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## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

The Psalmist gives us the secret of a truly great day:

*Commit your way to the Lord and trust also in Him and He shall bring it to pass. I rest in the Lord and wait patiently for him.—Psalm 37:5,7.*

Let us pray.

Blessed God, Your omniscience both comforts and alarms us. You know all about us: our strengths and weaknesses, our hopes and our hurts. So often, instead of waiting patiently for You, we try to forge ahead on our own strength. Here we are in the middle of another week. There is work to be done before the weekend. Help us to believe that what we commit to You will come to pass if You deem it best for us.

We need to experience that rest in mind and body which comes when we do what You guide us to do and then leave the results to You. Bless the Senators with the profound peace that comes from giving You their burdens and receiving Your resiliency and refreshment. May this be a great day because they, and all of us who work with them, decide to rest in Your presence and wait patiently for Your power to strengthen us. Through our Lord and Savior. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore. Senator ALLARD is now designated to lead the Senate in the Pledge of Allegiance.

The PRESIDING OFFICER (Mr. ALLARD) led the pledge of allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The acting majority leader is recognized.

### SCHEDULE

Mr. MCCONNELL. Mr. President, today the Senate will immediately begin consideration of the foreign operations appropriations bill. It is hoped that significant progress can be made in an effort to complete action on the bill today. I might interject that I think that is certainly possible, maybe by early afternoon.

During today's session, the Senate may also begin consideration of any other appropriations bills on the calendar. It is the intention of the majority leader to complete action on a number of appropriations bills prior to the Fourth of July recess. Therefore, Senators can expect votes throughout the remainder of the week.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 1234, which the clerk will report.

The legislative assistant read as follows:

A bill (S. 1234) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, the committee was provided an allocation

virtually identical to last year's bill of \$12.6 billion. Although it is \$1.8 billion below the request, I think it effectively manages our global responsibilities, and it does so within the budget caps.

For the past few years, the bill has emphasized funding in two areas—export promotion and growth in the New Independent States of the former Soviet Union. This bill sustains that commitment—in fact, expands support for export promotion by \$20 million for a total of \$785 million to the Export-Import Bank.

This year, we have added recovery and reconstruction in Southeast Europe to our priority list.

While I expect the Europeans to bear the lion's share of responsibility for reconstruction, we have concrete trade interests in regional economic recovery and security interests in promoting stability and democracy.

With funds straight lined, this becomes a zero sum game. We have to reach consensus on tradeoffs and priorities.

There is no question that this will mean reductions in other accounts—but it's time to recognize priorities. There are obvious and easy cuts that the administration can make. Just as one example, the administration has asked for another \$70 million for Haiti after spending billions in Haiti, with little to show for it. In fact, recent press accounts report an increase in drug trafficking through Haiti, and we have failed at every turn to restore a legitimate government.

This is just one example where I think the administration could cut back in order to serve more urgent priorities.

There are others. The request from the administration is redundant in the area of peacekeeping. They have asked for funds for a global peace keeping initiative, a regional Africa peacekeeping account and the Africa Crisis Response Initiative which trains peacekeepers.

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



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I think we can and should shift priorities. We have just waged a war in Europe, and we need to build the foundation for sustaining the peace in the aftermath of that war.

The Balkans Initiative in this bill does three things to serve what I see as our long term interests: It rids the region of Milosevic by declaring Serbia a terrorist state; we increase funding for stability and recovery; and we condition funds to Russia on total cooperation with NATO in Kosovo.

Let me elaborate.

In section 525, the bill establishes Serbia's status as a terrorist nation. With this terrorist designation, the administration cannot provide bilateral or support multilateral aid, and Belgrade is stripped of protections under the Foreign Sovereign Immunities Act.

This in turn, will allow Kosovars to take Milosevic to court for damages rendered during his brutal war of ethnic annihilation.

The administration has complained that this designation is inflexible and unreasonable, that Serbia is not the same as the other countries on the terrorism list because they don't sponsor groups such as Hezbollah.

Frankly, I am hard pressed to understand the difference between thugs blowing up a village with a car bomb or thugs shelling and burning a village to the ground.

The intent and the impact are the same. In both instances, innocent civilians are the targets and the victims.

The second important change in the bill affects funding. We have increased and changed the funding mix to fulfill two goals. We have tried to promote refugee confidence to return home, and relieve the pressure on the front-line states.

The administration requested \$393 million for Eastern and Central Europe which included \$55 million for Serbia and \$175 million for Bosnia.

I have taken out Serbia's funds, cut back on Bosnia and added \$142 million for a total of \$535 million.

Of the total the bill earmarks \$150 million for Kosovo, \$85 million for Albania, \$60 million for Romania, \$55 million for Macedonia, \$45 million for Bulgaria, and \$35 million for Montenegro, leaving \$105 million unallocated for other regional uses.

We have also earmarked funds within the Kosovo account to promote internal stability and confidence including the provision of \$20 million to train and equip a Kosovo security force. Again, the administration had complained bitterly about this provision on the grounds that it arms the KLA at a time when the agreement is seeking to dismantle their capabilities.

There is nothing in the bill which calls for arming or supporting the KLA. In fact, the administration has plans to train and equip a police force and has estimated that this will cost \$25 million. The bill is not consistent with the planning underway. It simply earmarks funds for a security force

which I view as essential to any Kosovar having confidence the past will not be repeated.

Members of the KLA may very well be included in a security force, but that is not a decision for us to make. A Kosovo civilian government should make all decisions regarding recruitment standards, organization and supervision of internal security. Autonomy can not be preserved without security—that is just what this \$20 million will launch.

In addition, to strengthen democracy, we have provided \$20 million to support the development of local government institutions. This support should help the Kosovars rebuild independent judicial, legislative, and executive branches of self-government, as well as help at the local municipal level.

The United States made a commitment at Rambouillet to support a three year period of autonomy which would be followed by some kind of final decision on political status. Specifically, the Secretary of State pledged to support a referendum on independence if that is the course Kosovars chose.

I think we all hope that a change of government in Belgrade might produce conditions which would allow Kosovo to maintain some kind of tie with a democratic federation. In the interim, however, Kosovo must develop the capabilities and institutions to govern themselves, which I believe these funds will support.

Finally, the bill conditions future Russian aid on total cooperation with NATO on peacekeeping. The administration seemed caught by surprise when Russian troops marched into and took up positions at the Pristina airport. Frankly, I was surprised that they did not take up positions along the Belgrade-Pristina road. This move was calculated and inevitable—notwithstanding senior officials' attempts to explain it was just a few rogue troops.

If stability is to be restored in Kosovo, the Russian's cannot be allowed to maintain a client relationship with Serbia which may lead to de facto partition of the country.

To prevent this outcome, we link Russian aid to the Secretary of State certifying that the Russians have not established a separate zone of operational control, and that their forces are completely integrated under NATO command and control.

In the last few days, the Secretary of Defense seems to have worked out an arrangement that may secure these objectives. We all certainly hope so. But, just as the administration was surprised by the dash to control the Pristina airport, they could be surprised by difficulties in implementing the agreement. We must maintain some leverage to assure there is full compliance with the current expectations.

And, lest anyone doubt the relevance of this leverage, I suggest a review of

the vote to condition aid to Russia on a withdrawal timetable from the Baltics. This was a few years back. Every leader in the region called me after the 89-11 Senate vote to congratulate the Senate for securing immediate negotiations which produced the desired result.

In other words, what we did in the early nineties was to condition Russian aid on withdrawal of troops from the Baltic countries. Shortly after we had that vote in the Senate, the Russian troops were out of the Baltic countries.

Beyond, the Balkans, this bill maintains United States interests in the New Independent States of the former Soviet Union and sustains our financial commitment to crucial allies ranging from Israel to Indonesia.

I also want to mention the increase in this bill's funding levels for the surveillance and treatment of infectious diseases. A recent process report noted that children and vulnerable populations are dying at a staggering rate of treatable and often preventable diseases. Thanks to Senator LEAHY's commitment, we are now in our third year of a multi-year strategy to significantly increase the U.S. commitment to control and prevent infectious diseases.

Finally, let me say that there is no question we could have spent more on foreign operations program. Senators LEAHY and I have both expressed strong support for increasing foreign assistance initiatives. However, working together, we have produced a bill which lives within the budget caps. It is very similar to the bill we passed in the Senate just 1 year ago with an overwhelming bipartisan majority vote of 90-3. Senator LEAHY and I certainly hope that will be the result again this year.

Before passing the baton over to my friend and colleague from Vermont, I thank him, at the beginning of what we think will be a rather short debate, for his leadership and cooperation in producing a bipartisan bill that went through the Appropriations Committee without dissent and we think has widely accommodated the interests of Members who take a particular interest in this bill every year.

We anticipate very few amendments. I will say in advance what I hope to do is, sometime before noon, seek consent that all amendments be in by a reasonable time today—probably by noon—within an hour from now. What I hope we can do is ask for a consent agreement to have all amendments filed before noon. There is every reason to believe this bill should be handled very quickly, and we hope we will have maximum cooperation from other Members of the Senate to do that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank my good friend from Kentucky for his comments, and as always, when working on this piece of legislation with

him, it has been a pleasure, notwithstanding the lack of allocations we had.

I concur with the distinguished senior Senator from Kentucky that we should try to wrap this up at a time certain. I will join with him at the appropriate time in a unanimous consent request that all amendments be filed by noon today. The reason I mention that now is so that, on this side of the aisle, people are alerted we will be making a request of that nature. I think it can be done.

With the agreement entered into last night by the distinguished majority leader and the distinguished Democratic leader, there is an effort to move some of these bills forward so we can get on to the question of the Patients' Bill of Rights when we come back after the July 4 recess. I urge Senators who have amendments to come to the Chamber and offer them.

This bill was reported by the Appropriations Committee with actually no debate and no amendments. One of the reasons, unfortunately, for the lack of any debate is the amount of funds in this bill is so far below what is needed to adequately fund our foreign policy priorities that there is little point in debating it.

Even if Members want to make changes in the bill, there is no way to pay for it. Everything in it is already underfunded. The bill is \$800 million below the 1999 level. It is \$1.9 billion below the President's request. No one can accuse the President of failing to try to protect this country's global interests. Unfortunately, the same cannot be said for the Congress. Devoting less than 1 percent of the Federal budget to our foreign policy is not responsible.

What this means is we are unable to meet our commitments—our solemn commitments—to the international financial institutions. We did not provide any funds for the President's expanded threat reduction initiative, to dismantle Russian nuclear weapons, to protect fissile material, and pay for other nonproliferation and security programs. We spent hundreds of billions of dollars—literally trillions of dollars—to defend against the threat of the then-Soviet Union.

We are unwilling to spend a tiny, tiny, tiny fraction of 1 percent of that same money now to dismantle some of those nuclear weapons and protect the material from them—material that can fall into the hands of people who do not have the kind of controls that were imposed at the time we were spending hundreds of billions of dollars to protect ourselves. It goes beyond pennywise and pound-foolish; it goes into irresponsibility, especially in a nuclear age. I, frankly, cannot understand how we have gotten to this point.

We had to cut funding for many of the programs of special interest to Senators, i.e., the Peace Corps. Is there any foreign policy program in this country that we can point to with more

pride than the Peace Corps? Yet we cut that.

With additional funds, we could do a great deal more to promote American exports in extremely competitive foreign markets. Other countries that do not begin to have the ability to export as we do are spending more money in trying to build up their foreign markets because they know that will create jobs, good-paying jobs, in their country. We step back and say we do not want to do this.

We can improve global health at a time when infectious diseases are our greatest threat after nuclear, biological, and chemical weapons. There is no major infectious disease that is more than one or two plane rides away from our shores. And this isn't a case where we are showing some great humanitarian gesture to try to stop infectious disease in other continents; it protects us. Not only does it protect the people there, but ebola plague, a resistant strain of tuberculosis, and any other number of things can begin in one country and within hours be in a major airport in our country and then in our population. When it gets here, we will spend fortunes trying to get rid of it. We will not spend pennies in trying to stop it in the first place.

We should be doing more to protect the Earth's natural resources. They are under siege on every continent. Our health and our economy depend on a clean environment. Yet we spend a pittance as we see the environment continue to degrade, almost as though we think as Americans we can look at the borders of our great country and assume that we determine the environment for our people just within those borders.

The environment is determined by the rain forests of the world, by the "desertization" of large parts of the world, by chemical and other dumping in our oceans in other parts of the world. If we want to protect us—a quarter of a billion Americans—we ought to be concerned about what happens in other parts of the world.

Half the world is asking for help in building new democratic societies, but we have little to offer. For decades, again, we spent hundreds of billions of dollars—trillions of dollars—saying we were going to stand up for democracy, we were going to stand up against communism; we wanted democracy in the world.

Well, the Berlin Wall has come down. The Iron Curtain has rusted through. These countries are saying: Thank God America is there; they can help us form our democracy. And we say: When we thought you would be Communists, we could spend billions and billions and billions of dollars to contain you, but now that you want to be democratic, we don't really have even a tiny fraction of that amount to help you become democratic, to help you develop courts and a free press and a civil system, and on and on.

We should double or triple our support for international peacekeeping,

especially in places such as Sierra Leone where NATO cannot intervene but the atrocities are far worse. Daily we see it in Kosovo. We almost have this thought that if we do not turn on CNN and see atrocities, they are not occurring. I suggest that Senators read the Intelligence Digest, read the free press, when they do report them and think of these atrocities that we could help stop.

If we do not do anything in these areas, all the areas I have talked about, because we save some pennies today by not doing anything in these areas, we are saddling future generations of Americans with far greater costs, and as we go into the next century, we saddle future Americans with a more dangerous and unstable world, a world that is increasingly polarized between the very rich and the extraordinarily poor.

I have little doubt that the President would veto a foreign operations bill at this level.

Having said all that, Senator McConnell and I did the best we could with the allocation we received. We have tried to allocate the funds we had in the most responsible way possible.

I thank the senior Senator from Kentucky for the bipartisan way he worked with me to put this bill together. It has become a tradition of the Senator from Kentucky and the Senator from Vermont to work together on these issues. I am grateful to him. I think what he has done serves the Senate well. I think it serves the American people well.

Obviously, if I were in Senator McConnell's position, I might have done some things differently, just as he would look at some of the things I have asked to be put in this bill and are included and do them differently. But on the whole, we have worked together to write a balanced piece of legislation. In fact, the funds are so tight, the balance is so delicate, I cannot imagine how I might accept any amendments, Democrat or Republican, to cut or add funds in this bill. This is a Rubik's cube, a small Rubik's cube but a Rubik's cube nonetheless, we have tried to put together.

I think we Senators should thank the chairman and the ranking member of the full committee, the senior Senator from Alaska, Mr. STEVENS, and the senior Senator from West Virginia, Mr. BYRD, who did their best to give us a fair allocation within the limits they had to work with.

But if I might, before I yield the floor, mention a couple issues I am especially concerned about. One is the Global Environment Facility. It is one of the world's leading international environmental organizations. It funds projects to protect biodiversity, to prevent ocean pollution, to protect the ozone, and to prevent climate change.

Take a poll of the American people. Ask them how many are in favor of just those items. A resounding majority of the American people would be in

favor of protecting biodiversity, preventing ocean pollution, protecting the ozone, preventing climate change. For this endeavor, the administration requested \$143 million for fiscal year 2000. That includes \$35 million we owe already in prior year arrears. This bill contains just \$25 million for arrears, and that is not acceptable.

Ask the American people if they have a justifiable concern about terrorism, and they will say yes. Those of us, the chairman and myself, who have access to the most current intelligence of our intelligence agencies know that the fear of terrorism is justifiable. The President requested \$33 million for antiterrorism training programs. Under our allocation, we could only provide him \$20 million. The request also included \$10 million for a new antiterrorism program to help developing countries strengthen their border control systems—again, because the terrorism that may show up in those developing countries is a plane ride away from our shores. Even though the President's antiterrorism initiative is a good one, we cannot include any funds for it. Not that we don't want to fund these programs; the money is not there to do it.

There are a lot of other programs I could mention that need additional funds. Hopefully, before this session is over, we may get a revised allocation that will allow us to go into some of these areas. But right now I think we should act on the bill to move the process forward.

Again, I salute the chairman and ranking member of the full committee, the distinguished Senators from Alaska and West Virginia, for pushing so hard to go forward. The fact that the distinguished senior Senator from Kentucky and I have the working relationship we do, I think, helped us move forward with this. We should go forward with the process. Hopefully the other body will start moving on theirs. I think we could complete action on this bill in a very few hours. Senators who have amendments should not delay to offer them.

As I said earlier, to preserve the delicate balance of this bill, I expect to be opposing amendments that do not have suitable offsets.

With that, I yield the floor. The Senator from Kentucky and I are now the humble servants of the Senate, ready to start the sausage grinder forward. Hopefully, we can end up with a product very quickly.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. I thank my good friend from Vermont for his cooperation in developing this bill on a bipartisan basis. I agree with him that without the allocation that Senator STEVENS and Senator BYRD provided for us, we couldn't have even done this well. I do think that even with this, some would argue inadequate allocation, we can meet our responsibilities around the globe. I believe we have done that in this bill.

Now the Senator from Kansas is here and has an important amendment to be offered.

Let me just mention to all Members of the Senate, Senator LEAHY and I, at about 10:30, are going to propound a unanimous consent request asking that all amendments to this bill be submitted by noon, which we think will help the Senate dispose of this measure in a timely fashion.

Mr. President, seeing the Senator from Kansas here, who has an amendment to offer, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

#### AMENDMENT NO. 1118

(Purpose: To amend the Foreign Assistance Act of 1961 to target assistance to support the economic and political independence of the countries of the South Caucasus and Central Asia)

Mr. BROWNBACK. Mr. President, I thank my colleagues, the Senator from Kentucky and the Senator from Vermont, for allowing me to bring forward this amendment. At this time, I rise to offer an amendment to the Foreign Operations Appropriations Act, and I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 1118.

Mr. BROWNBACK. 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.")

#### AMENDMENT NO. 1119 TO AMENDMENT NO. 1118

Mr. McCONNELL. Mr. President, I send an amendment to the amendment to the desk and ask for its immediate consideration, on behalf of myself and Senator ABRAHAM of Michigan.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for himself and Mr. ABRAHAM, proposes an amendment numbered 1119 to amendment No. 1118.

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

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

The amendment is as follows:

On Page 9, line 3, strike all after "(c) Restriction through line 12 States."

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I rise to address the underlying second-degree amendment and to talk about the overall amendment itself and the area of the world with which we are dealing.

This amendment is an issue that has been heard in front of the Foreign Affairs Committee, both this Congress

and last, and has passed this time by a voice vote of the Foreign Affairs Committee. It passed by a majority vote in the last Congress. It deals with an important region of the world, and it deals with a difficult policy issue for the Senate and for our Government to consider.

The underlying bill itself is called the Silk Roads Strategy Act. It deals with eight countries, and it provides an overarching policy towards these countries in the south Caucasus and central Asia. Specifically the countries are Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

I realize those are not common names of countries that people across the United States perhaps banter around, but I think they do know and recall with some knowledge the Silk Road, the old Silk Road made legendary many years ago, discovered and traversed by Marco Polo and many others who traveled throughout the region of central Asia.

It was really at that point in time the bridge; the Eurasian bridge was developed and brought commerce from Asia to Europe and from Europe to Asia. We are seeking to reinstate this Silk Road, a new Silk Road that would have an economic corridor along with a freedom corridor in central Asia and the south Caucasus.

You can see this region of the world. I wish this map were a little clearer. I hope Members can see where this region of the world is caught. These are all countries in the former Soviet Union. They are in the south of the former Soviet Union; they are recently independent nations. They had some independence before, but these are just recently coming out from underneath the rubble of the fall of the Soviet empire.

They are caught between world global forces that seek to have them under their control. The Russians continue the desire to have an unusual influence, would be the best way to put it. The Iranians sit right here and seek to have a greater influence in the region. They seek to dominate most of these nations that have a Muslim-based population. They seek, the Iranians, to radicalize and put governments in place that are militant fundamentalist governments. China then, off to this side of the region—what we are seeking to do is to create an area of democracy, an area of free enterprise, an area of independence free from these world powers that seek to dominate them, in a group of nations that seek to be united with the West, again, in a Eurasian corridor of commerce and freedom. That is the new Silk Road Strategy Act. That is what this bill is about.

Lest we forget and just look at it as a geographic area, as important as this region is, I hope we will look at the people in this region. We are talking about nearly 72 million people involved in these countries of the Silk Road. You can look at them: the Armenian

population of 3.4 million; the Azeri population of 7.8 million; on down, Uzbekistan being the biggest with over 23 million people yearning to be free, yearning to be associated with the West, yearning not to go back under Russian dominance or to be put under Iranian dominance or Chinese dominance, but yearning to be free and associated with the West. That is what this bill is about.

This is a sanctions lifting bill. It lifts a particular sanction, sanction section 907 that has a set of provisions limiting any sort of assistance, any sort of work of the United States with Azerbaijan, which is also a key country for this corridor, and it doesn't lift the sanctions. It merely provides a national interest waiver. So this doesn't lift it. The President still has to say it is in the national interest of the United States to waive this sanction, and then he has the authority.

So it simply provides that authority to the administration, which is in line with the Freedom Support Act, which we originally passed to support these newly independent countries that came about from the Soviet empire falling. This act authorizes assistance for all these countries, specific economic assistance, development of infrastructure assistance, border control assistance, as well as assistance in strengthening democracy, tolerance in the development of civil society.

Authority in this bill to provide assistance for these countries of the south Caucasus and central Asia is in addition to the authority to provide such assistance under the Freedom Support Act, but it does not provide any new resources. It simply allows us to offer these resources and assistance to these countries bilaterally and multilaterally. We can provide assistance programs to the entire region, working it in a package and saying to these countries: You are better off if you will work together and bond together to be able to stand before the forces that are seeking to dominate you once again.

Mr. President, I think the window of opportunity for the United States to effect positive change in this region will only be open for a short period of time. I think that is the very critical part of this bill and why we need to have this debate and pass this issue now.

The window is short. I want to show you some of the activity that is taking place in this region. I mentioned the militant fundamentalists' efforts taking place to seek domination of most of these countries that have a Muslim-based population.

This is a chart of Iranian worldwide export of terrorism and fundamentalism that we are putting up here. I want to highlight this region that we are talking about. Of the eight countries we are talking about, Azerbaijan, Kazakhstan, Uzbekistan, Kyrgyzstan and Tajikistan have Iranians operating in this region. Afghanistan is operating here, seeking to put these countries

under militant fundamentalist control. They are doing this today.

As recently as 2 months ago, the President of Uzbekistan had an assassination attempt that was put forward by militant fundamentalists who seek to have him removed. He provides mostly a secular Muslim government. They said we want him out and we want a militant fundamentalist government in here, and we are going to do what we can, including trying to assassinate him. They are trying to destabilize the Fergana Valley in this area. My point is, look at this map. It looks similar to the map I just put up here, the countries of the Silk Road. The Iranians are funding this effort. They are going into the camps here and funding the populations in this area. They are doing this today. Members can check this. This is happening.

If we want to let these countries slip off and go into the militant fundamentalist camps so we have more places to fight terrorism and more countries we have to fight against that are willing to spawn hatred against the West, let's fail this bill, and with all due respect to the Senator from Kentucky, let's pass his amendment. We have a disagreement about this particular amendment, section 907. I think it is critical and important that we pass and eliminate this bilateral sanction that we have against Azerbaijan, which is much of the gateway for the flow of democracy and freedom throughout this region. Time is of the essence.

In my view, the single best way to consolidate our goals in the region is to promote regional cooperation and policies that will strengthen the sovereignty of each nation. Each of these countries has its own individual needs. However, many of the problems in the region overlap and are shared, and a number of common solutions and approaches can apply. That is why we have put together this overarching Silk Road strategy. This region has generally taken a back seat to U.S. foreign policy. We have generally deferred to Russia and to Iranian policy and said we are going to let these drift along. The problem with the drift is that people are going to feel the power vacuum. It is being fueled by the Iranians and pushed by the Russians and other outside influences that don't seek for them to have their freedom.

We have eight countries, as I noted earlier, most of which have secular Muslim governments, that are fighting to stave off the Iranian-style Islamic extremism, which are looking westward, and at great risk to themselves, they have considerable economic ties with the West—and I want to note as well, with Israel.

Many of these countries in this region have historic and ancient Jewish populations existing there as well; living, surviving, thriving, but if you put in these anti-Western militant fundamentalist, those populations, Jewish populations are going to be run out and these countries are not going to be having good relationships with Israel.

These countries are recovering from 70 years of Soviet domination. They need our help in all spheres, including human rights. No one is suggesting that these are Jeffersonian democracies yet. There is a lot of pessimistic talk about the prospects for democracy in this region. All of these countries have human rights violations.

At any given point in time, some of the human rights violations may seem worse than others. Here is our choice. Do we engage and try to make what difference we can? Or do we ignore and let the region drift without us, becoming either violently anti-Western, anti-American, or become, once again, an extension of Russia, China, or Iran? It is a pretty clear, simple choice. They seek our support.

Now, on the point of human rights—because I think a lot of people will say there are human rights violations in this region and we really ought to watch out for that and we should not support these areas. Again, I point out that this is a waiver authority to the President. He still has to certify and it will have the same standards as other human rights issues. Recently, we had the Israeli Minister for Trade and Industry, Natan Sharansky, a well-known international figure on human rights, here in Washington, together with the Foreign Minister of Uzbekistan. Mr. Sharansky's reason for being here was to make one point, which I thank him for making.

He said:

Look at the human rights situation and weigh this against the importance of the threat that is facing us. It is very important to engage and continue to encourage a positive process and the way to do this is to strengthen the role we are playing in the region.

He supported and endorsed this Silk Road Strategy Act in the region.

I want to look particularly at the second-degree amendment that my colleague from Kentucky put forward. I have immense respect for the chairman of the Foreign Operations Subcommittee. He did excellent work on the overall bill, but we have a difference of opinion on section 907. I want to go specifically at this issue.

My overall amendment would provide a Silk Road Strategy Act for the entire region, providing a waiver authority in section 907. The second-degree amendment leaves the rest of the language but does not provide the national interest waiver on section 907. That is a key part of this bill, and that is why I oppose the second-degree amendment of my good colleague from Kentucky and my colleague from Michigan, Senator ABRAHAM, as well. We have a dispute on this. I want to go right at that issue of section 907.

With the dissolution of the Soviet Union, Congress, in the fall of 1992, adopted the Freedom Support Act. This was designed to provide financial and technical assistance to the newly independent states, those of the former Soviet Union. I want to put that map

back up here, if we could, so people can have that in mind. It was to aid them on a path toward democratic and market reforms. Because of the then ongoing conflict between Azerbaijan and Armenia over the enclave Nagorno-Karabakh, Armenian supporters were successful in including language in section 907 singling out Azerbaijan—the only former Soviet republic so treated—for sanctions. I will put up here a map of that region so you can see specifically what this area looks like. This is the Armenia and Azerbaijan area and the Nagorno-Karabakh region, which was in dispute, and this was in 1992, mid-1993, and late 1993.

