematical in some that we have not resolved, which is why we need to really take our time and look at it more carefully than this particular framework on this bill allows.

Tomorrow I am confident that Senator MITCHELL will articulate further his hopes for the current task force that is working and the reasons why we would prefer to leave that in place and then come together in a strong way—all of us; Democrats and Republicans, conservatives and liberals; whatever spectrum of the parties—and let us send a message to the United Nations and to the world that adequately defines our aspirations for future involvement and for the potential accomplishments of the United Nations.

We will be stronger, the United Nations will be stronger, and our goals will be better served if we wait and proceed in a nonpartisan fashion, and in hopefully a broadly arrived at bipartisan fashion. I think every one of us understands that the foreign policy of this country is at its strongest when we have a consensus and when it is bipartisan. That goes back to the great Vandenberg tradition, something we have learned. Whenever this country has been united with a consensus and with a bipartisan policy, we have succeeded. It is when we do not have a consensus and when we lose the bipartisanship consensus that we have our greatest foreign policy problems.

So I urge Senator DOLE and others who are pressing this issue to press the debate and to present the issue in the fora that are available over the course of the next months. I think it would be regrettable if we did it in a very hasty way, in a partisan rather than bipartisan way. I am not suggesting that is what it is now, but it has the potential clearly to become that if some Senators feel they just do not like one provision or another, and they have not had an adequate chance to work it out.

I think that is a fair feeling on the part of some if they have only just been presented with this major proposal in the course of today or in the last few days.

UNANIMOUS-CONSENT AGREEMENT

Mr. KERRY. Madam President, I ask unanimous consent that at 10 o'clock tomorrow morning, Tuesday, February 1, the Senate vote on the Cohen amendment No. 1318 regarding Germany; that no second-degree amendments be in order thereto.

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

Mr. KERRY. Madam President, I now ask for the yeas and nays on the Cohen amendment No. 1318.

The PRESIDING OFFICER. It requires unanimous consent to ask for the yeas and nays.

Mr. KERRY. I ask unanimous consent that I be permitted to ask for the yeas and nays on the Cohen amendment No. 1318.

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

Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

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

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

Mr. SARBANES. Madam President, I rise in very strong opposition to the amendment offered by the Senator from Mississippi which would prohibit assistance—not only military assistance but economic assistance or ESF, as well, as I understand it—to any country whose U.N. votes corresponded to those of the United States less than 25 percent of the time. I gather there has also been a proposal on the floor to raise that to 30 percent.

Let me just mention a few countries that would be affected by this. This is one of those amendments where you really have to think through the consequences of it. We have to make sure we are not legislating in the dark. Let me mention a few countries that would be affected by this: Morocco, Tunisia, the Philippines, and Cyprus.

Correspondence with all U.N. votes, which are a huge number of votes, is a very poor indicator of a country's relationship with the United States. There is hardly any developing country above 50 percent. Often there are votes on economic and social matters that reflect the point of view of the developing world, which is different from the point of view of the developed world. Moreover, the way the measurement is done, countries only get credit from the time they actually vote with the United States. So if they miss a lot of votes or abstain, they do not get a good rating.

This is a classic example of not carefully examining exactly what the consequences of this would be.

First of all, there are many minor, insignificant votes in the United Nations.

Second, a missed vote or an abstained vote hurts you, even though there are times when abstentions are actually helpful to us.

This amendment would cut off aid to many of our allies who are deserving of our support. And I mentioned only four: Tunisia, Morocco, the Philippines, and Cyprus. Jordan also would be affected, which is of course a central player now in the effort to get peace in the Middle East. Mongolia would be affected, a nation that we have been trying to help in its efforts to move away from communism.

Even if we agreed to use U.N. votes as a standard, this is not the one to go by. Rather, there is the standard of "important votes," which are defined in law as "votes on issues which directly affect important U.S. interests and on which the United States lobbied extensively." A country's record on the important votes may not be correlated with its record on all votes, which is what this amendment talks about. Even then one might not want to do this.

After all, you have to judge what the nature of our bilateral relationship is

with a country, how they have helped us in particular instances. Of course, Tunisia and Morocco have been very helpful to the United States, particularly in recent times on the Middle East peace effort. Cyprus was very helpful during the time of the Persian Gulf, very helpful. They were of great significance to the United States in that endeavor.

The Philippines of course has been a traditional ally of the United States, and we have been providing them economic assistance which would be cut off by this amendment.

Using this rating system is not a fair reflection of our relationship with a country. We already have provisions in the law to terminate assistance to a country if it fails to cooperate on human rights, or on expropriation, or on narcotics, or terrorism, and so forth. But this amendment, which takes every vote in the U.N., many of which are procedural, many of which are minor, and then seeks to construct off of that a standard we use to deny assistance, in a blanket way, it seems to me is going to get us into a great, great deal of trouble. Countries which did not vote, missed votes, abstained on votes, are penalized under this system, even though they may have abstained as a favor to us.

I understand some of the thinking behind this, but if you go and start analyzing the countries that are going to be affected and the nature of our relationship with them, it would seem to me that one would reach the conclusion that this is an ill-advised measure that is before us.

If you really want to address the aid to a particular country, you ought to address that country on its own merits, but not establish a standard which, as I suggested here today, is an inappropriate and not a meaningful standard, and then apply that in a way that it has an impact on countries that have been enormously helpful and cooperative to the United States.

In other words, their record on the sum total of U.N. votes does not accurately reflect the nature of their bilateral relationship with the United States. This simply is not a reasonable or legitimate standard to apply. I would hope the Members of this body would stop for a moment and think this through very carefully. This is the kind of an amendment that springs up on the floor and, on first blush, people see nothing wrong with it; and then when you look to see what are its consequences and what will its impact be, you begin to see that it is going to have an impact that I think thoughtful Members of this body would not want to see take place.

So I strongly urge my colleagues to consider that. Will there be debate time tomorrow as well on these amendments, I ask the manager of the bill?

Mr. KERRY. Madam President, I say to the Senator that that is still open. In fact, I have preserved our right to second degree this amendment, should that be the course we choose to take. I am not sure yet how we will proceed.

Mr. SARBANES. I will leave that until tomorrow. I know that others are waiting to offer an amendment and I will come to a close.

I very much wanted to address this issue this evening in order to get into the RECORD, for the benefits of our colleagues and their staffs, the importance of this issue.

This amendment has consequences that are not apparent upon first glance. It is not clear when you first look at it that the standard is really not an appropriate one. These are not just the important votes on which the United States takes a strong position. Some of these countries which have low overall scores go well above 50 percent on the important votes that come before the United Nations. I am not even sure the important votes are a proper standard, because you are still not looking at what the bilateral relationship is with these countries. Even on the important votes, there are a number of instances where the United States was supported only by two or three other countries, and two votes where the United States was entirely alone.

Some of the countries that would be affected by this amendment are extremely critical to initiatives which the United States is taking at this very moment. Morocco and Tunisia are perfect examples of that right now. Cyprus was a perfect example of it at the time of the Persian Gulf war, when their cooperation was extremely important to the success of United States activities. The Philippines would be affected here, a country with whom we have had a close historical relationship.

So I would urge my colleagues to examine this amendment very carefully. Its implications are far beyond what first meets the eye. I very much hope that this amendment will not be adopted, because if it were, I think it would have a very deleterious impact on the conduct of our foreign policy.

Mr. KERRY. Mr. President, I appreciate the Senator's comments. Before he got here, I raised a number of questions with the Senator from Mississippi. And while we have not fully engaged in this issue, it was pointed out that the Philippines and Cyprus, to mention a couple, and Morocco, would indeed be affected by this. But what we are still trying to ascertain, in order to be able to better demonstrate some of the problems, are some of the votes that we are in fact talking about. Even if you limit this to the critical votes, you are looking at some votes that you would hardly find disqualifying, in some senses, because we may have voted against it or chosen to for a particular reason; but in a few cases you may have had a 75–3 vote, for instance. The vast majority of countries saw the issue in different terms, and the fact that our interests did not meet on that particular critical issue vote does not mean that they are not helping us in some particular area of narcotics suppression, or international crime fighting, or other forms of diplomacy behind the scenes.

So I think the Senator's point is well taken. We are still going to spend the evening pulling together some of that information, and we will try to determine where we will come out at that time. There will be time for further discussion tomorrow.

Mr. SARBANES. You have to look at what these votes are. Morocco, on important votes, was 54.5 percent; on overall votes, it was 21 percent. Cyprus was 22 percent on overall votes; on important votes, it was 58 percent. So there is a big gap between where they are on the important votes and where they are on the overall votes.

Second, many of these plenary issues are not important matters to us. Of course, if a country abstains or is absent, that counts against them. This is not a way to do business, and the consequence of doing business this way, if we pass this amendment, would be to exacerbate our relationship with some very important countries, who have been very helpful and cooperative to the United States in trying to reach our objectives.

Mr. KERRY. I share the Senator's concern and his observations, and I think over the course of the evening we can demonstrate this to an even further degree.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER (Mr. BRYAN). The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the pending amendments be set aside.

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

AMENDMENT NO. 1325

Mr. ROCKEFELLER. Mr. President, 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 West Virginia [Mr. ROCKEFELLER] proposes an amendment numbered 1325.

Mr. ROCKEFELLER. 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:

AMENDMENT NO. 1325

SECTION . UNITED STATES CITIZENS HIRED ABROAD

In order to facilitate the hiring of United States citizens abroad, the Foreign Service Act of 1980 (22 U.S.C. 3801 *et seq.*) ("the Act"),

the State Department Basic Authorities Act (22 U.S.C. 2669 *et seq.*), and other provisions are amended as follows;

(1) In section 309(b) of the Act by deleting "and" at the end of subsection (b)(3); and by deleting the period at the end of subsection (b)(4) and inserting in lieu thereof "; and (5) as a foreign national employee.".

(2) In section 311 of the Act by striking the section and inserting the following:

"(a) The Secretary, under section 303, may appoint United States citizens, who are family members of Government employees assigned abroad or are hired for service at their post of residence, for employment in positions customarily filled by Foreign Service officers, Foreign Service personnel, and foreign national employees.

"(b) The fact that an applicant for employment in a position referred to in subsection (a) is a family member of a Government employee assigned abroad shall be considered an affirmative factor in employing such person.

"(c)(1) Non-family members employed under this section for service at their post of residence shall be paid in accordance with local compensation plans established under section 408.

"(2) Family members employed under this section shall be paid in accordance with the Foreign Service Schedule or the salary rates established under section 407.

"(3) In exceptional circumstances, non-family members may be paid in accordance with the Foreign Service Schedule or the salary rates established under section 407, if the Secretary determines that the national interest would be served by such payments.

"(d) Citizens employed under this section shall not be eligible for benefits under Chapter 8 of the Foreign Service Act of 1980, as amended, or under chapters 83 and 84 of title 5, unless the Secretary states in writing or by regulation that specific individuals shall remain eligible for benefits under chapter 83 or 84 of title 5, as appropriate. Each agency should make efforts to find additional funding for retirement coverage for family members."

(3) In section 404(a) of the Act by deleting the phrase "who are family members of Government employees paid in accordance with a local compensation plan established under".

(4) In section 408 of the Act:

(A) By rewriting the first sentence of subsection 408(a)(1) to read as follows: "The Secretary shall establish compensation (including position classification) plans for foreign national employees of the Service and United States citizens employed under section 311(c)(1).";

(B) in the second sentence of subsection 408(a)(1), by deleting the phrase "employed in the Service abroad who were hired while residing abroad and to those family members of Government employees who are paid in accordance with such plans";

(C) in the third sentence of subsection 408(a)(1), by deleting the phrase "foreign national" each place it appears; and

(D) by adding a fourth sentence as follows: "For United States citizens under a compensation plan, the Secretary shall also (A) provide these citizens with a total compensation package (including wages, allowances, benefits, and other employer payments, such as for social security) that has the equivalent cost to that received by foreign national employees occupying a similar position at that post and, (B) define those allowances and benefits provided under U.S. law which shall be included as part of this total compensation package, notwithstanding any other provision of law, except that this section shall not be used to override United States minimum wage requirements, or any provision of the Social Security Act or the Internal Revenue Code."

(5) In section 504(b) of the Act by inserting "(other than those employed in accordance with section 311)" immediately after "citizen of the United States".

(6) In section 601(b)(2) of the Act by deleting "and" the last time it appears and by inserting "and other members of the Service" immediately after "categories of career candidates,".

(7) In section 611 of the Act by striking all that follows "Foreign Service Schedule" and inserting in lieu thereof "or who is paid in accordance with section 407 or is a U.S. citizen paid under a compensation plan under section 408.".

(8) In section 903(a) of the Act by inserting "(other than a member employed under section 311)" immediately after "member of the Service" each place it appears.

(9) In section 1002(8)(A) of the Act by inserting "a member of the Service who is a United States citizen (other than a family member) employed under section 311," immediately after "a consular agent,".

(10) In section 1101(a)(1) of the Act by inserting "other than a United States citizen employed under section 311 who is not a family member)" immediately after "citizen of the United States".

(11) In section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)), by inserting the following before the period: "; and such contracts are authorize to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States".

Mr. ROCKEFELLER. Mr. President, I rise to offer an amendment that is designed to level the playing field when it comes to employment opportunities for U.S. citizens living in other countries. This effort is the result of many months of discussion, debate, and negotiation to work out a solution to problems that are quite technical and complex. But my goal has been and remains very simple. It is time to end the discrimination and inequities that do harm to our citizens when they need to be gainfully employed abroad by our own State Department. For the more than 3 million Americans who currently reside outside the United States, this amendment will grant them a fair shot at obtaining work and the benefits that should accompany that work.

I am grateful to my colleague, Senator KERRY of Massachusetts, for joining me in attaching this amendment to the State Department authorization bill. We agreed sometime ago to work together on behalf of important principles that should govern that State Department's hiring and employment policies in its embassies and outposts around the world. As a result of good-faith efforts with the agency's new leadership under the Clinton administration, we finally succeeded in crafting the new policy and objectives embodied in this amendment. My original proposal was even more comprehensive, but I concluded it was best to reach agreement now on the strides forward that this consensus amendment will put into effect.

Needless to say, the results of this amendment depend on continued leadership and commitment by the State Department to the purpose of this amendment. Habits and past practices have to be changed. When this amendment becomes law, the agency will be expected to start a new era of fair employment opportunities for our citizens abroad. My hope is that the State Department will see this as an opportunity to serve the interests of our citizens and their families.

Mr. President, I want to provide some history on the issues underlying this amendment, and will then describe the content of the amendment.

Almost 2½ years ago, in July 1991, I came to this Chamber to introduce legislation to eliminate employment discrimination against Americans by the U.S. Department and the other U.S. foreign affairs agencies. At that time, Americans—and only Americans, because they were Americans—were prohibited from applying for nonsensitive, local-hire positions in U.S. embassies and consulates. It was deplorable that U.S. Government agencies discriminated against potential employees in these positions on the basis of nationality. The fact that they discriminated against only U.S. citizens was simply ridiculous.

The State Department told me 2½ years ago that the discrimination existed because the Foreign Service Act of 1980 did not give foreign affairs agencies the authority to hire Americans residing abroad under the compensation plans used to pay other employees in local-hire positions. My July 1991 amendment, which was drafted with the advice and cooperation of the State Department, was designed to give the foreign affairs agencies that authority. The amendment was approved by the Congress and was signed into law in October 1991.

During more than 1½ years after it became law, I and my staff have had many exchanges with State Department officials and the other foreign affairs agencies responsible for implementing that 1991 change in the law. I must confess that at times during that period I became frustrated with the repeated assurances that the law's implementation was imminent, only to witness months and months of further delay.

However, through the efforts of the State Department's leadership which came into office last year, I was finally ably to get the State Department to inaugurate an employment program that took into account at least the spirit of my amendment. In fact, Mr. President, I was so pleased with getting some

progress that I used a Senate floor statement to announce that the State Department had finally fulfilled its obligation to carry out the 1991 amendment. Although I was still troubled by some of the details of the State Department's program, it did accomplish the principal goal of the 1991 amendment: some 10,000 jobs in American diplomatic and consular missions which had been unavailable to American citizens were opened to them.

These jobs range from well-paid professional positions, such as economists, librarians, and computer technicians, to entry-level support positions such as receptionists, drivers, and building maintenance personnel. To be hired, Americans living abroad, like other applicants, will have to meet the qualifications of the positions. These usually include fluency in the local language as well as in English, and often include an intimate knowledge of the country culture, its economy, and its political system.

The agreement I reached with the State Department on that program came when both sides acknowledged that ambiguities in other sections of the Foreign Service Act—provisions that I did not propose changing 2½ years ago—could maintain some elements of employment discrimination in the hiring of U.S. citizens residing abroad. With that acknowledgement, both sides pledged to work together to write the other changes in the Foreign Service Act necessary to eliminate this remaining potential discrimination. I am happy to announce that our joint effort has been successful and that I am introducing today those further, necessary changes to the Foreign Service Act of 1980.

This amendment will give the Secretary of State clear authority to hire Americans for those 10,000 positions from which they had been previously excluded and to pay them under the same compensation systems used to pay others hired for these positions. This provision is particularly important because under State Department's execution of the current law U.S. citizens hired locally are not eligible for standard employee benefits such as retirement and health care programs that are provided to other locally hired employees. In addition, in many cases the U.S. pay schedule—the one that the State Department is now using for these locally hired U.S. citizens—is below the local salary rates overseas. Thus, in some countries the U.S. State Department is paying U.S. citizens less than it pays citizens of other countries in an identical job. This practice certainly does not seem to me to meet the American fairness standard of equal pay for equal work. It will be stopped by this legislation.

The amendment I am introducing today provides, moreover, the flexibility the State Department believes it needs to adjust to the special employment conditions that exist in the hundreds of different Foreign Service posts where these new job opportunities for Americans exist. For example, it provides that embassies can adjust American's total compensation package to ensure that the total cost of employing other nationalities in the same position. This flexibility will maintain the cost competitiveness of American job applicants when other provisions of U.S. law require payments for Americans, such as Social Security contributions, that are not required for non-U.S. citizens. The importance of this flexibility and another way the State Department will use it were well stated in a letter Under Secretary of State Richard M. Moose wrote to me last week as we neared final agreement on the text of the amendment.

Under Secretary Moose wrote,

> Because of the varied circumstances at different posts, however, we are certain to encounter situations when it will be in the U.S. Government's or the resident American's best interests to place that individual in an alternative compensation plan. For example, in order to attract U.S. citizens resident in many parts of Africa or Central America who are not family members [of U.S. Government employees assigned abroad], we may wish to pay those individuals on the U.S. scale. * * * Our legislative proposal incorporates your mandatory language on compensation plans, but adds a waiver which would permit us to compensate non-family members on the U.S. pay scale in exceptional circumstances, if the Secretary determines that would be in the national interest.

Today's amendment seeks fair employment standards for another important group of U.S. citizens employed by our embassies and consulates overseas. These are the family members who accompany career U.S. Government employees assigned abroad. Specifically, when these family members are employees abroad by U.S. foreign affairs agencies, they will be made eligible for retirement benefits they have been denied heretofore. Again, in this area as well, I believe that the State Department will need some flexibility to adjust to a new situation. This flexibility is provided in the proposal.

As Under Secretary Moose wrote to me,

> We agree in principle that family members, except for those in truly temporary or intermittent positions, should be eligible for the Federal Employment Retirement System [FERS]. * * * As a matter of fairness, family members who work regularly should be provided retirement benefits, and we pledge that we will work to phase in those benefits over the next several years. Our draft would permit but not require that these individuals be eligible for retirement benefits and would direct every agency to make efforts to find the additional funding necessary to pay for such benefits. The flexibility provided in our draft would also make it easier to provide retirement benefits to family members who by their nature will have discontinuous employment because of frequent moves.

Mr. President, by creating new jobs and equal employment opportunities for the more than 3 million Americans who currently reside outside the United States, this amendment will restore equity for an important group of citizens we have too often forgotten. These are people with strong ties in this country, just like the rest of us. Often they are abroad because members of their family work for American companies or the U.S. Government. Their presence abroad contributes to our nation's economic well-being and to our national security. In their daily lives, they already represent the United States abroad. Now they can do that also be working for the U.S. Government, which will pay them fairly.

Mr. President, the amendment I am introducing today would not have been possible without the cooperation of the State Department's new leadership and without its commitment to fair employment practices for U.S. citizens abroad. Likewise, the prompt implementation of the amendment will not be possible without the continuation of this cooperation and commitment.

I have a promise from Under Secretary Moose that this cooperation and commitment will continue. In his letter to me last week, Dick Moose wrote,

> I want to reiterate our full support for the principles underlying your proposed legislation: no American should be excluded from employment at our posts abroad because of his or her citizenship and all of our employees are entitled to equitable compensation and benefits. We must implement these principles in a manner that does not increase our costs and does not tie our hands with inflexible requirements. We believe that our proposed legislation will allow us to do that. I pledge to you that, if our proposal is enacted, we will work diligently and in good faith to keep the commitments we have made to you to increase the number of U.S. citizens hired abroad, and to find the funds necessary to provide meaningful retirement benefits to such employees.

I greatly appreciate this promise and am now confident that if this amendment is approved by the Congress, the U.S. Government will give fuller recognition to the rights of American citizens living abroad. I ask the support of my colleagues here and those in the other body so that this goal can finally be achieved. And again I want to thank the floor manager, Senator KERRY, for joining me in sponsoring this amendment.

Mr. President, for the last 2 or 3 years I and, more important, members of my staff have been working with the State Department to try to rectify what seems to be a clearly and obviously outrageous situation wherein spouses of foreign service officers and certain foreign service personnel, some 3 million of them, around the world are not able to be employed by their own Government.

This is a matter of some outrage with them. It is a matter of some outrage with me. I have worked with the State Department now for about 3 years and have finally gotten them to

agree to language which seems to me to be substantive which allows, and I am not talking about obviously the spouse of a State Department person being employed as a foreign service officer—I am talking about an accountant in the office or driver or a secretary or an administrative position that was not within the State Department direct purview. But right now the law is such that some 3 million Americans who are available to be hired around the world cannot be hired. This strikes me as inane, and my amendment, which I believe to be acceptable to both sides of those on the State Department authorization bill and would end that situation, comes to a sensible agreement with the State Department and I think offers up enormous opportunities of employment for what is figured to be some 10,000 to 20,000 jobs overseas which could be going to these people which are not going to these people by unnecessary law or regulation.

So I would ask the distinguished managers of this bill whether or not this is an amendment which, in fact, is acceptable to them, and if we could have it accepted by unanimous consent.

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

The Senator from Massachusetts [Mr. KERRY] is recognized.

Mr. KERRY. Mr. President, let me thank and congratulate the Senator from West Virginia. He is, first of all, as he said, understating it after working for 3 years to try to get what should be a relatively simple concept which nevertheless runs into various bureaucratic problems in trying to implement it.

Americans living abroad or American dependents of Government employees living abroad ought to be able to work at American facilities, and heretofore this has been difficult.

The Senator has doggedly pursued this. He has worked at length with the State Department now to work out a solution. I am delighted not only to accept it but to cosponsor it with him.

And I thank him for his good work on this and I think thanks to this more Americans will be able to be working, and that is exactly what we ought to be doing. It is common sense and it is overdue.

Mr. HELMS. Mr. President, the amendment is acceptable on this side.

The PRESIDING OFFICER. If there is no further debate, the amendment offered by the distinguished Senator from West Virginia is agreed to.

So the amendment (No. 1325) was agreed to.

Mr. ROCKEFELLER. 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.

The PRESIDENT OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I would like, No. 1, to thank Senator JOHN KERRY and also to thank Nancy Stetson for incredible and good work on his part.

I also thank Senator JESSE HELMS for making this an acceptable amendment, and I am very pleased with the moment.

It is a rather large event in a quiet 6 o'clock moment on a Monday evening which will affect the lives of a lot of people, and I am really rather pleased about that.

I thank particularly the distinguished Senator from Massachusetts and make reference further to a situation which I think is not worked out at this point of a colloquy which potentially we could have tomorrow after the Senators have had a chance to review that.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I hope very much we can proceed to that tomorrow. I think if the Senator could possibly do it, we might try for somewhere around 10:30 in that vicinity. It would have to be after the caucuses if not then.

Mr. ROCKEFELLER. I am very grateful.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I wish to speak on the Dole amendment which I believe was set aside.

Mr. HELMS. Will the Senator give an idea of how long he wishes to speak?

Mr. JEFFORDS. I will be about 10 minutes.

Mr. HELMS. Very well. I thank the Senator.

PRIVILEGE OF THE FLOOR

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Mark Nicholson, a Pearson fellow on my staff, be granted privileges of the floor for the purposes of this procedure.

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

AMENDMENT NO. 1323

Mr. JEFFORDS. Mr. President, I congratulate Senator DOLE for his work on his amendment which he has put before this body regarding the United Nations and our work with it. It has helped to begin a debate that is long overdue. The last 2 years have witnessed a dramatic expansion of international peacekeeping initiatives extending to nearly every continent of the globe. We also have seen the United Nations move beyond peacekeeping to peacemaking operations that carry a greater risk of combat operations by the participants. The United States, by its role and the power of its veto in the Security Council, had a decisive voice in the establishment of every one of these operations. We bear over 30 percent of the assessed costs of each operation and a substantial portion of the voluntary contributions to many—at a cost now running into the billions of dollars. And we have borne a higher cost, namely we have sent thousands of our sons and daughters in the Armed Forces to participate in these operations and have lost a number of them to death or injury in the line of duty.