In 1992, at that point in time, we passed the Freedom Support Act and Armenian supporters got narrow, bilateral sanctions against Azerbaijan put in place, saying we think Azerbaijan is treating Armenia wrong, blocking it. Therefore, we want section 907, which removes the United States from providing any assistance to Azerbaijan. Bilateral sanctions, some of which have been lifted—the chairman of the committee has lifted portions of these, but not all have been lifted. We provide waiver authority for the lifting of these bilateral sanctions. That was 1992. The only former Soviet republic so treated was Azerbaijan. The 907 sanction prohibited the ability of the U.S. Government to provide direct bilateral assistance to Azerbaijan until the President determined that demonstrable steps had been taken in ceasing hostilities and lifting the embargo against Armenia. A cease-fire has been in place for the past 7 years since that time period.

Peace negotiations under the auspices of the OSCE group are ongoing.

To me, it makes no sense whatsoever to continue these 907 sanctions. Proponents of retaining 907 argue that the restrictions should remain in place until the Azerbaijan embargo against Armenia is lifted. In point of fact, however, it is Armenia's ongoing occupation of Nagorno-Karabakh and the surrounding territory. Armenia currently occupies about 20 percent of Azerbaijan in violation of international law. Both the OSCE and the U.N. have condemned this occupation.

This is the region on the map they are occupying against the OSCE and U.N. ruling. They both have said this is an international law violation, that Armenia is occupying 20 percent of Azerbaijan. This functionally prevents the opening of the borders between the two countries.

In an attempt to end the stalemate, the OSCE advanced a proposal calling for Armenia to withdraw from the occupied land in exchange for the reciprocal opening of rail and pipeline facilities by Azerbaijan. Azerbaijan has accepted the proposal. Armenia has rejected it. This would be pulling back from a 20 percent of lands, and then opening up the rail and pipe corridors. Azerbaijan accepted it. Armenia has not.

The imposition of 907, I think, was a bad idea in 1993. It was adopted over the strong objections of the Bush administration, and its repeal is strongly supported by the Clinton administration.

For the United States to continue unilateral imposition of sanctions against Azerbaijan—that is what we have—does not make sense from either a geostrategic-political point of view or an economic point of view.

This is much of the corridor for the Eurasian bridge that is going through Azerbaijan.

The energy potential of the Caspian is one facet of Azerbaijan's strategic significance to the West. The broader issue of the timing and development of the Iranian transit corridor and the sovereignty of the individual republics of the South Caucasus is also at stake.

This provision—I might note, as well, the Silk Road strategy—is strongly supported by all the countries in the region outside of the Armenians. I think it would be a great benefit to Armenia as well.

Continuing 907 is an impediment to the improved truce between the United States and Azerbaijan and the entire region. It undermines the ability of American companies to secure their substantial investments in the region, and prevents the U.S. Government from being a truly honest broker in the peace negotiations.

Repealing of section 907 would allow for commercial and technical assistance to aid in the development of infrastructure, trade, pipeline projects, and to further development of democracy so they don't fall into the hands of the Iranians or the Russians.

Further, with the ongoing political turmoil in Moscow, removal of 907 would allow Azerbaijan to participate in a partnership for peace and broader security programs, as well as market reform and democracy-building initiatives necessary to promote political stability in this potentially volatile region.

Some may suggest this is not the time to do this on 907. I don't know of a better time other than 907 having not been put on in the first place. It doesn't lift the sanction. It provides a waiver authority for the President to do it.

Some may say, well, this is at a particularly susceptible time in the peace process. I don't think that is accurate. The last real peace initiative was in 1997, calling for Armenia's withdrawal from the occupied territories in exchange for normalization of trade with Azerbaijan. This was rejected by Armenia and Nagorno-Karabakh.

Unlike other provisions of the Freedom Assistant Act, I want to point out that section 907 does not provide for a national interest waiver. What we are doing here is making section 907 be in line with the rest of the Freedom Assistance Act in providing a national interest waiver.

The final point I want to make before yielding the floor for a discussion is,

again, I point out my deep respect for my colleagues from Kentucky and Michigan who are opposed to the overall national interest waiver on section 907. We just have a differing point of view on this.

But the issue is, we are talking about a region of the world—a Eurasian corridor—that has had historical roots in the old Silk Road. They know how to relate with one another, and they are in a tough neighborhood. They have the Russians bearing down on them with undue economic and other influence, and the President of Georgia has had several assassination attempts where the assassin fled to Russia.

Georgia wants this bill very much. They have undue influence from the Iranians, who are providing aid to many of these terrorist groups operating in the region and fomenting discontent because they know they are inherently weak at this time. The Chinese have a certain amount of influence, but it is really between the Russians and the Iranians. And they seek to be connected with us.

If you pull 907 out of this and its interest waiver, and you say, OK, we are going to do everything but 907, as the amendment provides, you block this part of the key corridor of providing economic trade, developmental assistance, and, through much of the region, its commerce and its activity will flow through Baku and Azerbaijan. This is a critical part of it. That is why, with all due respect, I oppose the second-degree amendment, ask my colleagues to vote against that and to support the underlying amendment without amendment, and pass this critical issue that we really need for U.S. foreign policy.

I thank my colleague.

I thank the President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

#### FILING OF AMENDMENTS

Mr. MCCONNELL. Mr. President, this has been cleared on both sides of the aisle.

I ask unanimous consent that all first-degree amendments to be offered to the pending appropriations bill must be filed at the desk by 1 p.m. today, and, of course, other than the managers' amendment.

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

Mr. MCCONNELL. Mr. President, I want to commend my friend and colleague from Kansas, first of all, for taking an interest in a part of the world that very few Members of Congress probably can find on a map. I share his view that this is an extraordinarily important part of the world.

As the Senator from Kansas pointed out, all of these countries are part of what used to be the Soviet Union. The Soviet Union very early on, in the wake of the end of the cold war, said: This is our "near abroad," sort of their version of the Monroe Doctrine, their

territory, and we were not thereby expected by them to be in that area. Nevertheless, the Russians don't make foreign policy for the United States. And we are in the process of trying to develop our own strong bilateral relations with each of those countries.

The Senator from Kansas has been in the forefront of advocating the importance of the United States having its own bilateral relations with each of those countries. I commend him for it because he has been very farsighted in understanding the significance of this part of the world to the United States.

I think all other aspects of the Silk Road proposal are good. Where we differ, as the Senator from Kansas indicated, is on that portion of the Silk Road called the "repeal of section 907."

Reasonable people can look at this and reach different conclusions. What the Senator from Kansas would like to see—I am perfectly confident in what I would like to see—is a settlement of this dispute between Azerbaijan and Armenia.

For our colleagues who have not paid a whole lot of attention to this part of the world, Nagorno-Karabakh is an almost entirely Armenian enclave, as the Senator from Kansas pointed out, within the territory of Azerbaijan connected by an area called the Lachin corridor. It is this area which is in dispute.

As the Senator from Kansas pointed out, Armenia won the conflict that occurred with the breakup of the Soviet Union, and it occupies not only Nagorno-Karabakh but the other territory adjacent thereto, which is Azeri.

The sad aftermath of that war is large refugee camps, which I visited, and the Senator from Kansas visited as well, of displaced people stuck in these refugee camps now for some 6 years, with the hopelessness and despair that develops in that atmosphere, reminiscent of an entire generation of Palestinians who have grown up in these camps in the Middle East. It breeds a fanaticism, a terrorism, that is an enormous unsettling aspect of life in that part of the world. Nothing could be better for that area than getting that dispute settled. I am sure the Senator from Kansas and I agree on that.

The question is, How do you best get there? The Senator from Kansas mentioned the Minsk Group. I am not very optimistic that the Minsk Group is going to bring about a settlement. The Minsk Group, in addition to including Azerbaijan and Armenia, includes Russia, France, and the United States. I think the Senator from Kansas and I probably agree that the Russians like things the way they are around there. There are Russian troops in all of those republics still, with the exception of Azerbaijan. Some are there by invitation, some are not by invitation. I think the Russians enjoy keeping the Caucasus destabilized, with all due respect to our occasional friends, the Russians. The French, who most of the time are our allies, I think frequently

are difficult in these negotiating situations.

These are the players: The French, the Russians, the Americans, the Armenians, and Azeris. Nothing has happened, and I am not optimistic something will happen until the United States thinks this is important.

Think of the money, time, and effort we have spent in the Balkans over the last 3 or 4 years. I happen to be in the minority in our party who think we have a national interest in the Balkans. I wish we had the interest in the Caucasus that we had in the Balkans, because we might have settled the dispute between Armenia and Azerbaijan. We have not had that, and nothing has happened.

The question before the Senate is, What kind of condition makes peace more or less likely to occur? Reasonable people can look at the same set of facts and reach a different conclusion.

The Senator from Michigan, Mr. ABRAHAM, and I have offered this second-degree amendment because we believe that section 907—even though it has been constantly stripped down—is important to give the Azeris some incentive for ultimate settlement. It is the view of the Senator from Kentucky that the lifting of 907 ought to be part of the final settlement between Armenia and Azerbaijan. To give it away in advance of final settlement makes final settlement less likely.

I completely respect the observations of the Senator from Kansas. As I said, reasonable people can differ about this. I think removing the last element of leverage in advance of the final settlement is not a step in the right direction.

We will have at some point today—although no time agreement can be entered at this point—a decision on this. I hope my colleagues will consider whether or not lifting this sanction in advance of a final settlement of the dispute is helpful in achieving a final settlement of the dispute.

I yield the floor.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Michigan.

Mr. ABRAHAM. Mr. President, I lend my support to this amendment. I realize the chairman and ranking member have a number of other issues they want to discuss. I am not sure at what point we will reconvene on this second-degree amendment.

I clearly associate myself with the Senator from Kentucky, both as a co-sponsor of the amendment as well as with his comments today. I share his view that the appropriate role for the United States at this point is not to decide this matter by taking this action—which I think would be premature; I think there still remain serious issues in play that would argue against changing the status of section 907 at this point. My view is that we should move forward with the balance of this amendment.

I, too, applaud the Senator from Kansas, who I think has done great work in

this area. I fully support his efforts as well as the contribution he makes by raising the section 907 issue. Hopefully, it puts all of our policymakers in the United States more in focus on the issues.

If we are to include the Silk Road Act or a major portion of it in this legislation, it should be included without inclusion of section 907. I am willing to speak on this at a later point if we extend the debate.

I appreciate the efforts of the Senator from Kentucky, and I look forward to working with him, as well as the Senator from Kansas, in hopefully resolving this.

Mr. BROWNBACK. Mr. President, I hope we can get a time agreement so we know when we will actually vote on this particular issue.

Reasonable people may differ, and will differ, on what the U.S. policy should be. Azerbaijan—section 907—is the only country from the former Soviet Union that we have unilateral sanctions against.

We are not lifting those sanctions by this amendment. We are allowing a national interest waiver to the President which is the same as the rest of the Freedom Support Act. In that sense, we will put Azerbaijan—which is at the gateway to much of the Eurasian platform as far as connecting the countries together—on an equal footing with all of the countries that came from the rubble of the former Soviet Union.

We seek peace in this region. It is important that we have a settlement in this region. This particular set of unilateral sanctions on Azerbaijan has been the United States policy since 1992. It has not led to peace since 1992.

We are seeking to create an abundance of activity, on a multilateral basis, of all the countries in the region, causing them to work together, to lift each other up economically, democratically, and regarding human rights, as an area, an entire region, that is developing on those principles of a free democracy—free, independent status, and human rights.

To pull this one out—it is a key corridor—the concept of the countries working together falls apart. It will not happen. It will not happen if we do that. That has been the U.S. policy since 1992. It has not led to peace yet between Armenia and Azerbaijan. I don't think it will now. If we get these countries to work together, to say, together we can support each other, we can grow economically in other ways, I think we create the atmosphere for peace to take place. Everybody has an interest in peace occurring.

We are talking about a large set of resources in this area. They do have the economic wherewithal to be able to grow and grow together. But we have to have them all. You can't pull one of them out and say it will not happen.

I think the proposal I put forward leads to peace and peaceful opportunities in the region. That is why I support it. I am happy to talk further



about this at a later date if we get a time agreement. With all due respect, I disagree with my colleagues from Kentucky and Michigan. I think we have the national interest waiver on section 907.

At the proper time, I will want a recorded vote on this so we can have a determination by this body of U.S. policy here.

I yield the floor.

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

#### PRIVILEGE OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent Anne Alexander, a fellow in the office of Senator FEINGOLD, be granted the privilege of the floor during consideration of S. 1233.

I further ask unanimous consent Natalia Feduschak, an American Political Science Federation fellow in the office of Senator FRANK LAUTENBERG, be granted such floor privilege during debate and votes.

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

Mr. LEAHY. Mr. President, again I remind Senators we have a unanimous consent agreement entered into by the distinguished Senator from Kentucky to have all amendments in by 1 o'clock today. I urge him to do that. I had hoped we could wrap this bill up at a relatively early time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I inquire of the Senator from Kentucky, what is his desire at this time on this particular amendment?

Mr. MCCONNELL. I say to my friend from Kansas, we are unable to get a time agreement on this amendment at this time. It is my intention to lay it aside and deal with some other matters. We will keep working on it during the course of the day.

Mr. BROWNBACK. That is certainly acceptable to me. I suggest to the Senator from Kentucky, the manager of the bill, I have a second amendment dealing with the Sudan I am hopeful we can get worked out at some point in time, rather than calling it up. But if we cannot, I will seek recognition on that as well later on.

Mr. MCCONNELL. I say to my friend from Kansas, I am familiar with his other amendment. It is acceptable to me. If he will keep working on that, I think we should be able to get it cleared in the course of the day.

Mr. BROWNBACK. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWNBACK. 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. BROWNBACK. Mr. President, while we are waiting for other Senators

to come up with amendments, I want to draw attention to an amendment I intend to offer if it is not accepted overall. It is an amendment entitled "Humanitarian Assistance for the Sudanese Opposition Groups."

This is a very simple amendment that would allow us to give food aid to the southern Sudanese resistance and also the northern Sudanese resistance efforts, food aid only. This is not other forms of aid. It is certainly not military aid. But it is food aid to the Sudanese resistance movement.

The language says, and I will provide the amendment:

The President is authorized to provide humanitarian assistance, including food, to the National Democratic Alliance [That is an overall alliance of the groups in opposition to the government in Khartoum] and the Sudanese People's Liberation Movement, operating outside of the Operation Lifeline Sudan structure.

That is the simple amendment we put forward.

I recently led a congressional delegation. Congressman DON PAYNE from New Jersey, Congressman TOM TANCREDO from Colorado, and I went to Sudan and traveled to southern Sudan and met with the embattled groups that have been fighting against the Khartoum government, which is a government that was not freely elected. They stood for election in 1988. They were defeated, got about 18 percent of the vote, and then took over the government in a coup in 1989 and have since then been operating a terrorist regime in Sudan. It is terrorist internally in Sudan and terrorist externally from Sudan.

They have killed, according to the IS Committee on Refugees, internally in Sudan, in the last 10 years, 1.9 million people in a genocide and ethnic cleansing the likes of which the world has not seen in recent times. This is the worst humanitarian situation in the world. That is according to the director of USAID, Mr. Atwood, who testified on the issue, on the Sudan—the worst in the world—nearly 2 million killed, over 4 million internally displaced. That is the internal terrorism of this government.

This is a government—and this is incredible—that actually allows slavery to exist. That is documented. The Baltimore Sun did a series of articles documenting this. Christian Solidarity International has bought back the freedom of over 6,000 slaves of northern people empowered by the Government to go south, kill the men in the village, take the women and children hostages, and make them slaves.

This is a picture taken by one of my staff members at Christmas this past year when she was in Sudan. This little boy is probably 11 or 12 years old. He is holding his arm out in this picture. It actually has on it his slave brand—branded slave.

What the Government in Khartoum does is, they allow people from the north to go down as raiders into these

communities, and part of what they get paid for is the slaves they can take. This is a closer picture of the little boy's arm showing the brand mark. They are taken and made to be herders, they are taken into sexual concubinage. The slave trade exists in the world today at the hands of the Government in Khartoum. It is absolutely unfathomable that this continues to occur. That is on top of the genocide and the ethnic cleansing that is taking place.

This is a picture of the civilian bombing that takes place within the country all the time. I was in Yei. The hospital in Yei has been bombed three times in the last year. They are taking old Soviet cargo planes, Antonovs, and they roll bombs out the back. They are indiscriminate. They are not militarily significant, but it kills a lot of people. It terrifies the people on the ground.

This is a picture of the hospital that has been bombed.

This photograph is, again, a civilian target. It has a big red X on the top of it, and that is part of the bombing that takes place.

This picture shows people who are watching for the bombers.

I put up a quick chart of the atrocities of the Government in the north. Remember, this amendment we are going to offer simply allows humanitarian aid to the resistance movement. It does not provide arms of any nature, but it does provide food aid to the resistance movement in Sudan.

This is what the Government in Khartoum has done. If people are going back and forth saying we are taking sides if we provide humanitarian aid to the resistance, I point out, the Government in Sudan is a terrorist regime as determined by the United States State Department. It is state-sponsored terrorism. They have housed Osama bin Laden since 1997. He stayed in Khartoum.

Most of the terrorist groups operating in the world have a base of operation in Khartoum. The Government in Sudan is supporting terrorist movements in three adjacent countries—Congo, Eritrea, and Uganda. They are seeking to expand this militant fundamentalism.

I pointed this out earlier:

Dead, 1.9 million people. It is the worst humanitarian situation in the world.

An internally displaced population of 4.3 million.

Last year, they let famine alone kill 100,000 people. Mr. President, this is the most incredible thing. Food sat in the country, and the Government in Khartoum would not let us fly relief planes into the area where they needed it, and the people died. They died at the hands of the Khartoum Government because they would not let our planes deliver the food aid.

Enslavement takes place, civilian bombings, forced religious conversions, terrorist threats throughout the region. This is the Government in Khartoum. This is the Government of



Sudan. If Members are hesitant to support food aid to the resistance movement, this is against whom they are fighting. This is arguably one of the, if not the worst regimes in the world for the treatment of its own people and attempts to export a militant fundamentalism and spread it throughout Africa. They housed the terrorist who tried to kill President Mubarak of Egypt. I mentioned the Government in Sudan housed Osama bin Laden.

This is a simple amendment. Rather than calling it up at the present time, I am making my colleagues aware, if it is not agreed to, I will be calling this amendment up and asking for a vote on this amendment. It is food aid to the opposition groups. It is not military aid. It is against the Government that supports the institutions of slavery, and it has the worst humanitarian situation in the world. Mr. President, 100,000 were killed last year. This is the least we can do.

I see other Members in the Chamber. I do not want to take additional time for this. I yield the floor.

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

#### PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Robin Goodman and Howard Kushlan, who are interns in my office this summer, and John Bradshaw, who is a fellow, be granted the privilege of the floor during the debate on this bill.

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

Mr. WELLSTONE. I thank the Chair. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the pending amendment be laid aside. I say to my colleague from Kentucky, I will speak on an amendment I am going to offer just to save us time so we can move along today.

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

Mr. WELLSTONE. I thank the Chair.

#### AMENDMENT NO. 1123

(Purpose: To combat the crime of international trafficking and to protect the rights of victims)

Mr. WELLSTONE. Mr. President, today I will discuss one of the most horrendous human rights violations of our time—the trafficking of human beings, which is particularly prevalent among women and children, for the purposes of sexual exploitation and forced slavery.

Earlier this year, I introduced a bill, the International Trafficking of Women and Children Victim Protec-

tion Act of 1999, which addresses this issue. This legislation was cosponsored by Senators FEINSTEIN, BOXER, SNOWE, MURRAY, HARKIN, and TORRICELLI.

Today I am going to offer an amendment, which I will send to the desk shortly, to the foreign ops bill, which is basically this piece of legislation. If adopted, this amendment will put the Senate on record as opposing trafficking for forced prostitution and domestic servitude and acting to check it before the lives of more women and more girls are shattered.

Trafficking in human beings is one of the fastest growing international trafficking businesses. Women and girls seeking a better life, a good marriage, a lucrative job abroad, unexpectedly find themselves forced to work as prostitutes or in sweat shops. Seeking this better life, they are lured by local advertisements for good jobs in foreign countries at wages they could never imagine at home.

Every year, the trafficking of human beings for the sex trade affects hundreds of thousands of women throughout the world. That is hard to believe. Every year the trafficking of women and girls for sex trade affects hundreds of thousands of women or, for that matter, girls throughout the world.

The U.S. Government estimates that 1 million to 2 million women and girls are trafficked annually around the world. According to experts, between 50 and 100,000 women are trafficked each year into the United States alone. They come from Thailand, Russia, the Ukraine, and other countries in Asia and in the former Soviet Union.

Although trafficking has been a problem in some Asian countries, it was not until the breakup of the Soviet Union that a sex trade in that region began to flourish. This appalling trade has grown by leaps and bounds over the last decade. Trafficking is induced by poverty, lack of economic opportunities for women, the horrendous low status of women in many cultures, and the rapid growth of sophisticated and ruthless international crime operations.

Trafficking rings exploit and abuse poor, vulnerable women in the devastated economies of Russia, the Ukraine, and other countries in Central Europe, where women are unable to find jobs to sustain themselves and their families.

As many of you know, I am deeply concerned about what has taken place in Russia today. I am deeply concerned about it because I believe what happens in Russia, for better or for worse—and I hope it will be for better—will crucially affect the quality, or lack of quality, of our lives, our children's lives, and our grandchildren's lives. I suppose I am also concerned because my father was a Jewish immigrant who fled Russia.

In that country, we know that some 6.5 million women are unemployed, and 2.5 million children are not in school but they are in the streets. These

women and children are vulnerable to international organized crime that preys on the jobless, the destitute, the desperate, and the naive.

Upon arrival in countries far from their homes, these women from Russia and the Ukraine, and many other countries, are often stripped of their passports, held against their will in slave-like conditions, and sexually abused. It is just unbelievable that this is exactly what is happening. Rape and intimidation and violence are commonly employed by the traffickers to control their victims and to prevent them from seeking help.

Through physical isolation and psychological trauma, traffickers and brothel owners imprison women in a world of economic and sexual exploitation that imposes a constant threat of fear and deportation, as well as violent reprisals by the traffickers themselves to whom the women must pay ever growing debts.

Many brothel owners actually prefer foreign women—women who are far from help and home who do not speak the language—precisely because it is so easy to control them. Most of these women never imagined the life of hell they would encounter, having traveled abroad to find better jobs or to see the world.

Many, in their naivete, believed that nothing bad could happen to them in rich and comfortable countries such as Switzerland, Germany, or the United States. Others who were less naive but desperate for money and opportunity are no less hurt by the traffickers' brutal grip.

Last year, First Lady Hillary Clinton spoke powerfully of this human tragedy. She said:

I have spoken to young girls in northern Thailand whose parents were persuaded to sell them as prostitutes, and they received a great deal of money by their standards. You could often tell the homes of where the girls had been sold because they might even have a satellite dish or an addition built on their house. But I met girls who would come home after they had been used up, after they had contracted HIV or AIDS. If you've ever held the hand of a 13-year-old girl dying of AIDS, you can understand how critical it is that we take every step possible to prevent this happening to any other girl anywhere in the world. I also, in the Ukraine, heard—

The Ukraine actually was where my father was born—

of women who told me with tears running down their faces that young women in their communities were disappearing. They answered ads that promised [them] a much better future in another place and they were never heard from again.

We have had women from the Ukraine in our office, in face-to-face meetings, talking about the awful problem of women and young girls being exploited, leaving the Ukraine, coming to countries such as ours, and then finding themselves in this kind of situation.

These events are occurring not just in far off lands but in the United States as well. Earlier this spring, 6 men admitted, in a Florida court, to forcing 17

women and girls, some as young as 14, into a prostitution slavery ring. The victims were smuggled into the United States from Mexico with the promise of steady work, but, instead, they were forced into prostitution. The ring was discovered when two 15-year-old girls escaped and went to the Mexican consulate in Miami.

According to recent reports by the Justice Department, teenage Mexican girls were also held in slavery in the Carolinas and forced to submit to prostitution. In addition, Russian and Latvian women were forced to work in night clubs in Chicago. According to charges filed against the traffickers, the traffickers picked up the women upon their arrival at the airport, seized their documents and return tickets, locked them in hotels, and beat them. This is in our country. The women were told that if they refused to dance nude in various nightclubs, the Russian mafia would kill their families.

Further, over 3 years, hundreds of women from the Czech Republic who answered advertisements in Czech newspapers for modeling were ensnared in an illegal prostitution ring.

Because the victims of international trafficking are frequently unfamiliar with the laws, cultures, and languages of the countries to which they have been trafficked, these victims often find it difficult or impossible to report the crimes that have been committed against them or to assist in the investigation and the prosecution of such crimes. Further, victims do not have legal immigration status in the countries into which they are trafficked, so the victims are often punished more harshly than the traffickers themselves.

Trafficking in women and girls is a human rights problem. This is a human rights amendment that requires a human rights response. Trafficking is condemned by human rights treaties as a violation of basic human rights and as a slavery-like practice. Women who are trafficked are subject to other abuses—to rape, to beatings, to physical confinement—which are squarely prohibited by human rights law but are happening all around the world. The human abuses continue in the workplace in the forms of physical and sexual abuse, debt bondage and illegal confinement, and all are prohibited. But the practices go on.

The Universal Declaration of Human Rights recognizes the right to be free from slavery and involuntary servitude, arbitrary detention, degrading or inhuman treatment, as well as the right to protection by law against these abuses.

The United Nations General Assembly has passed three resolutions during the last 3 years recognizing that international traffic in women and girls is an issue of pressing international concern involving numerous violations of fundamental human rights. The United Nations General Assembly is calling upon all governments to criminalize

trafficking, to punish its offenders, while not penalizing its victims.

Fortunately, the global trade in women and children is receiving far greater attention by governments and nongovernment organizations following the U.N. World Conference on Women in Beijing. The President's Interagency Council on Women is working hard to mobilize a response to this problem. Churches and synagogues, and nongovernment organizations are fighting the battle daily, but much, much, much more must be done.

This amendment provides a human rights response to the problem. It has a comprehensive and integrated approach focused on prevention, protection, and assistance for the victims and prosecution of the traffickers.

I am going to highlight a few of the provisions in the amendment.

One, it sets an international standard for governments to meet in their efforts to fight trafficking and assist victims of this human rights abuse. It calls on the State Department and Justice Department to investigate and take action against international trafficking. In addition, it creates an Interagency Task Force in the Office of the Secretary of State to Monitor and Combat Trafficking and directs the Secretary to submit an annual report to the Congress on international trafficking.

The annual report would, among other things, identify states engaged in trafficking, the effort of those states to combat trafficking, and whether their government officials are complicit in the practice.

Corrupt government or law enforcement officials sometimes directly participate and benefit in the trade of women and girls. Corruption also prevents prosecution of the traffickers.

On a national level, as I look to this amendment, it ensures that our immigration laws do not encourage rapid deportation of trafficked women, a practice which effectively insulates traffickers from ever being prosecuted for their crimes. Trafficking victims are eligible for nonimmigrant status valid for 3 months. If the victim pursues criminal or civil actions against a trafficker or if she pursues an asylum claim, she is provided with an extension of time. Furthermore, it provides that trafficked women should not be detained but instead receive the needed services, the safe shelter, and the opportunity to seek justice against her abuser.

Finally, this amendment provides much-needed resources to programs assisting trafficking victims here at home and abroad. We must commit ourselves to ending the trafficking of women and girls and to building a world in which women and children are no longer subjected to horrendous abuses.

I urge my colleagues to support this amendment.

I have worked on this bill for a long time with a lot of groups and organiza-

tions. I believe this will have strong bipartisan support. I have tried to respond to a variety of different concerns. I say to my colleague from Vermont, as long as he doesn't think this is in the spirit of buttering him up, I view him as a champion in human rights work. I really believe this is consistent with his work. I think we ought to have this kind of response. I thought, in order to save time, I would speak on this amendment. I know there are other amendments that are on the floor.

I wonder whether I might send this amendment to the desk so that we will have it for consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 1123.

Mr. WELLSTONE. 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. WELLSTONE. Mr. President, I see my colleague from Illinois. I have another amendment that I could introduce, but for now, I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, we have several Senators on the floor seeking recognition. The Senator from Minnesota, of course, had the floor. We are going to take a look at his amendment, which would not be in order for a vote right now. I listened to very much of what he had to say.

I am wondering if we could have an agreement that the Senator from New Jersey be recognized, the Senator from Oregon be recognized, and the Senator from Illinois be recognized next in that order.

Mrs. BOXER. Will the Senator from Vermont add the Senator from California?

Mr. LEAHY. And then the Senator from California. I see the distinguished chairman is now on the floor. I am wondering if this might kind of expedite things. I do not think any of these Senators wish to speak for any great length of time.

I ask unanimous consent that the Senator from New Jersey be recognized for 5 minutes, the Senator from Oregon be recognized for 5 minutes, the Senator from Illinois be recognized for 5 minutes, and the Senator from California be recognized for 5 minutes —

Mr. WELLSTONE. I wonder whether or not before colleagues speak, I could just send this amendment, the second amendment, to the desk so it is filed.

Mr. LEAHY. And then before this begins, that the Senator from Minnesota be recognized to send an amendment to the desk for appropriate filing purposes.

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

AMENDMENT NO. 1124

Mr. WELLSTONE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment is filed.

The Chair recognizes the Senator from Kentucky.

Mr. McCONNELL. Mr. President, I apologize to my friend, Senator LEAHY. I just walked onto the floor. Are the speakers here in relation to the Brownback amendment and the second-degree by myself and Senator ABRAHAM?

Mrs. BOXER. We are.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous consent, the Chair recognizes the Senator from New Jersey.

Mr. TORRICELLI. Mr. President, yesterday the citizens of South Florida watched in horror as live television cameras revealed an extraordinary spectacle. The hopes of freedom and the great traditions of America collided on the open seas with the harsh reality of the Clinton administration's arrangements with Castro's government in controlling immigration to the United States.

Six Cuban refugees who fought across the Florida straits came to within yards of the coast of the United States of America. Only a few feet from their destination, they leaped from the boat and attempted to swim to the shores of our country. They did so for the reasons that all of our ancestors and hundreds of thousands of other Cuban Americans came to the United States—with the belief that they could find freedom and security.

It was with horror, I am certain, on their part, but also by other Americans who watched this spectacle unfold as Coast Guard boats intercepted the swimmers. Men attempted to swim for their lives and were never given life-jackets. Surrounded by Coast Guard boats that generated large wakes, imperiling the lives of those who would swim to shore, Coast Guard crewmen used pepper spray against some of the swimmers. They were then taken into custody in handcuffs. Welcome to America.

It is essential that the Coast Guard, the Department of the Treasury, begin an immediate inquiry to revise these procedures to find out how this incident could have happened. Handcuffing refugees, using pepper spray, not helping those who were endangered on the high seas, subjecting them to the wake of large boats, allowing them to stay in the ocean for 15, 20 and, 30 minutes without assistance, no matter how you feel about Castro's government or immigration, no matter how you approach this issue, is not the role of the U.S. Coast Guard. It is not the policy of the U.S. Government. This is not how we treat refugees or people who are coming to our shores for freedom.

It reminds us that the problems of Castro's government are not yet addressed. This crisis is not yet over. In

the last 6 months, Amnesty International has reported that the total number of political prisoners in Cuba is now 350. In the last 6 months, there has been the arrest of four human rights dissidents petitioning their own government to recognize basic human rights. In just the last 6 months, the Cuban government has now passed laws making it a felony, punishable by 20 years in jail, to cooperate with the U.S. Government or any of its agencies. Things are not getting better in Castro's Cuba. They are getting worse.

As people flee that island for freedom, they deserve more and the people of the United States expect more than to have the agencies of this government used to continue an oppression, not at the hands of Castro but to threaten the lives of these refugees at the hands of our own agencies.

I yield the floor.

The PRESIDING OFFICER. Under the previous consent, the Chair recognizes the Senator from Oregon.

AMENDMENT NO. 1119

Mr. SMITH of Oregon. I thank the Chair.

Mr. President, I will be brief. I rise to oppose the McCONNELL second-degree to the Silk Road amendment. I rise as a cosponsor of the bill.

We are constantly called upon in this country to pick sides among parties with ancient feuds. The area of the Silk Road, as defined in this bill, is an area that has long been beset with communism, Islamic fundamentalism, and other interests which, frankly, are inimical to U.S. interests.

Section 907 picks a side. I think it is founded on the best of motives but with the worst of results. At the end of the day, if we want to be honest brokers in this fight, it does not help us to be sanctioning one party at the table.

This isn't about oil; this isn't about some of the interests of the oil companies that want to develop in the Caspian; this is about being evenhanded; this is about getting beyond the status quo, which simply is not working.

In my view, it is appropriate to give the President the discretion to make a recommendation as to whether or not this sanction should continue. If he determines that it is working, fine, leave it in place. If not, I fear we will forever be caught up in picking sides on the Senate floor in conflicts we cannot ultimately end. I believe the U.S. posture in this very sensitive and important region of the world should be fair to both sides.

There are atrocities, human rights violations, on both sides. I wish there were just good guys and bad guys; unfortunately, there are plenty of both on both sides. In the end, I ask us to take a more evenhanded approach, support the Brownback bill and, ultimately, I believe, be more effective in this very sensitive negotiation in trying to foster peace, trying to foster development, trying to foster democracy in a part of the world that has known little of any of that.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Illinois.

Mr. DURBIN. Mr. President, if there is no objection, I ask unanimous consent that the Senator from California, who has asked for 5 minutes, go before me and that I then be recognized for 10 minutes.

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

The Senator from California is recognized.

Mrs. BOXER. Mr. President, I rise in support of the McConnell amendment. I thank the Senator for offering his amendment because, frankly, without it, a number of us will have problems supporting the underlying amendment by Senator BROWNBACK.

The Brownback amendment addresses a very important issue of revitalizing trade in that area of the world, and the problem with it is that it gives the President the authority to waive section 907 of the Freedom Support Act. The McConnell amendment strikes that portion from the Brownback amendment and, therefore, makes it a fine amendment. But without the McConnell amendment, I am afraid we are doing some very great harm and damage to human rights and to common decency.

Section 907 of the Freedom Support Act was enacted to place restrictions on United States government-to-government assistance to Azerbaijan until that country lifts its blockades of Armenia and Nagorno-Karabakh.

I have very strong concerns about ending section 907, which is essentially what we are doing, because we know the administration's position on that. Doing that would reward the Azeri Government for taking no steps in lifting their blockade.

The blockade they have put on has prevented the transportation of basic human necessities, such as food and medicine, from reaching the suffering people of Armenia and Nagorno-Karabakh. I don't believe the United States should stand by and allow the Armenian people to live with a devastated economy, without a real commitment from Azerbaijan that they are taking steps to end the blockade.

Let me be clear about section 907 and what it does not do. It is not a sanction. In fact, the United States has normal trade relations with Azerbaijan. Section 907 does not prevent humanitarian aid from reaching Azerbaijan. It doesn't prevent the Overseas Private Investment Corporation, the Export-Import Bank, and the Trade Development Agency from functioning in Azerbaijan.

The only thing section 907 requires—and that is why I don't understand why Senator BROWNBACK wants to, in effect, repeal it—is that the Azeri Government "take demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh." That is not a high hurdle to clear. If the Azeri Government cannot even take steps—small

steps—to end this blockade, I believe it has no right to the assistance that will be provided in the underlying Brownback amendment.

I understand Mr. BROWNBACK's amendment is well intentioned, and I enjoy working with him on many issues that affect the world. But because it would repeal section 907, I think if he were to accept Senator MCCONNELL's amendment, we would have a good underlying bill.

In closing, I wanted to read into the RECORD a brief comment made by Senator PAUL SARBANES in his minority views that he put into the RECORD. I serve on the Foreign Relations Committee, and I know Senator SARBANES believes strongly in this.

This is what he said:

Under current law, all Azerbaijan must do in order for section 907 to be lifted is to "take demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh." This is an entirely reasonable expectation, especially given the basic purpose of this bill, which is to promote trade and economic cooperation between the countries of the region.

He points out:

For nearly a decade, the government of Azerbaijan has prevented the transport of food, fuel, medicine, and other vital commodities to Armenia and Nagorno-Karabakh, causing immense suffering.

So I ask the question of my friend, Senator BROWNBACK—in a rhetorical way, since he is not here—why would he want to do something that would only increase the suffering? Under the McConnell amendment, we cure this problem from his bill.

Senator SARBANES says:

During winters, much of the Armenian population has had to live without heat, electricity, or water. Schools and hospitals have been unable to function, and most Armenian industries have been forced to close down, crippling the economy and producing widespread unemployment and poverty.

We all want to see progress in the world. We want to see trade and jobs created. But we don't want to see more human suffering. I think if we go along with the Brownback amendment, without the McConnell amendment, we will be doing a disservice to the world.

I know I have a little time left. I have no further comment, and I yield the rest of my time to Senator MCCONNELL.

Mr. MCCONNELL. Mr. President, I commend the Senator from California. I think she has it exactly right. The issue is whether, in the absence of a peace agreement between Azerbaijan and Armenia, the United States will have completely normal relations with Azerbaijan. I would like to see normal relations between our country and Azerbaijan. I would also like to see normal relations between Armenia and Azerbaijan. If all the leverage is removed in advance of an agreement, it seems to most of us that it makes the agreement less likely.

So I commend the Senator from California. She is absolutely correct on the merits. We hope the second-degree amendment will prevail.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized for up to 10 minutes.

Mr. WELLSTONE. Mr. President, with my colleagues' indulgence, I ask unanimous consent that I may follow the Senator for no more than 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, I have a request on this side of the aisle for 10 minutes at that point, and then right after that would be acceptable to the Senator from Kentucky.

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

Mr. DURBIN. Mr. President, let me say at the outset that I agree with Senators MCCONNELL and BOXER. Senator BROWNBACK calls for normalizing relations with Azerbaijan. Certainly that makes sense. We want to move toward the day when we have those normal relations. But we cannot overlook the fact that, for over 10 years, Azerbaijan has in fact imposed the blockade on Armenia and Nagorno-Karabakh, at great suffering to the people of that region.

It has stopped the transport of food, fuel, medicine, and other vital commodities to Armenia and Nagorno-Karabakh.

Our foreign policy is basically premised on the belief that if we are going to have normal relations with Azerbaijan, they have to have normal relations with Armenia.

As Senator MCCONNELL said, Senator BROWNBACK has a vision for the future that we may share someday, but first we must address the concerns that Senator MCCONNELL addresses in his amendment. I support him. I think it is a very sensible approach. To waive section 907 in the absence of any progress toward lifting the blockade would reward the Government of Azerbaijan for failing to remove it.

Keep in mind that even though we have this section 907 restriction, we provide humanitarian and democracy-building assistance to Azerbaijan, and in fact the businesses of the United States do business there involving a lot of international agencies. But before we really normalize relations, let us demand a normalization of relations when it comes to the treatment of the Armenian people.

I don't need to remind anyone in this Chamber of the long and sad history of the Armenian people and the genocide which they endured. They have asked us to stand by them until they can resolve this peacefully. I think the United States is right to do so.

I object to the approach used by Senator BROWNBACK and fully endorse the efforts by Senator MCCONNELL.

FUNDING TO SEND LATIN AMERICAN STUDENTS TO THE U.S. ARMY SCHOOL OF THE AMERICAS

Mr. President, while the budget caps did not allow adequate funding for this bill, I want to complement Senator MCCONNELL and Senator LEAHY on the bill they have produced within the con-

straints they faced. I am particularly pleased that the bill includes funding for microcredit programs, with the expectation that the Agency for International Development will spend more for microcredit programs than last year. I am pleased that funding for the United Nations Population Fund is included in the bill. I am delighted that Foreign Military Financing funds for Estonia, Latvia, and Lithuania have been increased. These additional funds will help the Baltic countries meet their Membership Action Plans as they aspire to join NATO.

This bill contains International Military Education and Training (IMET) funds that are used for Latin American students to attend the U.S. Army School of the Americas. The school is the Army's Spanish-language training facility for Latin American military personnel, located at Fort Benning, GA. The school is a relic of the cold war with a horrendous legacy of teaching torture and assassination. It deserves to be closed for what it has taught in the past, what it stands for in Latin American democracies today, and what its counter-insurgency training at such a tainted institution may lead to in the future.

I had planned to offer an amendment to delete IMET funding for the school. However, I felt that my colleagues here in the Senate had not heard enough about the school, so I will not offer my amendment today. I introduced a bill, S. 873, to close the school. Our colleagues in the House have also introduced such a bill, H.R. 732, which now has 137 cosponsors.

Let me tell you why I think this school should be closed. I think you need only to look at the yearbook of the School of the Americas. Let me tell you what you will find. It is not surprising that among the graduates of the School of the Americas is the top of the list of the worst human rights abusers in Latin American current history. Listen as I read some of the graduates from the School of the Americas at Fort Benning, GA, an institution supported by U.S. taxpayers. These were people trained at the expense of the United States to return to Central America and lead. Listen to the people included:

19 Salvadoran soliders linked to the murder of 6 Jesuit priests, their housekeeper and her daughter in El Salvador in 1989;

48 of 69 Salvadoran military members cited in the U.N. Truth Commission's report on El Salvador for involvement in human rights violations;

Former Panamanian dictator and convicted drug dealer Manuel Noriega and nine other Latin American military dictators;

El Salvador death squad leader Roberto D'Aubuisson;

Two of the three killers of Archbishop Oscar Romero of El Salvador;

Mexican General Juan Lopez Ortiz, whose troops committed the Ocosingo massacre in Chiapas in 1994;

Guatemalan Colonel Julio Alpirez, linked to the murder of U.S. citizen Michael Devine in 1990 and Efraim Bamaca (husband of Jennifer Harbury) in 1992;

124 of 247—50 percent—of Colombian military officials accused of human rights violations in the 1992 work "State Terrorism in Colombia", compiled by a large coalition of European and Colombian non-governmental organizations;

Two of the three officers prosecuted by Guatemala for masterminding the killing of anthropologist Myrna Mack in 1992, as well as several leaders of the notorious Guatemalan military intelligence unit D-2;

Argentinian dictator Leopoldo Galtieri, a leader of the so-called "dirty war," during which some 30,000 civilians were killed or "disappeared";

Haitian Colonel Gambetta Hyppolite, who ordered his soldiers to fire on a provincial electoral bureau in 1987;

Several Peruvian military officers linked to the July 1992 killings of nine students and a professor from La Cantuta University;

Several Honduran officers linked to a clandestine military force known as Battalion 316 responsible for disappearances in the 1980's;

10 of the 12 officers responsible for the murder of 900 civilians in the El Salvadoran village of El Mozote; and

Three of the five officers involved in the 1980 rape and murder of four United States churchwomen in El Salvador.

This school is not the victim of a few isolated incidents of wrongdoing by its graduates. This list shows that human rights violations are endemic among its graduates, with far in excess of 200 murderers and other human rights violators on its past rolls.

Yet last week, when the commandant of the school, Col. Glenn R. Weidner, came to brief Senate staff on the school, he said "it doesn't take much to get on this list," that has been read in the Senate. I would say to the colonel what it takes is murder, rape, and torture. And the list is long and convincing.

I would also say to him that these 225 graduates have been confirmed by the Congressional Research Service. I did not include in my bill the other allegations of the School of the Americas graduates that could be independently confirmed. Can the school claim innocence in the actions of its graduates? Many do not think that is possible. For example, just a few months ago the Guatemalan Truth Commission report faulted the school's counterinsurgency training as having "had a significant impact on human rights violations during the armed conflict," a conflict that killed 200,000 people.

How, in the name of democracy, can we keep this school open?

I am not proposing that we hold U.S. foreign military training programs accountable for all of the actions of these graduates. We know from experience that people can be brutal with or without training. But why in God's name do we continue this?

Colonel Weidner also said that those wanting to close the school were isolationists, opposed to engaging in Latin America. Nothing could be further from my point of view. The question is how we engage.

Let me also say to those who suggest that these comments somehow are a reflection of criticism of the military of the United States that this school should close. The Army should support its closing. I think the men and women in uniform who serve this country do a wonderful job. But this school has not produced the kind of graduates for which we can take credit and pride. I believe it is an insult to American Army officers to have their own country's reputation sullied by an institution that has been associated with horrible crimes and human rights abuses committed by its graduates.

We should remove the albatross of their association from them and from our country by closing the School of the Americas.

I yield the floor.

The PRESIDING OFFICER (Mr. HUTCHINSON). The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, is there an amendment pending? I believe there is.

The PRESIDING OFFICER. There is an amendment pending by Senator WELLSTONE.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Wellstone amendment be temporarily laid aside so we may dispose of some managers' amendments that have been cleared on both sides of the aisle.

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

AMENDMENTS NOS. 1127 THROUGH 1145, EN BLOC

Mr. MCCONNELL. Mr. President, I send the managers' amendments to the desk.

The PRESIDING OFFICER. The clerk will report.

The clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL) proposes the managers' amendments numbered 1127 through 1145, en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments en bloc are as follows:

AMENDMENT NO. 1127

On page 11, line 12 strike everything after the word "loans" and through the word "provision" on line 22.

On page 18, line 21, after the colon insert the following:

"Provided further, That notwithstanding any other provision of law, of the funds appropriated under this heading, \$10,000,000 shall be made available for political, economic, humanitarian, and associated support activities for Iraqi opposition groups designated under the Iraqi Liberation Act (Public Law 105-338); Provided further, That not less than 15 days prior to the obligation of these funds, the Secretary shall inform the Committees on Appropriations of the purpose and amount of the proposed obligation of funds under this provision:".

AMENDMENT NO. 1128

On page 7, line 13 strike the language beginning with "but shall be" through line 16 "Appropriations".

Mr. MCCAIN. Mr. President, I fully support this amendment that is included in the manager's package to strike language from S. 1234, the foreign operations appropriations bill, which would have suspended the availability of fiscal year 2000 funding for the Inter-American Foundation until the General Accounting Office completes an investigation of alleged civil and criminal wrongdoing by employees at the Foundation. I want to thank the managers of the bill and the chairman of the committee for their willingness to remove this language.

I think it is important to explain for the record why this language was included in the committee-reported bill and what led to the amendment to strike.

Several months ago, the GAO contacted the Appropriations Committee asking permission to investigate information provided to their fraud hotline regarding allegations of contract and hiring regulatory abuses at the Foundation. GAO forwarded a report on these issues to the committee on May 20, 1999. During the course of that investigation, additional anonymous allegations were made to GAO investigators by employees of the Foundation, and the GAO requested permission from the committee to brief the Board of the Foundation on those allegations. However, the committee initially decided that the GAO should investigate these additional allegations, and included language in the bill to restrict the Foundation's funding until the investigation was completed.

When apprised of the language included in the bill and the committee's intention to direct GAO to investigate these additional allegations, I raised the issue with Chairman STEVENS and asked him to reconsider this approach. After discussing the matter, we agreed that additional information on the nature of the allegations should be sought in order to determine the appropriate course of action.

Last week, members of my staff and the Appropriations Committee staff met with representatives of the General Accounting Office to discuss their findings regarding the administrative investigation which was completed on May 20, as well as the additional allegations. Based on the information received at that briefing and GAO's characterization of the additional allegations as administrative in nature, we determined that the more appropriate way to proceed would be to accede to the GAO's request to brief the Board of the Foundation on these matters and allow the Board members to determine what further action, if any, should be taken.

Chairman STEVENS and Chairman MCCONNELL advised me that, by referring the matter to the Board, the committee would view this investigation as

complete, and GAO would not be requested to conduct any further investigations of these matters. This amendment, therefore, removes any restrictions on IAF funding as well as any language that contemplates further GAO involvement in this matter, aside from advising the Board of their findings and the existence of additional allegations.

Mr. President, I fully support the decision to permit the General Accounting Office to brief the Board of the Foundation about allegations of misconduct at the Foundation. I believe that this is the appropriate and normal course of action in this type of matter, and I thank Senators STEVENS and MCCONNELL for agreeing to refer this matter to the Foundation's Board.

As my colleagues know, allegations of this sort are generally referred to an agency's inspector general for investigation and action, if necessary. Since the Foundation does not have an inspector general at this time, advising the Board or perhaps the Audit Committee of the Board (which functions as the Foundation's Inspector General) is the appropriate course of action, instead of pursuing a congressionally directed GAO investigation.

In addition, I sponsored and the Senate earlier adopted an amendment to S. 886, the foreign relations authorization bill, which requires the inspector general of the Agency for International Development to function in that capacity for the IAF, as well as the African Development Foundation. Hopefully, this will provide IAF with the oversight and investigatory authority to discover and deal with issues of this sort in the future, if necessary.

When our staff members were briefed by the GAO, they were advised of the specific nature of these so-called "criminal" allegations. The GAO characterized the allegations as administrative in nature, stating that, even if substantiated, these types of activities would very rarely draw criminal penalties and would instead be dealt with by a request for reimbursement or a reprimand, at most. In addition, it is important to know that most, if not all, of these allegations have already been reviewed by the Federal Bureau of Investigation, and their investigation found all of them to be unsubstantiated—a conclusion which the FBI addressed in a letter to the Foundation's Board Chair earlier this year.

Mr. President, I would never attempt to thwart any legitimate effort to uncover and eliminate fraud, unethical activities, or any type of misconduct in government or government-affiliated agencies. In this instance, however, I am concerned that these allegations about an individual at the Inter-American Foundation were designed to accomplish one end—the removal of that individual from effective employment at the Foundation because of his very successful efforts over the past several years to bring accountability, order, and legitimacy to an agency whose pro-

grams had been fraught with waste and abuse.

The individual involved discovered serious deficiencies and improprieties regarding the Foundation's grant-making program and the lack of oversight exercised by the Foundation program officers charged with overseeing Foundation grant organizations and contractors overseas. For example, this individual found that the Foundation had made grants to organizations in Ecuador involved in the kidnapping of U.S. citizens. This individual also took decisive action when it was discovered that the Foundation provided financial support to an organization in Argentina that engaged in acts of serious civil disobedience, including the seizure of public buildings and the blockage of roadways.

This individual also exposed fraudulent activities of overseas contractors of the Foundation, including the extortion of funds from Foundation grantee organizations. Finally, he established personnel time and attendance policies at the Foundation to correct rampant absenteeism and non-performance of duties.

This individual's successful efforts to make the Foundation's employees and Board accountable for their actions and decisions involving U.S. taxpayer dollars have caused some of these people to engage in a vendetta to remove him from his position at the Foundation, or at least minimize his effectiveness in that post.

Mr. President, regardless of the outcome of the Board's review of these latest retaliatory allegations against this individual, I believe there should be a thorough investigation of the Board and employees of the Foundation to ensure that the above-mentioned activities are no longer occurring. I also believe it would be prudent to determine whether improper hiring or personnel practices, misuse of government funds or equipment, theft or loss of government funds or property, conflicts of interest, or other improprieties or mismanagement—allegations similar to those falsely made against the individual involved in this matter—exist anywhere in the organization. These are matters that should be reviewed at the earliest opportunity by the AID inspector general, who will soon be serving as the inspector general for the Foundation.

Let me serve notice that I will continue to monitor activities at the Foundation with respect to the handling of this matter, and I will do everything in my power to ensure that the matter is resolved fairly and in a manner consistent with the handling of similar allegations in any other agency of government.

Again, I thank my colleagues for concluding the committee's involvement in this issue and referring the matter to the Foundation for appropriate administrative review.

#### AMENDMENT NO. 1129

On page 7, line 22, after the colon, insert the following: "Provided further, That funds

made available to grantees may be invested pending expenditure for project purposes when authorized by the President of the Foundation: *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That this authority applies to interest earned both prior to and following enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report of the Committees on Appropriations before each time such waiver authority is exercised."

#### AMENDMENT NO. 1130

(Purpose: To provide up to \$5,500,000 to establish an International Health Care Center at Morehouse School of Medicine)

On page 8, line 6, after the word "AIDS" insert the following: "and including up to \$5,500,000 which may be made available to establish an International Health Center at Morehouse School of Medicine".

#### AMENDMENT NO. 1131

On page 22, line 5, before the word "Ukraine" insert the words "Government of".

On page 22, line 6, after "1999", insert the following: "including taking effective measures to end corruption by government officials".

#### AMENDMENT NO. 1132

On page 22, line 15, before the period, insert the following: "*Provided further*, That of the funds made available for Ukraine, \$3,500,000 shall be made available for the destruction of stockpiles of anti-personnel landmines in Ukraine".

#### AMENDMENT NO. 1133

On page 10, line 10, after the colon, insert the following:

"*Provided further*, That the proportion of funds appropriated under this heading that are made available for biodiversity activities should be at least the same as the proportion of funds that were made available for such activities from funds appropriated by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995 (P.L. 103-306) to carry out sections 103 through 106 and chapter 10 of part I of the Foreign Assistance Act of 1961."

Mr. LEAHY. Mr. President, the purpose of this amendment is to reaffirm that protecting biodiversity is a key goal of our foreign policy. It is also to clarify language on page 23 of the Appropriations Committee report—Report 106-81, which incorrectly refers to fiscal year 1994. The year should have been 1995.

The United States, the birthplace of the global environmental movement, has led the way in supporting efforts to protect the incredible variety of plants and animals around the world. Yet because of shrinking budgets and changing priorities in Congress and at AID, our efforts to preserve the Earth's biodiversity have diminished. The consequences of this are profound, for ourselves and even more so for future generations. We cannot afford to neglect an area of environmental protection that so directly affects the lives of



American families and American industries.

AID's biodiversity activities include efforts to save species and ecosystems from extinction or degradation. Only 1.5 million of the estimated 10-50 million species have even been named and classified. Far fewer have been studied for their potential uses to humanity. Yet the destruction of natural habitats is leading to 100 extinctions every single day. AID also promotes genetic diversity. Genes that could have been lost to environmental destruction now improve and protect crops all over the world, and especially here in the United States.

In the United States, we reap the benefits of the world's biological diversity every day. Atmospheric pollution is reduced by tropical rainforests. Our cattle and crops are crossbred to improve their genetic traits. The pharmaceutical benefits alone are amazing. Diseases common in this country are cured with medicines that come from plants from around the world. The worldwide market for drugs derived from plants is \$40 billion. Who knows what new species will be discovered, leading to medicines that will benefit tomorrow's sick? No one does, which is why we cannot let a newly discovered species containing a possible cure for cancer, or AIDS, or even the common cold, go the way of the dinosaurs.

AID has led the way worldwide in supporting biodiversity, by working effectively with U.S. and foreign nongovernmental organizations, and foreign governments. For example, the Philippines, with its coral reefs and tropical forests, is one of the most biodiverse places in the world. It is also one of the most threatened. But through effective management, AID has helped place over 1.2 million acres of forest land under community stewardship and away from harm. AID has implemented similar projects elsewhere, working with governments to protect their own valuable resources.