To date, our Government's decision-making on multilateral peacekeeping has been ad hoc. In the turbulence of a post-cold-war world, rapid change has outrun considered policy. More importantly, as the debate last fall over Somalia demonstrated, our participation in U.N. peacekeeping efforts has outpaced the development of a consensus in the Congress and, most importantly, among the American people, regarding our appropriate and proper role. We are badly in need of a broad look at the when, where, and how we participate in these operations. This amendment launches that examination in a very substantive way, and for that I thank the Republican leader.

There is much I agree with in this bill and some points with which I differ. My broader concern, however, is that while debate on these issues is certainly timely, it is premature to come to final decisions on a complex matter which will bear heavily on our involvement in world affairs for years to come. The Senate Foreign Relations Committee has scheduled hearings on peacekeeping next month precisely to give this issue the indepth consideration it deserves. I am reluctant to preempt that process, because it offers precisely what we have lacked to date in the implementation of U.S. policy in this area: a deliberate, careful look at the variety of issues and options we confront in moving from ad hockery to long-term policy. The debate on this amendment will mark a useful beginning to this process. I do not believe, however, that it also should bring a premature end to that debate.

Among the issues that must be faced, let me focus on several which are addressed in this bill. The first has to do with how we finance peacekeeping. It is time the executive branch confronted honestly the budgetary consequences of these operations. Administration funding requests have failed to keep pace with the rapid expansion of U.N. peacekeeping missions—operations which this and the previous administration were instrumental in bringing about. In particular, we have urged forward the United Nations and willingly incurred large assessments to cover its peacekeeping operations, while failing to make adequate provision to pay those bills when they come due. In consequence, we are repeatedly falling well behind in meeting our U.N. obligations and the United Nations now continually suffers short-term financial crises whose temporary resolution only

delays the day of reckoning. Absent supplementary appropriations, the United States will be $1 billion arrears this year on its U.N. assessments—and $1 billion next year. Virtually all the fiscal year 1994 appropriation for U.N. peacekeeping assessments has already been spent to get us out of hoc for arrears which mounted up in 1993.

Regardless of whether one supports an expanded United Nations role in peacekeeping, I believe all can agree that this kind of fiscal irresponsibility cannot be allowed to continue. Failure by the United States to fully consider the costs of a peacekeeping operation up front in the decision process can have only two results. If we choose to meet the fiscal obligations which ensue, we will squander limited resources in a willy nilly scramble after the fact to meet commitments assumed on a first-come, first-serve basis without due regard for matching finite means to our real priorities. If, on the other hand, we fail to meet our United Nations financial commitments, we will erode our credibility as a responsible nation and sooner or later undermine the financial capacity of the United Nations to engage in peackeeping at all.

It is obvious that in some circumstances it will be impossible for an administration to predict the full costs of a peacemaking or peacekeeping operation, any more than we could predict at the outset either the duration or the costs of World War II, Korea, or Vietnam. When one dealing with conflict between ethnic groups or between States, there is no neat and clean business plan that can be presented. We are talking about human beings, politics, and—at times—the fortunes of war—and none of the three lends itself to easy prediction on an accountant's sheet. Even more difficult is prediction of annual peacekeeping requirements as a whole, since new operations typically arise in response to sudden and unforeseeable crises. In that regard, some of the financial reporting requirements in the amendment—particularly those which seek out year projections of peacekeeping budgets—strike me as unlikely to produce answers which either we or the administration itself can much depend on.

Nonetheless, this or any other administration should be required before embarking on a peacekeeping operation to do its best in estimating up front the potential costs and especially the source of funding before making a final decision on whether to take on that responsibility. And since the power of the purse ultimately rests with Congress, this body needs to be brought into those deliberations before, not after, the fact.

Indeed, the broader role of Congress in peacekeeping needs to be worked out if U.S. engagement is to be reliable and consistent. To date, this body has been more of a handmaiden than a partner of the executive branch. This cannot be allowed to continue. I acknowledge the need for Presidential latitude in the direction of foreign policy—and I do not believe the foreign policy process is well served by having 535 Secretaries of State. Nonetheless, if the last 30 years have taught us anything, it is that any foreign policy initiative that entails the sizable expenditure of American funds, and above all American lives, cannot endure or succeed if it does not enjoy the support of the American people and of Congress. Structuring congressional participation begins with ensuring that the Congress is duly informed and consulted in advance on major initiatives, and this amendment is designed to accomplish that. But it also entails confronting the issue of war powers—another set of hearings and another debate which I believe are in order before we move ahead with this or broader legislation.

Mr. President, I have been concerned for some time about the status of U.N. peacekeeping operations and our participation in them. The operation in Somalia brought many of those concerns before the American public in a forceful way. And as we struggle to redefine what is in our national interest in the post-cold war world, we find it very difficult to define our role in Somalia-type operations.

As I have stated before in this Chamber, we must recognize that the post-Communist world carries dangers as well as opportunities, and that addressing both requires us to clarify the threats to our national interest and to develop an adequate response for challenges less clearcut than those we faced in the past. We must be able to answer the most pertinent question raised before we send American personnel into potential hostilities: Why must we place our young people in harm's way in countries where we have no treaty obligation or immediate and direct national interest, as conventionally defined.

If the end of the superpower confrontation unleashed pent-up forces leading to strife in many areas, it also unblocked some of the paths to multilateral cooperation, particularly through the United Nations, in dealing with such situations. More than a third of all U.N. peacekeeping operations mounted over the last 40 years have been put together in the last 3 years. And these operations, all approved by the United States in the Security Council, have been called upon to perform very diverse jobs in many different circumstances, with varying degrees of success.

We all recognize that the United Nation has fallen woefully short of the goals that were euphorically set for it in the immediate aftermath of the cold war. While the successes are impressive—most notably Cambodia—the failures also have been glaring. Poor fiscal management and struggling attempts to develop integrated, multilateral operations in humanitarian and military operations have characterized many U.N. operations over the last few years.

Because of these frustrations and even failures, many of my colleagues are ready to pull back on our involvement with the United Nations. I agree a healthy degree of caution is warranted, but I am not ready to declare this new experiment in international cooperation a total failure. Rather, I believe we must take a fresh look at the speech delivered by President Bush to the U.N. General Assembly just over a year ago. In his final speech to that body as President, he outlined to the Security Council a five-point agenda to lay the basis for more effective cooperation in peacekeeping. President Bush urged nations to develop and train military units specifically for peacekeeping and relief operations. I have introduced legislation directing the Department of Defense to study ways that this could be done in our Armed Forces.

President Bush also urged nations to provide opportunities for their military units to train together. Our experience in Somalia provided how difficult it is to successfully coordinate military units. Some of the problems we experienced there could be resolved by multinational training. Adequate logistical support and better planning, crisis management, and intelligence capabilities were also urged by the President as critical to quick and effective peacekeeping and humanitarian operations. And finally, in keeping with Senator DOLE'S legislation, President Bush urged adequate and equitable financing of the U.N. and associated peacekeeping efforts.

While these ideas were not particularly new or radical when the President proposed them just 16 months ago, they sound more radical today. In the aftermath of Somalia, Bosnia, and Haiti, the focus of debate has shifted toward how to keep ourselves from becoming further entangled in multinational operations. However, I urge my colleagues to step back for a moment and consider what type of international posture we hope to assume for the next decade. Our budget deficit will continue to curtail the resources available to us for foreign assistance and the projection of military power abroad in the defense of our interests. As I see it, we will want to rely more heavily on regional organizations, on our allies, and on other nations who may have a particular interest in or ability to resolve a particular conflict. We cannot and do not want to finance all peacekeeping operations, much less have to send our own troops to deal with each situation of instability that threatens our national interests. It seems to me that we will want to rely more on our

friends and international organizations in the years to come.

So instead of curtailing our involvement with the United Nations, I urge my colleagues to think in terms of our future needs and be creative in the way we approach the problems that confront us now. Therefore, I am very pleased to see that the Republican leader has put a great deal of effort into clarifying the role of Congress in authorizing peacekeeping operations and ensuring greater fiscal responsibility in the funding of U.S. peacekeeping operations. I believe that this proposal will serve as the point of departure for the reevaluation that is scheduled in the Foreign Relations Committee and other relevant committees. I hope that we will be able to put forward a comprehensive package of reforms in the near future, containing many of the leader's proposals, and laying down a firm foundation for our involvement in international peacekeeping and peacemaking operations for years to come.

Mr. President, I believe this is a critical time in our country to make sure we get our house in order. I am hopeful that in the near future we can do that.

Mr. President, I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

AMENDMENT NO. 1290

Mr. KERRY. Mr. President, I ask unanimous consent that the amendment of Senator HELMS, amendment No. 1290, relative to China and coerced abortion, be the pending business and that it be approved and that the motion to reconsider be approved.

The PRESIDING OFFICER. Is there objection? Without objection the request is agreed to.

The amendment (No. 1290) was agreed to.

Mr. HELMS. I move to reconsider the vote.

OPEN SKIES FOIA STANDARD

Mr. PELL. Mr. President, on January 27 during consideration of S. 1281, the Senator from Vermont [Mr. LEAHY] made an inquiry with respect to the amendment to provide a limited exemption under the Freedom of Information Act for certain kinds of data collected under the Treaty on Open Skies. I would like to thank the Senator from Vermont for his support for the efforts of the Committee on Foreign Relations in connection with the Open Skies Treaty and this legislation, and for his inquiry regarding the amendment.

The Senator had asked whether the standard to be applied in subsection (a)(2) of the exemption was akin to that for the classification of information as secret. In this regard, I have verified the administration's understanding of the standard to be applied. The current standard for classifying information secret is that it shall be applied to "information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security" of the United States. The administration believes that the standard to be applied in subsection (a)(20 is a lesser one, and, while it does not correspond to an established classification standard, it is more akin to that of "confidential." Further, the administration understands that the standard for subsection (a)(2) would certainly not be below that for the classification of information as "confidential."

The PRESIDING OFFICER. The Senator from Massachusetts.

VITIATION OF ACTION—AMENDMENT NO. 1290

Mr. KERRY. Mr. President, I ask unanimous consent that the Senate vitiate the action taken by voice on amendment 1290.

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

MORNING BUSINESS

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

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-2022. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescission and deferrals; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Agriculture, Nutrition and Forestry, to the Committee on Armed Services, to the Committee on Banking, Housing and Urban Affairs, to the Committee on Commerce, Science and Transportation, to the Committee on Energy and Natural Resources, to the Committee on Environment and Public Works, to the Committee on Foreign Relations, to the Committee on Governmental Affairs, to the Committee on the Judiciary, and to the Committee on Small Business.

EC-2023. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the final sequestration report for fiscal year 1994; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Agriculture, Nutrition and Forestry, to the Committee on Armed Services, to the Committee on Banking, Housing and Urban Affairs, to the Committee on Commerce, Science and Transportation, to the Committee on Energy and Natural Resources, to the Committee on Environment and Public Works, to the Committee on Finance, to the Committee on Foreign Relations, to the Committee on Governmental Affairs, to the Committee on the Judiciary, to the Committee on Labor and Human Resources, to the Committee on Rules and Administration, to the Committee on Small Business, to the Committee on Veterans' Affairs, to the Select Committee on Intelligence, and to the Committee on Indian Affairs.

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. BUMPERS:

S. 1810. A bill to require the Secretary of the Interior and the Secretary of Agriculture to charge fair market value for permits issued on public lands and National Forests for communication uses, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DORGAN:

S. 1811. A bill to require new television sets to have built-in circuitry to allow viewers to block the display of programs rated violent; to the Committee on Commerce, Science, and Transportation.

By Mr. KEMPTHORNE:

S. 1812. A bill to amend the Supplemental Appropriations Act, to permit a Senator to direct that excess funds allocated to the Senator's personal office for a fiscal year be returned to the U.S. Treasury to reduce the public debt; to the Committee on Rules and Administration.

By Mr. BUMPERS:

S.J. Res. 161. A joint resolution to designate April 1994, as "Civil War History Month"; to the Committee on the Judiciary.

STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BUMPERS:

S. 1810. A bill to require the Secretary of the Interior and the Secretary of Agriculture to charge fair market value for permits issued on public lands and national forests for communication uses, and for other purposes; to the Committee on Energy and Natural Resources.

PUBLIC LANDS AND NATIONAL FOREST PERMITS ACT OF 1994

• Mr. BUMPERS. Mr. President, as many of my colleagues know, I have been a strong advocate of the United States receiving a fair return for the use of its public lands and resources. Whether it is the extraction of hard rock minerals, the grazing of livestock, or the leasing of oil and gas, I have

continually sought to ensure that those who extract or utilize these and other resources found on the public lands, pay a fair price for that privilege. The American taxpayer deserves nothing less. Today, Mr. President, I am introducing legislation to address yet another instance where the taxpayers are not getting a fair shake.

The Federal Land Policy and Management Act [FLPMA] requires that both the Forest Service and Bureau of Land Management [BLM] receive fair market value from those who would utilize portions of our national forests or public lands for various purposes. While that is the law of the land, the intent of the law is not always being carried out. For example, fees collected from those who use portions of the Federal lands for the installation of communication facilities to transmit radio, television, cellular telephone, and other signals are far less than fair market value. The Forest Service estimates that currently, it receives 15 percent of fair market value for communication facilities on our national forests. The BLM also receives significantly less than fair market value for the use of its lands for these purposes.

In the Los Angeles Basin, for example, a television station pays the Forest Service $8,149 per year in rent for a site that has been appraised to be worth nearly $75,000. In another instance, a New Mexico broadcaster that pays the Government $1,042 in annual rental fees actually receives $63,000 from tenants that use the facility each year. This practice is outrageous and must be eliminated.

Although the Forest Service and the Bureau of Land Management have recently attempted to increase the fees they charge for the use of their land for communications sites, they have been prohibited from doing so for the past 4 years by language included in the appropriations bill for the Interior and related agencies prohibiting the implementation of higher fees for these sites. In fiscal year 1992, the Interior appropriation bill also included a provision which created an advisory committee which was to establish criteria and provide estimates of the fees the Federal Government should receive for these sites based on fair market value. Although the advisory committee has issued its final report, the fee schedule in proposed recommended fees that were still far below fair market value. Both the BLM and the Forest Service have stated that the advisory committee fee recommendations are inadequate and would deprive the taxpayers of millions of dollars in revenues. In addition, the fiscal year 1994 Budget Reconciliation Act placed on moratorium on any fee increases for communications sites in excess of 10 percent over the previous year's level until the end of this fiscal year.

Mr. President, it is time to stop these moratoriums and revise these fee schedules so that they reflect fair market value. It is time we comply with the legal requirements of FLPMA and it is time we stop treating the American taxpayer as a second-class citizen.

Today, I am introducing legislation that will eliminate all these limitations and moratoria, and require that any permit for a communication site located on public lands issued after October 1, 1994, be issued only upon the payment of fair market value. This legislation simply guarantees that we still comply with existing law and that the public receives a fair return for the use of its lands.

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

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

S. 1810

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

SECTION 1. COMMUNICATION PERMITS.

(a) IN GENERAL.—No permit, lease, or authorization for the use of any area of the public lands or National Forests for communication uses, including but not limited to radio and television broadcast, mobile radio, cellular telephone, or microwave relay facilities, shall remain in force and effect after October 1, 1994 unless, by such date and by October 1 of each year thereafter, the holder of such permit, lease, or authorization pays to the Secretary of the Interior or the Secretary of Agriculture, as appropriate, an amount equal to the fair market value, as determined by such Secretary, of the right to use and occupy such area for such communication uses.

(b) DEFINITION.—For the purposes of this Act, the term "public lands" shall have the same meaning as defined in section 103(e) of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1702 (e)).●

By Mr. DORGAN:

S. 1811. A bill to require new television sets to have built-in circuitry to allow viewers to block the display of programs rated violent; to the Committee on Commerce, Science, and Transportation.

THE TELEVISION VIOLENCE REDUCTION THROUGH PARENTAL EMPOWERMENT ACT

Mr. DORGAN. Mr. President, last August, Representative ED MARKEY and several colleagues introduced legislation in the other body that would empower parents to deal with violence on television. Specifically, it would require that television sets include a technical devise parents could use to block out television programs that are, in their judgment, too violent for their children. At the request of Representative MARKEY, I am introducing this legislation in the Senate today so that we can also consider this approach, commonly known as the V-chip bill, in the current debate over how we should address the problem of violence on television.

My colleagues are familiar with the debate that has been taking place, not just in the Congress, but in the administration and within the television industry this year. While this issue certainly is not new, public outcry has intensified in the past year.

Both the Senate Commerce Committee and the Senate Judiciary Committee held hearings on this issue last year and a number of bills have been introduced in the Senate. I believe that Representative MARKEY's V-chip legislation is an important part of a legislative response to the problem of violence on television and I support it.

Earlier this year I introduced the Television Violence Report Card Act which can work together with the V-chip concept. Both these approaches have a common goal: To empower parents and the public, rather than Government bureaucrats. My report card legislation would arm the public with information to enable them to send a message through the market place, directly to the industry. The V-chip approach gives parents technological empowerment to vote through their television sets. Both these bills would address television violence by giving the public more tools with which to register their own votes in the marketplace. As I have said on many other occasions, this is a much better way to address television violence, than is Government regulation.

The V-chip bill requires that television sets be capable of blocking programs which are coded with a violence rating. The legislation also requires that television sets be equipped with blocking capability for time slots so that parents can block an individual program even if it does not carry a violence advisory.

As I mentioned before, I believe that the V-chip approach that Representative MARKEY has been pushing is an essential part of the debate on television violence. I urge my colleagues to support this bill and in general work with us to advance a solution to television violence that enables the public and parents in particular to send a direct message to the industry. They, and not the Government nor the industry, should have the ultimate say in what should and should not be on television. The V-chip bill is a means to give consumers another tool.

In recent weeks parts of the television industry have responded in a positive way to begin to address the issue of violence during times when children are watching.

But we need to do more, and the V-chip proposal, as well as the television violence report card, are two proposals that will make a difference.

By Mr. BUMPERS:

S.J. Res. 161. A joint resolution to designate April 1994, as "Civil War History Month"; to the Committee on the Judiciary.

CIVIL WAR HISTORY MONTH

• Mr. BUMPERS. Mr. President, I introduce a joint resolution to designate April 1994 as "Civil War History Month."

As many of my colleagues know, I have had a longstanding interest in and love of Civil War history. I believe the Civil War was the most momentous and defining event in the growth and development of our Nation. The suffering and turmoil of the conflict forever changed the shape and character of American society. As Shelby Foote, the noted Civil War historian, said about the War, "any understanding of this nation has to be based on an understanding of the Civil War. It is very necessary if you're going to understand the American character in the twentieth century, to learn about this enormous catastrophe of the nineteenth century. It was the crossroads of our being and it was a hell of a crossroads."

Because I cherish our Nation's history, I believe we must make every effort to educate our citizens about it. Today, I am introducing a joint resolution that will help heighten our understanding and interest in the Civil War. I urge my colleagues to join me in this important effort.

I ask unanimous consent that the joint resolution be printed in the RECORD.

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

SENATE JOINT RESOLUTION 161

Whereas the period of American history known as "The Civil War" is universally recognized as one of the most significant landmark eras in our nation's heritage; and

Whereas, the continuous growth of public awareness of and interest in the Civil War period remains an integral part of America's cultural heritage; and

Whereas, the study, preservation, and interpretation of literature and sites associated with this period is imbedded in the educational and cultural heritage of our country; and

Whereas, the beginning of the Civil War occurred in April 1861 with the firing on Fort Sumter in Charleston, South Carolina, and the effective ending of The Civil War occurred in April 1865 with the surrender of the Army of Northern Virginia at Appomattox, Virginia, making April the most important month of the year in Civil War History; and

Whereas, the heritage of The Civil War deserves the attention and respect of all individuals in the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 1994 is designated as "Civil War History Month." The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.•

ADDITIONAL COSPONSORS

S. 289

At the request of Mr. REID, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 289, a bill to amend section 118 of the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 359

At the request of Mr. DECONCINI, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 359, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Law Enforcement Officers Memorial, and for other purposes.

S. 1359

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Arizona (Mr. DECONCINI), the Senator from New York (Mr. D'AMATO), the Senator from Rhode Island (Mr. CHAFEE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Michigan (Mr. RIEGLE), and the Senator from North Carolina (Mr. FAIRCLOTH) were added as cosponsors of S. 1359, a bill to amend the Food Stamp Act of 1977 to require the domestic production of food stamp coupons.

S. 1458

At the request of Mrs. KASSEBAUM, the name of the Senator from Mississippi [Mr. COCHRAN] 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. 1525

At the request of Mr. GLENN, the names of the Senator from Alaska [Mr. STEVENS], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 1525, a bill to improve the quantity and quality of foreign language instruction offered in our Nation's elementary and secondary schools.

S. 1698

At the request of Mr. LOTT, his name was added as a cosponsor of S. 1698, a bill to reduce the paperwork burden on certain rural regulated financial institutions, and for other purposes.

S. 1733

At the request of Mr. BAUCUS, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 1733, a bill to amend the Internal Revenue Code of 1986 to provide tax treatment for foreign investment through a United States regulated investment company comparable to the tax treatment for direct foreign investment and investment through a foreign mutual fund.

SENATE JOINT RESOLUTION 90

At the request of Mr. ROBB, the names of the Senator from Pennsylvania [Mr. WOFFORD], and the Senator from Florida [Mr. MACK] were added as cosponsors of Senate Joint Resolution 90, a joint resolution to recognize the achievements of radio amateurs, and to establish support for such amateurs as national policy.

SENATE RESOLUTION 24

At the request of Mr. DANFORTH, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of Senate Resolution 24, a resolution urging the criminal prosecution of persons committing crimes against humanity, including participation in mass rapes, in Bosnia-Herzegovina.

SENATE RESOLUTION 64

At the request of Mr. LUGAR, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of Senate Resolution 64, a resolution expressing the sense of the Senate that increasing the effective rate of taxation by lowering the estate tax exemption would devastate homeowners, farmers, and small business owners, further hindering the creation of jobs and economic growth.

AMENDMENTS SUBMITTED

FOREIGN RELATIONS AUTHORIZATION ACT OF 1994

LOTT (AND HELMS) AMENDMENT NO. 1315

Mr. LOTT (for himself and Mr. HELMS) proposed an amendment to the bill (S. 1281) to authorize appropriations for the fiscal years 1994 and 1995 for the Department of State, and U.S. Information Agency, and related agencies, to provide for the consolidation of international broadcasting activities, and for other purposes; as follows:

On page 82, after line 23, add the following new section:

SEC. 170B. PROHIBITION ON SECURITY ASSISTANCE FOR COUNTRIES THAT CONSISTENTLY OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY.

(a) PROHIBITION.—Security assistance may not be provided to a country that consistently opposed the United States position in the United Nations General Assembly during the most recent session of the General Assembly.

(b) CHANGE IN GOVERNMENT.—If—

(1) the Secretary of State determines that, since the beginning of the most recent session of the General Assembly, there has been a fundamental change in the leadership and policies of the government of a country to which the prohibition in subsection (a) applies, and

(2) the Secretary believes that because of that change the government of that country will no longer consistently oppose the United States position in the General Assembly.

the Secretary may submit to the Congress a request that the Congress enact an exemption from that prohibition for that country. Any such exemption shall be effective only until submission of the next report under section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991. Any request for such an exemption shall be ac-

companied by a discussion of the basis for the Secretary's determination and belief.

(c) WAIVER AUTHORITY.—The Secretary of State may waive the requirement of subsection (a) if the Secretary determines and reports to the Congress that despite the United Nations voting pattern of a particular country, the provision of security assistance to that country is necessary to promote United States foreign policy objectives.

(d) DEFINITIONS.—As used in this section—

(1) the term "consistently opposed the United States position" means that the country's votes in the United Nations General Assembly coincided with the United States position less than 25 percent of the time, using for this purpose the overall percentage-of-voting coincidences set forth in the annual report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991;

(2) the term "most recent session of the General Assembly" means the most recently completed plenary session of the General Assembly for which overall percentage-of-voting coincidences is set forth in the most recent report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; and

(3) the term "security assistance" means assistance under—

(A) chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) chapter 5 of part II of that Act (relating to international military education and training), or

(C) the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act,

except that the term does not include narcotics-related assistance.

(e) EFFECTIVE DATE.—This section takes effect upon submission to the Congress of the report pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, that is required to be submitted by March 31, 1994.

HELMS AMENDMENT NO. 1316

Mr. HELMS proposed an amendment to amendment No. 1315 proposed by Mr. LOTT to the bill S. 1281, supra; as follows:

Strike all after the first word, and insert:

170B. PROHIBITION ON SECURITY ASSISTANCE FOR COUNTRIES THAT CONSISTENTLY OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY.

(a) PROHIBITION.—Security assistance may not be provided to a country that consistently opposed the United States position in the United Nations General Assembly during the most recent session of the General Assembly.

(b) CHANGE IN GOVERNMENT.—If—

(1) the Secretary of State determines that, since the beginning of the most recent session of the General Assembly, there has been a fundamental change in the leadership and policies of the government of a country to which the prohibition in subsection (a) applies, and

(2) the Secretary believes that because of that change the government of that country will no longer consistently oppose the United States position in the General Assembly,

the Secretary may submit to the Congress a request that the Congress enact an exemption from that prohibition for that country. Any such exemption shall be effective only until submission of the next report under section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991. Any request for such an exemption shall be accompanied by a discussion of the basis for the Secretary's determination and belief.