Despite successes such as these, our biodiversity efforts are threatened. Since 1995, AID expenditures for biodiversity have decreased by nearly \$50 million, a nearly 50 percent reduction in just four years. Much of this decline is due to the steady reduction in our foreign aid budget. But even from this shrinking pie, biodiversity gets a thinner and thinner slice every year. In 1995, biodiversity spending was 5.1% of development assistance expenditures. By 1996 it was down to 4%. Then in 1998, expenditures were reduced to only 3.3%.

These disproportionate cuts have devastating consequences. The Philippines project I just mentioned will completely run out of funding next year. In Madagascar, a country that AID made one of its top biodiversity priorities over a decade ago, AID cut its biodiversity funding by \$900,000. In some ways Madagascar was lucky, because AID had originally planned to cut \$1.5 million dollars. And this is a

country that AID says is "Africa's most important biodiversity priority."

Obviously, we have many other development assistance priorities—in public health, in education, in family planning, in justice reform, to name a few. But we need a more balanced approach. I have spoken out more times than I can count in support of more funding for foreign aid. Foreign aid not only helps promote American interests abroad, but also provides direct benefits here at home. But even given the shrinking funds we devote to foreign aid, we must ensure that funding to protect biodiversity does not continue to suffer disproportionate cuts. We should resume the proportion of development assistance funding for biodiversity to the proportion it received in 1995. That is what my amendment would do.

I also want to be very clear about what we mean by "biodiversity." We mean "activities designed to support the conservation and sustainable use of biological diversity—biomasses, ecosystems, species, or genetic diversity—by identifying needs, by designing, implementing and monitoring conservation and management actions; through research and training; or through institutional strengthening, policy interventions and program development." This is consistent with AID's definition of these activities.

Finally, we need to ensure that AID's Office of Environment and Natural Resources receives strong support. This office performs a vital function in the design, implementation and evaluation of conservation activities. Yet funding for it has been cut steadily since 1995, from \$25.6 million to \$6.9 million in 1999. That is totally unacceptable, and it seriously undercuts AID's capacity to exert leadership in this area.

Mr. President, I want to commend AID for its leadership in this area. I also want to ensure that it continues to exert that leadership. That requires adequate resources, and I intend to work with AID to balance the many competing development assistance programs to achieve that goal.

#### AMENDMENT NO. 1134

On page 32, line 12, delete everything beginning with "For" through "expended" on page 33, line 7, and insert in lieu thereof the following:

"For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct or indirect loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961 (including necessary expenses for the administration of activities carried out under these parts), and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agriculture Trade Development and Assistance Act of 1954 as amended; and concessional loans, guarantees and credit

agreements with any country in sub-Saharan Africa, as authorized under section 572 of the Foreign Operations, Export Financing and Related Programs Act, 1989 (Public Law 100-461); \$43,000,000, to remain available until expended; provided that any limitation of subsection (e) of Section 411 of the Agricultural Trade Development and Assistance Act of 1954 to the extent that limitation applies to sub-Saharan African countries shall not apply to funds appropriated hereunder or previously appropriated."

#### AMENDMENT NO. 1135

(Purpose: To express the sense of Congress regarding which office in the Department of State is appropriate for managing United States interests in Ukraine)

On page 128, between lines 13 and 14, insert the following new section:

#### SENSE OF CONGRESS ON MANAGEMENT OF UNITED STATES INTERESTS IN UKRAINE

SEC. 580. (a) FINDINGS.—Congress makes the following findings:

(1) Ukraine is a major European nation as it has the second largest territory and sixth largest population of all the States of Europe.

(2) Ukraine has important geopolitical and economic roles to play within Central and Eastern Europe.

(3) A strong, stable, and secure Ukraine serves the interests of peace and stability in all of Europe, which are important national security interests of the United States.

(4) Ukraine is a member State of the Council of Europe, the Organization on Security and Cooperation in Europe, the Central European Initiative, and the Euro-Atlantic Partnership Conference, is a participant in the Partnership for Peace program of the North Atlantic Treaty Organization, and has entered into a Partnership and Cooperation Agreement with the European Union.

(5) The Government of Ukraine has clearly articulated its country's aspirations to become fully integrated into European and transatlantic institutions, and, in pursuit of the attainment of that aspiration, the government of Ukraine has requested associate membership in the European Union with the intent of eventually becoming a full member of the European Union.

(6) It is the policy of the United States to support the aspiration of Ukraine to assume its rightful place among the European and transatlantic community of democratic States and in European and transatlantic institutions.

(7) In the United States Government, the responsibility for management of United States interests in Ukraine would be most effectively performed by the officials who perform the responsibility for management of United States interests in Europe, and a designation of those officials to do so would strongly underscore and most effectively support attainment of the United States objective to build a Europe whole and free.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should designate the Assistant Secretary of State for European Affairs to perform, through the Bureau of European Affairs of the Department of State, the responsibilities of the Department of State for the management of United States interests in Ukraine.

#### AMENDMENT NO. 1136

(Purpose: To reduce the amount appropriated for contribution to the International Development Association)

On page 38, line 10, strike "\$785,000,000" and insert "\$776,600,000".

Mr. LEAHY. Mr. President, many people, including myself, were deeply



disappointed by the World Bank's June 24th decision to approve a \$160,000,000 loan to fund the controversial Western Poverty Reduction Project.

We recognize the strong views about this issue and I have agreed to accept this amendment, but with some reluctance.

The Western Poverty Reduction Project has drawn criticism from Members of Congress, the Clinton administration, other governments and international human rights and non-governmental organizations. A \$40,000,000 component of this project which would fund the resettlement of some 58,000 poor Chinese farmers into an historically and culturally distinct Tibetan and Mongolian area is the primary source of concern.

The \$9 million cut in IDA funds which would result from the Helms amendment is the United States contribution to this portion of the project.

I share Senator HELMS' concern that the project may put additional pressure on Tibetans and other ethnic minorities in the region who are already struggling to overcome economic and cultural marginalization under Chinese rule.

There are also serious questions about the project's impact on the environment. It is my understanding that the Bank did not follow its own procedures in considering the environmental impact of this loan.

The United States Executive Director at the Bank voted against the loan and I supported that vote.

While many of us are not happy with the June 24th decision, the fact is we voted on this loan just as we have on countless other loans over the years. We participated in the Board's democratic voting process, as established by the Bank's charter and agreed to by its shareholders, just as we always have. The United States was instrumental in establishing the Bank's voting rules.

What made this vote different, however, is that we lost.

With some 18 percent of the voting power on the Board, the overwhelming majority of the time the view of the United States prevails on the World Bank's Board and at other international financial institutions. We have become accustomed to getting our way.

However, in the rare instances when we do not, dismissing the process, renege on our financial obligations and walking away from our responsibilities is not an appropriate response. This is what this amendment does.

By cutting our contribution to IDA, which provides critical assistance to the world's poorest countries, this amendment compromises the democratic procedures at the Bank and damages United States credibility. It also invites other shareholders to cut their contributions to the Bank whenever they do not get their way. Taken to its logical conclusion, the damage to the Bank's ability to carry out its mission would be immense.

We have seen how we can influence this project by simply staying involved. United States intervention and persistent international pressure has already changed the way the Bank will proceed with this loan.

Under World Bank President James Wolfensohn's leadership, the Board made the highly unusual and commendable decision to delay disbursement of the \$40,000,000 until the Bank's independent inspection panel conducts a thorough review and determines whether the project meets the Bank's environmental and resettlement standards.

In addition, the Chinese Government has pledged its support for the review and stated that the press and government officials will have access to the region. Concerns about whether the project area will be open to experts unaffiliated with the Bank or the Chinese Government still need to be addressed.

It is expected that the Western Poverty Reduction project will be completed in 2005. By approving this amendment today and reducing our contribution to IDA we forfeit our leverage to influence the project and ensure that the Bank's environmental and resettlement standards are met over the next six years.

Mr. President, the plight of the Tibetan people is a clear example of what occurs when the principles of democracy are consistently and blatantly violated. In an effort to support their struggle, this amendment also compromises those same principles. It will weaken the United States' ability to ensure that the rights of Tibetans and other ethnic minorities are protected as the Bank moves forward with the project.

#### AMENDMENT NO. 1137

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

#### SEC. . CONGRESSIONAL NOTIFICATION WITH RESPECT TO ACQUISITION OF USAID FACILITIES.

(a) Funds appropriated under the heading "Operating Expenses of the Agency for International Development" may be made available for acquisition of office space exceeding \$5,000,000 of the United States Agency for International Development only if the appropriate congressional committees are notified at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1).

(b) As used in this section, the term "acquisition" shall have the same meaning as in the Foreign Service Building Act of 1926.

#### AMENDMENT NO. 1138

(Purpose: Regarding assistance for Haiti)

Beginning on page 92 delete Section 560 and insert in lieu thereof the following:

#### ASSISTANCE FOR HAITI

SEC. 560. (a) SENSE OF CONGRESS.—It is the sense of Congress that, in providing assistance to Haiti, the President should place a priority on the following areas:

(1) aggressive action to support the institution of the Haitian National Police, including support for efforts by the leadership and the Inspector General to purge corrupt and politicized elements from the Haitian National Police;

(2) steps to ensure that any elections undertaken in Haiti with United States assistance are full, free, fair, transparent, and democratic;

(3) a program designed to develop the indigenous human rights monitoring capacity;

(4) steps to facilitate the continued privatization of state-owned enterprises; and

(5) a sustained agricultural development program.

(b) REPORT.—Beginning six months after the date of enactment of this Act, and six months thereafter, the President shall submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives with regard to—

(1) the status of each of the governmental institutions envisioned in the 1987 Haitian Constitution, including an assessment of whether or not these institutions and officials hold positions on the basis of a regular, constitutional process;

(2) the status of the privatization (or placement under long-term private management or concession) of the major public entities, including a detailed assessment of whether or not the Government of Haiti has completed all required incorporating documents, the transfer of assets, and the eviction of unauthorized occupants of the land or facility;

(3) the status of efforts to re-sign and implement the lapsed bilateral Repatriation Agreement and an assessment of whether or not the Government of Haiti has been cooperating with the United States in halting illegal emigration from Haiti;

(4) the status of the Government of Haiti's efforts to conduct thorough investigations of extrajudicial and political killings and—

(A) an assessment of whether or not substantial progress has been made in bringing to justice the persons responsible for these extrajudicial or political killings in Haiti, and

(B) an assessment of whether or not the Government of Haiti is cooperating with United States authorities and with United States-funded technical advisors to the Haitian National Police in such investigations;

(5) an assessment of whether or not the Government of Haiti has taken action to remove and maintain the separation from the Haitian National Police, national palace and residential guard, ministerial guard, and any other public security entity or unit of Haiti those individuals who are credibly alleged to have engaged in or conspired to conceal gross violations of internationally recognized human rights;

(6) the status of steps being taken to secure the ratification of the maritime counter-narcotics agreements signed in October 1997;

(7) an assessment of the degree to which domestic capacity to conduct free, fair, democratic, and administratively sound elections has been developed in Haiti; and

(8) an assessment of whether or not Haiti's Minister of Justice has demonstrated a commitment to the professionalism of judicial personnel by consistently placing students graduated by the Judicial School in appropriate judicial positions and has made a commitment to share program costs associated with the Judicial School, and is achieving progress in making the judicial branch in Haiti independent from the executive branch.

#### AMENDMENT NO. 1139

On page 24, line 18, strike all after "(h)" through the period on page 25, line 2, and insert the following:

Of the funds appropriated under this heading that are allocated for assistance for the

Central Government of Russia, 50 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that The Government of Russia has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability.

## AMENDMENT NO. 1140

On page 22, line 24, after the word "Armenia" and before the period insert the following: "Provided, That of the funds made available for Armenia, \$15,000,000 shall be available for earthquake rehabilitation and reconstruction".

## AMENDMENT NO. 1141

(Purpose: To earmark Foreign Military Financing funds for the Philippines)

On page 37, line 11, before the period insert the following: "Provided further, That of the amount appropriated under this heading, \$5,000,000 shall be available only for the Philippines".

## AMENDMENT NO. 1142

On page 12, line 6, insert a new section:

## LEBANON

Of the funds appropriated under the headings "Development Assistance" and "Economic Support Fund," not less than \$15,000,000 shall be made available for Lebanon to be used, among other programs, for scholarships and direct support of the American educational institutions in Lebanon.

## AMENDMENT NO. 1143

On page 13, line 5, after the word "Appropriations" insert the following words: ", the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House."; and

On page 98, line 16, after the word "Appropriations", insert the following words: ", the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House.".

## AMENDMENT NO. 1144

(Purpose: To earmark funds for the independent states of the former Soviet Union for the REAP International School Linkage Program)

On page 21, line 22, before the period insert the following: "Provided further, That of the amount appropriated under this heading, not to exceed \$200,000 shall be available only for the REAP International School Linkage Program".

Mr. DORGAN. Mr. President, REAP International operates a school linkage program between North Dakota and the Russian Republic of Buryatia. In the past, this program has resulted not only in the establishment of close personal relationships, but also provided community based assistance and sustainable development to this important region of the Russian Far East. REAP International's school linkage program between North Dakota and Buryatia is all the more critical when one considers the setbacks that the U.S.-Russia relationship has suffered in the wake of NATO's actions against Serbia. In addition, the failure of the Russian economy has left many Russians disillusioned, and there are those in the Russian leadership who would take ad-

vantage of that disillusionment in order to reverse the free market reforms already underway in Russia. We must not let that happen. One way to prevent it is to help Russian youth to understand and reap the benefits of a stable, free market economy through student exchange programs.

Student exchange programs often promote long-lasting relationships between institutions and communities. Does the Senator agree that these programs also play an important role in strengthening ties between countries?

Mr. MCCONNELL. Yes.

Mr. DORGAN. REAP International's school linkage program with Buryatia, Russia focuses on economic development activities, vocational and entrepreneurial training, and the enhancement of civic institutions. These types of activities are important in stabilizing communities in the Russian Far East. Is this type of stability not vital if Russia is to move ahead with economic reforms?

Mr. MCCONNELL. I concur in the Senator's assessment that stability is a necessary prerequisite for the transition to a market economy, something we all hope Russia is able to achieve.

Mr. DORGAN. And would the Senator also agree that the development of the Russian Far East is vital to the overall future development of Russia's market economy, and therefore it is critical that we support efforts to foster sustainable development and stability in this important region?

Mr. MCCONNELL. I certainly agree with that.

Mr. DORGAN. I thank the Chairman for his comments and support.

## AMENDMENT NO. 1145

(Purpose: To restrict United States assistance for reconstruction efforts in the Balkans to United States-produced articles and services)

On page 128, between lines 13 and 14, insert the following new section:

## RESTRICTION ON UNITED STATES ASSISTANCE FOR CERTAIN RECONSTRUCTION EFFORTS IN THE BALKANS REGION.

## SEC. . (a) PROHIBITION.—

(1) IN GENERAL.—Except as provided in subsection (b), none of the funds appropriated or otherwise made available by this Act for United States assistance for reconstruction efforts in the Federal Republic of Yugoslavia or any contiguous country may be used for the procurement of any article produced outside the United States, the recipient country, or least developed countries, or any service provided by a foreign person.

(b) EXCEPTION.—Subsection (a) shall not apply if—

(1) the provision of such assistance requires articles of a type that are produced in and services that are available for purchase in the United States, the recipient country, or least developed countries, or if the cost of articles and services produced in or available from the United States and such other countries is significantly more expensive, including the cost of transportation, than the cost from other sources; or

(2) the President determines that the application of subsection (a) will impair the ability of the United States to maximize the use of United States articles and services in such reconstruction efforts of other donor coun-

tries, or if the President otherwise determines that subsection (a) will impair United States foreign assistance objectives.

## (c) DEFINITIONS.—In this section:

(1) ARTICLE.—The term "article" means any agricultural commodity, steel, communications equipment, farm machinery, or petrochemical refinery equipment.

(2) FEDERAL REPUBLIC OF YUGOSLAVIA.—The term "Federal Republic of Yugoslavia" means the Federal Republic of Yugoslavia (Serbia and Montenegro) and includes Kosovo.

(3) FOREIGN PERSON.—The term "foreign person" means any foreign national exclusive of any national of the recipient country or least developed countries including any foreign corporation, partnership, other legal entity, organization, or association that is beneficially owned by foreign persons controlled in fact by foreign persons.

(4) PRODUCED.—The term "produced", with respect to an item, includes any item mined, manufactured, made, assembled, grown, or extracted.

(5) SERVICE.—The term "service" means any engineering, construction or telecommunications.

(6) STEEL.—The term "steel" includes the following categories of steel products: semi-finished, plates, sheets and strips, wire rods, wire and wire products, rail type products, bars, structural shapes and units, pipes and tubes, iron ore, and coke products.

Mr. CAMPBELL. Mr. President, today I intend to support the Manager's amendments package to the Fiscal Foreign Operations Appropriations bill for fiscal year 2000, which includes a modified version of a bill I introduced on June 10th, S.1212, the Kosovo Reconstruction Investment Act of 1999. I am pleased to have Senators RICK SANTORUM and ROBERT BYRD join me as original cosponsors of this amendment.

I also want to thank the Chairman of the Foreign Operations Subcommittee, Senator MCCONNELL, and the Subcommittee's Ranking Member, Senator LEAHY, for their assistance and support of this amendment.

While this amendment's language is a compromise, and is not as strong as S. 1212 which I introduced earlier this month, it is an important first step in the right direction. I will continue to work with my colleagues in the coming months to help promote American taxpayers, workers and key industries as the U.S. begins to spend billions of dollars to rebuild Kosovo and, as expected in the future, the rest of Yugoslavia.

This amendment will help American workers and companies get the first best shot at those Kosovo reconstruction opportunities that are being paid for with U.S. foreign aid funds. As a result, a large portion of the American taxpayer's dollars destined for the Kosovo reconstruction effort will be invested in the purchase of American made goods and services whenever possible.

This legislation will benefit both the people of Kosovo and American workers. The people of Kosovo will have reconstructed homes, hospitals, factories, bridges, powerplants and telecommunications systems. The American people will benefit as a significant portion of their hard-earned taxpayer dollars come back to the U.S. in the form

of new orders for American made goods and services. New jobs will be created. With this legislation we can make the best out of a looming, costly, and long term burden on our nation's budget.

This will be especially important for some of our key industries, such as agriculture and steel, that are facing hard times here at home. Other hard working Americans from industries like manufacturing, engineering, construction, high tech and telecommunications will also enjoy new opportunities to produce goods and services destined for export overseas.

For example, our ranchers and farmers, many of whom are being severely harmed by a combination of tough competition at home, cheap imports and closed markets overseas will benefit. This bill will help provide them with the opportunity to strengthen their share in Europe's Southeastern markets.

Our steel workers, many of whom are also in a tough situation, will benefit as U.S. made steel is used to reconstruct, homes, hospitals, factories, bridges and other necessary infrastructure. American steel would also be used as American made construction equipment and tractors are delivered to the Balkans. American engineers, contractors and other service providers will play a key role in rebuilding telecommunications and other necessary infrastructure projects.

The American taxpayers have already borne the lion's share of waging the war in Kosovo. Our pilots flew the vast majority of the combat sorties. In addition, the Foreign Operations Supplemental Appropriations bill that passed last month provided \$819 million for humanitarian and refugee aid for Kosovo and surrounding countries. It has been estimated that peace keeping operations will cost an additional \$3 billion in the first year alone. This is just the beginning. In the future, American taxpayers will be spending tens of billions of dollars more as we participate in what apparently is an open-ended peacekeeping effort.

Without this legislation those countries who largely sat on the sidelines while we fought will be allowed to sweep in and clean up. The American taxpayers' dollars should not be used to profit Western European conglomerates. The American people deserve better. This Kosovo Reconstruction Investment Amendment will help remedy this situation.

Yet another problem this bill would help alleviate is our exploding trade deficit which is on track to an all time high of approximately \$250 billion by the end of this year. In March of this year alone, the U.S. posted a record one month trade deficit of \$19.7 billion.

Furthermore, many of the other industrialized countries that regularly distribute foreign aid do not do so with no strings attached. For many years now, countries like Japan have also required that the foreign aid funds they distribute be used to buy products produced by their domestic companies.

The degree to which the Japanese government uses "tied aid" to the benefit of Japanese companies and boost their exports was underscored by a recent quote that can be found in the June, 1999, issue of the "Look Japan" magazine. When referring to Japanese efforts to help neighbor countries recover from the Asian economic crisis, Oshima Kenzo, the Director of the Economic Cooperation Bureau at Japan's Ministry of Foreign Affairs stated:

This enormous machine of Japanese aid has barely begun to move. Aid to Asian countries in crisis is something that must be done on an "all-Japan" basis . . . The purpose of aid to Asia is primarily to provide relief to Asian countries, but it has a secondary aspect of reenergizing the Japanese economy too, so there are many domestic hopes riding on this as well.

While my original Kosovo reconstruction language in S. 1212 included tougher "Buy America" provisions, this amendment's compromise language will allow U.S. foreign aid funds to be used to purchase goods and services produced in "least-developed countries." This is something we can do while still serving the purpose of this amendment. For example, U.S. steel workers will still have the first shot at producing steel for the Kosovo reconstruction effort since countries such as Japan, South Korea and Brazil, all of whom have been taking a heavy toll on the U.S. steel industry here at home, most definitely are not "least developed countries." American telecommunications, heavy equipment manufacturers and a wide variety of other U.S. industries will also benefit.

If America's Airmen, Sailors, Marines and Soldiers are good enough to wage a war, then America's hard working taxpayers, including steel and manufacturing workers, engineers and contractors are good enough to help rebuild shattered countries. If we are called on to put the Balkans back together, we should do it with a fair share of goods and services made in America.

I urge my colleagues to support the adoption of this amendment.

Mr. MCCONNELL. As I said, this is a list of managers' amendments that has been cleared on both sides of the aisle:

McConnell-Leahy amendment to move the Iraqi provision;

McCain amendment to strike Inter-American Foundation language with a statement;

Leahy-McConnell amendment on African Development Foundation provision;

Stevens-Coverdell amendment on AIDS;

McConnell-Leahy on Ukraine corruption;

Leahy-McConnell amendment on Ukraine demining;

Leahy amendment on biodiversity;

Leahy amendment on debt restructuring;

Roth amendment on Ukraine;

Helms amendment on IDA-China;

Helms amendment on USAID construction notification;

Helms-DeWine amendment on Haiti;  
Leahy-McConnell amendment on Russia-Iran;

McConnell amendment on Armenia;  
Helms amendment on the Philippines;

Abraham amendment on Lebanon;  
Thomas amendment on technical correctional reports;

Dorgan amendment on Russia exchanges; and

A Campbell amendment on Buy America.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments (Nos. 1127 through 1145), en bloc, were agreed to.

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent Senator LAUTENBERG be shown as a cosponsor of the Roth amendment on the Ukraine.

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

Mr. LEAHY. I understand the Senator from Illinois will be recognized. Then the Senator from Minnesota is going to be recognized. I ask unanimous consent I then be recognized.

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

#### NATIONAL DEBT

Mr. FITZGERALD. Mr. President, I will speak for a few moments today about an issue of great concern to me and many other Members. In the last few days in Washington, there has been literally a euphoria over the notion we in Washington are running large budgetary surpluses on an annual basis. The uncorking of champagne bottles all around town has taken place on the notion that, because we are running surpluses, we are somehow paying down the national debt.

Yesterday, the New York Times had an article on page 14 entitled, "Clinton Sees the Possibility of Zero U.S. Debt by 2015."

As I will show, this article is dead wrong. The article stated that the entire national debt, which now stands at over \$5.6 trillion, will be paid down by the year 2015. It went on to state that the debt clock in New York, which is a daily tally of the Federal national debt, would be down to zero by the year 2015.

It turns out that is dead, flat wrong. In fact, the national debt is now rising. It is going to continue to rise every year of the President's 15-year projections. The total national debt by the year 2015, as listed on that debt clock in New York, will stand at more than \$7 trillion.

How can this be? We have heard from Washington that we are running large

annual budget surpluses. The President, 2 days ago, said this year we will have a \$98 billion surplus, and those surpluses are going to rise each year to the point that in the year 2004 we will have a \$253 billion surplus.

Looking at the fine print on the President's midyear report, we find our total gross Federal debt is still going up. It stood at \$5.4 trillion at the end of the last fiscal year. This year, it will rise to \$5.6 trillion. By the year 2004, the total gross Federal debt will have risen to over \$6 trillion.

How can our national debt still be going up if we are running surpluses in Washington? The answer to that question is, we really do not have surpluses in Washington. They have a definition of surpluses in Washington which is far different from the average perception of what the word surplus would mean to American families or businesses. One would think when you have surpluses, you would be paying down your debt, not increasing it. However, in Washington, the debt is still going up, even as they say they have surpluses.

We know our President chooses his words very carefully. I read his press statements the other day. He was careful not to say we are paying down the total Federal debt. He talked instead about one of the components of the Federal debt. It turns out there are two parts to the Federal debt. There is debt owed to Government accounts and there is debt held to the public. Both of those debts have to be paid off. At some point, we have to come up with the cash to pay down those debts.

What President Clinton chose to do in his statements the other day was ignore this part of the Federal debt and decide he would only focus on debt held by the public. It is true he is actually going to start trying to pay down the debt held by the public. Debt held by the public stood at \$3.7 trillion at the end of last year. By the year 2004, the President will have paid it down about \$700 billion to \$2.9 trillion. It is true by the year 2015 he will have paid this portion of the national debt down to zero.

How is he going to pay that portion of the debt down to zero? He is going to borrow more from the Government accounts. He is going to borrow more from Government accounts. It turns out he will increase the Government accounts section of the national debt. Not only will he increase it, he is going to quadruple debt held by these Government accounts. It will rise from \$1.7 trillion at the end of last year to \$3 trillion by the year 2004. Guess what. By the year 2015, when the New York Times said we would have no national debt, it turns out the debt in this column will be more than \$7.5 trillion.

I have to say, if the ordinary family were to pay down their mortgage by running up their credit card and then realize what they were doing, I think they probably wouldn't feel it was cause for celebration that they had just shifted the composition of their debt. Similarly, I don't think there is

cause yet in Washington to uncork the champagne bottles and pat ourselves on the back that we are paying down a portion of the Federal debt while we are increasing the other portion and are increasing the overall debt.

Right now, the average family in America is responsible for \$55,000 of that total national debt. Each family's share of the national debt is going to be going up in each and every year of the President's 15-year projections. At the end of the 15 years, the total national debt will be even higher than it is now, and each family's share of that national debt will be even higher.

This chart shows the direction our national debt is going: It is continuing to rise. We are digging the hole deeper.

All this talk about surpluses in Washington should be taken with a grain of salt. The surpluses they are talking about are fictitious surpluses; they are accounting gimmicks. If any private business man or woman used the same kind of accounting they use in Washington, they could potentially wind up behind bars in a Federal penitentiary. We need to change the accounting system in Washington so the public and the media cannot be so easily misled.

I am hopeful the press throughout this Nation will point out that the earlier reports were flatout wrong, that the debt clock in New York will not stand at zero by the year 2015, even under the President's projections. Under the President's own projections of our national debt, it will be higher in the year 2015 than it is now.

I think it is a shame Washington is misleading the American public about our true financial condition. Is it not high time we end the hocus-pocus bookkeeping in Washington and speak the plain truth?

I ask unanimous consent to print the New York Times article in the RECORD.

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

[From the New York Times, June 29, 1999]

CLINTON SEES THE POSSIBILITY OF ZERO U.S. DEBT BY 2015

(By David E. Sanger)

WASHINGTON, June 28.—President Clinton today raised the mind-bending possibility that the giant national debt clock in midtown Manhattan would soon start running in reverse—and that by 2015, the Government would owe no money to investors around the world.

There is little question that Mr. Clinton described the general direction of the clock correctly. Barring a stock market disaster or a Japan-like recession, the Federal Government's \$4.5 trillion debt, the figure on the clock, will begin diminishing in the next few months. That number includes debt that the Government owes to itself, mostly to the Social Security system.

The more important figure—debt that the Government owes individual investors, companies and governments around the world—has actually been in decline for two years. How much it can be reduced in 15 years is far more problematic, dependent on a huge range of economic assumptions—chiefly the growth rate of the national economy—that,

given the inexact nature of such things, are most likely subject to major revision.

But even if the United States could pay off all its debt in the next 15 years, many economists and some Government officials say that might not be as great as it sounds. Although huge debts in the 1980's and early 1990's when the Government ran up huge annual deficits, were a tremendous drag on the economy, a bit of national debt may be a good thing.

"It's almost hard to imagine what this country would be like debt-free," said Alan Sinai, the chief economist of Primark Decision Systems, an economic consulting group. "But while no politician would want to admit it, the optimal debt for the United States is probably not zero. What that optimal level should be, though—now that's a subject for a real national debate."

Without question, reducing the debt creates a host of advantages for the United States. As the Treasury tames its appetite for borrowed money, it no longer competes with homeowners looking for mortgages, for example, or companies seeking to raise money. As a result, interest rates have more room to fall.

And as the debt declines—Mr. Clinton's projections show that it will fall below \$3 trillion in 2005, and below \$2 trillion in 2009—the amount of interest the Government pays each year goes down substantially, freeing up even more cash, while raising the national savings rate. That, in turn, helps to compensate for the free-spending ways of American consumers, who in these boom times are barely saving.

"That may be the biggest single advantage," one of Mr. Clinton's senior economic advisers said toady.

But a debt-free United States might create a more complex, and some say riskier, financial landscape worldwide.

For international investors, there is no safer place to put money than United States Treasury bonds. When the Asian economic crisis hit in 1997, and accelerated last year after the collapse of the Russian economy, investors around the world put their assets into United States Treasuries. These investments help make the dollar the world's most popular "reserve currency," the money other governments hold for economic security in their central banks. And they give the United States subtle but significant economic clout around the world.

If the Government stops long-term borrowing, the money that becomes available may stay in the United States, invested, say, in mortgages or corporate debt. But if investors do not have the security of investing in United States Treasuries, they may be less interested in holding their cash in dollars, and that could affect the dollar's value on world markets.

Investors could put their money in another country's treasury bonds—say those issued by the new European Central Bank or the Bank of Japan. But that requires taking a bet on the future of European and Japanese currencies, adding a significant risk to the investment.

Whether any of this happens depends on a series of assumptions. The chief one is the future of the American economy. Mr. Clinton's projections, released today, assume that the American economy will grow between 2.1 percent and 2.6 percent a year for the next 15 years. The Administration made similar bets for the past seven years, and it was wrong every time. But the surprise was pleasant: the economy expanded far faster, and for far longer, than even the most optimistic Government projections.

The risk is that future errors could be in the opposite direction. That is what happened to Japan, which assumed that the successes of the 1980's would extend into the

1990's. It was the blunder of the decade, and Japan is mounting a huge debt as it tries to spend its way out of seven-year recession.

"These are difficult projections to make for even the next year or two," Mr. Sinai said today, "And even more difficult for beyond that," and the risk is accentuated because most of the payday of the debt is to occur between 2010 and 2015, allowing plenty of time for economic and political miscalculation or happenstance.

On the other hand, the Government is closer to paying off the debts that really matter than even Mr. Clinton indicated today. While the debt clock reads \$5.6 trillion, the figure that kicks around the United States Treasury is less than half that: \$2.77 trillion, when the amount of debt held by the Federal and state governments and the Federal Reserve is subtracted. Under the President's projections, that debt will be paid off around 2011.

Mr. FITZGERALD. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

# FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000—Continued

## AMENDMENT NO. 1123, AS MODIFIED

Mr. WELLSTONE. Mr. President, I will shortly send a modified amendment to the desk. In the time I have, let me speak on a topic I think is related to this bill.

Mr. LEAHY. Will the Senator from Minnesota yield? I have been advised by Senator MCCONNELL's staff this has been cleared, the modification has been cleared. If the Senator from Minnesota wishes to send it to the desk we can have it accepted.

Mr. WELLSTONE. I send my modified amendment No. 1123 to the desk.

The PRESIDING OFFICER. The amendment is modified.

The amendment (No. 1123), as modified, is as follows:

On page 128, between lines 13 and 14, insert the following new title:

## **TITLE—INTERNATIONAL TRAFFICKING OF WOMEN AND CHILDREN VICTIM PROTECTION**

### **SEC. 01. SHORT TITLE.**

This title may be cited as the "International Trafficking of Women and Children Victim Reporting Act of 1999".

### **SEC. 02. FINDINGS.**

Congress makes the following findings:

(1) The worldwide trafficking of persons has a disproportionate impact on women and girls and has been and continues to be condemned by the international community as a violation of fundamental human rights.

(2) The fastest growing international trafficking business is the trade in women, whereby women and girls seeking a better life, a good marriage, or a lucrative job abroad, unexpectedly find themselves in situations of forced prostitution, sweatshop labor, exploitative domestic servitude, or battering and extreme cruelty.

(3) Trafficked women and children, girls and boys, are often subjected to rape and other forms of sexual abuse by their traffickers and often held as virtual prisoners by their exploiters, made to work in slavery-like conditions, in debt bondage without pay and against their will.

(4) The President, the First Lady, the Secretary of State, the President's Interagency Council on Women, and the Agency for International Development have all identified trafficking in women as a significant problem.

(5) The Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls in trafficking, to address the root factors that put women and girls at risk to traffickers, and to take measures to dismantle the national, regional, and international networks on trafficking.

(6) The United Nations General Assembly, noting its concern about the increasing number of women and girls who are being victimized by traffickers, passed a resolution in 1998 calling upon all governments to criminalize trafficking in women and girls in all its forms and to penalize all those offenders involved, while ensuring that the victims of these practices are not penalized.

(7) Numerous treaties to which the United States is a party address government obligations to combat trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and requires signatories not to make use of any forced or compulsory labor.

### **SEC. 03. PURPOSES.**

The purposes of this title are to condemn and combat the international crime of trafficking in women and children and to assist the victims of this crime by authorizing an annual report of its findings to include the identification of foreign governments that tolerate or participate in trafficking and fail to cooperate with international efforts to prosecute perpetrators;

### **SEC. 04. DEFINITIONS.**

In this title:

(1) **TRAFFICKING.**—The term "trafficking" means the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority to recruit, transport within or across borders, purchase, sell, transfer, receive, or harbor a person for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude, or slavery or slavery-like conditions, or in forced, bonded, or coerced labor.

(2) **VICTIM OF TRAFFICKING.**—The term "victim of trafficking" means any person subjected to the treatment described in paragraph (2).

### **SEC. 05. ANNUAL REPORT TO CONGRESS.**

Not later than March 1, 2000, the Secretary of State shall submit a report to Congress describing the status of international trafficking, including—

(1) a list of foreign states where trafficking originates, passes through, or is a destination; and

(2) an assessment of the efforts by the governments described in paragraph (1) to combat trafficking. Such an assessment shall address—

(A) whether governmental authorities tolerate or are involved in trafficking activities;

(B) which governmental authorities are involved in anti-trafficking activities;

(C) what steps the government has taken toward ending the participation of its officials in trafficking;

(D) what steps the government has taken to prosecute and investigate those officials found to be involved in trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in trafficking, including the investigation, prosecution, and conviction of individuals involved in trafficking, the criminal and civil penalties for trafficking, and the efficacy of those penalties on reducing or ending trafficking;

(F) what steps the government has taken to assist trafficking victims, including ef-

forts to prevent victims from being further victimized by police, traffickers, or others, grants of stays of deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government is cooperating with governments of other countries to extradite traffickers when requested;

(H) whether the government is assisting in international investigations of transnational trafficking networks; and

(I) whether the government—

(i) refrains from prosecuting trafficking victims or refrains from other discriminatory treatment towards trafficking victims due to such victims having been trafficked, or the nature of their work, or their having left the country illegally; and

(ii) recognizes the rights of victims and ensures their access to justice.

### **(c) REPORTING STANDARDS AND INVESTIGATIONS.—**

(1) **RESPONSIBILITY OF THE SECRETARY OF STATE.**—The Secretary of State shall ensure that United States missions abroad maintain a consistent reporting standard and thoroughly investigate reports of trafficking.

(2) **CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.**—In compiling data and assessing trafficking for the Human Rights Report and the Annual Report, United States mission personnel shall seek out and maintain contacts with human rights and other nongovernmental organizations, including receiving reports and updates from such organizations, and, when appropriate, investigating such reports.

### **SEC. 06. PROTECTION OF TRAFFICKING VICTIMS.**

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

The amendment (No. 1123), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

THE PRESIDING OFFICER. Under the previous order, the Senator from Vermont is recognized.

Mr. LEAHY. I ask unanimous consent it be in order the Senator from Rhode Island be recognized for the 5 minutes prior to my recognition.

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

The Senator from Rhode Island is recognized.

## AMENDMENT NO. 1118

Mr. REED. Mr. President, I thank the distinguished Senator from Vermont for his graciousness in allowing me to speak. I rise today to express my opposition to the Brownback amendment which would implement the Silk Road Strategy Act of 1999. I urge my colleagues to support the second-degree amendment offered by Senators MCCONNELL, ABRAHAM, and SARBANES. I am also a cosponsor of the second-degree amendment.

The purpose of Senator BROWNBACK's amendment is appropriate, in the sense

he wants to provide assistance to integrate the Caucasus, provide more cooperation and collaboration between these countries. But what we have seen over the last several decades, really, has been the resistance, particularly by the Government of Azerbaijan and the Government of Turkey, to a cooperative and collaborative relationship with the Government of Armenia. That is a polite way of saying they have been blockading Armenia for many years.

In response to that blockade, we have passed, I think wisely, legislation in this Congress and preceding Congresses to prevent our cooperation with these countries unless they lift the blockade. It has been the only real way we have been able to put leverage upon the governments of Turkey and Azerbaijan to recognize that a dialog, cooperation, collaboration, and regional harmony is necessary.

The interesting and ironic point at this juncture is that our strategy seems to be working because for the first time, in the context of the NATO meetings here in Washington just a few weeks ago, the President of Armenia and the President of Azerbaijan had face-to-face meetings.

Up until that time, the Azeris refused to even recognize, really, the Government of Yerevan to have a constructive dialog. Now at the point where we are making progress, where we have a dialog initiated by the Azeris and the Armenians, we are attempting to undercut that progress with this amendment which will essentially take all the pressure off both the Azeris and the Turks in terms of their relationship with Armenia and, in particular, the region of Nagorno-Karabakh.

Nagorno-Karabakh has been for generations an area of concentrated Armenian population but under the control of Azerbaijan. In 1988, Nagorno-Karabakh seceded from Azerbaijan. There was warfare. Mercifully, the warfare has ceased, but this is still a festering point among the three countries—Nagorno-Karabakh, Armenia, and Azerbaijan.

Again, if we are to make progress on this very critical issue, the issue of Nagorno-Karabakh, the issue of the general relationship among Armenia and its neighbors, Azerbaijan and Turkey, now is not the time to take off the one piece of leverage, section 907, which is giving the Azeris an incentive to go to the table, sit down, and talk and collaborate.

I have had the privilege and the opportunity to travel to Armenia and to Nagorno-Karabakh. There is a sincere willingness to seek an understanding, to seek a cooperative arrangement with the Azeris, with the Turks. But that cannot happen unless there is a dialog.

The dialog has started, but my fear is that if we adopt this measure, proposed with every good intention by the Senator from Kansas, we will undercut the progress we have made. We will send a

strong message to the Azeris that they do not have to do anything, they do not have to talk to the Armenians, they do not have to do anything, because they now are unrestricted in terms of their type of diplomatic initiatives.

It will be terribly unfortunate, and it will essentially undercut the motivation which I believe is compelling and moving this underlying amendment of the Senator from Kansas forward: the notion of regional dialog, regional cooperation, regional collaboration.

I urge my colleagues to support the amendment proposed by the Senator from Kentucky, because that is the only way we are going to keep both the Azeris and the Armenians at the table. We know from a long sweep of history, if two nations are talking, then there is hope. Once the dialog is over—and it will end if section 907 is repealed—we are going to see a much more hostile and threatening environment in the Caucasus, one which will not only impact our relationship but also will be a threat to the stability of that region.

I thank and commend the Senator from Kentucky, the Senator from Maryland, Mr. SARBANES, Senator ABRAHAM from Michigan, and those who are standing up and saying, now that we are making progress, now that we finally have a dialog between the President of Azerbaijan and the President of Armenia, do not take away the motivation for that dialog; let's continue to talk; let's continue to work for peace in this area.

I yield back any time to the Senator from Vermont.

Mr. MCCONNELL. Mr. President, I thank the Senator from Rhode Island for his comments. We appreciate his support on this most important amendment. We certainly hope the Senate will approve the second-degree amendment.

The PRESIDING OFFICER. The Senator from Vermont.

#### AMENDMENT NO. 1123, AS FURTHER MODIFIED

Mr. LEAHY. Mr. President, I ask unanimous consent that it be in order for the Senator from Minnesota to further modify his amendment, which was adopted just a few minutes ago.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be so modified.

Mr. WELLSTONE. I send the modification to the desk. I thank both Senator LEAHY and Senator MCCONNELL for their support. This is the first time we are going to have such a report. It is going to be very important to the human rights community and the law enforcement community. It will have a stigmatizing effect on countries involved in this, and it is going to make a huge difference from the point of human rights.

The amendment (No. 1123), as further modified, is as follows:

On page 128, between lines 13 and 14, insert the following new title:

#### TITLE—INTERNATIONAL TRAFFICKING OF WOMEN AND CHILDREN VICTIM PROTECTION

##### SEC. 01. SHORT TITLE.

This title may be cited as the "International Trafficking of Women and Children Victim Reporting Act of 1999".

##### SEC. 02. PURPOSES.

The purposes of this title are to condemn and combat the international crime of trafficking in women and children and to assist the victims of this crime by requiring an annual report including the identification of foreign governments that tolerate or participate in trafficking and fail to cooperate with international efforts to prosecute perpetrators.

##### SEC. 03. DEFINITIONS.

In this title:

(1) **TRAFFICKING.**—The term "trafficking" means the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority to recruit, transport within or across borders, purchase, sell, transfer, receive, or harbor a person for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude, or slavery or slavery-like conditions, or in forced, bonded, or coerced labor.

(2) **VICTIM OF TRAFFICKING.**—The term "victim of trafficking" means any person subjected to the treatment described in paragraph (2).

##### SEC. 04. ANNUAL REPORT TO CONGRESS.

(a) Not later than March 1, 2000, the Secretary of State, shall submit a report to Congress describing the status of international trafficking, including—

(1) a list of foreign states where trafficking originates, passes through, or is a destination; and

(2) an assessment of the efforts by the governments described in paragraph (1) to combat trafficking. Such an assessment shall address—

(A) whether governmental authorities tolerate or are involved in trafficking activities;

(B) which governmental authorities are involved in anti-trafficking activities;

(C) what steps the government has taken toward ending the participation of its officials in trafficking;

(D) what steps the government has taken to prosecute and investigate those officials found to be involved in trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in trafficking, including the investigation, prosecution, and conviction of individuals involved in trafficking, the criminal and civil penalties for trafficking, and the efficacy of those penalties on reducing or ending trafficking;

(F) what steps the government has taken to assist trafficking victims, including efforts to prevent victims from being further victimized by police, traffickers, or others, grants of stays of deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government is cooperating with governments of other countries to extradite traffickers when requested;

(H) whether the government is assisting in international investigations of transnational trafficking networks; and

(I) whether the government—

(i) refrains from prosecuting trafficking victims or refrains from other discriminatory treatment towards trafficking victims due to such victims having been trafficked, or the nature of their work, or their having left the country illegally; and

(ii) recognizes the rights of victims and ensures their access to justice.



(b) CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.—In compiling data and assessing trafficking for the State Departments Annual Human Rights Report and the report referred to in subsection (a), United States mission personnel shall consult with human rights and other appropriate nongovernmental organizations, including receiving reports and updates from such organizations, and, when appropriate, investigating such reports.

**SEC. 06. PROTECTION OF TRAFFICKING VICTIMS.**

The PRESIDING OFFICER. The Senator from Vermont.

**JUVENILE JUSTICE BILL**

Mr. LEAHY. Mr. President, we have an adage: Where there is a will, there is a way. Often that seems to embody how legislation is passed by this Congress. Of course the question always is what is the will, and what is the way? We should look no further than the priority being put on two separate pieces of legislation: S. 254, the juvenile justice bill, and H.R. 775, the Y2K bill. If one looks at that, one sees how the will and the way work around here.

The Hatch-Leahy juvenile justice bill, S. 254, passed the Senate after 2 weeks of open debate, after a number of votes, and after significant improvements on May 20. The Senate passed it by a strong bipartisan vote of 73-25.

On June 17, the other body passed its version of this legislation but chose not to take up the Senate bill and insert its language, which is the standard practice. Nor has the Republican leadership in the House made any effort to seek a House-Senate conference or appoint conferees.

When there are differences in legislation passed by each House, the normal order is for House and Senate conferees to work these differences out in conference, but we cannot do that unless they appoint conferees.

The majority in the other body is taking a break even before our July 4 recess. They are taking no steps to proceed to conference on the juvenile justice bill or toward the appointment of conferees. Indeed, despite statements by the Speaker of the House earlier this week, the House majority leader is now reported to be planning to delay the completion of this bill for months. This delay is costing us valuable time in getting this juvenile justice legislation enacted before school resumes this fall. This is just plain wrong.

Every parent in this country is concerned this summer about school violence over the last two years and worried about the situation they will confront this fall. Each one of us wants to do something to stop this violence. There is no single cause and no single legislative solution that will cure the ill of youth violence in our schools or in our streets. But we have an opportunity before us to do our part. It is unfortunate that the majority is not moving full speed ahead to seize this opportunity to act on balanced, effective juvenile justice legislation.

We should not repeat the delays that happened in the last Congress on the juvenile justice legislation. In the 105th Congress, the Senate Judiciary Committee reported juvenile justice legislation in July 1997, but it was then left to languish for over a year until the very end of that Congress. In fact, serious efforts to make improvements to this bill did not even occur until the last weeks of that Congress, when it was too late and we ran out of time.

The experience of the last Congress causes me to be wary of this delay in action on the juvenile justice legislation this year. I want to be assured that a House-Senate conference on this legislation is fair, full, and productive.

At the end of the last Congress, the majority staged what appeared to be a procedural ambush to move a one-sided bill forward in a way that precluded full and open debate and amendment. I certainly hope that the current delay in action on this year's juvenile crime bill is not an attempt to concoct another procedure ambush.

We have worked hard in the Senate for a strong bipartisan juvenile justice bill. I will be vigilant in working to maintain this bipartisanship and to press for action on this important legislation. We know if we have the will, there is a way.

Mr. SCHUMER. Will the Senator from Vermont yield for a question?

Mr. LEAHY. I yield without losing my right to the floor.

Mr. SCHUMER. I thank the ranking member on the Judiciary Committee. I could not agree more with his remarks. We worked hard on this bill. We deserve for it to be heard. We do not deserve—the American people do not deserve—for it to be shoved under a carpet to pop out sometime unknown perhaps when it cannot be debated.

I ask the Senator this question: Does it seem unreasonable, given his years of experience in the Senate—and I know we worked on criminal justice matters when I was in the House—does it seem unreasonable for us to have a goal, for the American people to sort of set the goal, or agree with us in the goal, that the juvenile justice bill, including provisions such as closing the gun show loophole, which this body passed, be on the President's desk by the day school resumes, by Labor Day of next September? Does that seem to be a reasonable timetable and a reasonable request for people who are interested in debating the issues and seeing that we do something to close the gun show loophole?

Mr. LEAHY. Mr. President, I say to my friend from New York, it is reasonable to move forward on it. These are issues the American people care about. They do care about the gun show loopholes on gun sales, certainly after the tragedy of Columbine. They do care about a number of the issues that are in the juvenile justice bill. The Senate reflected that by passing it 73-25. This is a 3-to-1 vote in the Senate.

I say to my friend from New York, when he served in the other body, he

and I were on a number of conference committees together. We knew we would have major criminal justice bills come in one distinct form from the Senate and one distinct form from the House, but we moved quickly in the conferences, sometimes going all night long. In fact, I can remember a couple that went all night long, 2 or 3 nights in a row, to complete our work because we knew we were dealing with criminal justice matters, matters about which the American people have great concern. But we did it.

So I say to my friend from New York, in answer to his question, that this is wrong. This is wrong that we are not moving forward to immediately conference the Hatch-Leahy juvenile justice bill.

Mr. SCHUMER. I thank the Senator.

Mr. LEAHY. I thank the Senator from New York for his concern and his leadership on these matters. He was one of the leaders—in fact, oftentimes on the floor he was the leader—on these issues, including closing gun loopholes. I was looking forward to, and am looking forward to, his expertise and his work when we do get to conference. He and I are ready to go to conference. I am prepared to have him in there to help me in that conference, because these are major issues.

But at some time or another the American people expect us to vote one way or the other. Some Senators will vote against our position. Some House Members will vote against our position. Some will vote for it. I do not ascribe motives to them, but I say, that you either vote for or against something. You do not vote maybe. And the Congress is being forced to vote maybe.

This is a sharp contrast to the pace of action on the Y2K bill. The Y2K bill provides special legal protections to businesses. After earlier action in the House on H.R. 775, the Y2K liability limitations bill passed the Senate on June 15, 1999. That was about 1 month after the Senate passed the Hatch-Leahy juvenile justice bill.

On June 16, the day after Senate action on the Y2K bill, the Senate asked for a House-Senate conference and appointed conferees. In fact, I am one of them. The House responded by agreeing to the conference and appointed its conferees a few days later, on June 24. Then we immediately went to conference. The conference met that same day, the same day the House appointed its conferees.

After a weekend break for extensive negotiations with the White House, the conference report on the Y2K liability limitations bill was filed yesterday, June 29. I expect the House and Senate will be taking up the conference report almost immediately, and the Y2K liability limitations bill will probably see final passage this week.

It is interesting that this is a business-lobbied-for issue and that thing zips through here; it zips through here at warp speed. I can almost see the legislative clerk saying: We want warp 5,



Scottie. And, by golly, we are going to have it.

I should also note, this Y2K liability limitations bill is industry's second bite at the apple to gain protections against liability to customers and consumers. If all goes as expected, in less than a year's time, big business will have successfully lobbied for the passage of two major pieces of legislation to protect themselves against any accountability for actions or losses their products may cause to consumers.

Last year, I joined with Senator HATCH to introduce and pass into law a consensus bill known as the Year 2000 Information and Readiness Disclosure Act. This legislation passed both the House and the Senate by unanimous consent on October 8, 1998. When we took this action, requested last year, we acted in good faith, we acted in recognition of the fears of industry, but we did it in a balanced way that continued to protect consumers and the rights of all Americans. The House and Senate accepted that unanimously, and the White House signed it.

Notwithstanding that bipartisan piece of legislation, notwithstanding the unanimity we sought, we see this year where business fears are being reconstituted for the basis of greater and greater demands for special legal protections for potential Y2K defendants. Special business interests have come back to Congress with new demands, and there has been swift action.

But by contrast to this swift action to help business by limiting their potential liability in the Y2K bill at the expense of American consumers, in contrast to jumping immediately to do whatever the business lobby wanted, we find now that those who should be appointing conferees in the House are not doing that, they are dragging their feet on moving to appoint conferees on the juvenile justice bill.

The juvenile justice bill is not designed as a protection to businesses that may have made mistakes in the computers they sell to people. No. The juvenile justice bill is intended to make a difference in the lives of our children and our families. I guess children and families do not have the power and the lobbying clout that some of these major businesses do. I guess they do not have PACs. They do not give major contributions. They do not go to the big fundraisers. All they are, are families trying to raise their children and send them to school safely; so the House majority is not going to move rapidly on a juvenile justice bill.

As Senators, as House Members, as human beings, that should have been our No. 1 priority. We should have brought this to conference. We should have concluded it by now so that the new programs and protections for schoolchildren could be in place when school resumes this fall. At the rate we are going, we guarantee that children will be going back to school without the protections that three-quarters of

the Members of the Senate, Democrats and Republicans alike, voted for; we guarantee that the promise we held out here in the Senate to protect the children who have to go to school, to protect their families, to protect this country, the promise we held out to them is a hollow promise, because the House of Representatives, and their leadership, the Speaker and the majority leader, are saying: We're not going to get to this bill; we're not going to have conferees.

Mr. KENNEDY. Will the Senator yield?

Mr. LEAHY. Yes, for a question, or I will lose my right to the floor.

Mr. KENNEDY. I have listened carefully to what the Senator has said. I must say, I am in total agreement with the Senator.

As I understand the parliamentary situation, rather than follow the usual procedure, where we have legislation that has passed the House and the Senate, and then we go to the conference, and then the conference comes back and we have an opportunity to evaluate what was in the conference, but then we have at least some resolution to the issue, this process and this parliamentary gymnastics, which the leadership on both sides, evidently, were a part of, effectively, as I understand what the Senator is saying, if I understand the parliamentary situation, basically undermines in a very significant and important way the work that was done here in the Senate in terms of trying to help families deal with the problems of violence in their communities, violence in their schools, and also to deal with the law enforcement issue in terms of the gun show loophole.

I believe I am correct, am I not, in understanding what the Senator has represented here this afternoon? Am I correct?

Mr. LEAHY. The Senator from Massachusetts is absolutely right. The Senator from Massachusetts, of course, is one of those who was on the floor day after day, hour after hour, helping us craft this bill and getting it through. A former chairman of the Judiciary Committee, he has been a leader on juvenile justice issues for the better part of four decades. We greatly appreciate all that he contributes each day and all that he contributed again this year to the Senate juvenile justice bill that we were able to pass with such a strong bipartisan majority.

The Senator from Massachusetts, from his experience—longer experience than I have had in this body—is aware that when we have had these major pieces of criminal justice or juvenile justice legislation or any major justice legislation, we have gone to conference and we have worked out the differences. He also knows, as I do, if we refuse to do that, it, in effect, kills legislation—legislation that passed here in a bipartisan fashion. I share the concerns that the Senator from Massachusetts has.

Mr. KENNEDY. I am just wondering if the Senator could give us some insight. It took us 9 days to work out an agreement with the Republican leadership in order to permit the Senate to consider what we know as the Patients' Bill of Rights when we return from the Fourth of July recess, to dispose of that. What we saw during that time was every type of parliamentary maneuver in order to deny the will of the Senate on that particular issue.

Now we have, as a result of the leadership, both the majority and minority leadership, an opportunity to address those issues when we return.