(c) WAIVER AUTHORITY.—The Secretary of State may waive the requirement of subsection (a) if the Secretary determines and reports to the Congress that despite the United Nations voting pattern of a particular country, the provision of security assistance to that country is necessary to promote United States foreign policy objectives.

(d) DEFINITIONS.—As used in this section—

(1) the term "consistently opposed the United States position" means that the country's votes in the United Nations General Assembly coincided with the United States position less than 30 percent of the time, using for this purpose the overall percent-age-of-voting coincidences set forth in the annual report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991;

(2) the term "most recent session of the General Assembly" means the most recently completed plenary session of the General Assembly for which overall percentage-of-voting coincidences is set forth in the most recent report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; and

(3) the term "security assistance" means assistance under—

(A) chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) chapter 5 of part II of that Act (relating to international military education and training), or

(C) the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act,

except that the term does not include narcotics-related assistance.

(e) EFFECTIVE DATE.—This section takes effect upon submission to the Congress of the report pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, that is required to be submitted by March 31, 1994.

COHEN AMENDMENT NOS. 1317–1318

Mr. COHEN proposed two amendments to the bill S. 1281, supra; as follows:

AMENDMENT NO. 1317

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, outside the borders of the Russian Federation and, specifically, 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 Armenia, 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 November 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. 1318

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

SEC. ___. POLICY REGARDING GERMAN PARTICIPATION IN INTERNATIONAL PEACEKEEPING OPERATIONS.

(a) FINDINGS.—The Congress 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 meeting and fully associated itself with the Petersberg Declaration;

(15) the Federal Republic of Germany, by virtue of its political, economical 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 Basis Law that govern German military activities;

(17) one important element in the German debate is the attitude of the international community toward 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 question of such German participation; and

(19) distinctions between peacekeeping, peacemaking, and peace-enforcing measures are becoming blurred, making absolute separation of such measures difficult, if not impossible.

(b) SENSE OF CONGRESS.—It is the sense of the Congress 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, in light of its increasing political and economic influence, its successful integration into international institutions, and its commitments to peace and democratic ideals, to assume full and active participation in international peacekeeping, peacemaking and peace-enforcing operations and to take the necessary measures with regard to its constitution law and policy and its military capabilities so as to enable the full and active participation of Germany in such operations.

HELMS AMENDMENT NO. 1319

Mr. HELMS proposed an amendment to the bill S. 1281, supra; as follows:

On page 179, after line 6, insert the following:

SEC. 714. PROHIBITION ON ASSISTANCE TO COUNTRIES EXPROPRIATING UNITED STATES PROPERTY.

(a) PROHIBITION.—None of the funds made available to carry out the Foreign Assistance Act of 1961 as amended, the Arms Export Control Act, or the Support for East European Democracy Act may be provided to a country (other than a country described in subsection (c) whose government (or any agency or instrument thereof)—

(1) has before, on, or after the date of enactment of this Act—

(A) nationalized or expropriated the property of any United States person,

(B) repudiated or nullified any contract or agreement with any United States person, or

(C) taken any other action (such as the imposition of discriminatory taxes or other exactions) which has the effect of seizing ownership or control of the property of any United States person, and

(2) has not, within a period of 3 years (or where applicable, the period described in subsection (b), returned the property or provided adequate and effective compensation for such property in convertible foreign exchange equivalent to the full value thereof, as required by international law.

(3) the President may waive the prohibition in section (a) if he determines and so notifies Congress that it is in the national interest to do so. Such determination must be made on a country by country basis every 180 days.

(b) EXTENDED PERIOD FOR COMPENSATION IN THE CASE OF NEWLY ELECTED DEMOCRATIC GOVERNMENTS.—In the case of a democratically elected foreign government that had been a totalitarian or authoritarian government at the time of the action described in subsection (a)(1), the 3-year period described in subsection (a)(2) shall be deemed to have begun as of the date of the installation of the democratically elected government.

(c) EXCEPTED COUNTRIES AND TERRITORIES.—This section shall not apply to any country established by international mandate through the United Nations or to any territory recognized by the United States Government to be in dispute.

(d) REPORTING REQUIREMENT.—Not later than 90 days after enactment of this Act, and every 180 days thereafter, the Secretary of State shall transmit to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate, a report containing the following:

(1) A list of all countries in which a United States person has an outstanding expropriations claim.

(2) The total number of outstanding expropriation claims made by United States persons against any foreign country.

(3) The period of time in which each claim has been outstanding.

(4) All efforts made on a case by case basis by the United States government, any international organization, and the country in which the expropriation claim has been made, to return the property or provide adequate and effective compensation for such property.

(e) DEFINITION.—For purposes of this section, the term "United States person" means a United States citizen or corporation, partnership, or association at least 50 percent beneficially owned by United States citizens.

HELMS AMENDMENT NO. 1320

Mr. HELMS proposed an amendment to the bill S. 1281, supra; as follows:

On page 32, line 19, strike out "20" and insert in lieu thereof "18".

Beginning on page 32, strike out line 21 and all that follows through line 3 on page 33.

On page 33, line 4, strike out "(c)" and insert in lieu thereof "(b)".

On page 34, line 19, strike out "(20)" and insert in lieu thereof "(18)".

On page 34, line 22, strike out "(d)" and insert in lieu thereof "(c)".

On page 35, line 5, strike out "(e)" and insert in lieu thereof "(d)".

GLENN (AND OTHERS) AMENDMENT NO. 1321

Mr. GLENN (for himself, Mr. PELL, Mr. HELMS, Mr. RIEGLE, Mr. SIMON, Mr. D'AMATO, Mr. AKAKA, Mr. CAMPBELL, and Mr. KERREY) proposed an amendment to the bill S. 1281, supra; as follows:

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

TITLE ___—NUCLEAR PROLIFERATION PREVENTION ACT OF 1994

SEC. ___01. SHORT TITLE.

This title may be cited as the "Nuclear Proliferation Prevention Act of 1994".

Subtitle A—Reporting on Nuclear Exports

SEC. ___11. REPORTS TO CONGRESS.

Section 601(a) of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3281(a)) is amended—

(1) in paragraph (4), by striking "and" after the semicolon;

(2) in paragraph (5), by striking the period and inserting a semicolon; and

(3) by adding after paragraph (5) the following:

"(6) a description of the implementation of nuclear and nuclear-related dual-use export controls in the preceding calendar year, including a summary by type of commodity and destination of—

"(A) all transactions for which—

"(i) an export license was issued for any good controlled under section 309(c) of the Nuclear Non-Proliferation Act of 1978;

"(ii) an export license was issued under section 109 b. of the 1954 Act;

"(iii) approvals were issued under the Export Administration Act of 1979, or section 109 b.(3) of the 1954 Act, for the retransfer of any item, technical data, component, or substance; or

"(iv) authorizations were made as required by section 57 b.(2) of the 1954 Act to engage, directly or indirectly, in the production of special nuclear material;

"(B) each instance in which—

"(i) a sanction has been imposed under section ___21(a) of the Nuclear Proliferation Prevention Act of 1994, section 1002(b)(1) of the Arms Export Control Act, or section 601 or 602 of the Federal Deposit Insurance Corporation Improvement Act of 1991;

"(ii) sales or leases have been denied under section 3(f) of the Arms Export Control Act or transactions prohibited by reason of acts relating to proliferation of nuclear explosive devices as described in section 40(d) of that Act;

"(iii) a sanction has not been imposed by reason of section ___21(c)(2) of the Nuclear Proliferation Prevention Act of 1994 or the imposition of a sanction has been delayed under section 1002(b)(4) of the Arms Export Control Act; or

"(iv) a waiver of a sanction has been made under—

"(I) section ___21(f) of the Nuclear Proliferation Prevention Act of 1994,

"(II) section 620E(d) of the Foreign Assistance Act of 1961, or paragraph (5) or (6)(B) of section 1002(b) of the Arms Export Control Act,

"(III) section 605 of the Federal Deposit Insurance Corporation Improvement Act of 1991;

"(IV) section 40(g) of the Arms Export Control Act with respect to the last sentence of section 40(d) of that Act, or

"(V) section 614 of the Foreign Assistance Act of 1961 with respect to section 620E of that Act or section 3(f), the last sentence of section 40(d), or 1002(b)(1) of the Arms Export Control Act; and

"(C) the progress of those independent states of the former Soviet Union that are non-nuclear-weapon states and of the Baltic states towards achieving the objective of applying full scope safeguards to all their peaceful nuclear activities.

Portions of the information required by paragraph (6) may be submitted in classified form, as necessary. Any such information that may not be published or disclosed under section 12(c)(1) of the Export Administration Act of 1979 shall be submitted as confidential.".

Subtitle B—Sanction for Nuclear Proliferation

SEC. ___21. IMPOSITION OF SANCTION.

(a) DETERMINATION BY THE PRESIDENT.—

(1) IN GENERAL.—Except as provided in subsection (b)(2), the President shall impose the sanction described in subsection (c) if the President determines in writing that a foreign person or a United States person, on or after the effective date of this subtitle, has materially and with requisite knowledge contributed—

(A) through the export from the United States of any goods or technology that are subject to the jurisdiction of the United States, or

(B) through the export from any other country of any goods or technology that would be, if they were exported from the United States, subject to the jurisdiction of the United States,

to the efforts by any individual, group, or non-nuclear-weapon state to acquire unsafeguarded special nuclear material or to use, develop, produce, stockpile, or otherwise acquire any nuclear explosive device.

(2) PERSONS AGAINST WHICH THE SANCTION IS TO BE IMPOSED.—The sanction shall be imposed pursuant to paragraph (1) on—

(A) the foreign person or United States person with respect to which the President makes the determination described in that paragraph;

(B) any successor entity to that foreign person or United States person;

(C) any foreign person or United States person that is a parent or subsidiary of that person if that parent or subsidiary materially and with requisite knowledge assisted in the activities which were the basis of that determination; and

(D) any foreign person or United States person that is an affiliate of that person if that affiliate materially and with requisite knowledge assisted in the activities which were the basis of that determination and if that affiliate is controlled in fact by that foreign person.

(3) OTHER SANCTIONS AVAILABLE.—The sanctions which are required to be imposed for activities described in this subsection are in addition to any other sanction which may be imposed for the same activities under any other provision of law.

(4) DEFINITION.—For purposes of this subsection, the term "requisite knowledge" means situations in which a person "knows", as "knowing" is defined in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2).

(b) CONSULTATION WITH AND ACTIONS BY FOREIGN GOVERNMENT OF JURISDICTION.—

(1) CONSULTATIONS.—If the President makes a determination described in subsection (a)(1) with respect to a foreign person, the Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over that foreign person with respect to the imposition of the sanction pursuant to this section.

(2) ACTIONS BY GOVERNMENT OF JURISDICTION.—In order to pursue such consultations with that government, the President may delay imposition of the sanction pursuant to this section for up to 90 days. Following these consultations, the President shall impose the sanction unless the President determines and certifies in writing to the Congress that that government has taken specific and effective actions, including appropriate penalties, to terminate the involvement of the foreign person in the activities described in subsection (a)(1). The President may delay the imposition of the sanction for up to an additional 90 days if the President determines and certifies in writing to the Congress that that government is in the process of taking the actions described in the preceding sentence.

(3) REPORT TO CONGRESS.—Not later than 90 days after making a determination under subsection (a)(1), the President shall submit to the Committee on Foreign Relations and the Committee on Governmental Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the status of consultations with the appropriate government under this subsection, and the basis for any determination under paragraph (2) of this subsection that such government has taken specific corrective actions.

(c) SANCTION.—

(1) DESCRIPTION OF SANCTION.—The sanction to be imposed pursuant to subsection (a)(1) are, except as provided in paragraph (2) of this subsection, that the United States Government shall not procure, or enter into any contract for the procurement of, any goods or services from any person described in subsection (a)(2).

(2) EXCEPTIONS.—The President shall not be required to apply or maintain the sanction under this section—

(A) in the case of procurement of defense articles or defense services—

(i) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy requirements essential to the national security of the United States;

(ii) if the President determines in writing that the person or other entity to which the sanction would otherwise be applied is a sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

(iii) if the President determines in writing that such articles or services are essential to the national security under defense coproduction agreements;

(B) to products or services provided under contracts entered into before the date on which the President publishes his intention to impose the sanction;

(C) to—

(i) spare parts which are essential to United States products or production;

(ii) component parts, but not finished products, essential to United States products or production; or

(iii) routine servicing and maintenance of products, to the extent that alternative sources are not readily or reasonably available;

(D) to information and technology essential to United States products or production; or

(E) to medical or other humanitarian items.

(d) ADVISORY OPINIONS.—Upon the request of any person, the Secretary of State may, in consultation with the Secretary of Defense, issue in writing an advisory opinion to that person as to whether a proposed activity by that person would subject that person to the sanction under this section. Any person who relies in good faith on such an advisory opinion which states that the proposed activity would not subject a person to such sanction, and any person who thereafter engages in such activity, may not be made subject to such sanction on account of such activity.

(e) TERMINATION OF THE SANCTION.—The sanction imposed pursuant to this section shall apply for a period of at least 12 months following the imposition of the sanction and shall cease to apply thereafter only if the President determines and certifies in writing to the Congress that—

(1) reliable information indicates that the foreign person or United States person with respect to which the determination was made under subsection (a)(1) has ceased to aid or abet any individual, group, or non-nuclear-weapon state in its efforts to acquire unsafeguarded special nuclear material or any nuclear explosive device, as described in that subsection; and

(2) the President has received reliable assurances from the foreign person or United States person, as the case may be, that such person will not, in the future, aid or abet any individual, group, or non-nuclear-weapon state in its efforts to acquire unsafeguarded special nuclear material or any nuclear explosive device, as described in subsection (a)(1).

(f) WAIVER.—

(1) CRITERION FOR WAIVER.—The President may waive the application of the sanction imposed on any person pursuant to this section, after the end of the 12-month period beginning on the date on which that sanction was imposed on that person, if the President determines and certifies in writing to the Congress that the continued imposition of the sanction would have a serious adverse effect on vital United States interests.

(2) NOTIFICATION OF AND REPORT TO CONGRESS.—If the President decides to exercise the waiver authority provided in paragraph (1), the President shall so notify the Congress not less than 20 days before the waiver takes effect. Such notification shall include a report fully articulating the rationale and circumstances which led the President to exercise the waiver authority.

(g) DEFINITIONS.—For purposes of this section—

(1) the term "foreign person" means—

(A) an individual who is not a citizen of the United States or an alien admitted for permanent residence to the United States; or

(B) a corporation, partnership, or other nongovernment entity which is created or organized under the laws of a foreign country or which has its principal place of business outside the United States; and

(2) the term "United States person" means—

(A) an individual who is a citizen of the United States or an alien admitted for permanent residence to the United States; or

(B) a corporation, partnership, or other entity which is not a foreign person.

SEC. ___22. ELIGIBILITY FOR ASSISTANCE.

(a) AMENDMENTS TO THE ARMS EXPORT CONTROL ACT.—(1) Section 3 of the Arms Export Control Act (22 U.S.C. 2753) is amended by adding at the end the following new subsection:

"(f) No sales or leases shall be made to any country that the President has determined is in material breach of its binding commitments to the United States under international treaties or agreements concerning the nonproliferation of nuclear explosive devices (as defined in section ___30(3) of the Nuclear Proliferation Prevention Act of 1994) and unsafeguarded special nuclear material (as defined in section ___30(6) of that Act).".

(2) Section 40 of such Act (22 U.S.C. 2780) is amended—

(A) in subsection (d), by adding at the end the following new sentence: "For purposes of this subsection, such acts shall include all activities that the Secretary determines willfully aid or abet the international proliferation of nuclear explosive devices to individuals or groups or willfully aid or abet an individual or groups in acquiring unsafeguarded special nuclear material."; and

(B) in subsection (l)—

(i) in paragraph (2), by striking "and" after the semicolon;

(ii) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

"(4) the term 'nuclear explosive device' has the meaning given that term in section ___30(3) of the Nuclear Proliferation Prevention Act of 1994; and

"(5) the term 'unsafeguarded special nuclear material' has the meaning given that term in section ___30(6) of the Nuclear Proliferation Prevention Act of 1994.".

(b) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—

(1) Notwithstanding any other provision of law, Presidential Determination No. 82-7 of February 10, 1982, made pursuant to section 670(a)(2) of the Foreign Assistance Act of 1961, shall have no force or effect with respect to any grounds for the prohibition of assistance under section 1002(a)(1) of the Arms Export Control Act arising on or after the effective date of this subtitle.

(2) Section 620E(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375(d)) is amended to read as follows:

"(d) The President may waive the prohibitions of section 1001 of the Arms Export Control Act with respect to any grounds for the prohibition of assistance under that section arising before the effective date of subtitle B of the Nuclear Proliferation Prevention Act of 1994 to provide assistance to Pakistan if he determines that to do so is in the national interest of the United States.".

SEC. ___23. ROLE OF INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States executive director to each of the international financial institutions described in section 701(a) of the International Financial Institutions Act (22 U.S.C. 262d(a)) to use the voice and vote of the United States to oppose any direct or indirect use of the institution's funds to promote the acquisition of unsafeguarded special nuclear material or the development, stockpiling, or use of any nuclear explosive device by any non-nuclear-weapon state.

(b) DUTIES OF UNITED STATES EXECUTIVE DIRECTORS.—Section 701(b)(3) of the International Financial Institutions Act (22 U.S.C. 262d(b)(3)) is amended to read as follows:

"(3) whether the recipient country—

"(A) is seeking to acquire unsafeguarded special nuclear material (as defined in section ___30(6) of the Nuclear Proliferation Prevention Act of 1994) or a nuclear explosive device (as defined in section ___30(3) of that Act);

"(B) is not a State Party to the Treaty on Non-Proliferation of Nuclear Weapons; or

"(C) has detonated a nuclear explosive device; and".

SEC. ___24. AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE CORPORATION IMPROVEMENT ACT OF 1991.

The Federal Deposit Insurance Corporation Improvement Act of 1991 is amended by adding at the end the following new title:

"TITLE VI—SANCTIONS ON FINANCIAL INSTITUTIONS

"SEC. 601. PRESIDENTIAL DETERMINATION.

"(a) IN GENERAL.—The prohibitions in section 603 shall be imposed on a financial institution if the President determines in writing that such financial institution, on or after the date which is 60 days after the date of enactment of this section, has materially and with requisite knowledge contributed, through provision of financing or other services, to the efforts by any individual, group, or non-nuclear-weapon state to acquire unsafeguarded special nuclear material or to use, develop, produce, stockpile, or otherwise acquire any nuclear explosive device, as these standards and terms would be applied under section ___21(a) of the Nuclear Proliferation Prevention Act of 1994.

"(b) PRESIDENTIAL ORDER.—Whenever the President makes a determination under subsection (a) with respect to a financial institution, the President shall issue an order specifying a date within 180 days after such determination on which the prohibitions in section 603 shall begin to apply to such institution.

"SEC. 602. ADDITIONAL ENTITIES AGAINST WHICH SANCTIONS ARE TO BE IMPOSED.

"The prohibitions described in section 603 shall also be imposed, pursuant to section 601, on—

"(1) any successor entity to the financial institution with respect to which the President makes a determination under section 601(a);

"(2) any foreign person or United States person that is a parent or subsidiary of that financial institution if that parent or subsidiary materially and with requisite knowledge assisted in the activities which were the basis of that determination; and

"(3) any foreign person or United States person that is an affiliate of that financial institution if that affiliate materially and with requisite knowledge assisted in the activities which were the basis of such determination and if that affiliate is controlled in fact by that financial institution.

"SEC. 603. PROHIBITIONS.

"The following prohibitions shall apply to a financial institution with respect to which a determination is made under section 601(a) and to the entities described in section 602:

"(1) BAN ON DEALINGS IN GOVERNMENT FINANCE.—

"(A) DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, such financial institution or any such entity as a primary dealer in United States Government debt instruments.

"(B) GOVERNMENT FUNDS.—Such financial institution or any such entity shall not serve as agent of the United States Government or serve as repository for United States Government funds.

"(2) RESTRICTIONS ON OPERATIONS.—Such financial institution or any such entity shall not, directly or indirectly—

"(A) commence any line of business in the United States in which it was not engaged as of the date of the determination; or

"(B) conduct business from any location in the United States at which it did not conduct business as of the date of the determination.

"SEC. 604. CONDITIONS AND TERMINATION OF SANCTIONS.

"The same requirements for consultation with the foreign government of jurisdiction, where appropriate, and for termination of sanctions shall apply under this title as are provided in subsections (b) and (e), respectively, of section ___21 of the Nuclear Proliferation Prevention Act of 1994.

"SEC. 605. WAIVER.

"The President may waive the imposition of any prohibition imposed on any financial institution or other entity pursuant to section 601 or 602 if the President determines and certifies in writing to the Congress that the imposition of such prohibition would have a serious adverse effect on the safety and soundness of the domestic or international financial system or on domestic or international payments systems.

"SEC. 606. DEFINITIONS.

"As used in this title—

"(1) the term 'financial institution' includes—

"(A) a depository institution, including a branch or agency of a foreign bank;

"(B) a securities firm, including a broker or dealer;

"(C) an insurance company, including an agency or underwriter;

"(D) any other company that provides primarily financial services; or

"(E) any subsidiary of any entity described in subparagraph (A), (B), (C), or (D);

"(2) the term 'requisite knowledge' means situations in which a person 'knows', as 'knowing' is defined in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2); and

"(3) the terms 'foreign person' and 'United States person' have the meanings given those terms in section ___21(g) of the Nuclear Proliferation Prevention Act of 1994.".

SEC. ___25. EXPORT-IMPORT BANK.

Section 2(b)(4) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(4)) is amended in the first sentence by inserting after "device" the following: "(as defined in section ___30(3) of the Nuclear Proliferation Prevention Act of 1994), or that any country has willfully aided or abetted any non-nuclear-weapon state (as defined in section ___30(4) of that Act) to acquire any such nuclear explosive device or to acquire unsafeguarded

special nuclear material (as defined in section ___30(6) of that Act).".

SEC. ___26. AMENDMENT TO THE ARMS EXPORT CONTROL ACT.

(a) IN GENERAL.—The Arms Export Control Act is amended by adding at the end the following new chapter:

"CHAPTER 10—NUCLEAR NONPROLIFERATION CONTROLS

"SEC. 1001. NUCLEAR ENRICHMENT TRANSFERS.

"(a) PROHIBITIONS; SAFEGUARDS AND MANAGEMENT.—Except as provided in subsection (b) of this section, no funds authorized to be appropriated by the Foreign Assistance Act of 1961 or this Act may be used for the purpose of providing economic assistance (including assistance under chapter 4 of part II of the Foreign Assistance Act of 1961), providing military assistance or grant military education and training, providing assistance under chapter 6 of part II of that Act, or extending military credits or making guarantees, to any country which, on or after August 4, 1977, delivers nuclear enrichment equipment, materials, or technology to any other country, or receives such equipment, materials, or technology from any other country, unless before such delivery—

"(1) the supplying country and receiving country have reached agreement to place all such equipment, materials, or technology, upon delivery, under multilateral auspices and management when available; and

"(2) the recipient country has entered into an agreement with the International Atomic Energy Agency to place all such equipment, materials, technology, and all nuclear fuel and facilities in such country under the safeguards system of such Agency.

"(b) CERTIFICATION BY PRESIDENT OF NECESSITY OF CONTINUED ASSISTANCE; CONCURRENT RESOLUTION OF DISAPPROVAL BY CONGRESS.—(1) Notwithstanding subsection (a) of this section, the President may furnish assistance which would otherwise be prohibited under such subsection if he determines and certifies in writing to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate that—

"(A) the termination of such assistance would have a serious adverse effect on vital United States interests; and

"(B) he has received reliable assurances that the country in question will not acquire or develop nuclear weapons or assist other nations in doing so.

Such certification shall set forth the reasons supporting such determination in each particular case.

"(2)(A) A certification under paragraph (1) of this subsection shall take effect on the date on which the certification is received by the Congress. However, if, within thirty calendar days after receiving this certification, the Congress adopts a concurrent resolution stating in substance that the Congress disapproves the furnishing of assistance pursuant to the certification, then upon the adoption of that resolution the certification shall cease to be effective and all deliveries of assistance furnished under the authority of that certification shall be suspended immediately.

"(B) Any concurrent resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(C) For the purpose of expediting the consideration and adoption of concurrent resolutions under this paragraph, a motion to proceed to the consideration of any such resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

"SEC. 1002. NUCLEAR REPROCESSING TRANSFERS, ILLEGAL EXPORTS FOR NUCLEAR EXPLOSIVE DEVICES, TRANSFERS OF NUCLEAR EXPLOSIVE DEVICES, AND NUCLEAR DETONATIONS.

"(a) PROHIBITIONS ON ASSISTANCE TO COUNTRIES INVOLVED IN TRANSFER OF NUCLEAR REPROCESSING EQUIPMENT, MATERIALS, OR TECHNOLOGY; EXCEPTIONS; PROCEDURES APPLICABLE.—(1) Except as provided in paragraph (2) of this subsection, no funds authorized to be appropriated by the Foreign Assistance Act of 1961 or this Act may be used for the purpose of providing economic assistance (including assistance under chapter 4 of part II of the Foreign Assistance Act of 1961), providing military assistance or grant military education and training, providing assistance under chapter 6 of part II of that Act, or extending military credits or making guarantees, to any country which (A) on or after August 4, 1977, delivers nuclear reprocessing equipment, materials, or technology to any other country or receives such equipment, materials, or technology from any other country (except for the transfer of reprocessing technology associated with the investigation, under international evaluation programs in which the United States participates, of technologies which are alternatives to pure plutonium reprocessing), or (B) is a non-nuclear-weapon state which, on or after August 8, 1985, exports illegally (or attempts to export illegally) from the United States any material, equipment, or technology which would contribute significantly to the ability of such country to manufacture a nuclear explosive device, if the President determines that the material, equipment, or technology was to be used by such country in the manufacture of a nuclear explosive device. For purposes of clause (B), an export (or attempted export) by a person who is an agent of, or is otherwise acting on behalf of or in the interests of, a country shall be considered to be an export (or attempted export) by that country.