It seems to me we are seeing a similar effort by the leadership to deny the Senate the ability to express itself on an issue that is affecting children, an issue affecting violence in our schools and our local communities. Effectively, the rules of the Senate are being used in order to deny the Senate the reasonable chance to express itself.

Is that basically the bottom line, when all is said and done; we are seeing a parliamentary maneuver to try and effectively undermine what has been the considered judgment of this body? We are being put back, effectively, to ground zero in terms of this issue?

Mr. LEAHY. The Senator from Massachusetts is absolutely right. Unlike the Y2K bill and other things, where there is a rush to complete congressional action on it, this is something where it appears, especially in the other body, that the parents and the children of this country do not have a voice. No matter what other legislative issues are going on, the conference could have been meeting if the House had just proceeded to take the normal steps needed and appointed conferees.

The majority leader of the House of Representatives has said they are not going to appoint conferees, certainly not any time in the near future. We have been ready to go forward at any time, the members of the Senate Judiciary Committee. But if there are not going to be conferees, this bill is in limbo.

So you had the hopes of the parents of this country, the hopes that the schoolchildren had following the passage by the Senate of a good juvenile justice bill, that maybe we are coming to grips on at least some aspects of juvenile violence. Those hopes are dashed because when the matter is finally taken up by the other body, they say: Wait a minute, we don't have to have any votes on this.

I am privileged to participate in legislative action on the floor of the Senate. We Senators ought to run the Senate, not a powerful lobby. I say the same to the other body. They ought to stand up and speak for their constituents and not become mouthpieces for a powerful lobby, but that is what has happened.

Mr. KENNEDY. I thank the Senator. I see on the floor our friend and colleague from New Jersey, Senator LAUTENBERG, who made a gallant fight on

the floor of the Senate in terms of reducing the availability and the accessibility of guns to children in this country and also to those of the criminal element. It was a hard-fought battle. The Senate expressed its will. That is the way this body should act.

Now, with a parliamentary maneuver, the leadership that was strongly opposed to those provisions has been basically able, at least for the time being, to undermine what has been debated, discussed, and acted on here in the Senate.

I thank the Senator from Vermont for bringing this matter to our attention. I thank, again, the Senator from New Jersey and the Senator from California, both of whom I am sure share our frustration with this parliamentary maneuver.

I think at some time in the Senate, a body that has a very proud tradition of permitting people to express their judgment and to make a determination to deal with public business, at some time we are going to learn the lesson that you can't constantly undermine what is the regular order, which is the reason why this body was established; that is, for Senators to be able to express their will. I think we are seeing another way and means of corrupting the purpose that the Founding Fathers intended. I think it is enormously regrettable.

I assure the Senator from Vermont, we will work very closely with him to try to remedy this situation in any way that we can. I thank the Senator from Vermont.

Mr. LEAHY. Mr. President, I totally concur with what the distinguished senior Senator from Massachusetts has said. He was a leader who worked with us to design the Senate-passed bill.

All of us, whether we are parents or grandparents or teachers or policymakers, we are puzzling over the causes of children turning violent in this country. We know that the root causes are likely multifaceted. We know there is no one cause. There is no one magic solution.

I believe the Hatch-Leahy juvenile justice bill is a firm and significant step in the right direction. The passage of that bill showed that when Senators roll up their sleeves and get to work, we can make significant progress. And we did. Senators were on the floor, they were in conferences in the cloakroom and off the floor. We worked extremely hard to come together. We had some false steps at the beginning, but we finally came together when we passed a piece of legislation 73 to 25.

That took a lot of work. We had conservatives and liberals and moderates holding hands on a number of issues to make it work because we cared about the children of this country. That progress does not do any good if the House and Senate do not come together in a conference.

I yield for a question to my friend from California.

Mrs. BOXER. I thank the Senator from Vermont for his leadership on the

juvenile justice bill, all parts of it. I see the Senator from New Jersey has come to engage also in some conversation.

I ask the Senator from Vermont, because when you read a book that says how a bill becomes a law, it seems very simple in many ways. It says a bill passes the Senate or the House. Then it goes to the second House. If it started in the House, it goes to the Senate. Then there is a conference where the differences are ironed out. Then the bill goes over to the President.

When we passed this bill—and my friend pointed out the overwhelming margin with which it was passed—the country really celebrated because for the first time in a long time we passed some sensible laws.

The question that I have for my friend is as follows: After the Senate walked hand in hand, people on both sides of the aisle, to an overwhelming vote, with three-quarters of the Senate voting to pass this juvenile justice bill, which included the Lautenberg amendment that closed the gun show loopholes—we remember that it was very close; the Vice President cast the tying vote—the people of this country were very relieved. At least they certainly were in California. They said: Thank goodness you are doing something relevant. They assumed we were making progress.

Then the bill goes over to the House, and as I remember it—and I would like the Senator from Vermont to tell me if I am correct on this—no sensible gun control was passed at all. Everything was killed. What remained was just the part that dealt with juvenile justice, not the part that talked about sensible gun laws because they separated those out.

If we are to have any closing of the gun show loophole that Senator LAUTENBERG fought so hard for, that the Vice President came over here to cast the tie-breaking vote for, which says, yes, we will do background checks to make sure that felons don't get guns and people with mental illness don't get guns and children don't get guns, we want that, the only hope, is it not so, lies in a conference where the Senate bill will be presented side by side with the House bill and the conversation will proceed and we will come up with a bill?

By not appointing conferees, is my friend implying that at the moment it means zero progress on this whole issue of juvenile justice and sensible gun laws and, perhaps, if it continues long enough, when the kids go back to school they will have no benefit from this fine bill? Is that what my friend is saying—that this is another way to at least temporarily kill this bill?

Mr. LEAHY. The Senator from California is correct. She has described the bill very well, as she always does, and where we are in the legislative process. She has had both a distinguished career in the other body and here. She understands what has happened.

It was not an easy thing passing the Hatch-Leahy juvenile justice bill here in the Senate. We had a very difficult time. It evolved. But interestingly enough—and I have been here 25 years—I have rarely seen an occasion where the American public became involved and more fully aware of what was happening.

I must say, initially, much of the news media did not even cover it. The American people became aware through C-SPAN and through all the discussions on the Internet and through the radio. And then, more and more, they realized what was happening and what was at stake.

I do not know how many people are aware of this discussion we are having right now. I will guarantee you that it will be on web sites and on the Internet, though, because the American public is concerned about this.

The Senator from California, the Senator from New Jersey, and others, will remember that as calls started coming into Senators' offices, the debate started shifting. This was one of those all too rare occasions where the American public went beyond having the debate interpreted for them and started watching what was actually happening in the debate and contributing and participating themselves.

The Hatch-Leahy legislation passed because the American people were paying attention and because they were concerned, and votes started changing, positions started changing. That is why this body came together by a 3-to-1 vote and passed the Hatch-Leahy legislation, a good piece of juvenile justice legislation, because the American people paid attention and knew something could be done.

Now it has been blocked in the other body. Why? Perhaps because that is the only way this legislation can be stopped—it won't be stopped by a vote in the Senate. Senators have said how they will vote. The only way it can be stopped is if the other body refuses to bring it up, and the way they refuse to bring it up is by refusing to appoint conferees.

(Mr. BUNNING assumed the Chair.)

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

Mr. LEAHY. Certainly.

Mr. LAUTENBERG. I know that the Senator from Vermont very much shares this view, despite the fact that gun ownership is a popular thing in the State of Vermont where a lot of people hunt and a lot of people collect guns. But I believe it is fair to say, is it not, that in the State of Vermont, despite the abundant number of guns you have there, violent crime is a relatively small factor? Is that the case?

Mr. LEAHY. The Senator from New Jersey is right.

Mr. LAUTENBERG. Therefore, does Vermont have laws that require review of applications to buy guns and require people to get permits to buy guns?

Mr. LEAHY. No, other than the Federal law, the Brady law.

Mr. LAUTENBERG. The Federal law. So they are in adherence, obviously, to the Federal law?

Mr. LEAHY. That is right.

Mr. LAUTENBERG. I wonder if the Senator is aware of the fact that we had a long struggle, which the Senator from Vermont and I participated in, to get the Brady law into place and to try to retain the review of applicants to buy guns, to be continued under the national instant check system. I wonder if the Senator has seen the pieces recently about the fact that the FBI, even with a 3-day business period available to them, does not have enough time to control every one of the decisions that is made to enable someone to buy a gun.

Mr. LEAHY. I have seen that, and I have seen the results in some places where those who should not get guns have gotten them because there has not been enough time to make the checks.

Mr. LAUTENBERG. I know the Senator keeps abreast of things, especially affecting justice, especially affecting juveniles. I inquire of the Senator as to whether or not he knows that where more than 1,700 guns, gun purchases, were denied to prohibited buyers, unstable felons and criminals have been allowed to buy guns because they were unable to thoroughly check the backgrounds before the guns were sold. Is the Senator aware of that?

Mr. LEAHY. No. But I am aware of the fact that the Senator from New Jersey is one of the experts on this issue. He has studied it as much or more than any other person in this body. If he says those are the numbers, I am willing to accept them.

Mr. LAUTENBERG. I appreciate that. I don't know whether the Senator is further aware that since the Brady bill was put into place in March of 1994, over 400,000 illegal gun sales have been blocked—over 400,000 illegal gun sales have been blocked as a result of the Brady bill being in place.

Mr. LEAHY. I was aware of that number. It is a very significant number.

Mr. LAUTENBERG. The Senator is aware, I am sure, that I had the privilege of authoring the domestic violence prohibition for guns to be available to those who had been convicted of misdemeanors, in marital and home disputes. Over 13,000 gun permits have been denied under the law that I authored at the end of 1996, which kept those people from being able to buy guns. I don't know if the Senator is aware of the extent of that number, but it is 13,000.

The fact of the matter is that, in conjunction with that, we know that roughly 150,000 times a year a gun is put to a woman's head in front of her children, or in the privacy of a discussion between the two of them, and the threat is made: I will blow your head off.

Is the Senator aware of the fact that there are forces at play here that

refuse to permit us to have sensible gun violence control? I didn't say gun control; I said gun violence control.

Mr. LEAHY. I say to the Senator from New Jersey, apparently those forces, at least at this point, have succeeded in the other body, and that is why we are not having conferees appointed and proceeding to a prompt conference, because they know if there were a conference and if the public responds as it did during the debate on the Hatch-Leahy bill originally, that conference may pass out legislation that they might not like, especially as it relates to controlling gun violence. I think that is one of the reasons why we have not seen that.

Mr. LAUTENBERG. I ask the Senator this question. The Senator from Vermont has had abundant experience as a prosecutor in the law since he was able to start his profession, the distinguished career in the Senate.

What will it take, in the Senator's mind, to finally say to the American public that we get your message? We understand that you want to protect your children. And while people have the right to bear arms, people have the right to bear children and send them to school hoping and believing that they are going to get home safely. When, I ask the Senator, does he think that message will get through these, I will call them "hollow halls," so that people will believe that they can send their children or their loved ones to the workplace or to school or to the streets without being gunned down by someone who shouldn't have a gun?

Mr. LEAHY. It will only come, I say to my friend from New Jersey, when we realize that our children and our families are far more precious to us than votes or campaign contributions. The Senator from Vermont was long ago clear on that point. My wife, my children—my family—are far more important to me than any votes, any office, any lobbyist, any pressure, any favors, any campaign contributions, or anything else. I think most families in this country feel the same way—that the family is the most precious thing possible to them.

In this body we passed legislation that might protect those families. We see the response on the other side of the Capitol of symbolism instead of substance, of speeches or feel-good solutions. We cast the tough votes here. The Senator from New Jersey made sure that we did.

On this issue especially, can we not stand up and say our families are more important, our children are more important, our grandchildren are more important, and all of that is more important than a powerful lobby?

Mr. LEAHY. Mr. President, I see the distinguished senior Senator from Utah, the chairman of the Judiciary Committee, a coauthor of the Hatch-Leahy-Biden-Sessions-Feinstein juvenile justice bill on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank my colleague. I have been very intrigued and interested in the remarks that have been made. I just want everybody to know that I want to go to conference on this bill.

The Hatch-Leahy-Biden-Sessions-Feinstein bill is a very important bill. We all know it. We all know it is important. We all know that we need to pass it this year.

Let me just say this: Leadership will, in my opinion, appoint conferees in July because I believe we have to do this.

I met just this week with leaders in both the House and the Senate—the majority leader in the Senate and the Speaker of the House. I know the intention is to appoint conferees and to have this matter resolved. My hope is that we will pass a conference report before the August recess.

No one wants this bill more than I do. It is an important bill.

To hear some of my colleagues speak, though, you would think that 99 percent of this bill is a gun control bill. I would say that a very small part of it involves guns, and the rest of it addresses in a serious way the very important issues we must confront regarding juvenile violence and juvenile justice. These are the truly critical parts of this bill.

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

Mr. HATCH. I would be happy to yield.

Mr. LEAHY. Mr. President, I agree with the point that the Senator from Utah has made. There are an awful lot of things in the Senate-passed bill besides guns. There are some very major changes in the handling of juvenile crimes, especially juvenile violent crimes, and matters relating to the relationship between the Federal Government and State governments. There are some very significant things that should not be overlooked and will be a part of the debate.

I was wondering if the Senator from Utah knows when the other body will appoint conferees and how quickly we might appoint conferees?

Mr. HATCH. My feeling is that they will appoint conferees in July—both leaders of the House and the Senate, the floor leaders—perhaps prior to the recess. My goal is to have this conference report voted on before we go out on the August recess; if not, then as soon as we can after we get back, but I hope before the August recess.

Mr. LEAHY. I also hope, I might add—and I will not interrupt the Senator again—that we are able to come to a conclusion and agreement on legislation that can be signed into law prior to the beginning of the school year.

Mr. HATCH. It would be great if we could do that. That is my goal.

I thank my colleague for being willing to stand up on that point with me.

I voted against the Lautenberg amendment. I voted against it twice. Neither of those votes on Lautenberg

won a majority of the Senate. But it finally passed with the tie-breaking vote of Vice President GORE.

Still, I voted for the final bill. I have repeatedly made clear my desire to pass this bill. This is not an empty exercise for me. This is an important bill. So there is no question about that.

Let me just say this: We have had a lot of crying, moaning, and groaning about background checks at gun shows.

Let's just stop and think about it. If we had not had Brady, which required a 5-day waiting period, if we had not had this new demand for a 3-day waiting period, we could have already had a responsible system in place. We spent so much time on 3- to 5-day waiting periods that we haven't gotten the instant check system in place throughout the country. In other words, we haven't concentrated enough efforts on implementing the one thing that will really help us to identify and weed out the felons and others who are disqualified to purchase guns in the first place.

Some would rather concentrate their efforts on this phony waiting period issue than address the real problem of identifying those who aren't allowed to own a firearm. The reason they would rather address the phony issue of a 3-day waiting period at gun shows is because gun shows only take place for 3 days. If you have a 3-day delay, it means basically there won't be any more gun shows.

What does that mean? This is pretty important stuff.

If you do not have the gun shows where legitimate, private sellers of guns can come and sell their weapons with appropriate background checks, which everybody in this body is willing to do—I have led the fight to do it—if you do not allow that to happen, then the private sellers of weapons are going to go into the streets, and those guns will all be sold on what will then be a much larger black market for guns.

We have that already in our society. We ought to minimize it. The best way to do it is to have legitimate gun shows. There are some 4,000 of them in this country—legitimate gun shows where we have legitimate background checks that are done within a 24-hour period. And that will never happen as long as we keep playing political games, and seeking the political advantage that some people think they get by talking about 1 day, 2 days, or 3 day waiting periods.

The key is to get an effective instant check system in place so we absolutely instantly can tell whether the purchaser of this weapon is somebody who is legitimately entitled to purchase the weapon.

Having said all of that, having made it very clear that we intend to have conferees on this matter and that we intend to put this matter to bed, hopefully before the August recess, a lot depends on cooperation from the other side.

As we know, we have lost a week and a half because of delays on the other

side because they want their legislation considered on their terms, regardless of how important the appropriations bills are. We have had interference after interference on getting the work of the Senate done.

And as important as all of that is, I think it is important that the American people know that the juvenile justice bill is about a lot more than guns. That is a minuscule part of the bill. We are talking about prevention and enforcement and assistance to local and State governments.

S. 254, the Senate-passed bill, provides an infusion of funds to State and local authorities to combat juvenile crime.

S. 254 provides approximately \$1.1 billion annually to fight juvenile crime and prevent juvenile delinquency.

We have \$500 million for a juvenile accountability incentive block grant.

States can use this grant to implement graduated sentencing sanctions which intervene early with appropriate penalties, so that at the first signs of delinquent or antisocial behavior take firm steps to get these kids back on the right track. They can build detention facilities for juvenile offenders, test juvenile offenders for drugs upon arrest, and require juvenile offenders to complete school or vocational training, among other reforms.

S. 254 provides a 25-percent earmark of the juvenile accountability block grant for drug treatment, school counseling, and crime prevention. These are important, significant grants. They far supersede this almost feckless debate about guns.

The Hatch-Leahy amendment provides \$50 million for the States for juvenile judges, public defenders, and probation officers to reduce the backlog of juvenile cases. That is important. The juvenile Brady provision, which prohibits juveniles who commit a violent crime or serious drug felony as a juvenile from ever being able to buy a gun thereafter, is something almost everybody agrees with. We had it in the bill to begin with. We didn't need those on the far left who hate guns and who want gun control to tell us what to do in these matters.

There is \$75 million annually to help States upgrade juvenile felony records and provide school officials access to such juvenile felony records in appropriate circumstances. This may be the most important reform in the bill, because it gets these records to the police and prosecutors and judges who need the information to appropriately deal with repeat offenders.

There is \$435 million annually to the States for programs to prevent kids from getting into crime. Some of these are specifically targeted towards gangs in school. This is far more important than all of this harping about guns.

There is \$40 million to assess the effectiveness of youth crime and drug prevention efforts; a 3-year, \$45 million demonstration project to provide alternative education to at-risk or problem

juveniles; and an extension of the violent crime reduction trust fund through 2005, to ensure adequate funding for the administration of justice programs.

In S. 254, the Senate-passed bill takes action to empower parents, the entertainment industry, and the general public to limit the exposure of children to violence. Specifically, this bill includes important provisions for the enforcement of industry rating systems.

The Hatch-Brownback amendment—and I commend my distinguished colleague from Kansas for his leadership—to S. 254, which passed overwhelmingly, provides the entertainment industry with limited exemption from the antitrust laws. This provides the motion picture, recording, and video game industries the freedom to develop and enforce voluntary standards and enforcement mechanisms without fear of antitrust liability or government regulation. The Brownback-Hatch amendment allows the appropriate industries to enter into joint discussions, consideration, and agreement to ensure retail compliance with preexisting rating systems for both off-line and on-line content.

We have a provision regarding marketing violence to children. The Brownback-Hatch amendment to S. 254 directs the Justice Department and the Federal Trade Commission to jointly examine the marketing practices of the video game, music, and motion picture industries to determine the extent to which violent material is marketed to children. The FTC is directed to report their findings to Congress within 9 months of enactment. And while I am pleased that President Clinton belatedly endorsed this idea, I should note that the Senate passed this three weeks before the President said a word about it.

We have a National Institutes of Health study. The Brownback-Hatch amendment to S. 254 provides \$2 million in funding to the National Institutes of Health to study the effects of violent entertainment on children. We know that is the cause of an awful lot of the problems.

Mr. DURBIN. Will the Senator yield?

Mr. HATCH. I am delighted to yield.

Mr. DURBIN. I have listened carefully to the Senator's speech in support of the juvenile justice bill. The Senator makes such a compelling argument of how important this bill is, how we shouldn't waste any time to move forward.

I ask the Senator, if that is his feeling and the feeling shared by Members on his side of the aisle, why has the Republican leadership in the House refused to appoint conferees?

Mr. HATCH. I have assurance from the House leaders they will appoint conferees.

Mr. DURBIN. They announced they will not appoint conferees until after the Fourth of July.

Mr. HATCH. That is true. I know they have their hands full. I trust the

statement of the leaders. If they do it then, that will be fine. That is consistent with what we have done in the past. I don't have any problem with that.

Let me continue my remarks. The Hatch-Leahy amendment to S. 254, which passed overwhelmingly, encourages large Internet service providers to offer screening/filtering software to empower parents to limit access to material unsuitable for children. This amendment provides that within 12 months of enactment, large Internet service providers should provide the software either at no charge or at a fee not exceeding the cost to them. That is a very important part of this bill.

We have an antiviolenence public service campaign in this bill. The Republican education amendment to S. 254 provides \$25 million annually to the National Crime Prevention Council and community-based organizations for a national public service campaign to prevent violence.

We have a provision on Internet bombmaking. The Hatch-Feinstein amendment to S. 254 prohibits the teaching of bombmaking, including bombmaking instructions, on the Internet if there is reason to know the bomb will be used in violation of Federal law.

We also get tough on violent juveniles and other violent offenders. We ensure that violent juveniles will be held accountable. Among other reforms, S. 254, with Republican amendments, contains the following: Project Cuff. The Hatch-Craig amendment provides \$50 million to hire additional Federal prosecutors to prosecute gun crimes in Federal court to take advantage of stiff Federal sentences.

We have full funding of the National Instant Check for background checks for firearm purposes. That is something that had to be done. We have not been concentrating on that as we should, because we keep playing games on guns instead of doing what should be done.

We have an extension of the prohibition against juvenile possession of a handgun in the Youth Handgun Safety Act to semiautomatic rifles.

The juvenile Brady provision, which I have already mentioned, prohibits firearm possession by juveniles who commit violent offenses.

We have a bipartisan provision that requires safety locks or secure gun storage devices to be sold with a handgun.

We have a minimum of 12 years in prison for those who discharge a firearm during the commission of a violent felony or drug trafficking crime.

We have a minimum of 15 years in prison for those who injure a person during the commission of a crime of violence or a drug trafficking crime.

We have a minimum of 3 years in prison for first-time offenders and a minimum of 5 years in prison for repeat offenders for those who distribute drugs to minors or sell drug in or near a school.

We have an increase in the maximum penalty for knowingly possessing, transporting, or transferring stolen firearms, to 15 years in prison.

We have an increase in the maximum penalty to 20 years for a juvenile who illegally brings a gun or ammunition to school with intent to carry or otherwise possess, discharge, or use the handgun or ammunition in the commission of a violent felony.

We have an increase in penalties for illegal purchase of a firearm.

We have an increase in penalty for committing crimes of violence while wearing body armor.

We have a safe-and-secure-schools provision.

These are very important. One would think that everything comes down to the Lautenberg amendment. That amendment didn't pass overwhelmingly. In fact, it didn't even have the support of a bare majority in the Senate until the Vice President of the United States, as is his right, voted to break the tie.

#### SAFE AND SECURE SCHOOLS

S. 254, with Republican amendments, will promote safe and secure schools, free of undue disruption and violence, so that our teachers can teach and our children can learn. S. 254 includes the following:

Training for parents, teachers, and other interested members of the community for the identification of—and appropriate responses to—troubled and violent youth.

Innovative research-based delinquency and violence prevention and mentoring programs.

Assistance to state and local school districts for comprehensive school security assessments.

Assistance to state and local school districts to purchase school security equipment and technologies such as metal detectors, electronic locks, and surveillance cameras.

Collaborative efforts with community-based organizations (including faith-based organizations) and law-enforcement agencies to provide effective violence prevention and intervention programs.

Assistance to state and local school districts to establish and implement school uniform policies.

Assistance to state and local school districts to hire school resource officers, including community police officers.

Incentives for States to detain juveniles found in possession of an illegal firearm for 24-hours to undergo evaluation.

Incentives for schools to make school discipline records available to all schools, whether private or public, when students transfer between schools.

Civil liability protection for teachers who discipline a violent student.

Resources to States and localities to create anonymous hotlines to report possible acts of violence.

I say in closing, I have been assured we will have conferees after we get

back from this next recess. My goal, of course, if we can and if we get some cooperation from the other side on the floor, is to have that bill up before the August recess, so we can have this bill passed and hopefully signed by the President before school begins this year.

I want to see that happen. It isn't going to happen if we keep playing games on guns. There is no point kidding ourselves about it.

One side must not think they have a big advantage over the other on guns. We have to work in good faith to resolve these problems. And I believe we can. I have total confidence in my colleague, Senator LEAHY from Vermont, who has worked with me assiduously on this matter. He has played a significant role.

Senator BIDEN and Senator FEINSTEIN, also on the other side, have worked very hard to try to have this bill completed. I know my colleague from Vermont and I will work very hard to get this bill done in the best way we possibly can that will bring everybody together in both the House and Senate and hopefully get a bill signed by the President.

In any event, we intend to go forward. It is an important bill, probably in some respects the most important bill in this whole session of Congress, when one considers the needs of our nation's children. We need to address—as S. 254 does—ensuring safe schools, promoting ways to keep vile entertainment from our kids, preventing juvenile crime, and really addressing for the first time needed law enforcement with regard to violent juvenile crimes.

I think we have taken too much time on this. I know we have an important appropriations bill on the floor, so I yield the floor at this time.

Mrs. FEINSTEIN. Mr. President, I join the ranking member of the Judiciary Committee, Senator LEAHY, and my colleagues in urging the majority to appoint conferees and proceed to conference on the juvenile crime bill.

It has now been one month and four days since the Senate passed the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999, by an overwhelming margin of 73-25. It has been nearly two weeks since the House of Representatives passed its counterpart bill.

And yet, since that time, there has been no progress at all toward going to conference on these two bills. In fact, it appears that there are some on the other side of the aisle who deliberately want to forestall or even de-rail the conference that is necessary to pass this vitally-needed legislation.

When the House passed its counterpart bill, they did something that is very unusual: they did not take up the Senate bill, insert the text of their bill, and request a conference, as is routinely done. This is not the kind of thing that happens by accident. For a conference to take place, both Chambers of Congress must pass the same bill.

Because the House of Representatives did not do this, one of the two Chambers must take up the other one's bill, pass it, and ask for a conference. This presents numerous opportunities for procedural mischief and delay by those who would rather not see any bill pass than one containing modest gun safety provisions, such as the Senate bill.

Mr. President, I am very disturbed by this delay in taking the next step to pass this important legislation.

Our nation was rocked 2 months ago by the tragic shootings at Columbine High School in Colorado, coming as it did in the wake of earlier school shootings in Jonesboro, Arkansas; West Paducah, Kentucky; Springfield, Oregon; and elsewhere. We cannot tolerate or evade this shocking school violence. We should not let our children start a new school year without passing this important legislation to address youth violence.

The Senate bill is a wide, sweeping measure, which will help us to confront the problem of juvenile crime. It includes a number of provisions which I authored and which I have worked on for several years, including:

- A ban on importing high capacity ammunition magazines;

- A ban on juvenile possession of assault weapons and high capacity ammunition magazines;

- A comprehensive package of measures to fight criminal gangs;

- Limits on bombmaking information;
- The James Guelff Body Armor Act, which contains reforms to take body armor out of the hands of criminals and put it into the hands of police; and
- Crime prevention programs.

It also contains other modest reforms to keep guns out of the hands of criminals and children, including: Requiring the same background checks at gun shows which gun dealers have to preform; and requiring the sale of child safety locks with handguns.

The Senate bill also establishes a new \$700 million juvenile justice block grant program for states and localities, representing a significant increase in federal aid to the states for juvenile crime control programs, including:

- Additional law enforcement and juvenile court personnel;

- Juvenile detention facilities; and

- Prevention programs to keep juveniles out of trouble to begin with.

Our bill encourages increased accountability for juveniles, through the implementation of graduated sanctions to ensure that subsequent offenses are treated with increasing severity.

It reforms juvenile record systems, through improved record keeping and increased access to juvenile records by police, courts, and schools, so that a court or school dealing with a juvenile in California can know if he has committed violent offenses in Arizona; and extends federal sentences for juveniles who commit serious violent felonies.

Let us not delay further in enacting these important measures. I join my colleagues in urging the majority to

proceed to conference and appoint conferees, so that we can enact this vital legislation.

I thank the Chair, and yield the floor.

Mr. KENNEDY. Mr. President, it has been 71 days—71 days—since the tragic shooting at Columbine High School. There are 69 days left before school children in Massachusetts and other states go back to school. It is time for Congress to finish the job we began last month and pass juvenile justice legislation. Communities across America are waiting for our answer.

We need to provide communities with the assistance they need to reduce youth violence.

We need to help parents struggling to raise their children from birth through adolescence.

We need to help teachers and school officials recognize the early warning signals and act before violence occurs.

We need to assist law enforcement officers in keeping guns away from children.

We need to close the gun show loophole.

We need to require the sale of safety locks with all firearms.

The Senate passed such legislation with overwhelming support last month. The House of Representatives passed its own version of this legislation earlier this month. It is time to appoint House and Senate conferees to write the final bill and send it to the President, so that effective legislation is in place as soon as possible.

Everyday we delay, this critical problem continues to fester. Children are under assault from violence and neglect—from the break-up of families—from the temptations of alcohol, tobacco, and drug abuse—from violence in the media. These are not new problems, but they have become increasingly serious problems, and Congress cannot look the other way and continue to ignore them.

We must support youth, parents, educators, law enforcement authorities, and communities. The public overwhelmingly supports more effective steps to keep guns out of the hands of criminals and juveniles. We cannot accept "no" for an answer from the National Rifle Association. It is long past time for Congress to face up to this challenge. The tragedy at Columbine High School is an urgent call to action to every member of Congress. Will we finally do what it takes to keep children safe, or will we continue to sleepwalk through this worsening crisis of gun violence in our schools and our society.

We have a national crisis, and common sense approaches are urgently needed. If we are serious about dealing with youth violence, the time to act is now. There is no reason why this Congress can not pass a comprehensive juvenile justice bill before the August recess. The citizens of this country deserve better than what Congress has given them so far.

The lack of action is appalling and inexcusable. We cannot continue to whistle past the graveyards of Littleton and the many other communities scarred by juvenile gun violence in recent years. Each new tragedy is a fresh indictment of our failure to act responsibly.

#### FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000—Continued

Mr. MCCONNELL. Mr. President, the hour of 1 o'clock having arrived, all the amendments to this bill have now been filed. I, at this point, will consult with Senator LEAHY about how we proceed, but in all likelihood we should be able to finish this bill by mid to late afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 1119

Mr. BROWNBACK. Mr. President, I wanted to address the body on several of the discussion points that were raised today regarding an amendment I filed. I inquire first of the President, what is the pending business?

The PRESIDING OFFICER. The question is the McConnell amendment to the amendment of the Senator from Kansas.

Mr. BROWNBACK. Then I will not have to ask the pending business be set aside. We are still on that.

I wanted to address several of the issues my colleagues have raised, that the negotiations between Armenia and Azerbaijan that are taking place in the so-called Minsk Group are at a very delicate time period and the repeal of section 907, as addressed in the McConnell-Abraham amendment, would upset the delicate negotiations at this point in time.

Frankly, it is just not true that these negotiations are at a delicate point in time now and this amendment would do that. The present conflict has been going on since the dissolution of the Soviet Union, and a cease-fire has been in effect since 1994. The U.S. Government is one of the peace group co-chairs, along with Russia and France, and they all—the U.S. Government, the Clinton administration—favor repeal or waiver of section 907.

The amendment I put forward prevents our Government from being an honest broker in the peace process. We have letters from Secretary Albright and the administration on this.

Russia is involved, and not in a helpful way. Their handiwork in retaining influences in the Caucasus is only slightly less obvious than their efforts to help out in Kosovo—in some situations where they were not helpful at all. Russian military troops are still based in Armenia and were providing military support and munitions supplies to Armenia during the war with Azerbaijan.



The argument in support of the status quo has nothing to do with the sensitivities of the ongoing peace talks. The last real peace initiative where there was a real push was in 1997, calling for Armenia's withdrawal from the occupied territories in exchange for normalization of trade with Azerbaijan. This was rejected by Armenia.

The continued status quo in Armenia's favor is nothing less than the Armenian Government's attempt to influence U.S. foreign policy and preserve an undue advantage. It really is that simple. Azerbaijan is the only country in the former Soviet Union that has unilateral sanctions from the United States. Again, we do not lift them; we just provide waiver authority for section 907.

So those arguments being raised by my colleagues are simply not accurate. Also, they talk about the issue of the blockade: Somehow Azerbaijan is blockading Armenia. I want to show a map on this point so people can get a look, again, at the region and what this so-called blockade is about.

Here is Azerbaijan. Here is Armenia. Here is the area in dispute. Armenia is occupying 20 percent of the landmass of Azerbaijan. The United Nations has condemned this action by Armenia. OSCE, the group much involved in negotiation, condemns the action by Armenia.

You can see Armenia has outlets they can use through Iran or through Georgia, which is up here. So there is not a blockade on Armenia. What the so-called blockade is, and has been for a long period of time, is a mutual border closing caused by Armenia's continued illegal occupation of Azerbaijan.

I hope my colleagues will look at the map, look at the situation, read the U.N. resolutions, the OSCE resolutions about Armenia occupying 20 percent of Azerbaijan, and quickly and clearly conclude that this blockade is really a mutual border closing caused by Armenia and its illegal occupation of Azerbaijan. That, plus the difficulties caused by Armenia's mining of some of the overland routes through the buffer zone surrounding Nagorno-Karabakh, are probably some of the most serious logistical obstacles in the blockade.

So I point these out to my colleagues, those who are saying this is a sensitive time. We had a cease-fire for 5 years. It is not that the government is involved in trying to negotiate a true peace and wants 907 to be repealed so the United States can be an honest broker in this peace process and not one-sided on it. The Clinton administration, and Bush administration prior to that, opposed section 907. And the blockade is really not a blockade at all.

Mr. President, I ask at this time to set aside the pending amendment, Senator McConnell's amendment, so I can call up an amendment.

I will call up amendment No. 1170. This is an amendment I talked about previously on Sudan. I would like to

have that considered. I ask unanimous consent that we set aside the pending amendment so I can call up amendment No. 1170.

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

#### AMENDMENT NO. 1170

(Purpose: To make available international disaster assistance, humanitarian assistance, and development assistance in opposition-controlled areas of Sudan)

Mr. BROWNBACK. 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 Kansas [Mr. BROWNBACK] proposes an amendment numbered 1170.

Mr. BROWNBACK. 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. \_\_\_\_ INTERNATIONAL DISASTER ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.

Notwithstanding any other provision of law, of the funds made available under chapter 9 of part I of the Foreign Assistance Act of 1961 (relating to international disaster assistance) for fiscal year 2000, up to \$4,000,000 should be made available for rehabilitation and economic recovery in opposition-controlled areas of Sudan. Such funds are to be used to improve economic governance, primary education, agriculture, and other locally-determined priorities. Such funds are to be programmed and implemented jointly by the United States Agency for International Development and the Department of Agriculture, and may be utilized for activities which can be implemented for a period of up to two years.

#### SEC. \_\_\_\_ HUMANITARIAN ASSISTANCE FOR SUDANESE INDIGENOUS GROUPS.

The President, acting through the appropriate Federal agencies, is authorized to provide humanitarian assistance, including food, directly to the National Democratic Alliance participants and the Sudanese People's Liberation Movement operating outside of the Operation Lifeline Sudan structure.

#### SEC. \_\_\_\_ DEVELOPMENT ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.

(a) INCREASE IN DEVELOPMENT ASSISTANCE.—The President, acting through the United States Agency for International Development, is authorized to increase substantially the amount of development assistance for capacity building, democracy promotion, civil administration, judiciary, and infrastructure support in opposition-controlled areas of Sudan.

(b) QUARTERLY REPORT.—The President shall submit a report on a quarterly basis to the Congress on progress made in carrying out subsection (a).

Mr. BROWNBACK. Mr. President, this is an amendment we have been negotiating back and forth. I indicated briefly that we wanted to bring it up if we could not get a negotiated agreement. We are proceeding later on in the day. I know the people in charge of the bill want to move this amendment, so I called this amendment up to get it as

the pending business so people can discuss it.

I have discussed this earlier. I do not seek to take up an extraordinary amount of time to discuss it. It would make available international disaster assistance, humanitarian assistance, and development assistance in the opposition-controlled areas of the Sudan.

I recently led a congressional delegation to the region. The government in Khartoum is a terrorist regime. That is according to the U.S. State Department. They have in their country the worst humanitarian situation in the world. That is according to Brian Atwood, head of USAID—the worst in the world. There were nearly 2 million people killed in 10 years, over 4 million internally displaced. This is through forced, manmade famine and starvation. This is by bombing, indiscriminate civilian bombing by the government in Khartoum.

It is exporting terrorism. It has housed Osama bin Laden until 1997. They house a number of terrorist groups in Khartoum. They are supporting terrorism and spreading throughout the region a sort of militant terrorism—in the Congo, Eritrea, Uganda, and other places. They seem to seek to be the African edge of the militant terrorism. The people attempting to kill President Mubarak in Egypt were given housing and aid and abetting in Sudan by this government. This is a bad regime. This amendment simply seeks to provide humanitarian assistance to those opposition-controlled areas and the opposition groups.

Here, again, is the list of items the government in Khartoum, the Sudan Government, is doing today. I have talked about these. Most recently, last year, 100,000 people, according to the U.S. Committee on Refugees, were killed by a man-induced famine, induced by the Khartoum government. They would not let our disaster relief planes fly into the region. They said no.

It is time we allowed aid to go to the resistance groups that are fighting just for dignity and for their own lives. This is a simple amendment. It is a modification to the one we previously called up. I do not know of any objection to this, and as soon as the manager of the amendment can perhaps come to the floor, I would simply like to ask for the yeas and nays on this amendment and have us vote on it because I think it is a worthwhile amendment. While that is being taken care of, I ask unanimous consent that Senator HELMS be added as a cosponsor to this amendment.

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

Mr. BROWNBACK. Mr. President, I have discussed this with Senator FRIST, who chairs the subcommittee, who also has traveled to Sudan and knows of the situation taking place in that region. That is why this is an important issue for us to take up now. This is the appropriate vehicle. It is



providing aid to the southern resistance movement. Actually now it is not just southern, it is all over the country.

We can move the vote to a later point, but I ask for the yeas and nays on amendment No. 1170.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second at this time.

Mr. BROWNBACK. At the appropriate time, when we can get a sufficient second, I will be asking for the yeas and nays on this amendment so we can have a vote on this amendment.

I yield the floor, 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. THOMAS. 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. THOMAS. Mr. President, I ask unanimous consent I be allowed to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The remarks of Mr. THOMAS pertaining to the introduction of S. 1305 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. BINGAMAN. 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. BINGAMAN. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Brownback amendment No. 1170.

#### AMENDMENT NO. 1165

(Purpose: To express the sense of the Senate regarding assistance provided to Lithuania, Latvia, and Estonia)

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the amendment be set aside and that amendment No. 1165 be called up for consideration.

The PRESIDING OFFICER. Is there objection? Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. ROBERTS, Mr. SMITH of New Hampshire, and Mr. CLELAND, proposes an amendment numbered 1165.

The amendment is as follows:

On page 128, between lines 13 and 14, insert the following new section:

#### SEC. . SENSE OF THE SENATE REGARDING ASSISTANCE PROVIDED TO LITHUANIA, LATVIA, AND ESTONIA.

It is the sense of the Senate that nothing in this Act, or Senate Report No. 106-81, re-

lating to assistance provided to Lithuania, Latvia, and Estonia under the Foreign Military Financing Program, should be interpreted as expressing the will of the Senate to accelerate membership of those nations into the North Atlantic Treaty Organization (NATO).

Mr. BINGAMAN. Mr. President, this sense-of-the-Senate amendment is being offered on behalf of myself, Senator ROBERTS, Senator BOB SMITH, and Senator MAX CLELAND as well.

It is, I believe, an important amendment. It is also an amendment that will be accepted. That is my expectation. We don't have a final decision on that, but we hope that is the result.

This year's foreign operations appropriations bill designates \$20 million in foreign military financing grant assistance to Lithuania, Latvia, and Estonia, the Baltic States. I am not concerned about the fact that we are designating funds for those states. I am concerned about the provision because of the intent that appears to lie behind the funding.

Let me quote from the committee report. It says in the committee report:

The assistance accelerates Baltic states integration into NATO and supports these democracies as they enhance military capabilities and adopt NATO standards.

This amendment I have offered, with the help of the three other Senators I mentioned, would state that nothing in this bill concerning the foreign military financing intended to support the legitimate security needs of the Baltic States should be interpreted as also expressing the intent of the Senate to accelerate the membership of those countries into NATO.

We recently observed the 50th anniversary of NATO, welcomed three new members into the alliance: the Czech Republic, Poland, and Hungary. I voted for the admission of those three into the alliance on this historic occasion. No other nations were admitted to the alliance, nor was there a commitment made to extend an invitation to any particular nation to join in the future.

The language contained in the Senate report accompanying the bill suggests that the military financing authorized in the bill would be for the express purpose of accelerating the integration of those states into NATO. I believe that language is premature. I believe it is ill-advised at this time. Let me try to give a few indications as to why.

Many of my colleagues share the concern, which we have heard on the floor, about the future of the NATO alliance. We, obviously, value NATO and its contributions to peace. We fervently intend that it continue to be a force for peace in the future.

Recent events within the alliance have raised some concern. Despite the recent military victory in Kosovo, there is some evidence that the alliance may not be totally healthy at this stage.

While the bombing campaign continued in Yugoslavia, for example, there were divisions among NATO members. Those were worked through.

In addition, there is a major debate now underway concerning the equity of the burdens that different members of NATO have, both financial burdens and military burdens.

I am not suggesting we debate the future of NATO today, although I do believe the Senate should soon review the Strategic Concept that is being proposed to guide future NATO potential military involvements.

I am suggesting, however, that legislative provisions, such as the one I have called attention to today in this sense-of-the-Senate resolution, could prematurely complicate the very difficult problems the alliance is facing. I don't believe anybody here would deny that a debate concerning the membership of the Baltic nations in NATO is likely to be a spirited one. This bill is not the appropriate venue for that debate to take place.

I have reviewed, by the way, the Baltic charter that was signed in January 1998 to determine if I missed something with respect to the membership of the Baltic nations in NATO. There are many affirming words in the charter about cooperation between NATO and the Baltic nations, and there are several encouraging references with respect to possible future membership of those countries in the alliance. But there are no words that commit NATO to offering membership or to accelerating their integration of those nations into the alliance.

The provision in the bill that would provide military assistance to the Baltic nations for that specific purpose is not grounded in a policy that I believe we should embrace at this time.

The sense-of-the-Senate amendment I offer would permit foreign military financing to meet the security needs of the Baltic nations, but it does not commit the Senate, as a result of that assistance, to commit itself to approval or acceleration of the membership of the Baltic nations into NATO.

I hope my colleagues will support the amendment. I believe it is in our national interest and in the security interests of Europe as well.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, the bill before us includes increased Foreign Military Financing funding to help Estonia, Latvia, and Lithuania improve their militaries. The Baltic countries need to improve their military posture whether or not they join the North Atlantic Treaty Organization (NATO). But the fact is that they do aspire to join NATO, and all three countries will be working to meet goals in NATO's Membership Action Plans for each country.

My colleagues Senators BINGAMAN, ROBERTS, BOB SMITH, and CLELAND have offered an amendment that says that nothing in the bill "should be interpreted as expressing the will of the Senate to accelerate membership of those nations into the North Atlantic Treaty Organization (NATO)." However, the Senate can do nothing to invite the Baltic countries or any other

aspiring country to join NATO. Only NATO can invite countries to join. When they are ready to join, and if they are invited to join, the Senate would have to vote to approve amending the NATO treaty to accept further NATO expansion.

The Foreign Military Financing funding can serve to accelerate the Baltic countries' efforts to meet NATO criteria, but the decision to invite them to join NATO remains a political one that will be made by NATO's nineteen member states. The Baltic states could do nothing to become NATO ready and be invited—or they could become modern-day Spartas and still not be asked to join NATO; that decision is up to NATO.

The Senate has already expressed its opinion in Section 2703 of the European Security Act of 1998 that was included in last year's Omnibus Appropriations bill that "It is the sense of Congress that Romania, Estonia, Latvia, Lithuania, and Bulgaria . . . (C) upon complete satisfaction of all relevant criteria should be invited to become full NATO members at the earliest possible date." In other words, the Senate and House of Representatives have already said that when the Baltic countries are ready to join NATO, they should be invited to join.

Thus I fail to see the usefulness of the amendment offered by my colleagues today. I particularly regret that the amendment has singled out Lithuania, Latvia, and Estonia when in fact there are many NATO aspirants, including Romania, Bulgaria, Slovenia, Slovakia, Albania, and the Former Yugoslav Republic of Macedonia.

The Baltic countries have made enormous strides in transforming themselves into free market democracies. They have embraced civilian control of their militaries, have participated in international peacekeeping, and have demonstrated their ability to operate with the military forces of NATO countries under NATO standards, spending precious resources to do so. I believe we must follow through and do all we can to convince our NATO allies that the Baltic states should be invited.

The United States' position on further expansion is that NATO should have an open door policy and that geography should be no barrier to membership. Russia need not feel threatened by the NATO membership of the three tiny Baltic states—they can do nothing to threaten the enormous and powerful Russian Federation. And right now Russia has no hostile intent toward them. But should Russia turn away from democracy, and if an expansionist autocrat were to come to power once again, NATO membership for Lithuania, Latvia, and Estonia would make a powerful statement that the United States and Europe will never again accept buffer-state subjugation of the Baltic states.

Mr. GORTON. Mr. President, I am greatly dismayed by and strongly opposed to the amendment introduced by

Senator BINGAMAN that seeks to express the Sense of the Senate that the Baltic States of Estonia, Latvia and Lithuania should not receive accelerated consideration for membership in NATO. This amendment most assuredly does not reflect the views of this Senator, and I am certain that of many more of my colleagues.

I fail to comprehend the purpose in singling-out these independent nations in this manner. It appears to this Senator, after reviewing both the Foreign Appropriations bill and accompanying report, that there is nothing contained in either document that should provoke the offering of this amendment.

It is my firm belief that the NATO alliance can benefit from the inclusion of new Central and East European nations, including the three Baltic states. The Baltic peoples have asked for and deserve protection from foreign invasion, and are willing to join the NATO security alliance to protect other European nations in need of help.

Future NATO membership for Estonia, Latvia and Lithuania is essential to their safety and prosperity. Security concerns will take precedence over continued democratic and economic reforms if the Baltics continue to exist, unprotected, in the shadow of an increasingly nationalistic Russia.

The United States should and must be vigilant in our efforts to extend NATO's reach to all democratic nations in Europe who cannot protect themselves. If we leave these nations exposed to the risk of foreign invasion and influence, the gains made in expanding democracy and freedom around the world will be vulnerable to erosion. The United States must continue to set an example for the world as a promoter and protector of democratic freedom. As victors in the Cold War, we have never had a greater opportunity than this to show democracy's enemies that we have the courage and the will to stand firm against them. NATO expansion is of vital importance to the future of democracy.

The amendment offered by the Senator from New Mexico can only have a negative effect on the United States' efforts to expand and protect democratic development in Central and Eastern Europe. To punitively single-out these three nations as they strive to protect their right to independence and freedom, following decades of Soviet domination, is neither constructive, nor in the interests of the United States. It is my sincere hope that this language will not be included in the final Foreign Operations Appropriations bill passed by Congress for Fiscal Year 2000.

Mr. LEAHY. Mr. President, is there an amendment pending now?

The PRESIDING OFFICER. Yes.

Mr. LEAHY. Which amendment?

The PRESIDING OFFICER. Amendment No. 1165, submitted by the Senator from New Mexico.

Mr. LEAHY. Mr. President, I ask unanimous consent that the pending

amendment be laid aside temporarily so that I may introduce this amendment.

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

AMENDMENT NO. 1179

Mr. LEAHY. 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 Vermont [Mr. LEAHY], for himself, Mr. FEINGOLD, Mr. REED, Mrs. FEINSTEIN, Mr. WELLSTONE, Mr. KENNEDY, Mr. SCHUMER, Mr. HARKIN, and Mrs. BOXER, proposes an amendment numbered 1179.

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

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

The amendment is as follows:

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

#### SELF-DETERMINATION IN EAST TIMOR

SEC. . (a) The President, Secretary of State, Secretary of Defense, and the Secretary of the Treasury (acting through United States executive directors to international financial institutions) should immediately intensify their efforts to prevail upon the Indonesian Government and military to—

(1) disarm and disband anti-independence militias in East timor;

(2) grant full access to East Timor by international human rights monitors, humanitarian organizations, and the press;

(3) allow Timorese who have been living in exile to return to East Timor to campaign for and participate in the ballot; and

(4) release all political prisoners.

(b) The President shall submit a report to Congress not later than 15 days after passage of this Act, containing a description of the Administration's efforts and his assessment of efforts made by the Indonesian Government and military to fulfill the steps described in paragraph (a).

(c) The Secretary of the Treasury shall direct the United States executive directors to international financial institutions to take into account the extent of efforts made by the Indonesian Government and military to fulfill the steps described in paragraph (a), in determining their vote on any loan or financial assistance to Indonesia.

Mr. LEAHY. Mr. President, the purpose of this amendment is to express strong support for a peaceful process of self-determination in East Timor.

The Indonesian Government has a historic opportunity to resolve a conflict that has been the cause of suffering and instability for 23 years.

It has made a commitment to vote on August 21st on East Timor's future, and has recognized its responsibility to ensure that the vote is free and fair.

On May 5, when I introduced a similar resolution, I remarked on Indonesia's accomplishments in the past year: President Suharto relinquished power; the Indonesian Government endorsed a vote on autonomy; and the United Nations, Portugal and Indonesia signed agreed on the procedures for that vote.

There has been more progress in the past month. Democratic elections have

been held, the first members of an international observer mission and police force arrived in East Timor, and Nobel laureate Jose Romos Horta was invited to return to Jakarta for the first time in 24 years.

A year ago few people would have predicted that a settlement of East Timor's future would be in sight. However, there is deep concern that August 21st is quickly approaching, and the violence in East Timor will make a free and fair vote impossible.

In fact, the vote, initially scheduled for August 8th, was postponed by the United Nations until August 21st because of the violence.

Hundreds of civilians have been killed, injured, or disappeared in ongoing violence by anti-independence militias armed by members of the Indonesian military who want to sabotage the vote.

Human rights monitors and humanitarian organizations continue to face problems gaining access to the island, and members of the press have been threatened.

This amendment calls on the administration to immediately intensify its efforts to prevail upon the Indonesian Government to disarm and disband the anti-independence militias, grant full access to humanitarian organizations, and allow Timorese who have been living in exile to return home.

It directs the United State executive directors to international financial institutions to use their influence to encourage the Indonesian Government and military to create a stable and secure environment for the vote.

We should use all the resources at our disposal to convince the Indonesians to stop the violence. This is not only their responsibility, it is in their interests. If the Indonesian military succeeds in sabotaging the vote, Indonesia will face international condemnation.

On June 11th, I and other Members of Congress wrote to World Bank President James Wolfensohn about the need for the World Bank to use its leverage with the Indonesian Government.

Mr. President, the world community has recognized the urgency of this situation. An international monitoring and police presence throughout East Timor is critical to creating a secure environment.

The administration is already helping to pay the costs of the U.N. monitors and police, and they have made some progress in stemming the violence.

But far more needs to be done. It is time for the Indonesian Government and military to do their part—to act decisively to ensure that a free and fair vote can occur.

This amendment reinforces what others have said and what the Indonesian Government has already committed to do. It should be unanimously supported.

Mr. President, yesterday more than 100 anti-independence militiamen sur-

rounded a newly opened United Nations office in the East Timorese town of Maliana. Hurling rocks, the mob injured a diplomat from South Africa and at least a dozen Timorese who sought refuge inside the office. The U.N. building also sustained considerable damage.

In recent months I have spoken out about the escalating violence in East Timor on numerous occasions. I am offering an amendment today about the situation there.

The Indonesian Government and military have pledged to establish a safe and secure environment prior to the August 21st ballot on East Timor's political status. This alarming incident is a clear example that the Indonesian Government and military are not living up to their obligations. It is a clear example that their failure to act is having and will continue to have international consequences.

This latest attack suggests that despite the May 5th tripartite agreement, the presence of an international observer mission and police force and recent negotiations between the opposing factions about how to stem the violence, the situation is continuing to deteriorate. It could jeopardize the entire peace process.

The East Timorese have endured over 20 years of violence and repression. The international community has committed its resources to helping ensure that a free and fair ballot can be conducted. The United Nations has firmly stated that it has a job to do in East Timor and it will not be chased off by intimidation and harassment.

Mr. President, it is my hope that this violent attack will sound the alarm to the Indonesian government and military that they have an historic opportunity to finally establish peace in East Timor and that they must act immediately or it will be lost.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I will soon send two amendments to the desk, one by the occupant of the chair, Senator VOINOVICH, related to designation of Serbia as a terrorist state, and the other by Senator BIDEN, both of which have been cleared on both sides of the aisle.

AMENDMENTS NOS. 1180 AND 1181

Mr. MCCONNELL. Mr. President, I send two amendments to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes amendments numbered 1180 and 1181.

The amendments are as follows:

AMENDMENT NO. 1180

To SEC. 525.—Designation of Serbia as a Terrorist State add:

(C) This section would become null and void should the Federal Republic of Yugoslavia (other than Montenegro and Kosovo) complete a democratic reform process that brings about a newly elected government that respects the rights of ethnic minorities, is committed to the rule of law and respects the sovereignty of its neighbor states.

AMENDMENT NO. 1181

(Purpose: To allocate funds for the Iraq Foundation)

On page 128, between lines 13 and 14, insert the following:

**SEC. . ALLOCATION OF FUNDS FOR THE IRAQ FOUNDATION.**

Of the funds made available by this Act for activities of Iraqi opposition groups designated under the Iraqi Liberation Act (Public Law 105-338), \$250,000 shall be made available for the Iraq Foundation.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that these two amendments be agreed to.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 1180 and 1181) were agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1179

Mr. LEAHY. Mr. President, are we now back on the Leahy amendment?

The PRESIDING OFFICER (Mr. SANTORUM). That is correct.

Mr. FEINGOLD. Mr. President, I rise today to join my distinguished colleague from Vermont, Senator LEAHY, to offer this amendment to encourage a peaceful process of self-determination in East Timor. This amendment closely mirrors what he and I and several other Senators expressed in Senate Resolution 96, and in a similar amendment to the State Department authorization bill. We are offering this amendment today to again highlight the significance of the process underway in East Timor that will once and for all determine its political status.