"(2) Notwithstanding paragraph (1) of this subsection, the President in any fiscal year may furnish assistance which would otherwise be prohibited under that paragraph if he determines and certifies in writing during that fiscal year to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate that the termination of such assistance would be seriously prejudicial to the achievement of United States nonproliferation objectives or otherwise jeopardize the common defense and security. The President shall transmit with such certification a statement setting forth the specific reasons therefor.

"(3)(A) A certification under paragraph (2) of this subsection shall take effect on the date on which the certification is received by the Congress. However, if, within 30 calendar days after receiving this certification, the Congress adopts a concurrent resolution stating in substance that the Congress disapproves the furnishing of assistance pursuant to the certification, then upon the adoption of that resolution the certification shall cease to be effective and all deliveries of assistance furnished under the authority of that certification shall be suspended immediately.

"(B) Any concurrent resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(C) For the purpose of expediting the consideration and adoption of concurrent resolutions under this paragraph, a motion to proceed to the consideration of any such resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

"(b) PROHIBITIONS ON ASSISTANCE TO COUNTRIES INVOLVED IN TRANSFER OR USE OF NUCLEAR EXPLOSIVE DEVICES; EXCEPTIONS; PROCEDURES APPLICABLE.—(1) Except as provided in paragraphs (4), (5), and (6), in the event that the President determines that any country, after the effective date of subtitle B of the Nuclear Proliferation Prevention Act of 1994—

"(A) transfers to a non-nuclear-weapon state a nuclear explosive device,

"(B) is a non-nuclear-weapon state and either—

"(i) receives a nuclear explosive device, or

"(ii) detonates a nuclear explosive device,

"(C) transfers to a non-nuclear-weapon state any design information or component which is determined by the President to be important to, and known by the transferring country to be intended by the recipient state for use in, the development or manufacture of any nuclear explosive device, or

"(D) is a non-nuclear-weapon state and has sought and received any design information or component which is determined by the President to be important to, and intended by the recipient state for use in, the development or manufacture of any nuclear explosive device,

then the President shall forthwith report in writing his determination to the Congress and shall forthwith impose the sanctions described in paragraph (2) against that country.

"(2) The sanctions referred to in paragraph (1) are as follows:

"(A) The United States Government shall terminate assistance to that country under this Act, except for humanitarian assistance or food or other agricultural commodities.

"(B) The United States Government shall terminate—

"(i) sales to that country under the Arms Export Control Act of any defense articles, defense services, or design and construction services, and

"(ii) licenses for the export to that country of any item on the United States Munitions List.

"(C) The United States Government shall terminate all foreign military financing for that country under this Act.

"(D) The United States Government shall deny to that country any credit, credit guarantees, or other financial assistance by any department, agency, or instrumentality of the United States Government, except that the sanction of this subparagraph shall not apply—

"(i) to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 (relating to congressional oversight of intelligence activities), or

"(ii) to humanitarian assistance.

"(E) The United States Government shall oppose, in accordance with section 701 of the International Financial Institutions Act (22 U.S.C. 262d), the extension of any loan or financial or technical assistance to that country by any international financial institution.

"(F) The United States Government shall prohibit any United States bank from making any loan or providing any credit to the government of that country, except for loans or credits for the purpose of purchasing food or other agricultural commodities.

"(G) The authorities of section 6 of the Export Administration Act of 1979 shall be used

to prohibit exports to that country of specific goods and technology (excluding food and other agricultural commodities), except that such prohibition shall not apply to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 (relating to congressional oversight of intelligence activities).

"(3) As used in this subsection—

"(A) the term 'design information' means specific information that relates to the design of a nuclear explosive device and that is not available to the public; and

"(B) the term 'component' means a specific component of a nuclear explosive device.

"(4)(A) Notwithstanding paragraph (1) of this subsection, the President may, for a period of not more than 30 days of continuous session, delay the imposition of sanctions which would otherwise be required under paragraph (1)(A) or (1)(B) of this subsection if the President first transmits to the Speaker of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate, a certification that he has determined that an immediate imposition of sanctions on that country would be detrimental to the national security of the United States. Not more than one such certification may be transmitted for a country with respect to the same detonation, transfer, or receipt of a nuclear explosive device.

"(B) If the President transmits a certification to the Congress under subparagraph (A), a joint resolution which would permit the President to exercise the waiver authority of paragraph (5) of this subsection shall, if introduced in either House within thirty days of continuous session after the Congress receives this certification, be considered in the Senate and House of Representatives in accordance with subparagraphs (C) and (D) of this paragraph.

"(C) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(D) For the purpose of expediting the consideration and adoption of joint resolutions under this paragraph, a motion to proceed to the consideration of such a joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

"(E) For purposes of this paragraph, the term "joint resolution" means a joint resolution the matter after the resolving clause of which is as follows: "That the Congress having received on a certification by the President under section 670(b)(4) of the Foreign Assistance Act of 1961 with respect to, the Congress hereby authorizes the President to exercise the waiver authority contained in section 670(b)(5) of that Act.", with the date of receipt of the certification inserted in the first blank and the name of the country inserted in the second blank.

"(5) Notwithstanding paragraph (1) of this subsection, if the Congress enacts a joint resolution under paragraph (4) of this subsection, the President may waive any sanction which would otherwise be required under paragraph (1)(A) or (1)(B) if he determines and certifies in writing to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate that the imposition of such sanction would be seriously prejudicial to the achievement of United States nonproliferation objectives or otherwise jeopardize the common defense and security. The President shall transmit with such certification a statement setting forth the specific reasons therefor.

"(6)(A) In the event the President is required to impose sanctions against a country under paragraph (1)(C) or (1)(D), the President shall forthwith so inform such country and shall impose the required sanctions beginning 30 days after submitting to the Congress the report required by paragraph (1) unless, and to the extent that, there is enacted during the 30-day period a law prohibiting the imposition of such sanctions.

"(B) Notwithstanding any other provision of law, the sanctions which are required to be imposed against a country under paragraph (1)(C) or (1)(D) shall not apply if the President determines and certifies in writing to the Committee on Foreign Relations and the Committee on Governmental Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives that the application of such sanctions against such country would have a serious adverse effect on vital United States interests. The President shall transmit with such certification a statement setting forth the specific reasons therefor.

"(7) For purposes of this subsection, continuity of session is broken only by an adjournment of Congress sine die and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

"(8) The President may not delegate or transfer his power, authority, or discretion to make or modify determinations under this subsection.

"(c) 'NON-NUCLEAR-WEAPON STATE' DEFINED.—As used in this section, the term "non-nuclear-weapon state" means any country which is not a nuclear-weapon state, as defined in Article IX(3) of the Treaty on the Non-Proliferation of Nuclear Weapons.

"SEC. 1003. DEFINITION OF NUCLEAR EXPLOSIVE DEVICE.

"As used in this chapter, the term 'nuclear explosive device' has the meaning given that term in section ___30(3) of the Nuclear Proliferation Prevention Act of 1994.".

(b) REPEALS.—Sections 669 and 670 of the Foreign Assistance Act of 1961 are hereby repealed.

(c) REFERENCES IN LAW.—Any reference in law as of the date of enactment of this Act to section 669 or 670 of the Foreign Assistance Act of 1961 shall, after such date, be deemed to be a reference to section 1001 or 1002, as the case may be, of the Arms Export Control Act.

SEC. ___27. REWARD.

Section 36(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(a)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(2) by inserting "(1)" after "(a)"; and

(3) by adding at the end the following:

"(2) For purposes of this subsection, the term 'act of international terrorism' includes any act substantially contributing to the acquisition of unsafeguarded special nuclear material (as defined in section ___30(6) of the Nuclear Proliferation Prevention Act of 1994) or any nuclear explosive device (as defined in section ___30(3) of that Act) by an individual, group, or non-nuclear-weapon state, as defined in section ___30(4) of that Act.".

SEC. ___28. REPORTS.

(a) CONTENT OF ACDA ANNUAL REPORT.—Section 51 of the Arms Control and Disarmament Act, as inserted by this Act, is amended—

(1) by striking "and" at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting "; and";

(3) by adding after paragraph (6) the following new paragraph:

"(7) a discussion of any material noncompliance by foreign governments with their binding commitments to the United States with respect to the prevention of the spread of nuclear explosive devices (as defined in section ___30(3) of the Nuclear Proliferation Prevention Act of 1994) by non-nuclear-weapon states (as defined in section ___30(4) of that Act) or the acquisition by such states of unsafeguarded special nuclear material (as defined in section ___30(6) of that Act), including—

"(A) a net assessment of the aggregate military significance of all such violations;

"(B) a statement of the compliance policy of the United States with respect to violations of those commitments; and

"(C) what actions, if any, the President has taken or proposes to take to bring any nation committing such a violation into compliance with those commitments."; and

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

"(c) REPORTING CONSECUTIVE NONCOMPLIANCE.—If the President in consecutive reports submitted to the Congress under this section reports that any designated nation is not in full compliance with its binding nonproliferation commitments to the United States, then the President shall include in the second such report an assessment of what actions are necessary to compensate for such violations.".

(b) REPORTING ON DEMARCHES.—(1) It is the sense of the Congress that the Department of State should, in the course of implementing its reporting responsibilities under section 602(c) of the Nuclear Non-Proliferation Act of 1978, include a summary of demarches that the United States has issued or received from foreign governments with respect to activities which are of significance from the proliferation standpoint.

(2) For purposes of this section, the term "demarche" means any official communication by one government to another, by written or oral means, intended by the originating government to express—

(A) a concern over a past, present, or possible future action or activity of the recipient government, or of a person within the jurisdiction of that government, contributing to the global spread of unsafeguarded special nuclear material or of nuclear explosive devices;

(B) a request for the recipient government to counter such action or activity; or

(C) both the concern and request described in subparagraphs (A) and (B).

(c) REPEAL.—Section 52 of the Arms Control and Disarmament Act (22 U.S.C. 2592), as in effect before the enactment of this Act, is hereby repealed.

SEC. ___29. TECHNICAL CORRECTION.

Section 133 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2160c) is amended by striking "20 kilograms" and inserting "5 kilograms".

SEC. ___30. DEFINITIONS.

For purposes of this subtitle—

(1) the term "goods or technology" means nuclear materials and equipment and sensitive nuclear technology (as such terms are defined in section 4 of the Nuclear Non-Proliferation Act of 1978), all export items designated by the President pursuant to section 309(c) of the Nuclear Non-Proliferation Act of 1978, and all technical assistance requiring authorization under section 57 b. of the Atomic Energy Act of 1954;

(2) the term "IAEA safeguards" means the safeguards set forth in an agreement between a country and the International Atomic Energy Agency, as authorized by Article III(A)(5) of the Statute of the International Atomic Energy Agency;

(3) the term "nuclear explosive device" means any device, whether assembled or disassembled, that is designed to produce an instantaneous release of an amount of nuclear energy from special nuclear material that is greater than the amount of energy that would be released from the detonation of one pound of trinitrotoluene (TNT);

(4) the term "non-nuclear-weapon state" means any country which is not a nuclear-weapon state, as defined by Article IX (3) of the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington, London, and Moscow on July 1, 1968;

(5) the term "special nuclear material" has the meaning given that term in section 11 aa. of the Atomic Energy Act of 1954 (42 U.S.C. 2014aa); and

(6) the term "unsafeguarded special nuclear material" means special nuclear material which is held in violation of IAEA safeguards or not subject to IAEA safeguards (excluding any quantity of material that could, if it were exported from the United States, be exported under a general license issued by the Nuclear Regulatory Commission).

SEC. ___31. EFFECTIVE DATE.

The provisions of this subtitle, and the amendments made by this subtitle, shall take effect 60 days after the date of the enactment of this Act.

Subtitle C—International Atomic Energy Agency

SEC. ___41. BILATERAL AND MULTILATERAL INITIATIVES.

It is the sense of the Congress that in order to maintain and enhance international confidence in the effectiveness of IAEA safeguards and in other multilateral undertakings to halt the global proliferation of nuclear weapons, the United States should seek to negotiate with other nations and groups of nations, including the IAEA Board of Governors and the Nuclear Suppliers Group, to—

(1) build international support for the principle that nuclear supply relationships must require purchasing nations to agree to full-scope international safeguards;

(2) encourage each nuclear-weapon state within the meaning of the Treaty to undertake a comprehensive review of its own procedures for declassifying information relating to the design or production of nuclear explosive devices and to investigate any measures that would reduce the risk of such information contributing to nuclear weapons proliferation;

(3) encourage the deferral of efforts to produce weapons-grade nuclear material for large-scale commercial uses until such time as safeguards are developed that can detect, on a timely and reliable basis, the diversion of significant quantities of such material for nuclear explosive purposes;

(4) pursue greater financial support for the implementation and improvement of safeguards from all IAEA member nations with significant nuclear programs, particularly from those nations that are currently using or planning to use weapons-grade nuclear material for commercial purposes;

(5) arrange for the timely payment of annual financial contributions by all members of the IAEA, including the United States;

(6) pursue a prohibition on international commerce in highly enriched uranium for use in research reactors while encouraging multilateral cooperation to develop and to use low-enriched alternative nuclear fuels;

(7) oppose efforts by non-nuclear-weapon states to develop or use unsafeguarded nuclear fuels for purposes of naval propulsion;

(8) pursue an international open skies arrangement that would authorize the IAEA to operate surveillance aircraft and would facilitate IAEA access to satellite information for safeguards verification purposes;

(9) develop an institutional means for IAEA member nations to share intelligence material with the IAEA on possible safeguards violations without compromising national security or intelligence sources or methods;

(10) require any exporter of a sensitive nuclear facility or sensitive nuclear technology to a non-nuclear-weapon state to notify the IAEA prior to export and to require safeguards over that facility or technology, regardless of its destination; and

(11) seek agreement among the parties to the Treaty to apply IAEA safeguards in perpetuity and to establish new limits on the right to withdraw from the Treaty.

SEC. ___42. IAEA INTERNAL REFORMS.

In order to promote the early adoption of reforms in the implementation of the safeguards responsibilities of the IAEA, the Congress urges the President to negotiate with other nations and groups of nations, including the IAEA Board of Governors and the Nuclear Suppliers Group, to—

(1) improve the access of the IAEA within nuclear facilities that are capable of producing, processing, or fabricating special nuclear material suitable for use in a nuclear explosive device;

(2)(A) facilitate the IAEA's efforts to meet and to maintain its own goals for detecting the diversion of nuclear materials and equipment, giving particular attention to facilities in which there are bulk quantities of plutonium; and

(B) if it is not technically feasible for the IAEA to meet those detection goals in a particular facility, require the IAEA to declare publicly that it is unable to do so;

(3) enable the IAEA to issue fines for violations of safeguards procedures, to pay rewards for information on possible safeguards violations, and to establish a "hot line" for the reporting of such violations and other illicit uses of weapons-grade nuclear material;

(4) establish safeguards at facilities engaged in the manufacture of equipment or material that is especially designated or prepared for the processing, use, or production of special fissionable material or, in the case of non-nuclear-weapon states, of any nuclear explosive device;

(5) establish safeguards over nuclear research and development activities and facilities;

(6) implement special inspections of undeclared nuclear facilities, as provided for under existing safeguards procedures, and seek authority for the IAEA to conduct challenge inspections on demand at suspected nuclear sites;

(7) expand the scope of safeguards to include tritium, uranium concentrates, and nuclear waste containing special fissionable material, and increase the scope of such safeguards on heavy water;

(8) revise downward the IAEA's official minimum amounts of nuclear material ("significant quantity") needed to make a nuclear explosive device and establish these amounts as national rather than facility standards;

(9) expand the use of full-time resident IAEA inspectors at sensitive fuel cycle facilities;

(10) promote the use of near real time material accountancy in the conduct of safeguards at facilities that use, produce, or store significant quantities of special fissionable material;

(11) develop with other IAEA member nations an agreement on procedures to expedite approvals of visa applications by IAEA inspectors;

(12) provide the IAEA the additional funds, technical assistance, and political support necessary to carry out the goals set forth in this subsection; and

(13) make public the annual safeguards implementation report of the IAEA, establishing a public registry of commodities in international nuclear commerce, including dual-use goods, and creating a public repository of current nuclear trade control laws, agreements, regulations, and enforcement and judicial actions by IAEA member nations.

SEC. ___43. REPORTING REQUIREMENT.

(a) REPORT REQUIRED.—The President shall, in the report required by section 601(a) of the Nuclear Non-Proliferation Act of 1978, describe—

(1) the steps he has taken to implement sections ___41 and ___42, and

(2) the progress that has been made and the obstacles that have been encountered in seeking to meet the objectives set forth in sections ___41 and ___42.

(b) CONTENTS OF REPORT.—Each report under paragraph (1) shall describe—

(1) the bilateral and multilateral initiatives that the President has taken during the period since the enactment of this Act in pursuit of each of the objectives set forth in sections ___41 and ___42;

(2) any obstacles that have been encountered in the pursuit of those initiatives;

(3) any additional initiatives that have been proposed by other countries or international organizations to strengthen the implementation of IAEA safeguards;

(4) all activities of the Federal Government in support of the objectives set forth in sections ___41 and ___42;

(5) any recommendations of the President on additional measures to enhance the effectiveness of IAEA safeguards; and

(6) any initiatives that the President plans to take in support of each of the objectives set forth in sections ___41 and ___42.

SEC. ___44. DEFINITIONS.

As used in this subtitle—

(1) the term "highly enriched uranium" means uranium enriched to 20 percent or more in the isotope U-235;

(2) the term "IAEA" means the International Atomic Energy Agency;

(3) the term "near real time material accountancy" means a method of accounting for the location, quantity, and disposition of special fissionable material at facilities that store or process such material, in which verification of peaceful use is continuously achieved by means of frequent physical inventories and the use of in-process instrumentation;

(4) the term "special fissionable material" has the meaning given that term by Article XX(1) of the Statute of the International Atomic Energy Agency, done at the Headquarters of the United Nations on October 26, 1956;

(5) the term "the Treaty" means the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington, London, and Moscow on July 1, 1968; and

(6) the terms "IAEA safeguards", "non-nuclear-weapon state", "nuclear explosive device", and "special nuclear material" have the meanings given those terms in section ___30 of this Act.

HATCH (AND OTHERS) AMENDMENT NO. 1322

Mr. HELMS (for Mr. HATCH, for himself, Mr. DECONCINI, Mr. MOYNIHAN, Mr. GORTON, Mr. LIEBERMAN, Mr. D'AMATO, and Mr. PRESSLER) 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. Israel continues to be a leader in the Middle East peace process and the only democracy in the region;

2. On May 14, 1948, the United States was the first country to accord de facto recognition to Israel;

3. After over forty-six years of independence Israel is recognized only by 132 countries around the world;

4. Forty-nine countries have no diplomatic relations with Israel, including 32 that collectively receive in FY 94 over $523 million in U.S. foreign assistance;

5. China and India recognized the state of Israel in 1992;

6. Israel is a legitimate state and sovereign entity that deserves to be accorded full diplomatic recognition by members of the international community; and

7. The following states will receive direct and indirect U.S. foreign assistance this year and have failed to recognize Israel: Afghanistan; Algeria; Bahrain; Bangladesh; Botswana; Burundi, Cape Verde; Chad; Djibouti; Ghana; Guinea; Guinea-Bissau; Indonesia; Jordan; Laos; Lebanon; Madagascar; Maldives; Mauritania; Morocco; Namibia; Niger; Oman; Pakistan; Rwanda; Senegal; Somalia; Sri Lanka; Tanzania; Tunisia; Uganda; and Yemen.

Therefore, It is the sense of the Senate that the Secretary of State should make the issue of Israel's diplomatic status a priority and urge countries that receive American aid to immediately establish full diplomatic relations with the state of Israel.

DOLE (AND OTHERS) AMENDMENT NO. 1323

Mr. DOLE (for himself, Mr. PRESSLER, Mr. DOMENICI, Mr. NICKLES, Mr. COCHRAN, Mr. HELMS, Mr. SIMPSON, Mr. D'AMATO, Mr. COVERDELL, Mr. GREGG, Mr. GORTON, Mr. THURMOND, Mr. KEMPTHORNE, Mr. LUGAR, Mr. MURKOWSKI, and Mr. DURENBERGER) proposed an amendment to the bill S. 1281, supra; as follows:

Beginning on page 74, strike out line 6 and all that follows through line 18 on page 79.

On page 79, line 19, strike out "**SEC. 170A.**" and insert in lieu thereof "**SEC. 167.**".

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

TITLE VIII—PEACE POWERS ACT OF 1994

SECTION 801. SHORT TITLE.

This title may be cited as the "Peace Powers Act of 1994".

SEC. 802. STATEMENT OF PURPOSES.

The purposes of this title are to—

(1) maintain and ensure the primacy of United States national security interests with respect to United States participation in and support for United Nations peacekeeping activities;

(2) strengthen congressional oversight of United Nations peacekeeping activities and other United Nations activities;

(3) provide for advance notification to the Congress regarding anticipated United Nations peacekeeping activities;

(4) ensure that the United States contributions to United Nations peacekeeping activities are fair and equitable; and

(5) otherwise facilitate coordination between the executive and legislative branches of Government regarding United States participation in and support for United Nations peacekeeping activities.

SEC. 803. DEFINITIONS.

(a) AMENDMENT.—The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

"SEC. 10. For purposes of this Act—

"(1) the term 'appropriate congressional committees' means the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives;

"(2) the term 'Permanent Representative' means the Permanent Representative of the United States to the United Nations appointed by the President pursuant to section 2 of this Act; and

"(3) the term 'United Nations peacekeeping activities' means any international peacekeeping, peacemaking, peace-enforcing, or similar activity involving the use of nationals of member countries of the United Nations that is authorized by the Security Council under chapter VI or VII of the United Nations Charter.".

(b) APPLICABILITY TO NONAMENDATORY PROVISIONS.—The definitions contained in the amendment made by subsection (a) also apply with respect to the provisions of this title that do not amend the United Nations Participation Act of 1945.

SEC. 804. NOTICE TO CONGRESS OF PROPOSED UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

(1) by striking the second sentence;

(2) by inserting "(a)" before "The President"; and

(3) by adding at the end the following:

"(b)(1) Except as provided in paragraph (2), at least 15 days before any vote in the Security Council to authorize any United Nations peacekeeping activity or any other action under the Charter of the United Nations (including any extension, modification, suspension, or termination of any previously authorized United Nations peacekeeping activity or other action) which would involve the use of United States Armed Forces or the expenditure of United States funds, the President shall submit to the appropriate congressional committees a notification with respect to the proposed action. This notification shall include a description of any anticipated involvement of United States Armed Forces, a cost assessment of such action (including the total estimated cost and the United States share of such cost), the mission and objectives of United States Armed Forces that would participate in such action, the duration and estimated termination date of the action, and the source of funding for the United States share of the costs of the action (whether in an annual budget request, reprogramming notification, a budget amendment, or a supplemental budget request).

"(2) If the President determines that an emergency exists which prevents submission of the 15-day advance notification specified in paragraph (1) and that the proposed action is in the national security interests of the United States, the notification described in paragraph (1) shall be provided in a timely manner but no later than 48 hours after the vote by the Security Council.".

SEC. 805. TRANSMITTAL TO CONGRESS OF UNITED NATIONS RESOLUTIONS AND REPORTS.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by section 804 of this title, is further amended by adding at the end the following:

"(c)(1) Not later than 24 hours after adoption by the Security Council of a resolution authorizing United Nations peacekeeping activities or any other action under the Charter of the United Nations (including any extension, modification, suspension, or termination of any previously authorized United Nations peacekeeping activity or other action) which would involve the use of United States Armed Forces or the expenditure of United States funds, the Permanent Representative shall transmit the text of such resolution and any supporting documentation to the appropriate congressional committees.

"(2) The Permanent Representative shall promptly transmit to the appropriate congressional committees any report prepared by the United Nations containing an assessment of any proposed, ongoing, or concluded United Nations peacekeeping activity.".

SEC. 806. NOTICE TO CONGRESS REGARDING CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by sections 804 and 805 of this title, is further amended by adding at the end the following:

"(d)(1) Not later than 15 days after the United Nations submits a billing requesting a payment by the United States of any contribution for United Nations peacekeeping activities, the President shall so notify the appropriate congressional committees.

"(2) The President shall notify the appropriate congressional committees at least 15 days before the United States obligates funds for any assessed or voluntary contribution for United Nations peacekeeping activities, except that if the President determines that an emergency exists which prevents compliance with the requirement that such notification be provided 15 days in advance and that such contribution is in the national security interests of the United States, such notification shall be provided in a timely manner but no later than 48 hours after such obligation.".

SEC. 807. NOTICE TO CONGRESS REGARDING UNITED STATES ASSISTANCE FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 7 of the United Nations Participation Act of 1945 (22 U.S.C. 287d-1) is amended—

(1) in subsection (a), by inserting "other than subsection (e)(1)" after "any other law"; and

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

"(e)(1) Except as provided in paragraph (2), at least 15 days before any agency or entity of the United States Government makes available to the United Nations any assistance or facility to support or facilitate United Nations peacekeeping activities, the President shall so notify the appropriate congressional committees.

"(2) If the President determines that an emergency exists which prevents compliance with the requirement that notification be provided 15 days in advance and that such contribution is in the national security interests of the United States, such notification shall be provided in a timely manner

but no later than 48 hours after the assistance or facility is made available to the United Nations.

"(3) For purposes of this subsection, the term 'assistance'—

"(A) means assistance of any kind, including logistical support, supplies, goods, or services (including command, control, communications or intelligence assistance and training), and the grant of rights of passage; and

"(B) includes assistance provided through in-kind contributions or through the provision of support, supplies, goods, or services on any terms, including on a grant, lease, loan, or reimbursable basis; but

"(C) does not include the payment of assessed or voluntary contributions.".

SEC. 808. UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by section 804, 805, and 806 of this title, is further amended by adding at the end the following:

"(e)(1) The President shall, at the time of submission of his annual budget request to the Congress, submit a report to the Congress on the anticipated budget for the fiscal year for United States participation in United Nations peacekeeping activities.

"(2) The report required by paragraph (1) shall state—

"(A) the aggregate amount of funds available to the United Nations for that fiscal year, including assessed and voluntary contributions, which may be made available for United Nations peacekeeping activities; and

"(B) the aggregate amount of funds (from all accounts) and the aggregate costs of in-kind contributions that the United States proposes to make available to the United Nations for that fiscal year for United Nations peacekeeping activities.

"(3) The President shall include in his budget submission for fiscal year 1996 a projection of all United States costs for United Nations peacekeeping activities during each of fiscal years 1996, 1997, and 1998, including costs of in-kind contributions and assessed and voluntary contributions.".

SEC. 809. ANNUAL REPORTS ON UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b), as amended by sections 804, 805, 806, and 808 of this title, is further amended by adding at the end the following:

"(f)(1) Not later than 90 days after the date of enactment of this subsection and each year thereafter at the time of the President's budget submission to the Congress, the Secretary of State, after consultation with the heads of other relevant Federal agencies (including the Secretary of Defense), shall submit to the appropriate congressional committees a report on United States contributions to United Nations peacekeeping activities.

"(2) Each such report shall include the following information:

"(A) The number and nature of ongoing United Nations peacekeeping activities.

"(B) The priority accorded to each ongoing United Nations peacekeeping activity, and the anticipated duration of each such activity.

"(C) An assessment of the effectiveness of each ongoing United Nations peacekeeping activity, its relationship to United States national security interests, and the efforts by the United Nations to resolve the relevant armed conflicts; and the projected termination dates for each such activity.

"(D) The total costs of each United Nations peacekeeping activity, both ongoing and concluded, and the total cost of all such activities.

"(E) The amount of United States assessed and voluntary contributions to each such activity, and the total of such contributions to all such activities.

"(F) The incremental costs incurred by the Department of Defense for each such activity, and for all such activities.

"(G) Any other assistance (as defined in section 7(e) of this Act, as added by the Peace Powers Act of 1994) made available by the United States for United Nations peacekeeping activities, specifying which assistance was provided on a reimbursable basis and which was provided on a nonreimbursable basis or on concessional terms.

"(H) An assessment of the United Nations management and support for United Nations peacekeeping activities, including all recommendations for improvement made by the United States and any action to implement such recommendations by the United Nations.

"(I) A detailed description (including dollar amounts expended and credited) of efforts by the United States Government to seek and receive credit toward the United States assessment for United Nations peacekeeping activities for all United States assistance provided in support of United Nations peacekeeping objectives.

"(3) The first report submitted pursuant to this subsection shall include information with respect to costs and contributions for all United Nations peacekeeping activities since October 1945. Subsequent reports shall include such information for the immediately preceding fiscal year and (to the extent such information is available) for the then current fiscal year.".

SEC. 810. REIMBURSEMENT TO THE UNITED STATES FOR IN-KIND CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 7 of the United Nations Participation Act of 1945 (22 U.S.C. 287d-1), as amended by section 807 of this title, is further amended—

(1) in subsection (b)—

(A) by striking all that follows ": *Provided*," through "*Provided further*,";

(B) by adding at the end the following: "The Secretary of Defense may waive the requirement for such reimbursement if the Secretary, after consultation with the Secretary of State and the Director of the Office of Management and Budget, determines that an emergency exists which justifies waiver of that requirement. Any such waiver shall be submitted to the appropriate congressional committees at least 15 days before it takes effect, except that if the President determines that an emergency exists which prevents compliance with the requirement that the notification be provided 15 days in advance and that the provision under subsection (a)(1) or (2) of personnel or assistance on a nonreimbursable basis is in the national security interests of the United States, such notification shall be provided in a timely manner but no later than 48 hours after such waiver takes effect."; and

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

"(f) In any fiscal year (beginning in fiscal year 1995), appropriated funds may not be used to pay any United States assessed or voluntary contribution for United Nations peacekeeping activities until the Secretary of Defense certifies to the Congress that the United Nations has reimbursed the Department of Defense directly for all goods and services that were provided to the United Nations by the Department of Defense on a reimbursable basis during the preceding fiscal year for United Nations peacekeeping activities, including personnel and assistance provided under this section (except to the extent that the authority of subsection (b) to waive the reimbursement requirement was exercised with respect to such personnel or assistance).

"(g)(1) The Secretary of State shall ensure that goods and services provided on a reimbursable basis by the Department of Defense to the United Nations for United Nations peacekeeping operations are reimbursed at the appropriate value, as determined by the Department of Defense.

"(2) Not later than one year after the date of enactment of this subsection, the Permanent Representative shall submit a report to the appropriate congressional committees on all actions taken by the United States mission to the United Nations to achieve the objective described in paragraph (1).".

SEC. 811. LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

Beginning October 1, 1995, funds made available to the Department of Defense (including funds for "Operation and Maintenance") shall be available for—

(1) United States assessed or voluntary contributions for United Nations peacekeeping activities, or

(2) the incremental costs associated with the participation of United States Armed Forces in United Nations peacekeeping activities,

only to the extent that the Congress has by law specifically made those funds available for such purposes.

SEC. 812. ASSESSED CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING ACTIVITIES.

(a) REASSESSMENT OF CONTRIBUTION PERCENTAGES.—The Permanent Representative should make every effort to ensure that the United Nations completes an overall review and reassessment of each nation's assessed contributions for United Nations peacekeeping activities. As part of the overall review and assessment, the Permanent Representative should make every effort to advance the concept that host governments and other governments in the region where a United Nations peacekeeping activity is carried out should bear a greater burden of its financial cost.

(b) UNITED STATES CONTRIBUTIONS.—(1) The Permanent Representative should make every effort to obtain agreement by the United Nations to a United States assessed contribution for United Nations peacekeeping activities that is no greater a percentage of such contributions by all countries than the United States percentage share of assessed contributions for other United Nations activities.

(2) The Congress declares that, effective for fiscal year 1996, it does not intend to make available funds for payment of United States assessed or voluntary contributions for United Nations peacekeeping activities that exceed 25 percent of the total amount of the assessed and voluntary contributions of all countries for such activities unless, after the date of enactment of this title, the Congress enacts a statute specifically authorizing a greater percentage contribution.

(3) The Permanent Representative shall inform the Secretary General of the congressional intent expressed in paragraph (2).

SEC. 813. "BUY AMERICA" REQUIREMENT.

No funds may be obligated or expended to pay any United States assessed or voluntary contribution for United Nations peacekeeping activities unless the Secretary of State determines and certifies to the appropriate congressional committees that United States manufacturers and suppliers are being given opportunities to provide equipment, services, and material for such activities equal to those being given to foreign manufacturers and suppliers.

SEC. 814. UNITED STATES PERSONNEL TAKEN PRISONER WHILE SERVING IN MULTILATERAL PEACEKEEPING FORCES.

(a) FINDINGS.—The Congress finds that—

(1) until recent years United States military personnel rarely served as part of multilateral forces under the United Nations or regional international organizations;

(2) despite infrequent service as part of multilateral forces, United States personnel, such as Colonel William Higgins in Lebanon, have been captured, tortured, and murdered;

(3) in recent years, United States military personnel have served much more frequently as part of multilateral forces;

(4) the capture and torture of Chief Warrant Officer Michael Durant in Somalia in October 1993 was a horrendous and recent example of the risk to United States personnel in multilateral forces;

(5) continued multilateral service increases the probability that United States military personnel will be captured, and subject to mistreatment;

(6) United States military personnel captured while serving as part of multilateral forces have not been treated as prisoners of war under the 1949 Geneva Conventions and other international agreements intended to protect prisoners of war; and

(7) failure of United States military personnel serving as part of a multilateral force to receive protection under international law increases the risk to personnel while serving in multinational forces.

(b) POLICY.—It is the sense of the Congress that—

(1) the President should take immediate steps, unilaterally and in appropriate international bodies, to assure that any United States military personnel serving as part of a multilateral force who are captured are accorded the protection accorded to prisoners of war; and

(2) the President should also take all necessary steps to bring to justice all individuals responsible for any mistreatment, torture, or death of United States military personnel who are captured while serving in a multilateral force.

(c) REPORT.—Each report submitted pursuant to section 4(f) of the United Nations Participation Act of 1945 (as added by section 809 of this title), shall include a separate section setting forth—

(1) the status under international law of members of multilateral peacekeeping forces, including the legal status of such personnel if captured, missing, or detained,

(2) the extent of the risk for United States military personnel who are captured while participating in multinational peacekeeping forces in cases where their captors fail to respect the 1949 Geneva Conventions and other international agreements intended to protect prisoners of war, and

(3) the specific steps that have been taken to protect United States military personnel participating in multinational peacekeeping forces, together (if necessary) with any recommendations for the enactment of legislation to achieve that objective.

SEC. 815. PROVISION OF INTELLIGENCE TO THE UNITED NATIONS.

(a) REQUIREMENT FOR AGREEMENTS.—The United States may provide intelligence to the United Nations only pursuant to a written agreement between the President and the Secretary General of the United Nations specifying—

(1) the types of intelligence to be provided to the United Nations;

(2) the circumstances under which intelligence may be provided to the United Nations; and

(3) the procedures to be observed by the United Nations—

(A) concerning who shall have access to the intelligence provided; and

(B) to protect the intelligence against disclosure not authorized by the agreement.

Any such agreement shall be effective for a period not to exceed one year from the date on which the agreement enters into force.

(b) ADVANCE NOTIFICATION TO CONGRESS.—An agreement described in subsection (a) shall be effective only if the President has transmitted the agreement to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives not less than 30 days in advance of the entry into force of the agreement.

(c) DELEGATION OF AUTHORITY.—The President may delegate the authority and assign the duties of the President under this section only to the Secretary of Defense or the Director of Central Intelligence.

(d) EXCEPTIONS.—Subsection (a) shall not apply to the provision of intelligence—

(1) only to and for the use of United States Government personnel serving with the United Nations; or

(2) essential for the protection of nationals of the United States, including members of the United States Armed Forces and civilian personnel of the United States Government.

(e) EXISTING LAW.—Nothing in this section shall be construed to—

(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403(c)(5)); or

(2) supersede or otherwise affect the provisions of—

(A) title V of the National Security Act of 1947; or

(B) section 112b of title 1, United States Code.

(f) EFFECTIVE DATE.—This section takes effect 60 days after the date of enactment of this section.

SEC. 816. UNITED NATIONS PEACEKEEPING BUDGETARY AND MANAGEMENT REFORM.

(a) WITHHOLDING OF CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—(1) At the beginning of each fiscal year (beginning with fiscal year 1995), 20 percent of the amounts of funds made available for United States assessed contributions for United Nations peacekeeping activities shall be withheld from obligation and expenditure unless a certification has been made under subsection (b).

(2) For each fiscal year (beginning with fiscal year 1995), the United States may not pay any voluntary contribution for international peacekeeping activities unless a certification has been made under subsection (b).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification by the President to the Congress that—

(1) the United Nations has established an independent and objective Office of Inspector General to conduct and supervise audits, inspections, and investigations relating to the United Nations peacekeeping activities carried out by the United Nations;

(2) the Secretary General of the United Nations has appointed an Inspector General, with the consent of the General Assembly, solely the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations;

(3) the United Nations Office of Inspector General is authorized to—

(A) make investigations and reports relating to the administration of the United Nations peacekeeping activities carried out by the United Nations;

(B) have access to all records and documents or other material available which relate to those activities; and

(C) have direct and prompt access to relevant officials of the United Nations, including any official of the United Nations Secretariat;

(4) the United Nations Office of Inspector General is keeping the Secretary General and the members of the Security Council fully informed about problems, deficiencies, and the necessity for, and progress of, corrective action;

(5) the United Nations has established measures to protect the identity of, and to prevent reprisals against, any staff member making a complaint or disclosing information to, or cooperating in any investigation or inspection by the Office of the Inspector General; and

(6) the United Nations has enacted procedures to ensure compliance with Inspector General recommendations.

MITCHELL AMENDMENT NO. 1324

Mr. KERRY (for Mr. MITCHELL) proposed an amendment to amendment No. 1323 proposed by Mr. DOLE to the bill S. 1281, supra; as follows:

In the amendment, on page 2, line 4, strike all after "TITLE" and insert the following:

SEC. 167. COST ASSESSMENT REPORT REGARDING ANY UNITED STATES PARTICIPATION IN ACTION UNDER ARTICLE 42 OF THE UNITED NATIONS CHARTER.

(a) IN GENERAL.—Except as provided in subsection (b), at least 15 days before—

(1) any obligation of funds for United States participation in international peace operations, or

(2) any vote by the Security council to take action under Article 42 of the Charter of the United Nations which would involve the use of United States Armed Forces,

the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report containing a cost assessment of the participation of the United States Armed Forces in those operations.

(b) EXCEPTION.—The period for submission of the report specified in subsection (a) shall not apply if the President determines that an emergency exists which prevents submission of the report in a timely manner.

(c) DEFINITION.—For purposes of this section, the term "United States participation in international peace operations" means the use of the United States Armed Forces—

(1) pursuant to, or consistent with, action taken by the Security Council under Article 42 of the Charter of the United Nations; or

(2) consistent with the United Nations Participation Act of 1945.

SEC. 168. CONGRESSIONAL NOTIFICATION REGARDING ANY UNITED STATES IMPLEMENTATION OF ARTICLE 43 OF THE UNITED NATIONS CHARTER.

(a) IN GENERAL.—Except as provided in subsection (b), at least 15 days before any agency or entity of the United States Government makes available armed forces, assistance, or facilities to the United Nations under Article 43 of the United Nations Charter, the President shall so notify the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(b) EXCEPTION.—The period for notifying Congress in subsection (a) shall not apply if the President determines that an emergency exists which prevents making a notification in a timely manner.

(c) DEFINITION.—For purposes of this section, the term "assistance" means assistance of any kind, including the provision of logistical support and the grant of rights of passage.

SEC. 169. REPORT ON UNITED NATIONS PEACEKEEPING ACTIVITIES.

Not later than 90 days after the date of enactment of this Act, and each year thereafter at the time of the President's budget submission to Congress, the Secretary of State, after consultation with the heads of other relevant Federal agencies (including the Department of Defense), shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on United States contributions to United Nations peacekeeping activities. Such report shall include—

(1) the overall cost of all peacekeeping operations as of the date of the report;

(2) the costs of each peacekeeping operation;

(3) the amount of United States contributions (assessed and voluntary) on an operation-by-operation basis; and

(4) an assessment of the effectiveness of ongoing peacekeeping operations, their relevance to United States national interests, the efforts by the United Nations to resolve the relevant armed conflicts, and the projected termination dates for such operations.

SEC. 170. UNITED STATES PERSONNEL AND MATERIAL CONTRIBUTIONS TO PEACEKEEPING OPERATIONS.

(a) PERSONNEL.—(1) The United Nations should reimburse the United States for use of personnel of the Armed Forces of the United States in United Nations peacekeeping operations. The amount of the reimbursement should be the full United Nations reimbursement determined on a per-person-per-month basis.

(2) To the extent that funds are made available under law to the Department of Defense for peacekeeping activities, the Secretary of State may accept the United Nations reimbursement in the form of a credit against the amount of an assessment by the United Nations against the United States. If no such funds are available, the Secretary of State shall accept payment of the United Nations reimbursement and, out of the amount received, reimburse the Department of Defense for the incremental costs of use of the Armed Forces personnel in the United Nations peacekeeping operation.

(b) GOODS AND SERVICES.—The United Nations should reimburse the Department of Defense directly for goods and services provided to a United Nations peacekeeping operation. The Secretary of Defense may waive reimbursement for such goods and services if the Secretary determines that the waiver is justified by exceptional circumstances.

(c) VALUE OF GOODS AND SERVICES.—The Permanent Representative of the United States to the United Nations should use the voice and vote of the United States to ensure that goods and services provided by the United States to United Nations peacekeeping operations are reimbursed at the appropriate value.

(d) REPORT.—Not later than one year after the date of enactment of this Act, the Permanent Representative of the United States to the United Nations shall submit a report to the Chairman of the Foreign Relations Committee of the Senate and to the Speaker of the House of Representatives on all actions taken by the United States mission to the United Nations to ensure that contributions of personnel, goods, and services to United Nations peacekeeping operations are reimbursed at their appropriate values.

(e) REVIEW AND REASSESSMENT OF ASSESSED CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING OPERATIONS.—(1) The Permanent Representative of the United States to the United Nations should make every effort to ensure the United Nations completes an overall review and reassessment of each nation's assessed contribution for international peacekeeping operations.

(2) As part of the overall review and assessment, the Permanent Representative should make every effort to advance the concept that host governments and other governments in the region where a peacekeeping operation is deployed should bear a greater burden of its financial cost.

(3) The Permanent Representative should further make every effort to seek a United States contribution to United Nations peacekeeping operations that matches the United States share of assessed contributions.

SEC. . UNITED STATES PARTICIPATION IN UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) FINDINGS.—The Congress finds that:

(1) the President of the United States has asserted that reform of United Nations peacekeeping operations is to be of the highest national priority in furtherance of United States national security objectives;

(2) at the direction of the President of the United States the National Security Council is coordinating a comprehensive review of United States policy towards United Nations peackeeeping operations on which the Congress of the United States is to be consulted;

(3) in cooperation with the Congress of the United States, the purpose of the National Security Council review is to reform policies and programs governing United States participation in United Nations operations;

(4) in conjunction with the President's review, the Majority Leader of the United States Senate has requested the Committee on Foreign Relations, the Committee on Armed Services, and the Senate Select Committee on Intelligence to examine thoroughly the proper role of U.S. troops in the post-Cold War world and the implications for U.S. foreign policy with the intent of enacting legislation, in cooperation with the President, regarding U.S. policy toward post-Cold War conflicts, United States involvement in peacekeeping operations, and of establishing a process to ensure proper accommodations of Legislative and Executive Branch prerogatives in addressing such issues;

(5) such a process will embody sound constitutional principles and reflect the appropriate roles of the President and the Congress relating to the use of United States Armed Forces both in unilateral and multilateral operations in order for such operations to enjoy the support of both the Executive and Legislative Branches and the American people; and

(6) the concerned committees of jurisdiction have initiated a process of examination of the appropriate use of United States Forces.

(b) SENSE OF CONGRESS.—Therefore, it is the Sense of the Congress that—

(1) the primacy of United States national security interests with respect to United States participation in and support for United Nations peacekeeping activities must be maintained;

(2) congressional oversight of United Nations peacekeeping activities and other United Nations activities must be strengthened;

(3) coordination between the executive and legislative branches of Government regarding United States participation in and support for United Nations peacekeeping operations must be improved and communication between the two branches prompt;

(4) the Congress should be notified in advance of the intent to approve United Nations peacekeeping operations;

(5) for United Nations peacekeeping operations that would involve the participation of United States combat forces, such notification should include detailed information concerning command and control arrangements for such forces, their military mission and objectives, and their rules of engagement, and

(6) United States contributions to United Nations peacekeeping activities must be fair and equitable.

ROCKEFELLER AMENDMENT NO. 1325

Mr. Rockefeller proposed an amendment to the bill S. 1281, supra; as follows:

In order to facilitate the hiring of United States citizens abroad, the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) ("the Act"), the State Department Basic Authorities Act (22 U.S.C. 2669 et seq.), and other provisions are amended as follows:

(1) in Section 309(b) of the Act by deleting "and" at the end of subsection (b)(3); and by deleting the period at the end of subsection (b)(4) and inserting in lieu thereof "; and (5) as a foreign national employee.".

(2) in Section 311 of the Act by striking the section and inserting the following:

"(a) The Secretary, under section 303, may appoint United States citizens, who are family members of government employees assigned abroad or are hired for service at their post of residence, for employment in positions customarily filled by Foreign Service officers, Foreign Service personnel, and foreign national employees.

(b) The fact that an applicant for employment in a position referred to in subsection (a) is a family member of a Government employee assigned abroad shall be considered an affirmative factor in employing such person.

(c)(1) Non-family members employed under this section for service at their post of residence shall be paid in accordance with local compensation plans established under section 408.

(2) Family members employed under this section shall be paid in accordance with the Foreign Service Schedule or the salary rates established under section 407.

(3) In exceptional circumstances, non-family members may be paid in accordance with

the Foreign Service Schedule or the salary rates established under section 407, if the Secretary determines that the national interest would be served by such payments.

(d) Citizens employed under this section shall not be eligible for benefits under Chapter 8 of the Foreign Service Act of 1980, as amended, or under chapters 33 and 84 of Title 5, unless the Secretary states in writing or by regulation that specific individuals shall remain eligible for benefits under Chapter 83 or 84 of Title 5, as appropriate. Each agency should make efforts to find additional funding for retirement coverage for family members."

(3) in Section 404(a) of the Act by deleting the phrase "who are family members of Government employees paid in accordance with a local compensation plan established under".

(4) in Section 408 of the Act:

(A) by rewriting the first sentence of subsection 408(a)(1) to read as follows: "The Secretary shall establish compensation (including position classification) plans for foreign national employees of the Service and United States citizens employed under section 311(c)(1).";

(B) in the second sentence of subsection 408(a)(1), by deleting the phrase "employed in the Service abroad who were hired while residing abroad and to those family members of Government employees who are paid in accordance with such plans";

(C) in the third sentence of subsection 408(a)(1), by deleting the phrase "foreign national" each place it appears; and

(D) by adding a fourth sentence as follows: "For United States citizens under a compensation plan, the Secretary shall also (A) provide these citizens with a total compensation package (including wages, allowances, benefits, and other employer payments, such as for social security) that has the equivalent cost to that received by foreign national employees occupying a similar position at that post and (B) define those allowances and benefits provided under U.S. law which shall be included as part of this total compensation package, notwithstanding any other provision of law, except that this section shall not be used to override United States minimum wage requirements, or any provision of the Social Security Act or the Internal Revenue Code.

(5) in Section 504(b) of the Act by inserting "(other than those employed in accordance with section 311) immediately after "citizen of the United States".

(6) in Section 601(b)(2) of the Act by deleting "and" the last time it appears and by inserting "and other members of the Service" immediately after "categories of career candidates,".

(7) in Section 611 of the Act by striking all that follows "Foreign Service Schedule" and inserting in lieu thereof "or who is paid in accordance with section 407 or is a U.S. citizen paid under a compensation plan under section 408.".

(8) in Section 903(a) of the Act by inserting "(other than a member employed under section 311)" immediately after "member of the Service" each place it appears.

(9) in Section 1002(8)(A) of the Act by inserting "a member of the Service who is a United States citizen (other than a family member) employed under section 311," immediately after "a consular agent,".

(10) in Section 1101(a)(1) of the Act by inserting "(other than a United States citizen employed under section 311 who is not a family member)" immediately after "citizen of the United States".

(11) in Section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)), by inserting the following before the period: "; and such contracts are authorized to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States".

NOTICES OF HEARINGS

SUBCOMMITTEE ON AGRICULTURAL CREDIT

Mr. LEAHY. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry Subcommittee on Agricultural Credit will hold a hearing on "Preventing Abuse of FmHA's Loan Program." The hearing will be held on Thursday, February 3, 1994, at 10 a.m. in SR-332. Senator KENT CONRAD will preside.

For further information, please contact Suzy Dittrich at 224-5207.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON INDIAN AFFAIRS

Mr. KERRY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Monday, January 31, 1994, beginning at 2 p.m., in 485 Russell Senate Office Building on S. 1757, the American Health Security Act.

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

SUBCOMMITTEE ON CONSTITUTION

Mr. KERRY. Mr. President, I ask unanimous consent that the Subcommittee on Constitution, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Monday, January 31, 1994, at 8:30 a.m., to hold a field hearing on Presidential succession.

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

ADDITIONAL STATEMENTS

PATRIOT MISSILES FOR UNITED STATES FORCES IN SOUTH KOREA: WHEN?

• Mr. D'AMATO. Mr. President, last Thursday, I spoke on the subject of Gen. Gary E. Luck's request for Patriot surface-to-air missiles to protect United States forces in South Korea from possible North Korean ballistic missile attack. Since then, there have been a number of developments that have increased my concern about this issue.

I have one key question—when will the Patriot missiles be operational in South Korea? This is more and more important, now that the United States has reportedly set February 22, 1994, as a deadline for North Korean agreement to international inspection of its nuclear facilities.

What will happen when that deadline is reached? North Korea apparently still views the use of force as a real policy option. If the United States seeks economic sanctions against North Korea at the United Nations, what will North Korea do? If North Korea makes a fatal mistake and attacks South Korea, will we be ready?

Remember, the limited antitactical ballistic missile capability of the PAC-2 model of the Patriot surface-to-air missile is the only antitactical ballistic missile capability we have. If it is not in place and operational in South Korea before any North Korean attack takes place, our troops and citizens in South Korea will be defenseless.

Let me briefly review the developments. First, a Reuter wire story printed in Friday's Washington Post entitled "S. Korea Says It will Accept U.S. Missiles," datelined Seoul, South Korea, January 27, 1994, contained the following statement by a South Korean Foreign Ministry official:

> The deployment of Patriot missiles has been discussed by Seoul and Washington for a long time as part of a plan to beef up our defense against possible North Korean attack. The plan will go ahead, though the size and the time of deployment have yet to be fixed between the two governments.

Later in the story, however, U.S. Undersecretary of Defense for Policy Frank Wisner—

> * * * stressed that the White House had not given a formal go-ahead [for the deployment].

Then, on Saturday, January 29, 1994, another Reuter wire story by Lee Suwan, datelined Seoul, January 28, 1994, was printed in the Washington Post. Entitled "North Korea Denounces U.S. Missiles: Plan to Deploy Air-Defense Patriots Called 'Military Challenge,'" it quoted North Korea's official Korean Central News Agency as calling the installation of Patriot missiles an "unpardonable, grave military challenge." The North Korean statement continued—

> If the United States and its followers think they can subdue North Korea with pressure and threat, it is a big mistake. That method may lead the situation to a hopeless phase, far from resolving the problem.

The story contained additional information on South Korea's reaction. It said that South Korea's state radio and Yonhap news agency on Friday "quoted an unnamed government official as saying the container-like Patriot launchers would be deployed at U.S. military bases in March or April."

Then, on Sunday, January 30, 1994, an Associated Press wire story datelined Tokyo, Japan, contained the following quotations from the official Workers Party—North Korean Communist Party—newspaper Rodong Sinmun, in a commentary broadcast by North Korea's official Korean Central News Agency, as monitored in Tokyo:

The United States and the South Korean authorities will have to take the full responsibility for the grave consequences to be entailed by their military steps. The latest move of the United States is a very dangerous act which can be seen only on the eve of the outbreak of war. We love peace, but never beg for it. If the United States really wants to see the settlement of the nuclear issue on the Korean Peninsula, it must withdraw its nuclear weapons from South Korea, stop deploying new military hardware there, discontinue nuclear war exercises and come out to dialog with sincerity.

Today, CBS Radio News reported that South Korea had stated that the United States and South Korea would engage in large joint military maneuvers this year if North Korea did not agree to fully comply with IAEA inspection requirements for its nuclear facilities.

Taken together, these reports paint a picture of a very harsh rhetorical reaction by North Korea to a purely defensive surface-to-air missile deployment. While it remains to be seen whether the North Korean reaction will go beyond rhetoric, we must make certain that the Patriot missiles are in fact delivered, deployed, and fully operational as soon as possible.

The February 22, 1994, deadline for North Korean compliance with IAEA nuclear facility inspection requirements is approaching. It would be very foolish, in light of the North Korean reaction, to allow the deadline to occur without having the Patriots in place and operational first.

The problem is simple—if the missiles are operational even a single day late, they will be too late to stave off possibly large numbers of U.S. casualties. Time is of the essence.

Mr. President, it is not clear that the White House or the Pentagon understand the connection between their diplomacy and their defense policy. They are setting a deadline with one hand, while depriving U.S. troops in the field of a weapons system necessary for their defense with the other hand. How will they explain this if North Korea attacks when the deadline is reached, but before the Patriots are operational?

I call upon the President to make certain that his national security policymaking mechanism, which appears to be in disarray, does not delay or lose sight of this vital decision. Many U.S. lives could hinge upon it.

Mr. President, I ask that the two Washington Post stories mentioned above, the Associated Press story mentioned above, and a letter dated January 28, 1994, that I sent to Secretary of Defense Les Aspin on this subject be printed in the CONGRESSIONAL RECORD immediately following my remarks.

The material follows:

[From the Washington Post, Jan. 28, 1994]

S. KOREA SAYS IT WILL ACCEPT U.S. MISSILES

SEOUL, SOUTH KOREA, Jan. 27.—South Korea and the United States will deploy Patriot anti-missile batteries in South Korea despite concerns the move may heighten tensions with communist North Korea, officials in Seoul said today.

"The deployment of Patriot missiles has been discussed by Seoul and Washington for a long time as part of a plan to beef up our defense against possible North Korean attack," said Cho Jun Hyok, of the foreign ministry's American affairs bureau. "The plan will go ahead, though the size and the time of deployment have yet to be fixed between the two governments," he said.

U.S. officials had said Wednesday that President Clinton is "looking favorably" on such a deployment but was awaiting agreement from Seoul.

The United States and its allies are making last-minute diplomatic efforts to settle a dispute over the North's suspected nuclear arms program. South Korean and U.S. officials have become impatient over the lack of progress in talks aimed at compelling the North to allow inspections of suspected nuclear sites.

The missiles were requested by U.S. Army Gen. Gary Luck following a study of the military balance on the volatile Korean peninsula. Luck "asked for it [Patriot missile defense] now, and we will proceed with the deployment," Undersecretary of Defense Frank Wisner told reporters in Washington Wednesday. But he stressed that the White House had not given a formal go-ahead.

Cho Soon Sung, a senior lawmaker of South Korea's opposition Democratic Party, told reporters he was worried that a deployment of Patriot missiles might aggravate problems with the North.

Patriot missiles were used with mixed success in the Persian Gulf War to shoot down Iraqi Scud missiles fired at Saudi Arabia and Israel. They could be used against North Korean Scuds believed aimed at Seoul and other points in South Korea.

Administration officials emphasized that their deployment was not meant as a provocative act or for use as a trump card in the nuclear talks with the North.

[From the Washington Post, Jan. 29, 1994]

NORTH KOREA DENOUNCES U.S. MISSILES—PLAN TO DEPLOY AIR-DEFENSE PATRIOTS CALLED "MILITARY CHALLENGE"

(By Lee Su-wan)

SEOUL, January 28.—Communist North Korea today denounced a plan to deploy U.S. patriot air-defense missiles in South Korea, saying the decision would heighten tensions on the peninsula and "increase the danger of war."

North Korea's official Korean Central News Agency called the installation of Patriot missiles an "unpardonable, grave military challenge" that threatens diplomatic efforts now centered on North Korea opening its nuclear sites for inspection.

"If the United States and its followers think they can subdue [North Korea] with pressure and threat, it is a big mistake. That method may lead the situation to a hopeless phase, far from resolving the problem," the agency said.

A South Korean Defense Ministry spokesman said Washington was seeking to deploy other advanced weapons to counter the perceived North Korean threat. The spokesman said the plan includes deploying two battalions of Apache attack helicopters, augmenting a force now limited to older Cobra helicopters.

"The U.S. and our country have been working on improving combat capabilities, including the deployment of Patriot missiles," the spokesman said, commenting on local news reports that 36 Patriot launchers would be deployed in March or April.

The spokesman confirmed Seoul's support for the deployment of Patriot missiles, which were used in the Persian Gulf War to shoot down Iraqi Scud missiles fired at Saudi Arabia and Israel. The spokesman denied the timing and size of the deployment had been decided, saying this would come only after further consultations with Washington.

On Wednesday in Washington, Defense Undersecretary Frank Wisner and other officials said no final decision had been made on deployment. They suggested, however, that President Clinton was leaning toward approval of the request for Patriots. However, South Korea's state radio and Yonhap news agency today quoted an unnamed government official as saying the container-like Patriot launchers would be deployed at U.S. military bases in March or April.

South Korea and its allies fear North Korea is close to building a nuclear bomb. It denies the charge but is refusing to open all its nuclear sites to international inspection. A source at South Korea's Military Intelligence Command said today that no signs of unusual military movements or provocation had been detected in the North recently.

Meanwhile, a report from South Korea's state-run Rural Development Administration said North Korea's food grain production shows steady declines.

North Korea usually denies reports of its problems and said last year it had achieved an "unusual" bumper harvest. It denied American and South Korean media reports that North Koreans were being asked to eat fewer meals each day.

[From the Associated Press, Jan. 30, 1994]

TOKYO.—North Korea on Sunday denounced U.S. plans to bolster South Korea's missile defense as a warlike move and said they must be scrapped if Washington hopes to reach agreement on inspections of the North's nuclear program.

"The United States and the South Korean authorities will have to take the full responsibility for the grave consequences to be entailed by their military steps," the official Workers (Communist) Party newspaper Rodong Sinmun declared. It did not elaborate.

Last week, the United States disclosed plans to send Patriot missile batteries to South Korea to boost defenses against a possible North Korean rocket attack.

Tensions already are high over the North's refusal to accept full international inspections of its nuclear facilities, a stand that has deepened suspicions that the country is developing nuclear weapons.

"The latest move of the United States is a very dangerous act which can be seen only on the eve of the outbreak of war," said Rodong Sinmun in a commentary carried by the North's official Korean Central News Agency, monitored in Tokyo.

It said North Korean self-defensive steps would be only natural, and "we love peace, but never beg for it."

North Korea has insisted that the nuclear inspection issue can be solved only in talks with the United States, with which it has no diplomatic relations. Progress in the two sides' talks, however, has been held up by disagreement in talks between the inspection agency, the U.N. International Atomic Energy Agency, over how inspections would be conducted.

"If the United States really wants to see the settlement of the nuclear issue on the

Korean Peninsula, it must withdraw its nuclear weapons from South Korea, stop deploying new military hardware there, discontinue nuclear war exercises and come out to dialogue with sincerity," Rodong Sinmun said.

South Korea has said no nuclear weapons remain in the territory. It has reached a separate nuclear arms ban agreement with the North, but that also has run into trouble over disputes over inspections.

The Korean Peninsula was divided in 1945 into the Communist North and pro-West South, and the North invaded in 1950, starting a bloody three-year war.

U.S. SENATE,
Washington, DC, January 28, 1994.

Hon. LES ASPIN,
Secretary of Defense, The Pentagon, Washington, DC.

DEAR SECRETARY ASPIN: I am writing concerning the conclusions reached in the Department of Defense Inspector General's classified report, "Capability of U.S. Forces Korea to Receive Reinforcing Units," Report No. 93-162. This report raised many serious questions.

In addition, I am concerned that a delay in sending Patriot Missile batteries to South Korea will signal a weakness on our part and embolden North Korea.

The Washington Post article of January 27, 1994, also referred to the possibility of replacing Cobra helicopters gunships in Korea with Apache gunships. What is the status of this exchange?

In the case of a North Korean attack, I fear that our troops may initially be overwhelmed suffering great casualties. What other steps are you taking to prevent this?

We can offer no measure of comfort to North Korea. Any suggestion of indecision could lead to a disaster—one that we all wish to avoid.

Sincerely,

ALFONSE M. D'AMATO,
U.S. Senator.●

CONGRATULATIONS TO MINNESOTA HOSPITALS HONORED IN THE TOP 100 PERFORMING HOSPITALS NATIONWIDE

● Mr. DURENBERGER. Mr. President, I rise today to pay tribute to Minnesota's hospitals. As I have stated before, Minnesota is renowned for its high quality health care facilities and I am proud to represent this progressive State. Consistently, Minnesota hospitals have had impressive cost figures and function within a competitive marketplace which only means one thing—success. It is no surprise that Minnesota hospitals have been honored for their excellence.

Very recently, the Health Care Information Association [HCIA] and Mercer Health Care Provider Consulting released a study naming the "100 Top U.S. Hospitals—Benchmarks for Success." The study identified 100 of the best-performing general acute care hospitals in the United States, using 1992 Medicare cost report and discharge data. Specialty hospitals and merged facilities have been deliberately excluded from the study. In addition to providing noteworthy customer service, the benchmark hospitals chosen also operate cost-effectively and invest in their facilities. The study applied five different categories for criteria breakdown based on structural, locational, and functional similarities:

Rural facilities—teaching and nonteaching—with fewer than 250 beds in service;

Urban facilities—teaching and nonteaching—with fewer than 250 beds in service;

Nonteaching hospitals—urban and rural—with more than 250 beds in service;

Teaching hospitals—urban and rural—with more than 250 beds in service; and,

All academic medical center hospitals.

Minnesota hospitals were represented in all five categories—only one other State, Indiana, matched this honor. I congratulate the seven Minnesota hospitals who were chosen for their outstanding contribution to the field of high quality, responsible health care. These seven institutions have performed exceptionally well in areas reflecting high quality, patient-friendly, cost-efficient health care practice.

Memorial Hospital in Cambridge, MN;

Fairview Ridges Hospital in Burnsville, MN;

Rice County District One Hospital in Faribault, MN;

Saint Cloud Hospital in St. Cloud, MN;

Fairview Southdale Hospital in Edina, MN;

Abbott Northwestern Hospital in Minneapolis, MN; and,

University of Minnesota Hospital and Clinic in Minneapolis, MN.

The importance of this study is not to be dismissed. If all hospitals were able to perform to the standards of the top 100 hospitals named in this study, the health care industry would see spectacular results; hospital charges would decline by $40 billion and expenses would decline by $28 billion; hospital average lengths of stay would drop by a day or more; mortality rates would drop 12 percent; and morbidity rates would drop 13 percent.

As we all know, President Clinton and the Congress have placed health care reform squarely on the national agenda. Our limited Federal resources require that we design a health care system that can produce higher quality care for more people at lower costs. These seven distinguished Minnesota hospitals represent the success that Minnesota's competitive marketplace demonstrates.

The lesson of Minnesota are real and valuable. This study is proof that Minnesota's hospitals succeed in a competitive market; and the results are lower costs and higher quality care. Again, I congratulate these seven impressive institutions. They serve as an example that Minnesota's experience can lead the way for successful, market-based health care reform in America.●

SALE OF DEFENSIVE ARMS TO TAIWAN

● Mr. COCHRAN. Mr. President, section 3(a) of the Taiwan Relations Act states that "the United States will make available to Taiwan such defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a self-defense capability." I am concerned that the administration considers the 1982 Shanghai Communique to supersede the cited act of Congress. The Foreign Relations Committee's unanimous adoption of Senator MURKOWSKI's amendment reaffirms, it seems to me, congressional intent regarding the primacy of the Taiwan Relations Act in matters relating to the sale of defensive arms to Taiwan.

Mr. MURKOWSKI. Mr. President, the passage of my amendment by a recorded vote of 20-0 reflects the strong support on the Foreign Relations Committee for the sale of defensive arms to Taiwan.

The Taiwan Relations Act of 1979 is quite clear. It specifies, as my colleague from Mississippi noted, that the United States will make available to Taiwan the articles and services necessary for its self defense. The act further specifies that the President and Congress will determine the extent of arms sales to Taiwan "based solely on their judgment of the needs of Taiwan." The Taiwan Relations Act sets neither a floor nor a ceiling on the quantity of arms sold to Taiwan by the United States.

On August 17, 1982, however, the administration issued a policy statement entitled the "August 17, 1982 United States-China Joint Communique," otherwise known as the Shanghai Communique. In the Shanghai Communique, the administration agreed "to reduce gradually its sales of arms to Taiwan, leading over a period of time to a final solution." The Shanghai Communique utterly ignored the law governing United States relations with Taiwan with regard to arms sales, the Taiwan Relations Act. The Taiwan Relations Act is explicit: the United States will sell to Taiwan those arms necessary for its self defense, and Congress will have a role in determining those needs.

Section 707 is necessary for the simple reason that the People's Republic of China is the world's only nuclear power that is increasing its military budget. It is modernizing its military across the board, from ballistic missile systems to power projection forces. This is the threat faced by Taiwan that it must be equipped to defend itself against. Section 707 does not change any existing law, but reaffirms that

the Taiwan Relations Act of 1979 has primacy over the Shanghai, or any other, communique.

Mr. COCHRAN. Mr. President, is it the purpose of the Senator from Alaska's amendment to suggest that the executive branch propose to Congress those export licenses necessary for the sale of defensive weapons to Taiwan?

Mr. MURKOWSKI. Mr. President, yes. That is the intent as well of the Taiwan Relations Act. The United States has many strong interests in Asia, the security of Taiwan among them. Taiwan has long been an ally of the United States, and in 1979 the President signed a law which committed our country to selling Taiwan those weapons necessary for its self defense. Contrary to the Shanghai Communique, the law of the United States establishes the threat faced by Taiwan as the benchmark for military sales. The benchmark is the threat, not some number reduced by a fixed percentage each year.

This means not only should United States defense manufacturers be permitted to sell defensive weapons to Taiwan, but that American defense manufacturers should also be able to receive export licenses to sell defense articles to Taiwan that will be physically attached to defense articles made in other nations. Policy restrictions on defense exports inconsistent with the Taiwan Relations Act have already denied United States shipyards, for example, of more than $2.5 billion in export sales to Taiwan, and have created a market opportunity for France. Additional restrictions inconsistent with the Taiwan Relations Act are being imposed on United States exporters who seek to supply subsystems to Taiwan to outfit surface ships supplied by France.

Mr. PELL. Mr. President, I thank the Senator from Mississippi for his inquiry. As one of the authors of the Taiwan Relations Act, let me assure him that it is my view that it takes primacy over bilateral communiques.

Let me read the relevant portions of the section of the Taiwan Relations Act entitled "Implementation of United States Policy With Regard To Taiwan":

SEC. 3(a). In furtherance of the policy set forth in section 2 of this Act, the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.

(b) The President and the Congress shall determine the nature and quantity of such defense articles based solely upon their judgment of the needs of Taiwan, in accordance with procedures established by law. Such determination of Taiwan's defense needs shall include review by United States military authorities in connection with recommendations to the President and the Congress.

Mr. COCHRAN. Mr. President, what is the Senator's understanding of limitations on United States arms sales to Taiwan?

Mr. PELL. Mr. President, arms sales are limited to maintaining Taiwan's defense needs. This need was recognized even by the negotiators of the United States-China Joint Communique of August 17, 1982. As John Holdridge, then-Assistant Secretary for East Asian and Pacific Affairs, testified before the House Foreign Affairs Committee in August 1982:

The Chinese insisted, however, that we agree to the ultimate termination of arms sales [to Taiwan]. We refused because the level of arms sales must be determined by the needs of Taiwan and we could not agree to a termination date, as the Chinese demanded, which might impair our ability to meet those needs.

Furthermore, Secretary Holdridge stated:

Our guiding principle is now and will continue to be that embodied in the Taiwan Relations Act: the maintenance of a self-defense capability sufficient to meet the military needs of Taiwan, but with the understanding that China's maintenance of a peaceful approach to the Taiwan question will permit gradual reductions in arms sales.

There are in effect two primary standards to be considered: First, Taiwan's defensive needs; and second, China's intentions towards Taiwan.

Mr. COCHRAN. Mr. President, is it the view of the Senator from Rhode Island that the Murkowski amendment suggests that the executive branch propose to Congress those export licenses necessary for the sale of defensive weapons to Taiwan, such as conventionally powered coastal patrol submarines and surface ships?

Mr. PELL. Mr. President, yes. That is the intent as well of the Taiwan Relations Act, and I would hope for favorable review by the Congress of sales to meet Taiwan's legitimate defensive needs. The Taiwan Relations Act provides a statutory basis for the United States actions to supply Taiwan with military equipment required for defensive purposes, such as conventionally powered coastal patrol submarines. While the Joint Communique limited United States arms sales to Taiwan in qualitative and quantitative terms, it was not foreseen that Taiwan's military equipment would become outdated and, at the same time, military equipment would become more sophisticated and more costly, placing Taiwan eventually at a defensive disadvantage to China which has recently embarked on an extensive military modernization program. As the People's Republic of China has modernized its naval force, for example, it has also increased its deployments to its eastern and southeastern regions.

Mr. COCHRAN. Mr. President, is it the understanding of the Senator from Rhode Island that China's military modernization program has increased the perceived threat to Taiwan and obviously increased Taiwan's military defense requirements?

Mr. PELL. Mr. President, the Chinese are engaged in the acquisition of modern military equipment, including long-range fighter bombers from Russia, that pose a new military challenge to Taiwan given the progressive deterioration of Taiwan's aging military equipment. As a result of the increasing sophistication of the Chinese military forces and the decreasing operability of Taiwan's military forces, Taiwan should have the opportunity to purchase from the United States weapons appropriate to its needs. President Bush acknowledged the evolving threat and changing circumstances when he approved the sale of F-16's to Taiwan in 1992. Similar logic should apply to other defensive military equipment.

Mr. COCHRAN. Mr. President, I thank the Senator for his clarifications. Based upon his description, I would expect approval by the executive branch for the export licenses necessary to sell those items to Taiwan which are consistent with existing statutory obligations of the United States, such as surface ships and conventionally powered coastal patrol submarines.●

TRIBUTE TO MARKETPLACE

● Mrs. FEINSTEIN. Mr. President, I would like to call your attention to "Marketplace," a distinctive news magazine series produced by the University of Southern California Radio and distributed nationally by American Public Radio and throughout the world by the Armed Forces Network.

"Marketplace" will celebrate its fifth anniversary in January. The series, hosted each afternoon by David Brancaccio, and each morning by Penny Dennis, now has a weekly cumulative audience of more than 2 million, and is heard on 207 radio stations in the United States. It is the Nation's only daily national news program produced on the west coast and, as such, brings a Pacific rim view to the Nation's media.

"Marketplace" has won acclaim from many critics, including the prestigious Columbia Journalism Review, and the Christian Science Monitor complimented the program as the "Radio Business Report Which Demystifies Economics."

The series was created by Jim Russell, executive producer and one of the public broadcasting's most experienced executives. Russell assembled a staff headed by senior producers, John Barth and J.J. Yore, and foreign editor, George Lewinski, as well as correspondents in bureaus around the world. This team continues to produce the quality program, heard Monday through Friday in the afternoon and early evening hours, and every weekday morning.

I am proud this program of excellence is produced in California, is heard

throughout the Nation and the world, and that one of our country's public-spirited universities, the University of Southern California, has offered support during these critical formative years.

"Marketplace" receives generous corporate underwriting support from General Electric and also from the Corporation for Public Broadcasting and the American Public Radio Fund.●

HONORING GORDON BOETTCHER

● Mr. DURENBERGER. Mr. President, in Edina, MN, they called him the senior senior.

Last fall, Gordon Boettcher graduated from high school at age 87. Today, Gordon turns 88, and I congratulate him for knowing that the value of learning is in discovering the unlimited capacity to experience life. This was an important lesson that I learned from one of the sisters at St. John's Academy, and Gordon demonstrates that this lesson is true at any age.

Gordon attained his diploma through the South Hennepin Adult Programs in Education [SHAPE]. SHAPE provides adults a second chance to complete their high school education.

Reporter Katy Koch of the Edna Sun-Current told Gordon's story:

> Usually a modest man of few words, he was a picture of vitality on stage during the ceremony for 16 graduates. Diploma from Edina High School in hand, he gave a big thumbs up sign to the delight of the audience and his family members.
>
> But that outward enthusiasm was a long time in coming. For two years of twice-weekly general education class meetings, Boettcher and his wife, Shirley, kept his coursework a secret from their adult children and grandchildren.
>
> Apparently Boettcher had some misgivings. "I've made a fairly good success in life without doing this. I'd wonder, why am I doing this now? But I kept on walking."
>
> Gordon had a varied career. He worked for the United States War Department in Panama and for Western Electric as an electronics technician, has been manager of a self-service car wash in Bloomington and was in the home repair business.
>
> "My lack of a diploma kept me from gaining the title of engineer," Boettcher said. "The lack of schooling held me back, but I received equal pay in a different classification."

According to Virginia Borgeson, SHAPE's community liaison—

> One thing SHAPE graduates share is they've been through some kind of crisis affecting their education. They've already lost out on the regular system in a sense. In a certain sense they are heroes because they go through with it * * * going out and beating the odds.

In Minnesota, we are proud of people like Gordon—and of programs like SHAPE that open doors for Minnesotans. In fact, now that Gordon has earned his diploma, I have been told that he is turning his sights toward accounting classes.

Gordon proves that education can—and should—go on as long as life itself. He is an inspiration, and I ask my colleagues to join me in wishing him a happy birthday.●

REGARDING PERSONAL USE OF CAMPAIGN FUNDS

● Mr. McCAIN. Mr. President, the Federal Election Commission is currently considering changing the rules regarding the long unenforced ban on personal use of campaign funds. According to published reports,

> FEC insiders say the commission rarely has had as much interest—not to say implied pressure—from Capitol Hill as it is getting on this subject.

I am pleased to see that my colleagues are interested in this issue. And I would hope that they are pressuring the FEC to adopt the most stringent rules possible. However, if the pressure is for business as usual, I would hope the FEC would stand firm and do what is right.

I want to remind my colleagues in the Senate and those in the other House of Representatives, as well as the six FEC Commissioners, that on May 25, 1993, the Senate unanimously adopted my amendment to the campaign finance reform bill that restricted the use of campaign funds for inherently personal purposes.

That amendment was very straight forward. It would ban individuals from using campaign funds for such things as home mortgage payments, clothing purchases, noncampaign automobile expenses, country club memberships, and vacations or other trips that are noncampaign in nature.

There is simply no reason why Members should be permitted to use campaign funds for their personal needs and luxuries.

The President, Senators and Members of the House currently earn $139,000 per year. This means that Senators and Representatives are in the top 1 percent of wage earners in the country. Let there be no mistake, Congressmen and Congresswomen earn a good wage—a wage that does not leave them poor.

Additionally, Members are allowed to use their official office accounts for a variety of purposes. Members may fly back and forth to their district or State at the taxpayers' expense. Members are able to use subsidized gyms, at taxpayers' expense. Members are able to use the services of the attending physician, at taxpayers' expense. Members are able to decorate their offices, all at taxpayers' expense.

It is worth contrasting a Member's salary and perquisites with that of a typical American family. According to the U.S. Census for 1990, the median family income in America was $30,056. With that $30,056, the average American family was expected to put a roof over their head, feed their children, and send them to school, and meet the other necessities of life. Mr. President, shouldn't Members of Congress be able to survive quite well at a salary level of $139,000 per year without augmenting their incomes in such a deceptive fashion.

Mr. President, personal use of campaign funds is already illegal. However, the definitions are so broad that few expenditures are ever questioned.

Sara Fritz, a reporter for the Los Angeles Times, in her book "Handbook of Campaign Spending," calls campaign funds that are used for personal reasons nothing more than a personal slush fund.

Sara Fritz wrote:

> In the spring of 1990, [a Member of Congress], and his wife enjoyed a leisurely, eight day stay at South Seas Plantation in Captiva, FL. Their accommodations during the first three days of the visit were courtesy of the Electronics Industry Association; the next five days were paid for by [the member's] campaign.
>
> Under House and Senate ethics rules, members of Congress must use campaign funds for political—not personal—purposes. Yet the commonly accepted definition of a political expenditure has grown so broad and enforcement of the rules has been so lax that congressional campaigns now routinely make purchases that on their face appear to be personal, such as resort vacations, luxury automobiles, expensive meals, apartments, country club memberships, tuxedos, home improvements, baby sitting, and car phones.

Mr. President, I do not believe the general public is aware of how their campaign contributions are being used. I think it would be fair to say that if they did, they would be outraged, and well they should be.

According to Ms. Fritz, campaign funds have been used to buy such items as a jumbo illuminated globe from Hammacher Schlemmer, for trips to exotic locals such as Thailand, Taiwan, and Italy, and for tuxedos and an unexplainable $299 for bow ties.

According to Congressional Quarterly,

> Democrats and Republicans may not agree on what political reform is, but there is a backroom unanimity on what it is not: a stiff crackdown on personal use of campaign funds.

Representative VIC FAZIO echoed that opinion when he stated,

> There's a fear that there could be a very strict interpretation and a very serious break with what has been the norm.

Mr. President, it is time to break with the norm. What is occurring is wrong, and it must be stopped. The Senate publicly voted to do exactly that. There must not be any backroom deals. The FEC must act on this subject and it should, at minimum, follow the language passed in the Senate.

I want to put the FEC and my colleagues on notice. If the new rules regarding this issue do not ban the personal use of campaign funds, I will return to the floor and offer language to

do exactly that. And that I will continue to do so until such language is adopted into law.

It is time the Congress, and those whose privilege it is to serve there, learn to live within its means. Restricting the use of campaign funds for personal purposes is a vital first step in that direction.●

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., Tuesday, February 1, that following the prayer, the Journal of proceedings be approved to date and the time for the two leaders reserved for their use later in the day; that there then be a period for morning business, not to extend beyond 10 a.m., with Senators permitted to speak therein for up to 5 minutes each; with Senator METZENBAUM recognized for up to 15 minutes immediately following the announcement of the Chair; with Senator HATCH recognized for up to 10 minutes; that at 10 a.m., the Senate resume consideration of S. 1281, the State Department authorization; that on Tuesday, the Senate stand in recess from 12:30 p.m. to 2:15 p.m., in order to accommodate the respective party conferences.

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

PROGRAM

Mr. KERRY. Mr. President, I ask unanimous consent that after the vote scheduled at 10 a.m. tomorrow morning, the Senator from North Carolina be recognized to lay down an amendment.

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

RECESS UNTIL 9:30 A.M. TUESDAY, FEBRUARY 1, 1994

Mr. KERRY. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 6:36 p.m. recessed until Tuesday, February 1, 1994, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 31, 1994:

DEPARTMENT OF STATE

JOSIAH HORTON BEEMAN, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO WESTERN SAMOA.

DONALD M. BLINKEN, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HUNGARY.

MARCH FONG EU, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

RICHARD DALE KAUZLARICH, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

IN THE PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS:

1. FOR APPOINTMENT:

To be medical director

STEPHEN E. EPSTEIN
LANCE A. LIOTTA

To be senior surgeon

DAVID M. BELL
KENNETH W. BARNARD
ROBERT S. BERNSTEIN
RICHARD O. CANNON
PATRICIA M. GRIFFIN
ROBERT B. NUSSENBLATT
TERRENCE W. SLOAN
MICHAEL H. TRUJILLO

To be surgeon

DAVID G. ADDISS
JON K. ANDRUS
JANET ARROWSMITH-LOWE
RICHARD T. CALDWELL
KENNETH G. CASTRO
AHJA K. CHON
JOHN T. FREIDRICH
MARTA L. GWINN
DOUGLAS H. HAMILTON
SCOTT D. HOLMBERG
WILLIAM C. LEVINE
BOYD W. MANGES
TIMOTHY D. MAYHEW
RICHARD W. NISKA
STEPHEN M. OSTROFF
THOMAS A. PETERMAN
LYLE R. PETERSEN
ROBERT W. PINNER
LISA S. ROSENBLUM
ANNE SCHUCHAT
RICHARD W. STEKETEE
MARGARET A. TIPPLE
JAY D. WENGER
LYNNE S. WILCOX

To be senior assistant surgeon

STEVEN B. AUERBACH
RALPH T. BRYAN
GEOFFREY M. CALVERT
DONALD W. CLARK
MARSHA G. DAVENPORT
MIGUEL T. DOZIER
LUIS G. ESCOBEDO
BRADLEY S. HERSH
PETER M. HOUCK
EVE M. LACKRITZ
ELAINE MILLER
MARK G. PETERSON
MICHAEL PRATT
LAURENCE M. SLUTSKER
KATHERINE M. STONE

To be senior dental surgeon

MARGARET I. SCARLETT

To be dental surgeon

DAVID L. CLEMENS
MICHAEL E. CRUTCHER
MICHAEL N. GABOR
ROBERT R. MILLER
CAROLYN A. TYLENDA

To be senior assistant dental surgeon

JEROME B. ALFORD
ARLAN K. ANDREWS
MICHAEL C. ARNOLD
HERMAN J. CAMPBELL
JAMES E. CODE
CLAY D. CROSSETT
DAVID A. DROCKTON
MARKUS P. ELDRED
GEORGE HADDY
STUART R. HOLMES
LINDA A. JACKSON
THOMAS E. JORDAN
TAD R. MARBRY
MARY G. MURPHY
RONALD J. NAGEL
HOWARD W. PAYNE, JR.
PETER M. PRESTON
ADELE M. TAYLOR
JOHN B. VEASLEY

To be nurse officer

BETTY L. CHERN-HUGHES
PETER L. CUEVA
CATHERINE R. ESBENSHADE
DAVID A. FORSYTHE
ROMAN L. KUPCZYNSKI
ERNEST D. LAPIERRE
STEVEN N. THOMPSON
MYRA J. TUCKER
CYNTHIA G. WARK

To be senior assistant nurse officer

SANDRA D. CHAPPELL
MARK R. CHARLTON
REGENA N. DALE
SANDRA DODGE
MARY E. FAIRBANKS
BRUCE A. GIAMALVA
KATHLEEN M. KINSEY
DEBORAH KLEINFELD
LYNN M. LOWRY
JUDITH E. MAEDA
JUANITA J. MELLUM
MICHAEL G. MIKULAN
HAROLD W. PITT
CHERRYLL F. RANGER
MARY J. RILEY
GILBERT P. ROSE
ROBERT H. SADDORIS
KENNETH W. SIMPSON
LESLIE A. SPOUSTA, JR.
TIMOTHY R. STOCKDALE
LAUREN C. TANCONA
ROBERT G. TOOMEY
BERNADINE L. TOYA
JANET L. WILDEBOOR

To be assistant nurse officer

SHERI L. DOWNING-FUTRELL
MARY L. RUSSELL
THERESA B. WADE

To be senior engineer officer

ROGER L. DEROOS

To be engineer officer

RONALD C. FERGUSON
LOUIS D. SMITH
RAO Y. SURAMPALLI

To be senior assistant engineer officer

ROBERT E. BIDDLE
MITCHELL W. CONSTANT
KENNETH D. LINCH
CHARLES S. LITTLE
KENNETH F. MARTINEZ
JOEL A. NEIMEYER
THOMAS M. PLUMMER
KEITH P. SHORTALL

To be scientist

FRANK H. COLLINS
ROBERT W. LINKINS
CARL A. OHATA
STEPHEN D. SIMON

To be senior assistant scientist

MARY E. BIRCH
LESLIE P. BOSS
LORRAINE L. CAMERON
DEBRA G. DEBORD
G. SHAY FOUT
MAHENDRA H. KOTHARY
MILDRED M. WILLIAMS-JOHNSON

To be sanitarian

ALAN D. KNAPP

To be senior assistant sanitarian

THOMAS D. CAMPBELL
RICHARD W. DURRETT
ROBERT F. HENNES
JOSEPH L. HUGHART
GREGORY M. KINNES
KEVIN D. MEEKS
EDWARD A. PFISTER
TERESA A. SEITZ
AUBREY C. SMELLEY, JR.
JEFFREY J. SMITH
PAUL T. YOUNG

To be veterinary director

PETER M. SCHANTZ

To be veterinary officer

KATHRYN A. BAYNE

To be senior assistant veterinary officer

PETER B. BLOLAND

To be senior pharmacist

RICHARD S. LIPOV

To be pharmacist

MARSHA E. ALVAREZ
ANTHONY J. BROOKS
ARDEN H. HANSON
DOUGLAS L. HERRING
DAVID W. RACINE
THERESA A. TOIGO
CHARLES A. TRIMMER
JEANNETTE Y. WICK

To be senior assistant pharmacist

ROBERT A. ANDERSON
DEIDRA C. BROWN
MARK E. BURROUGHS
CYNTHIA C. CARTER
CHRISTINE E. CHAMBERLAIN
GRADY H. JAMES, JR.
ANTHONY E. KELLER
MICHAEL J. MONTELLO
ROBERT E. PITTMAN
PATRICIA F. RODGERS
CATHY PIERCE ZEHRUNG

To be assistant pharmacist

LISA W. TRAVIS

To be dietitian

SHIRLEY R. BLAKELY

To be senior assistant therapist

BECKY L. SELLERS

To be assistant therapist

JAMES W. STANDISH

To be health services officer

HEYWARD L. ROURK, JR.
CANDACE M. SCHLIFE
NANCY A. WILLIAMS

To be senior assistant health services officer

PAUL A. JONES
GREG A. KETCHER
W. HENRY MACPHERSON
RONALD E. SELLERS
PATRICIA R. WARNE

IN THE NAVY

THE FOLLOWING-NAMED REAR ADMIRALS (LOWER HALF) OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF REAR ADMIRAL AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

To be rear admiral

To be unrestricted line officer

REAR ADM. (LH) RONALD RHYS MORGAN, [redacted], U.S. NAVAL RESERVE.

REAR ADM. (LH) KENNETH WILLIAM PETTIGREW, [redacted], U.S. NAVAL RESERVE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT AS RESERVE OF THE AIR FORCE (ANGUS) IN THE GRADE INDICATED UNDER THE PROVISOINS OF SECTIONS 593 AND 8351(A), TITLE 10, UNITED STATES CODE, TO PERFORM DUTIES IN THE COMPETITIVE CATEGORY AS INDICATED. (EFFECTIVE DATE FOLLOWS SERIAL NUMBER).

LINE OF THE AIR FORCE

To be lieutenant colonel

JOSEPH J. KAHOE, [redacted] 9/1/89
PATRICK L. KEATING, [redacted] 10/1/91
JESS B. PITTS, [redacted] 5/1/92

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 624, TITLE 10, UNITED STATES CODE AND APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE:

CHAPLAIN

To be major

GERALD K. BEBBER xxx-xx-x...
FRANCIS M. BELEU xxx-xx-x...
JAMES P. BOYLE xxx-xx-x...
HARRY E. COLTER xxx-xx-x...
LAWRENCE J. CONWAY xxx-xx-x...
DANIEL G. DEBLOCK xxx-xx-x...
JONATHAN H. DEBOARD xxx-xx-x...
DAVID J. DORMER xxx-xx-x...
THOMAS L. DUDLEY xxx-xx-x...
CALVIN L. EASTHAM xxx-xx-x...
STEPHEN E. FEEHAN xxx-xx-xx...
JAMES R. FOXWORTH xxx-xx-x...
JOSEPH A. HARTRANFT xxx-xx-xx...
EVERETT C. HAYES xxx-xx-xxxx
ROBERT D. HESTER xxx-xx-x...
DAVID P. HILLIS xxx-xx-x...
STEPHEN D. KELLER xxx-xx-xx...
DUANE H. KINCAID xxx-xx-x...
WILLIAM E. KNIGHT xxx-xx-x...
KARL O. KUCKHAHN xxx-xx-x...
CHESTER H. LANIOUS xxx-xx-x...
MICHAEL T. LEMBKE xxx-xx-x...
ALLEN K. LOWE xxx-xx-x...
DONA MCCONNAUGHHAY xxx-xx-x...
JOHN T. MCLOUGHLIN xxx-xx-x...
ANTHONY E. MENZ xxx-xx-x...
JOHN B. MICHNO xxx-xx-x...
ANTHONY S. MONTAGUE xxx-xx-x...
ROBERT N. NESKE xxx-xx-x...
DAVID R. NORVELL xxx-xx-x...
GARY C. PATTERSON xxx-xx-x...
THOMAS E. PRESTON xxx-xx-x...
KURTES QUESINBERRY xxx-xx-x...
RICHARD G. QUINN xxx-xx-x...
MICHAEL L. RAYMO xxx-xx-x...
SCOTT R. RONEY xxx-xx-x...
FREDERICK M. RUPEL xxx-xx-xx...
LARRY E. SWEAT xxx-xx-x...
SAMUEL S. TOMLINSON xxx-xx-x...
VIRGIL P. TRAVIS xxx-xx-xx...
JAMES R. WHITE xxx-xx-x...
JAMES G. WILLIAMS xxx-xx-x...
GREGORY WILLIAMSON xxx-xx-x...
DONALD L. WILSON xxx-xx-x...

IN THE NAVY

THE FOLLOWING-NAMED COMMANDERS IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF CAPTAIN, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW:

JUDGE ADVOCATE'S GENERAL CORPS

To be captain

PETER L. FAGAN
DAVID MURFF HARDY
JOHN K. HENBERY
RAND REDD PIXA
RONALD RAY WINFREY
LARRY DELANEY WYNNE
CHRISTINE MARIA YUHAS

THE FOLLOWING-NAMED LIEUTENANT COMMANDERS IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 628, SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICERS

To be commander

PETER MICHAEL HYERS
REEVES RAMSEY
TAYLOR, JR.

IN THE NAVY

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT COMMANDER IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

To be commander

ROBERT O. WARD

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:

To be lieutenant commander

FLOYD ALCORN II
WILLIAM C. BISHOP, JR.
ROMAN D. BOWLES
KENDALL A. BURDICK
CARL R. CHAFFIN
JOSEPH E. CORREIA
MICHAEL A. DELAGARZA
GERALD A. DILEONARDO
PAUL S. DILLMAN
WILLIAM E. DINE
GUY E. DUNAN
MICHAEL R. ERICKSON
JOHN W. FITZGIBBON
DOUGLAS P. FRANKS
RICHARD E. GARDNER, JR.
JOSEPH H. GATES
JAMES B. HOPKINS II
FRANK R. KARA
MARK W. KOSZALKA
JEFFERY S. KUHN
CAROL L. LARSON
JOHN S. LEE
CHRISTOPHER R. MEEHAN
KENNETH E. MILEY
JOHN A. MORRISON
CRAIG S. MUNSON
THOMAS A. MURPHY
STEVEN J. MYERS
ROBERT P. NUGENT
MICHAEL R. PEARSON
VIVAN L. RAGUSA II
TODD G. RATNER
NEIL A. RODER
DANIEL J. RODGERS
MICHAEL P. ROGERS
DANIEL D. ROTHENBERGER
RICHARD P. SCHIFANDO
JOHN J. SHEA
CLAY J. SNAZA
JAMES V. STAUFFER
DARIO E. TEICHER
ERIC J. TIBBETS
WALTER L. TOWNS
MICHAEL S. TRENCH
RANDALL J. TUCKER
VINCENTIUS J. VANJOOLEN
TRICIA A. VISLAY
DOUGLAS E. WALKER
JON B. WESTERWICK

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL CORPS

To be captain

TERRY L. BARRETT
EDWARD G. BOSTON
DANIEL A. BROOKS
PAUL B. CORBETT
KATHLEEN F. FISCHER
ROBERT E. FORD
LEE D. HALL
GERALD R. MCCOID
JOHN R. NAGEL
TIMOTHY G. SCHACHERER

THE FOLLOWING U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL CORPS

To be commander

WARREN ANDERSON
BRIAN S. APRILL
JAMES R. BLOOM
RAQUEL C. BONO
DALE BRAUN
ANDREW C. BREITERMAN
JAMES D. BRIDGES
DAVID A. BRINK
EDWARD B. BYNUM
SANTOSH J. K. CHAWLA
SATISH CHAWLA
PRESTON CHURCH
JOHN W. CROWLEY
DAVID A. DAVIS
JOHN W. DENOBILE
ROGER DMOCHOWKSI
JOHN F. DONNAL
WOLFRAM H. ENSELEIT
JOHN R. FEENEY
JOSEPH M. FORRESTER
RANDALL E. FROST
LANDON W. GARLAND, JR.
BENJAMIN M. GASTON, IV
CARY J. GOEPFERT
GALE G. GOYINS
JEFFREY R. GREENWALD
BRUCE V. GRONKIEWICZ
SCOTT R. GROSSKREUTZ
THOMAS E. HACKETT
JAMES F. HARRINGTON
WILLIAM L. HENNRIKUS
STANLEY M. HIGGINS
DOUGLAS M. HINSON
ROBERT E. HOOD, JR.
STEPHEN G. HOOKER
ROBERT F. KEATING
KEVIN J. KNOOP
JAMES D. LAMM
JOYCE A. LAPA
BRENDA A. LARKIN
DREW LEWIS
EVELYN L. LEWIS
THOMAS J. MAGRINO
VICTOR A. MAQUERA
ROBERT L. MASCI
MARY E. MCGINNIS
TERRENCE R. MCWILLIAMS
CRAIG S. MITCHELL
GLEN L. MOORE
WILLIAM D. MORIN
MARCUS N. MORRA
KENNETH W. NORWOOD
TERRENCE M. O'DONOVAN
KEVIN M. O'NEIL
SCOTT PAPARELLO
CARMINE J. PELLOSIE
MARK E. RALSTON
JAMES S. REED
DAVID S. REID
JAMES P. RICE
EMILY L. RICHIE
THOMAS L. RICHIE
ALLEN H. ROBERTS II
DON E. ROBINSON
DONALD H. ROSENBAUM
WILLIAM G. RUDOLPH
WILLIAM SANDUSKY
ALFRED M. SASSLER
STEPHEN J. SAVARINO
DOUGLAS S. SCHALL
STRATTON SHANNON
MARK D. SMITH
WILLIAM SMITH
DAVID D. SPENCER
DAVID B. STAAB
WILLIAM R. STRAND
FLOYD K. SUMIDA
MICHAEL G. TENERIELLO
JOSEPH G. THOENE
WILLIAM R. THOMPSON
ROGER W. TIMPERLAKE
BETH A. TROUM
CLIFFORD H. TUREN
JOSE J. VICENS
ROBERT M. WAH
FREDERICK H. WEBER
MICHAEL S. WENZEL
JOHN P. WILLIAMS

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

SUPPLY CORPS

To be lieutenant commander

WAYNE J. BERGERON
GARY E. HAMMOND
EMIL E. SPILLMAN
LEO J. GRASSILLI III
JERRY JOHNSON

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CHAPLAIN CORPS

To be captain

RICHARD R. GATES

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CHAPLAIN CORPS, USN, PERMANENT

To be commander

WOLLOM A. JENSEN
ROBERT A. VALKO
ERNEST A. POE
MARY E. WASHBURN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CHAPLAIN CORPS

To be lieutenant commander

RICHARD L. ARNOLD
CLAUDE R. BEEDE
BRIAN D. BJORKLUND
STEVEN D. BROWN
CHRISTOPHER E. BUCK
GARY W. CARR
LESA D. CHEATHEM
THOMAS E. CREELY
CARL J. CWIKLINSKI
BETTIE J. DAVIS
PAUL R. DEATON
WILLIAM D. DEVINE
PATRICK K. ELLIOTT
IRVING A. ELSON
DAVID W. GIRARDIN
LAWRENCE P. GREENSLIT
PETER W. GREGORY
DANIEL R. HALL
WILLIAM R. HOOD
VAL J. JENSEN
LAURENCE W. JONES
NEIL G. JONES
LARRY D. KALSOW
MARGARET G. KIBBEN
MICHAEL S. KLEPACKI
MICHAEL W. LANGSTON
SAMUEL H. LARSEN
JOHN H. LEA, III
GARY W. MORRIS
GRADY J. PENNELL
JERRY F. PHILLIPS
TRAVIS M. PHILLIPS, JR.
DENNIS J. ROCHEFORD
MICHAEL L. SCHUTZ
DAVID M. SCHWABAUER
JOSEPH A. SCORDO
DANIEL C. STEPHENS
RONALD C. STURGIS
CONRAD A. TARGONSKI
ARMANDO S. TORRALVA
MICHAEL A. UHALL
DENNIS W. YOUNG
THOMASINA A. YUILLE

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CIVIL ENGINEER CORPS

To be lieutenant commander

THEODORE E. SPEAR

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT CAPTAIN IN THE DENTAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

DENTAL CORPS

To be captain

MILES L. WILHELM

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MEDICAL SERVICE CORPS, USN, PERMANENT

To be commander

JAMES P. BURANS
JAMES PARKER

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,

JOSEPH E. BIRON
DAVID L. DEPPERMAN
PAUL M. DESIMONE
OSKER L. DUGGER
WILLIAM H. FEYH
JAMES B. FITZPATRICK
DONALD D. HAGEN
WILLIAM F. HUSEMAN
NICK KARPACHINSKI
MARK P. LAMBRECHT
DAVID R. LAVENDER
BRYCE E. LEFEVER
MICHAEL M. LOE
DAVID L. MCCALLUM
LISA K. MCWHORTER
TERRENCE M. MURRAY
SUSAN P. NESSMITH
JOSE R. PEREZ
MARTIN A. PETRILLO
FRANCES PICCIONE
MORGAN T. SAMMONS
PATRICK A. SANDERSON
ROBERT M. SCHLEGEL
SCOTT A. SHAPPELL
PAUL T. SPADA
FREDERICK S. SUMNER, JR.
EVAN A. THORLEY
ALICE WHITLEY
ELAINE J. WOOD
RONALD R. WOODRUFF

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NURSE CORPS

To be commander

CYNTHIA M. FELLER
LINDA P. GUSTAFSON

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

NURSE CORPS

To be lieutenant commander

MEEGAN P. BARNHART
THOMAS J. BERNATEK
SUZANNE M. CLARK
JUDY A. COWAN
KAREN A. DIRENZO
ANGELIA D. ELUMONEAL
JAMES P. FERGUSON
BRUCE W. GODWIN
ROBERT G. HENDRICKSON
CHRISTOPHER W. HO
PAULA M. JONAK
MARY D. KEENAN
MARY K. KENNEY GUTSHALL
RANDOLPH J. KIRKLAND
BARBARA A. KLUS
SUSANNA K. LINDSEY
RUTH A. LONGENECKER
JAIME A. LUKE
CLAUDIA S. MARSH
KRISTE J. MILLERGRAU
CARRIE A. MOCK
ROBERT A. MOLER
HELEN L. MONNENS
JOSEPH E. PELLEGRINI

LISA H. RAIMONDO
CAROL L. REMEY
KAREN L. SALOMON
VANESSA M. SCOTT
PAULA J. SEXTON
CAROLYN M. SHAW
THERESA E. SIEMER
JANET D. SLATTEN
PATRICK W. TYSOR
MARY K. WILCOX

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 3370:

ARMY PROMOTION LIST

To be colonel

HARRY E. ACKROYD, xxx-xx-x...
ROBERT B. ADAIR, xxx-xx-x...
ROGER D. ADAMSON, xxx-xx-x...
ERNEST R. ADKINS, xxx-xx-x...
CELIA L. ADOLPHI, xxx-xx-x...
GARY J. AGREN, xxx-xx-x...
BRUCE R. ALEXANDER, xxx-xx-x...
EDDIE W. ALLEN, xxx-xx-x...
MICHAEL R. ALLEN, xxx-xx-x...
FRED B. ANDERSON, xxx-xx-x...
RICHARD ANDERSON, xxx-xx-x...
STEVEN R. ANDERSON, xxx-xx-x...
THOMAS G. ANDERSON, xxx-xx-x...
JAMES L. ANSON, xxx-xx-x...
WILLIAM D. ANTHONY, xxx-xx-x...
GLENN M. APPE, xxx-xx-x...
ROBERT A. ARCHER, xxx-xx-x...
STEPHEN E. AREY, xxx-xx-x...
JAMES ASHENHURST, xxx-xx-x...
RENATO P. BACCI, xxx-xx-x...
NED E. BAILEY, xxx-xx-x...
MAURICE R. BAKER, xxx-xx-x...
ROGER P. BALOG, xxx-xx-x...
CLIVE G. BARE, xxx-xx-x...
DON D. BARTLETT, xxx-xx-x...
RONALD J. BEAGAN, xxx-xx-x...
JOHN C. BECKER, xxx-xx-x...
ROBERT J. BEINER, xxx-xx-x...
ALAN D. BELL, xxx-xx-x...
JAMES S. BELLAR, xxx-xx-x...
MICHAEL J. BELT, xxx-xx-x...
ROBERTO BENAVIDES, xxx-xx-x...
LYLE B. BENDER, xxx-xx-x...
LARRY R. BERNSTEIN, xxx-xx-x...
GRANT I. BEYL, xxx-xx-x...
DAVID A. BIALAS, xxx-xx-x...
PARK P. BIERBOWER, xxx-xx-x...
HU L. BLAZER, xxx-xx-x...
DENNIS L. BLISS, xxx-xx-x...
DAVID E. BOCHNA, xxx-xx-x...
MARVIN S. BOLINGER, xxx-xx-x...
JOSEPH B. BONDURANT, xxx-xx-x...
LANCE H. BONDY, xxx-xx-x...
DARWIN G. BOSTIC, xxx-xx-x...
ARTHUR R. BOYD, xxx-xx-x...
NORMAN M. BRADLEY, xxx-xx-x...
WILLIAM M. BRADY, xxx-xx-x...
TERRANCE R. BRAND, xxx-xx-x...
MAX E. BREWER, xxx-xx-x...
GEORGE R. BROOKS, xxx-xx-x...
WALLACE S. BROOME, xxx-xx-x...
EDWIN M. BROWN, xxx-xx-x...
LEWIS E. BROWN, xxx-xx-x...
WILLIAM F. BROWN, xxx-xx-x...
ALVA D. BROWNFIELD, xxx-xx-x...
RICHARD BUCHANAN, xxx-xx-x...
RICHARD F. BUEHLER, xxx-xx-x...
ROBERT L. BUHRKUHL, xxx-xx-x...
MAURICE K. BURNAM, xxx-xx-...
NORMAN F. BURNS, xxx-xx-x...
JACK O. BURWELL, xxx-xx-x...
RAYMOND C. BYRNE, xxx-xx-x...
PETER L. CAMP, xxx-xx-x...
NICK V. CAPITANO, xxx-xx-x...
JAMES R. CARPENTER, xxx-xx-x...
DANIEL F. CARROLL, xxx-xx-x...
JAMES M. CARTER, xxx-xx-x...
MARY N. CARTER, xxx-xx-x...
MILTON J. CARTER, xxx-xx-x...
LEONARD CASILLAS, xxx-xx-x...
EUELL D. CATCHINGS, xxx-xx-x...
ALFRED C. CHANNELS, xxx-xx-x...
FRANK H. CHAPMAN, xxx-xx-x...
JAMES R. CHAPMAN, xxx-xx-x...
BRUCE A. CHASE, xxx-xx-x...
JOSEPH J. CHAVES, xxx-xx-x...
DONALD J. CHEWNING, xxx-xx-x...
NICKOL CHRISTOPHER, xxx-xx-x...
DON H. CLARK, xxx-xx-...
BRIAN L. CLEVENGER, xxx-xx-x...
MICHAEL D. COCOZZA, xxx-xx-x...
GEORGE C. COLCLOUGH, xxx-xx-x...
DAN M. COLGLAZIER, xxx-xx-x...
JAMES P. COMBS, xxx-xx-x...
FRANCIS J. COPPOLA, xxx-xx-x...
MARY F. COTTON, xxx-xx-x...
WESLEY E. CRAIG, xxx-xx-x...
DAVID T. CROCKER, xxx-xx-x...
MILTON R. CROSS, xxx-xx-x...
WILLIAM L. CROWSON, xxx-xx-x...
GLEN E. CURTIS, xxx-xx-...
GARY Q. CVACH, xxx-xx-x...
RONALD DANEHOWER, xxx-xx-x...
STEPHEN H. DARE, xxx-xx-x...
ALLEN DAVIS, III, xxx-xx-x...
STEVEN R. DEKRAMER, xxx-xx-x...
RICHARD B. DELGADO, xxx-xx-x...
JACK G. DEMES, xxx-xx-x...
DAVID G. DEMPSEY, xxx-xx-x...
WILLIAM B. DEVOS, xxx-xx-x...
ROBERT M. DIAMOND, xxx-xx-x...
E. DIAZCARABALLO, xxx-xx-x...
JAMES G. DICKOVICK, xxx-xx-x...
KERRY B. DOLAN, xxx-xx-x...
THEODORE G. DRIER, xxx-xx-x...
MARVIN B. DUNCAN, xxx-xx-x...
BRADLEY S. DUPEE, xxx-xx-x...
RAYMOND L. DYKENS, xxx-xx-x...
DANNY L. EAST, xxx-xx-x...
PAUL ELKOURIE, xxx-xx-x...
BOBBY J. ERVIN, xxx-xx-x...
ROBERT ESHELBRENNER, xxx-xx-x...
CARL J. ESHELMAN, xxx-xx-x...
FRANCIS ESPOSITO, xxx-xx-x...
EARL P. EWING, xxx-xx-x...
EDMUND T. EWING, xxx-xx-x...
STEVEN FAIRBANKS, xxx-xx-x...
JAMES H. FALLIN, xxx-xx-x...
DALLAS W. FANNING, xxx-xx-x...
JAMES P. FARKAS, xxx-xx-x...
ANTHONY G. FENNELL, xxx-xx-x...
LARRY G. FENNEMA, xxx-xx-x...
EDWIN H. FERGUSON, xxx-xx-x...
JAMES R. FERRARI, xxx-xx-x...
JACKSON E. FIELDS, xxx-xx-x...
LEE S. FIELDS, xxx-xx-x...
JAMES P. FOOT, xxx-xx-x...
THOMAS C. FOSNACHT, xxx-xx-x...
GARY D. FOSTER, xxx-xx-x...
ROBERT J. FREEMAN, xxx-xx-x...
ALAN K. FRY, xxx-xx-x...
ROBERT E. FULLEM, xxx-xx-x...
WILLIAM R. FURR, xxx-xx-x...
RICHARD M. GAGE, xxx-xx-x...
THOMAS E. GALE, xxx-xx-x...
DONNIE F. GARRETT, xxx-xx-x...
ROBERT C. GEORGE, xxx-xx-x...
ROBERT J. GEORGE, xxx-xx-x...
RICHARD T. GIBBS, xxx-xx-x...
ROBERT E. GILLAN, xxx-xx-x...
RONALD A. GIRELLI, xxx-xx-x...
BARRON L. GOFF, xxx-xx-x...
DAVID E. GOFF, xxx-xx-x...
JOHN S. GONG, xxx-xx-x...
KEITH C. GOODHOPE, xxx-xx-x...
WILLIAM W. GOODWIN, xxx-xx-x...
JAY P. GORDON, xxx-xx-x...
WOODROW W. GOSSOM, xxx-xx-x...
BOYD R. GRAY, xxx-xx-x...
VIRGIL S. GRAY, xxx-xx-x...
DAVID J. GRIFFITH, xxx-xx-x...
JOHN R. GRIFFITH, xxx-xx-x...
CHARLES V. GUY, JR., xxx-xx-x...
JOHN A. HAAS, xxx-xx-x...
EDWIN T. HAMLIN, xxx-xx-x...
ROGER J. HARDING, xxx-xx-x...
WILLIAM HARRIMAN, xxx-xx-x...
KEVIN HARRINGTON, xxx-xx-x...
ROBERT G. HARVEY, xxx-xx-x...
LARRY D. HAUB, xxx-xx-x...
EDWARD J. HEATON, xxx-xx-x...
WILLIAM G. HEFFRON, xxx-xx-x...
ROBERT L. HEINE, xxx-xx-x...
RODNEY C. HENELY, xxx-xx-x...
CHARLES F. HERB, xxx-xx-x...
KENNETH R. HESTER, xxx-xx-x...
WAYNE E. HILL, xxx-xx-x...
DOUGLAS H. HIMLE, xxx-xx-x...
MICHAEL A. HODGE, xxx-xx-x...
JOHN T. HOFFMAN, xxx-xx-x...
TOMMY V. HOOTON, xxx-xx-x...
NORMAN H. HORTON, xxx-xx-x...
HARRY W. HOUCHENS, xxx-xx-x...
EARL C. HOWELL, xxx-xx-x...
JOHN A. HOYT, xxx-xx-x...
WILSON HUMPHREYS, xxx-xx-x...
GREGORY J. HUNT, xxx-xx-x...
CHARLES F. HURLBUT, xxx-xx-x...
RICHARD W. HUSKES, xxx-xx-x...
DAVID R. INMAN, xxx-xx-x...
MICHAEL D. ISOM, xxx-xx-x...
FRED R. JAECKLE, xxx-xx-x...
THOMAS D. JOHNSON, xxx-xx-x...
LARRY M. JONAS, xxx-xx-x...
BOBBY G. JONES, xxx-xx-x...
BRUCE M. JONES, xxx-xx-x...
EDWARD O. JONES, xxx-xx-x...
PETER H. JONES, xxx-xx-x...
RICHARD JORGENSEN, xxx-xx-x...
FRANCIS W. KAIRSON, xxx-xx-x...
ROBERT C. KARN, xxx-xx-x...
AARON D. KELLEY, xxx-xx-x...
MICHAEL G. KELLEY, xxx-xx-x...
ROY D. KENNEDY, xxx-xx-x...
DANIEL KESSELRING, xxx-xx-x...
ROBERT J. KILCOYNE, xxx-xx-x...
JOHN T. KING, xxx-xx-x...
HERMAN G. KIRVEN, xxx-xx-x...
DENNIS J. KLEPPICK, xxx-xx-x...
RODNEY M. KOBAYASHI, xxx-xx-x...
JOHN W. KREGER, xxx-xx-...
RANDALL E. KRUG, xxx-xx-x...
JOHN LACHKY, xxx-xx-...
JAMES E. LAHTI, xxx-xx-x...
DANIEL C. LAVERING, xxx-xx-x...
HENRY LEAK, III, xxx-xx-x...
SAMUEL W. LEDBETTER, xxx-xx-x...
PATRICK W. LEDRAY, xxx-xx-x...
ANTHONY F. LEKETA, xxx-xx-x...
WAYNE F. LERSBAK, xxx-xx-x...
KEITH W. LETCHER, xxx-xx-x...
CHARLES W. LINDSEY, xxx-xx-x...
HAL A. LONG, xxx-xx-x...
ROBERT P. LOWELL, xxx-xx-x...
JEFFREY LOZIER, xxx-xx-x...
LAWRENCE T. LUBA, xxx-xx-x...
EDWIN T. LUCAS, xxx-xx-x...
EVERETT D. LUCAS, xxx-xx-x...
THOMAS P. LUCZYNSKI, xxx-xx-x...
RONALD A. LUEBKE, xxx-xx-x...
CARL F. LUNDELL, xxx-xx-x...
LARRY B. MAIN, xxx-xx-x...
JOSEPH M. MANLEY, xxx-xx-x...
DENNIS J. MANNING, xxx-xx-x...
FRANCISCO MARQUEZ, xxx-xx-x...
SCHAPPI MARSH, xxx-xx-x...
CHARLES F. MARTIN, xxx-xx-x...
ROY T. MARTIN, xxx-xx-x...
TIMOTHY E. MARTIN, xxx-xx-x...
ROBERT G. MASKIELL, xxx-xx-x...
ALLIE G. MASON, xxx-xx-x...
KENNETH J. MAY, xxx-xx-x...
JAMES R. MCCALL, xxx-xx-x...
GEORGE W. MCCRAW, xxx-xx-x...
JIMMIE M. MCDONALD, xxx-xx-x...
JOHN M. MCFARLAND, xxx-xx-x...
RONALD J. MCMONAGLE, xxx-xx-x...
DONALD S. MCOMIE, xxx-xx-x...
JOSEPH T. MCSORLEY, xxx-xx-x...
GARY W. MEEKS, xxx-xx-x...
WALTER MEINSHAUSEN, xxx-xx-x...
JOSEPH W. MEJASKI, xxx-xx-x...
JAMES R. MELOY, xxx-xx-x...
DONALD B. MELVIN, xxx-xx-x...
MICHAEL R. MESSINA, xxx-xx-x...
ROBERT C. METZ, xxx-xx-x...
ROBERT L. MEYER, xxx-xx-x...
ROBERT D. MINTON, xxx-xx-x...
ARTHUR E. MISCALLY, xxx-xx-x...
HENRY A. MOAK, xxx-xx-x...
ROBERT A. MOLIN, xxx-xx-x...
JAMES H. MONAGHAN, xxx-xx-x...
MICHAEL MONTGOMERY, xxx-xx-x...
WILLIAM MOORE, xxx-xx-x...
WAYNE J. MORGAN, xxx-xx-x...
RANDALL D. MOSLEY, xxx-xx-x...
THOMAS A. MULCAHY, xxx-xx-x...
JOHN R. MULLIN, xxx-xx-x...
KEVIN V. MURPHY, xxx-xx-x...
MARC A. NEERMAN, xxx-xx-x...
DANNY L. NELSON, xxx-xx-x...
DONALD C. NELSON, xxx-xx-x...
HAROLD J. NEVIN, xxx-xx-x...
CURTIS L. NEWCOMB, xxx-xx-x...
EUGENE C. NEYER, JR, xxx-xx-x...
JACK E. NOEL, xxx-xx-x...
JOHN R. OSHEA, xxx-xx-x...
GEORGE E. PAGE, xxx-xx-x...
JAMES C. PAPRITAN, xxx-xx-x...
MICHAEL A. PATALANO, xxx-xx-x...
PETER Q. PAUL, xxx-xx-x...
LEE E. PEPPER, xxx-xx-x...
JOSEPH T. PERKINS, xxx-xx-x...
ROGER D. PETERMAN, xxx-xx-x...
RONALD A. PIEPER, xxx-xx-x...
ERNEST M. PITT, xxx-xx-x...
RICHARD E. PLETCHER, xxx-xx-x...
MICHAEL E. PLOTKIN, xxx-xx-x...
WILLIAM H. POLAND, xxx-xx-x...
VLADIM POLTORATZKY, xxx-xx-x...
DAVID G. POPHAM, xxx-xx-x...
DONALD L. POTTER, xxx-xx-x...
CHRISTOPHER POWERS, xxx-xx-x...
CHARLES B. PREWITT, xxx-xx-x...
LARRY D. PRICE, xxx-xx-x...
COLLIN R. QUIGLEY, xxx-xx-x...
DAVID W. RAES, xxx-xx-x...
EDWIN P. RAMSEY, xxx-xx-x...
DAVID L. RANEY, xxx-xx-x...
JOHN R. RASMUSON, xxx-xx-x...
WILLIAM J. REALS, JR., xxx-xx-x...
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DENIS J. SWENIE, xxx-xx-x...
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ROBERT D. THORNTON, xxx-xx-x...
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ANDRE J. TROTTIER, xxx-xx-x...
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GREGORY J. VADNAIS, xxx-xx-x...
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PAUL D. WALKER, xxx-xx-x...
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CHARLES WITTEBORT, xxx-xx-x...
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JOHN C. ZIMMERMANN, xxx-xx-x...

IN THE AIR FORCE

THE FOLLOWING CADETS, U.S. AIR FORCE ACADEMY, FOR APPOINTMENT AS SECOND LIEUTENANTS IN THE REGULAR AIR FORCE, UNDER THE PROVISIONS OF SECTIONS 9353 (B) AND 531, TITLE 10, UNITED STATES CODE, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

JOHN T. AALBORG, JR., xxx-x...
PAUL H. ABAIR, xxx-...
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JEFFREY M. ADELUNG, xxx-x...
HEATHER J. ALDRICH, xxx-...
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RICHARD P. AMISANO, JR., xxx-x...
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JEANNE E. WILKINS xxx-x...
LANCE A. WILKINS xxx-x...
AUDREY WILLIAMS xxx-x...
DAVID B. WILLIAMS xxx-x...
JEFFREY M. WILLIAMS xxx-x...
ESTEL J. WILSON xxx-x...
AMBER J. WIMBERLY xxx-x...
JAMES M. WINNER xxx-...
JOSEPH R. WIRTHLIN xxx-x...
DAVID J. WITKOWSKI xxx-x...
MICHAEL F. WITTROCK xxx-...
JASON Z. WOLLARD xxx-x...
CHRISTOPHER F. WOMICK xxx-x...
GREGORY R. WOOD xxx-x...
JAMES C. WOOD xxx-x...
MARK F. WOOD xxx-...
ZACHARY A. WOOD xxx-...
RICHARD L. WOODRUFF, JR. xxx-x...
KENNETH O. WOODS xxx-x...
PATRICK J. WOODS xxx-x...
STEVEN P. WOODS xxx-x...
JIMMY C. WORLEY xxx-x...
COLETTE L. WRIGHT xxx-x...
ERIC W. WRIGHT xxx-x...
JONATHAN L. WRIGHT xxx-x...
ALEXANDER M. WYLIE xxx-x...
SAXON T. YANDELL xxx-x...
KENNETH E. YEE xxx-x...
WAYNE D. YOUNG xxx-x...
TAE S. YU xxx-x...
ROEL ZAMORA xxx-...
SCOTTIE L. ZAMZOW xxx-x...
BRIAN J. ZAWADA xxx-x...
ZACHARY B. ZEINER xxx-x...
JAMES J. ZIRKEL xxx-x...
KURT J. ZOBRIST xxx-x...
STEVEN M. ZUBOWICZ xxx-x...
WILLIAM A. ZUTT xxx-x...

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 1, 1994, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 2

9:30 a.m.

Agriculture, Nutrition, and Forestry
To hold hearings to examine alleged fraud in Federal nutrition programs.
SR-332

Armed Services
To hold hearings on the nomination of William J. Perry, of California, to be Secretary of Defense.
SH-216

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
To resume hearings to examine certain recommendations for government reform, focusing on Office of Management and Budget (OMB) proposals.
SD-562

Labor and Human Resources
Business meeting, to consider S. 1597, authorizing funds for certain organ procurement and transplantation programs, and the nominations of Bernard E. Anderson, of Pennsylvania, to be Assistant Secretary for Employment Standards, and J. Davitt McAteer, of West Virginia, to be Assistant Secretary for Mine Safety and Health, both of the Department of Labor.
SD-430

10:00 a.m.

Environment and Public Works
Clean Water, Fisheries and Wildlife Subcommittee
Business meeting, to mark up S. 1114, authorizing funds for programs of the Federal Water Pollution Control Act.
SD-406

Judiciary
Constitution Subcommittee
To hold hearings to examine proposed legislation relating to Presidential succession and the electoral college.
SD-226

Labor and Human Resources
To resume hearings on provisions of S. 1757, to ensure individual and family security through health care coverage for all Americans that is affordable and comprehensive, focusing on the role of the States.
SD-430

FEBRUARY 3

9:30 a.m.

Governmental Affairs
Oversight of Government Management Subcommittee
To hold oversight hearings on U.S.-Japan auto parts framework negotiations.
SD-562

Judiciary
Business meeting, to consider pending calendar business.
SD-226

Labor and Human Resources
Labor Subcommittee
To hold hearings to examine consumer issues related to health care reform.
SD-430

Rules and Administration
To hold hearings on provisions regarding the Government Printing Office contained in Title XIV of H.R. 3400, to provide a more effective, efficient, and responsive government, 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.
SR-301

10:00 a.m.

Agriculture, Nutrition, and Forestry
Agricultural Credit Subcommittee
To hold hearings on preventing abuse of the Farmers Home Administration (FmHA) loan programs.
SR-332

Commerce, Science, and Transportation
Foreign Commerce and Tourism Subcommittee
To hold hearings to examine trade issues with regard to the environment.
SR-253

Finance
To resume hearings on health care reform issues, focusing on how States will be affected by health care reform.
SD-215

10:30 a.m.

Armed Services
Force Requirements and Personnel Subcommittee
To hold hearings to examine honor systems and sexual harassment at the various service academies.
SD-106

Judiciary
To hold hearings on the nomination of Rosemary Barkett, of Florida, to be United States Circuit Judge for the Eleventh Circuit.
SD-226

2:00 p.m.

Energy and Natural Resources
Mineral Resources Development and Production Subcommittee
To hold hearings on H.R. 2144, to provide for the transfer of excess land to the Government of Guam.
SD-366

4:30 p.m.

Foreign Relations
To hold hearings on the nomination of James H. Scheuer, of New York, to be U.S. Director of the European Bank for Reconstruction and Development.
SD-419

FEBRUARY 4

9:00 a.m.

Joint Economic
To hold hearings to examine the employment-unemployment situation for January.
2359 Rayburn Building

9:30 a.m.

Labor and Human Resources
To resume hearings on provisions of S. 1757, to ensure individual and family security through health care coverage for all Americans that is afforadable and comprehensive, focusing on guaranteed benefits (pending on Senate Calendar).
SD-430

10:00 a.m.

Environment and Public Works
To hold hearings on the nominations of Brig. Gen. Eugene S. Witherspoon, USA, to be a Member and President of the Mississippi River Commission, Richard Thomas Moore, of Massachusetts, to be Associate Director of the Federal Emergency Management Agency, Jesse L. White, Jr., of North Carolina, to be Federal Co-Chairman of the Appalachian Regional Commission, and William W. Ginsberg, of Connecticut, to be an Assistant Secretary of Commerce.
SD-406

FEBRUARY 8

9:30 a.m.

Armed Services
To hold hearings on proposed legislation authorizing funds for fiscal year 1995 for the Department of Defense, and the future years defense program.
SH-216

Energy and Natural Resources
To hold hearings on the nominations of Greta Joy Dicas, of Arkansas, Margaret Hornbeck Greene, of Kentucky, William J. Rainer, of Connecticut, Kneeland C. Young, of Texas, and Frank G. Zarb, of New York, each to be a Member of the Board of Directors of the United States Enrichment Corporation.
SD-366

10:00 a.m.

Budget
To hold hearings in preparation for reporting the first concurrent resolution

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

on the fiscal year 1995 budget for the Federal Government.

SD-608

Finance

To hold hearings to review the results of the Uruguay Round trade negotiations and to examine what needs to be accomplished before the April 15, 1994 scheduled agreement signing.

SD-215

Commission on Security and Cooperation in Europe

To hold hearings to examine issues relating to Bosnia.

Room to be announced

FEBRUARY 9

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings on the nomination of Ann Brown, of Florida, to be Commissioner and Chairman of the Consumer Product Safety Commission.

SR-253

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

10:00 a.m.

Budget

To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1995 budget for the Federal Government.

SD-608

Veterans' Affairs

To hold hearings to examine VA participation in state health care programs.

SR-418

10:30 a.m.

Judiciary

Juvenile Justice Subcommittee

To hold hearings on juvenile gangs.

SD-226

11:00 a.m.

Labor and Human Resources

To resume hearings on S. 575, to improve the employee safety and health programs of the Occupational Safety and Health Act.

SD-430

FEBRUARY 10

9:30 a.m.

Agriculture, Nutrition, and Forestry

Agricultural Research, Conservation, Forestry and General Legislation Subcommittee

To hold hearings to review the process on the Federal meat inspection program.

SR-332

Rules and Administration

To resume hearings on provisions regarding the Government Printing Office contained in Title XIV of H.R. 3400, to provide a more effective, efficient, and responsive government, 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.

SR-301

Indian Affairs

To hold hearings on S. 1021, to assure religious freedom to Native Americans.

SR-485

10:00 a.m.

Budget

To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1995 budget for the Federal Government.

SD-608

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on H.R. 2947 and S. 1552, bills to extend for an additional two years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial, S. 1612, to extend the authority of the Women in Military Service for America Foundation to establish a memorial in the District of Columbia area, and S. 1790, the "National Peace Garden Reauthorization Act".

SD-366

FEBRUARY 15

9:00 a.m.

Appropriations

To hold hearings on proposed constitutional amendments to balance the Federal budget.

SD-192

FEBRUARY 16

10:00 a.m.

Appropriations

To continue hearings on proposed constitutional amendments to balance the Federal budget.

SD-192

FEBRUARY 17

10:00 a.m.

Appropriations

To continue hearings on proposed constitutional amendments to balance the Federal budget.

SD-192

FEBRUARY 22

10:00 a.m.

Veterans' Affairs

To hold oversight hearings on programs and services for homeless veterans.

SR-418

MARCH 1

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of Foreign Wars.

345 Cannon Building

MARCH 2

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Disabled American Veterans.

345 Cannon Building

MARCH 3

10:00 a.m.

Veterans' Affairs

To hold hearings on proposed budget requests for fiscal year 1995 for veterans programs.

SR-418

MARCH 17

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the Blinded Veterans Association, and Non Commissioned Officers Association.

345 Cannon Building

MARCH 24

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, American Ex-Prisoners of War, Vietnam Veterans of America, Veterans of World War I, Association of the U.S. Army, The Retired Officers Association, and the Military Order of the Purple Heart.

345 Cannon Building