I want to commend the members of the Foreign Operations Subcommittee for including language relating to East Timor in the committee report accompanying this bill. I believe it is important that the Senate go on record regarding its support for the forthcoming ballot and in condemnation of the violence surrounding this historic vote.

As we all know, Indonesian President Habibie announced on January 27 that the Government of Indonesia was finally willing to seek to learn and respect the wishes of the people in that territory. On May 5, the Governments of Indonesia and Portugal signed an

agreement to hold a United Nations-supervised "consultation" on August 8 to determine East Timor's future political status. This ballot has since been postponed to an as yet undetermined date in late August.

Despite the positive step forward that the ballot represents, excitement and tension over the possibility of gaining independence have in recent months led to a gross deterioration of the security situation. Militias, comprised of individuals determined to intimidate the East Timorese people into support for continued integration with Indonesia and widely believed to be supported by the Indonesian military, are responsible for a sharp increase in violence.

Just this week, members of a pro-Jakarta civilian militia attacked a United Nations regional headquarters in the Maliana township in East Timor. Several people, including a U.N. election officer, were wounded. This is latest in a string of violent incidents that have been linked to pro-Jakarta militias. Mr. President, this kind of violence and intimidation cannot be tolerated, especially at this crucial time.

In the May 5 agreement, the Government of Indonesia agreed to take responsibility for ensuring that the ballot is carried out in a fair and peaceful way. Unfortunately, it is unclear that they are implementing this aspect of the agreement. Quite the opposite. Whether Indonesian troops have actually participated in some of these incidents or not, the authorities certainly most accept the blame for allowing, and in some cases encouraging, the bloody tactics of the pro-integration militias. The continuation of this violence is a threat to the very sanctity and legitimacy of the process that is underway. Thus, the Leahy-Feingold amendment specifically calls on Jakarta to do all it can to seek a peaceful process and a fair resolution to the situation in East Timor.

Mr. President, I believe the United States has a responsibility—an obligation—to put as much pressure as possible on the Indonesian government to help encourage an environment conducive to a free, fair, peaceful ballot process for the people of East Timor. I am pleased that we have taken a leadership role in offering technical, financial, and diplomatic support to the recently authorized U.N. Assistance Mission in East Timor, known as UNAMET.

Mr. President, it is not in our power to guarantee the free, fair exercise of the rights of the people of East Timor to determine their future. It is, however, in our interest to do all that we can to work with the United Nations, other concerned countries, the government of Indonesia and the people of East Timor to create an opportunity for a successful ballot process. We cannot forget that the Timorese have been living with violence and oppression for more than 23 years. These many years have not dulled the desire of the East

Timorese for freedom, or quieted their demands to have a role in the determination of East Timor's status.

We have to do all we can to support an environment that can produce a fair ballot in East Timor. Now. And throughout the rest of this process.

I hope my colleagues will support this amendment.

I yield the floor.

THE PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Florida (Mr. MACK) and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.

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

[Rollcall Vote No. 188 Leg.]

#### YEAS—98

Abraham	Enzi	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	McConnell
Ashcroft	Fitzgerald	Mikulski
Baucus	Frist	Moynihan
Bayh	Gorton	Murkowski
Bennett	Graham	Murray
Biden	Gramm	Nickles
Bingaman	Grams	Reed
Bond	Grassley	Reid
Boxer	Gregg	Robb
Breaux	Hagel	Roberts
Brownback	Harkin	Rockefeller
Bryan	Hatch	Roth
Bunning	Helms	Santorum
Burns	Hollings	Sarbanes
Byrd	Hutchinson	Schumer
Campbell	Hutchison	Sessions
Chafee	Inhofe	Shelby
Cleland	Inouye	Smith (NH)
Cochran	Jeffords	Smith (OR)
Collins	Johnson	Snowe
Conrad	Kennedy	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thompson
Daschle	Kyl	Thurmond
DeWine	Landrieu	Torricelli
Dodd	Lautenberg	Voinovich
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Durbin	Lieberman	Wyden
Edwards	Lincoln	

#### NOT VOTING—2

Mack McCain

The amendment (No. 1179) was agreed to.

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

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

The motion to lay on the table was agreed to.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

#### AMENDMENT NO. 1118

Mr. SARBANES. Mr. President, I rise in very strong opposition to the

amendment offered to this legislation by my colleague from Kansas, Senator BROWNBACK. I am supportive of the amendment offered by the chairman of the subcommittee to the Brownback amendment, the second-degree amendment. But I want to address the Brownback amendment for just a few minutes here. In the course of doing that, I will underscore why I am supportive of the chairman's amendment and why I oppose the Brownback amendment.

The Brownback amendment is similar to legislation that was considered by the Foreign Relations Committee in May. That bill was reported out on a voice vote, but six members of the committee—six members—joined in submitting minority views in opposition to several of its major provisions. It had been my expectation that if this issue were to come up, it would come up in the course of calling up that bill, which is on the calendar, has been reported out of committee. That is the normal way one would expect to deal with substantive legislation.

What we are confronted with here is an effort to attach this amendment to an appropriations bill. Of course, we all know the problems that are connected with doing that. It slows down the appropriations process. You often engage in major issues of substantive content, which really ought to involve the substantive committees, and, instead, it is shifted into the appropriations context. One would have to be naive not to appreciate that it is done on occasion, but I don't think it is a good idea.

I must say, my view here on this matter is, in part, influenced by that. In other words, it is not as though the bill that came out of committee, which we considered and debated, on which we had a vote and on which some of us were in the minority, the bill went out, and it has been placed on the calendar. It is not as if that bill is before us—substantive legislation. Instead, what we have now is an amendment that takes most of the content of that bill and seeks to add it as an amendment to the appropriations bill.

This isn't an amendment that deals with numbers and figures. It is not, in effect, an amendment that falls clearly within the bailiwick of the appropriators. This is an amendment that really deals with a very important substantive issue of national policy. Senator BROWNBACK proposes to change it, to take out of the law a provision that is now in the law. I think it is very important to understand that. In other words, the amendment offered by the distinguished Senator from Kansas would make a major alteration in existing law, and it would seek to do it, as I have indicated, in the context of considering the appropriations legislation.

I can remember a time in this body where efforts to do that alone were reason enough to oppose an amendment. It was not too long ago. In other words,

efforts to really put in the appropriations context major changes in substantive law would be met with the contention that this should be dealt with by the substantive committee and ought not to be intruded into the appropriations process, that we should not "legislate on an appropriations bill." How many times have we heard that phrase? Particularly, it seems to me when the legislation is on the calendar, it is available at an appropriate time to be considered by this body, in the proper context, where we could have the major debate, which I think this provision requires with respect to the substance of U.S. policy.

Now, one of the things this proposed amendment does, which represents a major shift in policy, is the impact it would have on section 907 of the Freedom Support Act, which addresses the question of government-to-government aid to Azerbaijan, so long as they maintain a blockade on Armenia. Section 907 precludes such aid.

This amendment, in effect, would remove that provision in the law. To the credit of the chairman of the committee, he has offered an amendment that would knock out that provision. If that were to prevail, it would significantly reduce my concerns about this amendment, although I have some other concerns, not of the same magnitude as this one.

Let me address a couple of questions here. Section 907, in my judgment, made sense when it was enacted, and it continues to make sense today. To waive it in the absence of any progress toward a lifting of the blockade would reward the Government of Azerbaijan for its intransigence and remove a major incentive for good-faith negotiations from one side in the conflict between Azerbaijan and Armenia.

For nearly a decade, the Government of Azerbaijan has prevented the transport of food, fuel, medicine—let me repeat that—food, fuel, medicine, and other vital commodities to Armenia and to Nagorno-Karabakh, causing immense human suffering. During winters, much of the Armenian population has had to live without heat, electricity, or water. Schools and hospitals have been unable to function, and most Armenian industries have been forced to close down, crippling the economy and producing widespread unemployment and poverty.

Think of this. Azerbaijan is imposing a blockade on Armenia—total: no food, no fuel, no medicines. The blockade has been particularly devastating because a similar restriction is imposed by Turkey on traffic to Armenia and because of the civil conflict that makes transport through Georgia difficult. Since Armenia is entirely landlocked, they are left with hardly any alternative. They have a small border with Iran; but, of course, that is the very outcome we do not want to encourage in terms of where they turn for supplies.

This law was written in an effort to move the countries toward negotiating

a peaceful resolution of their disputes. All Azerbaijan must do to get section 907 lifted is—and I quote this under existing law—"take demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh."

Again, they must "take demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh."

This is an entirely reasonable expectation, especially given the ostensible purpose of the amendment which the Senator from Kansas has offered, which is "to promote trade and commerce and economic cooperation between the countries of the region."

He wants to promote trade and commerce amongst the countries of the region, and yet Azerbaijan is maintaining this embargo, which precludes any such trade with Armenia.

The Government of Azerbaijan continues to thwart U.S. attempts to promote peaceful conflict resolution and regional economic integration. Although a cease-fire has been in effect in Nagorno-Karabakh since 1994, Azerbaijan has not moved to lift the economic blockade. It is also seeking to exclude Armenia from all East-West commercial corridors.

Let me be very clear what the existing law, section 907, limits or retains, because this is an effort to apply in a nuance way an incentive, or a subtle pressure, to try to move the parties in the region towards a peaceful resolution of their dispute.

We are not talking about commercial trade. Some people refer to this provision as an "economic sanction." Let's examine that.

The provision of the existing law, section 907, prohibits direct U.S. Government aid to Azerbaijan as long as they maintain this blockade. The proposed amendment would lift that. So the aid could be given even though they maintain the blockade, which, as I have indicated, I think would be a terrible step, a very harmful, substantive policy decision.

We are not talking about commercial trade, which is usually where you debate economic sanctions. In fact, the United States has perfectly normal trade relationships with Azerbaijan. To the extent that U.S. companies may not be investing there, it is due to that country's economic and political instability, its corruption, and to the low price of oil—not due to a lack of U.S. taxpayer assistance.

In fact, under the existing law, Azerbaijan receives U.S. assistance. It gets \$24 million in economic assistance, which will bring it to a total of over \$100 million since 1994. Because section 907, as it is now written in the law, does not apply to the Trade and Development Agency, the Export-Import Bank, to OPIC, to humanitarian assistance, to the foreign and commercial services, to activities to support democracy, nonproliferation, and disarmament, or aid through nongovernmental organizations, all of those ac-

tivities can take place now under existing 907.

So what 907 does in order to attempt to exercise a certain amount of influence in how matters progress in that area is restrict the direct government-to-government assistance. Assistance through aid through nongovernmental organizations is not touched. Even some government assistance, if it goes to support democracy, nonproliferation, and disarmament, can take place.

Mr. McCONNELL. Will the Senator yield?

Mr. SARBANES. I yield to the chairman of the subcommittee.

Mr. McCONNELL. The distinguished Senator from Maryland has just outlined the ways in which 907 has been modified in many respects since 1992 in order to further nudge Azerbaijan in the direction of getting this conflict settled.

The Senator also pointed out that nothing yet has happened, and to take away the last remaining carrot or stick, if you will, that would encourage the settlement of this dispute, the Senator is entirely correct, would be a very bad policy decision.

Mr. SARBANES. The Senator is absolutely right. This body has responded in the past. The argument was, well, if you just give some carrot, you would see some change in behavior.

When we first started out with 907, it was much more restrictive. Over the passage of time, these various exceptions have been put into the law. But we have retained a more limited number of restrictions. To move them now altogether—I mean the ball game is over with. Why should Azerbaijan be concerned to settle anything?

Some say, well this somehow is a sanction. What we are talking about here is whether U.S. direct foreign assistance will be made available. Foreign assistance is not an entitlement. I want to repeat that. Foreign assistance is not an entitlement.

I hope people aren't going to get up on the floor and say: Well, somehow there is some kind of entitlement and, therefore, Azerbaijan is entitled to get foreign assistance. The placing of conditions upon foreign aid is both reasonable and appropriate for policy as well as budgetary reasons. It is a standard procedure. Conditions should not be considered sanctions. They ensure that U.S. aid serves U.S. interests.

I doubt seriously, if Members would stop and really focus on it, that there would be any Member of this body who would suggest that we should give foreign aid regardless of the recipient's policies and actions; that somehow they have an entitlement claim to foreign assistance, and, therefore, there can be no conditions, or no restrictions placed on it, and regardless of what the recipient's policies and actions are, we need to provide that assistance.

Let me turn to Azerbaijan's performance in the peace process, because there is a peace process underway. Conceivably, if Armenia was blocking the

peace process and Azerbaijan was cooperating with it, one could come along and say: Well, we have to make some accommodation to Azerbaijan because they are now working with the peace process.

It is exactly the opposite. That peace process has been stalled since November when Azerbaijan, the very country that this amendment now seeks to free of any limitations on American foreign assistance, when Azerbaijan unilaterally rejected a compromise proposal put forward by the cochair of the OSCE's so-called Minsk Group—Russia, France, and the United States. The OSCE has established a Minsk Group that is chaired by Russia, France, and the United States as cochair, and they have been trying to develop a peace process to resolve this matter between Armenia, Nagorno-Karabakh, and Azerbaijan.

In November of 1998, the Minsk Group called for a common state of Azerbaijan and Nagorno-Karabakh. The so-called common state approach was accepted by Armenia and Nagorno-Karabakh as the basis for negotiations among the parties in spite of the serious reservations which were held by Armenia and Nagorno-Karabakh.

This is a proposal that the Minsk Group put to the parties in order to advance the peace process. Armenia and Nagorno-Karabakh, with concerns, nevertheless, accepted this development as a way of going forward with the direct negotiations.

Azerbaijan summarily rejected the peace plan, threatened to overturn the cease-fire, which has been in effect, and then complained about the delay in finding a resolution to the conflict, and recently—from reliable reports—Azerbaijan has provoked a series of armed incidents along the cease-fire line.

Furthermore, in addition to rejecting the peace plan, Azerbaijan objected to Armenia's proposals to foster regional cooperation through open borders and restoration of rail and road links in the Caucasus. Armenia's proposal was set out at the Transport Corridor Europe Caucasus and Asia Conference held in Azerbaijan in September of 1998, but Azerbaijan refused to recognize any of these rights or obligations insofar as they applied to Armenia.

I want to underscore not only this recalcitrance but this absolute repudiation of the peace process, of this effort by the Minsk Group—headed by France, Russia, and the United States, the three cochair—to try to develop a peace process to resolve this situation in the Caucasus. Azerbaijan has refused to participate.

Do not forget how the war started. After years of denying the people of Nagorno-Karabakh their constitutional rights and freedom, the government of Azerbaijan undertook a massive military offensive against Nagorno-Karabakh in the winter of 1993 to 1994. Although Azerbaijan launched the attacks, they encountered a better organized defense and were forced to nego-

tiate a cease-fire, which has been in effect since May of 1994. As I indicated earlier, they threatened to overturn that cease-fire recently when they rejected the proposal of the Minsk Group.

In the face of this behavior, it is now proposed by an amendment to lift the remaining few limitations on direct American foreign assistance to Azerbaijan. Obviously, Azerbaijan wants a completely normal relationship with the United States, but in a "prod" for them to rectify this situation and to give us a more stable, peaceful environment, that remains one of the prods we ought not give away.

The waiving of section 907 of the Freedom Support Act would reward the party that has been intransigent in peace negotiations and has actually thwarted legitimate aspirations for democracy and justice in the region.

I intend later to go into some detail with respect to the human rights practices in Azerbaijan, taken, of course, from the human rights report of the Department of State, the annual report that is made on human rights conditions in various countries around the world. I know there are others who want to speak, so I don't propose to do that right now. If we are seriously entertaining the prospect of changing this law, lifting the remaining limitations that are provided by section 907, obviously one of the things we must do is examine the human rights practices of the country that is going to be freed from these limitations.

Let me read one paragraph from the State Department report, in lieu of a more complete exposition of this situation, which is what I hope to do later. This will give some sense of the problem.

Azerbaijan is a republic with a presidential form of government. Heydar Aliyev, who assumed presidential powers after the overthrow of his democratically elected predecessor in 1993, was reelected in October in a controversial election marred by numerous, serious irregularities, violations of the election law, and lack of transparency in the vote counting process at the district and national levels. President Aliyev and his supporters, many from his home region of Nakhchivan, continue to dominate the Government and the multiparty 125-member Parliament chosen in the flawed 1995 elections. The Constitution, adopted in a 1995 referendum, established a system of government based on a division of powers between a strong presidency, a legislature with the power to approve the budget and impeach the President, and a judiciary with limited independence. The judiciary does not function independently of the executive branch and is corrupt and inefficient.

Later the report goes on to detail numerous human rights abuses on the part of the police, the ministry of internal affairs, and the ministry of national security. As this debate progresses, I will seek to develop those points in order to make it clear that certainly the human rights record doesn't warrant eliminating the limitation. Certainly, the support of the peace process doesn't warrant what this amendment proposes to do. Cer-

tainly, the nature of the blockade which they have imposed, which goes to humanitarian goods and services as well as everything else, doesn't warrant lifting the amendment.

The amendment, obviously, raises very difficult questions. It represents a major departure in substance in terms of our policy. I know the chairman has an amendment which will knock out this provision as it affects section 907. I am very supportive of that. I hope that will carry.

In any event, I am very much opposed to the amendment. I am frank to say I don't think we should be dealing with this amendment on an appropriations bill.

Mr. MCCONNELL. Will the Senator yield?

Mr. SARBANES. Certainly.

Mr. MCCONNELL. I have listened carefully to the Senator's comments which quite accurately lay out the sequence of events since the war in the early 1990s. Can my friend from Maryland think of any incentive whatsoever that Azerbaijan might have to settle this conflict if we repeal section 907?

Mr. SARBANES. I think we will have eliminated the last prod that we have to try to get them to settle the war and enter into a more normal, peaceful trading and commercial relationship with Armenia.

It is an irony that this amendment, this Silk Road Act, is supposedly to encourage commerce and trade amongst the countries in the region but that it has a repeal of 907 for one of the countries that is imposing a blockade on such trade and commerce with its neighbor.

It makes absolutely no sense. It runs counter to the announced objective of the legislation and of the amendment. We have a situation where we have a cease-fire, we have a Minsk process in action. We have a proposal submitted by the three cochair. Azerbaijan rejected it. An effort is being made to revisit that, to try to move that situation forward.

I think to come in with this amendment at this time is certainly not going to help the peace process.

Mr. MCCONNELL. I ask my friend from Maryland, is it not true one of the things that Azerbaijan wants more than anything is a normal relationship with the United States? If they can achieve that without negotiation, this Senator is very pessimistic about the possibility of ever settling this conflict.

I have had the opportunity to visit refugee camps in both of these countries. I must say to my friend from Maryland, I don't see any end to it. These people have been living in refugee camps now for 5 or 6 years. If this conflict isn't settled some time soon, with its sense of hopelessness and despair, we will have children being born, growing up, and reaching adulthood in these refugee camps with no hope of a normal life.

It seems to me, as the Senator from Maryland has indicated, and I agree



with him totally, we ought to be doing everything we can to encourage the end of this dispute—not to take steps that could well lead to an inevitable and lengthy process. Conceivably, this could never be settled. You could have these refugee camps there 10, 20 years from now, breeding hopelessness and terrorism and all the rest that we have seen coming out of refugee camps in other parts of the world.

Mr. SARBANES. The Senator is absolutely right. The really discouraging thing was that the Minsk people made the proposal. That is the United States, France, and Russia, speaking on behalf of the OSCE. And Azerbaijan rejected participating in that process. Had Azerbaijan accepted it and Armenia rejected it, I can imagine people would say, Azerbaijan is trying to make the peace process work, Armenia is blocking it, and we ought to go ahead and enter into this normal relationship with Azerbaijan. But that was not the case.

Second—I will detail it later—to some extent I am reluctant to detail the human rights performance, because one does not like to come on the floor of the Senate and go into a lengthy exposition of that issue. We want people to improve. When we do these human rights reports, we try to not, as it were, overload them. But now when you offer an amendment that is going to take out the last limitation we have on aid, it seems to me at a minimum it warrants a very careful examination of the human rights performance within Azerbaijan. I am frank to tell you I think, once we undertake to do that, most Members are going to have increasingly growing questions about the nature of this regime and about whether we should be trying now to repeal any limitations on providing assistance which could serve as a way to try to get a better performance.

I have gone on for some time. I see my colleague from Michigan has been on the floor waiting patiently. I will come back, obviously, and revisit this issue; particularly, if necessary, to get into this human rights discussion.

As you know, each year the State Department puts out a country report on human rights practices. This one is for 1998. This is in accordance with legislation enacted by the Congress. There is a lengthy section in here on Azerbaijan, which I think Members certainly ought to have in mind as they consider whether we should adopt the amendment offered by the Senator from Kansas which repeals section 907 of existing law. I want it to be very clearly understood, the amendment that has been offered makes a very significant change in existing law, and the second-degree amendment offered by the chairman of the committee would take out the provision that is most offensive in that regard, and that is the proposal of the Senator from Kansas to in effect give up an open waiver on section 907, thereby in effect providing for its repeal.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I realize I have spoken on this a couple of times, but I have heard arguments put forward that I want to clarify my response to so it is in the RECORD.

No. 1 is that the administration, the U.S. administration, the U.S. Government, is part of the Minsk Group. It is part of the group trying to negotiate a peace between Azerbaijan and Armenia. The Clinton administration, they support my amendment. They supported it in committee this year. They supported it last year in the Congress. They think this is a good idea. This is the administration that is negotiating, part of the three outside members—France, Russia, and the United States—part of the overall Minsk Group, along with Azerbaijan and Armenia, that is negotiating this peace.

So if this is ill timed, maybe we ought to tell the administration that, because they support my amendment.

Mr. SARBANES. Will the Senator yield for a question on that point?

Mr. BROWNBACK. If you will let me finish my statement, I have listened for a long period of time to the Senator from Maryland, so I want to just make sure this is clear.

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

Mr. BROWNBACK. If I could just go ahead and finish my statement. You have had a good chance.

The Clinton administration supports my position on this. They think it would help the United States in being an evenhanded negotiator so we do not have a set of unilateral sanctions, sanctions on one of the parties. They think that is important. They have supported it. We have letters to that effect. I will submit those for the RECORD for all my colleagues.

Mr. President, we are not lifting the sanctions. We are providing the administration with the same national interest waiver, the same one that applies to all the former Soviet Union countries. It has in it requirements that if human rights abuses are taking place, we cannot provide aid from the United States. I noted in my statement I made here earlier, I think all these countries are having human rights issues being brought forward, including Armenia, including Azerbaijan. Those are things that should be taken into consideration. But we do not lift the human rights requirements. All we do in this amendment is to provide the administration with national interest waivers. We don't lift them. We provide the administration national interest waivers. They can leave every sanction in and put more on if they deem it wise and prudent and the right thing to do.

They seem to me to be in the right position to consider whether or not sanctions should be lifted, whether or not human rights violations are taking place at the hands of the Azeris, the hands of the Armenians. I think there

are enough human rights abuses to go around in this region. I think most of the reports will cite that as well. I think the administration should have the authority to determine that and move this process forward.

I want to make sure it is clear to our colleagues. This is providing the administration the national interest waiver. It does not lift the sanctions. The administration can put those in place. The administration supports the position.

In that regard, I have a letter from the President stating support for the amendment. I ask unanimous consent it be printed in the RECORD.

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

THE WHITE HOUSE,  
Washington, April 19, 1999.

Hon. SAM BROWNBACK,  
U.S. Senate,  
Washington, DC.

DEAR SAM: I congratulate you for your leadership in working to strengthen ties with all the countries of the Caucasus and Central Asia. The meeting you are hosting, in the context of the NATO Summit, will provide an important opportunity for dialogue among leaders from the region, Members of Congress, representatives of my Administration, and other American opinion leaders. Similarly, I share the goals reflected in your bill, the Silk Road Strategy Act, and will work with you to achieve them.

The United States has a clear stake in the success of the New Independent States of the Caucasus and Central Asia. These young countries have stated that they seek stability, democracy, and prosperity. We have a chance to contribute to their efforts if we stand with them. The United States must continue to play an active and balanced role in the Caucasus and Central Asia—supporting peace in Nagorno-Karabakh and Abkhazia; promoting democracy and market economics through our assistance programs, which should be free from unproductive restrictions; and improving the security environment through bilateral programs and support for NATO's Partnership for Peace.

Your strong leadership helps underscore the bipartisan nature of, and true national interest in, these issues. I look forward to continuing to work with you to achieve our common goals in this area.

Sincerely,

BILL.

Mr. BROWNBACK. People can look at that. As far as this being a sensitive time in the negotiations, I support peace in the region, but this battle, this fight between the sides, has been going on since 1992. We have had a ceasefire for the last 5 years. There has not been significant movement in the peace process or a significant proposal since 1997. If the administration thought it was such a sensitive time, I think they would be here saying don't offer this amendment rather than supporting my position.

So I hope my colleagues will look at all these issues and determine the administration is probably right. This is something we should do. We should put everybody on an equal footing so we can work with all the people in this region, and I think that would be an important thing to do.



With that, I will be happy to yield for a question from my colleague.

Mr. SARBANES. I listened to my colleague with interest. First of all, I find it intriguing he finds himself so supportive of the administration in this instance. Let me ask my colleague this question. Does he know of any administration that would not want to be given, by the Congress, a total waiver authority?

Mr. BROWNBACK. I don't know that I can answer that, but I know this administration would appreciate that. But it is not just that. They also say here the administration strongly supports passage of the Silk Road Strategy Act, which may be added to the bill as an amendment. They appreciate the committee's continued efforts to reduce restrictions in section 907 of the Freedom Support Act.

There is very specific and very clear support.

Mr. SARBANES. Absolutely. Because the Senator gives the administration a blank check. No administration is going to spurn that. Every administration, if you offer them a blank check, is going to take it. They would be fools not to. Obviously they are supportive. You are, in effect, giving them all the authority. The Congress made a judgment in this matter, and it has consistently held to that judgment over the years, and I don't think Congress should go back on that judgment.

Mr. BROWNBACK. Reclaiming my time, I note this is the administration that is negotiating peace in this region. They want peace as I want peace in this region. They are saying: Look, this is an appropriate thing to bring up at this particular time, and it will help us in moving forward to peace in the region. They are in a better position to judge that, with all due respect to my colleague from Maryland.

Mr. President, my colleague from Michigan was kind enough to yield me time to speak. I appreciate that. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. Mr. President, I enjoyed listening to this discussion. I spoke earlier on this same amendment and want to speak again.

I am a cosponsor with the Senator from Kentucky of the second-degree amendment which was offered earlier today to the amendment of the Senator from Kansas.

As many of my colleagues may know, contained within S. 579 is the waiver, which we have been discussing, of section 907 of the Freedom Support Act. Section 907 restricts some forms of U.S. assistance to the Government of Azerbaijan until it takes demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh. The Azerbaijan blockade has cut off transport of fuel, food, medicine, and other vital goods and commodities to these regions. This in turn has forced the United States to send ongoing emergency lifesaving assistance to Armenia

and, more recently, Nagorno-Karabakh as well.

The present conflict between Azerbaijan and Armenia has been the subject of an ongoing peace process. With the consent of the United States, the Organization for Security and Cooperation in Europe, their Minsk Group, as we have heard, has been assigned the responsibility of fashioning a peace proposal satisfactory to the conflicting parties.

Despite serious reservations, Armenia and Nagorno-Karabakh have accepted the OSCE's recommendations. As the Senator from Maryland just pointed out, Azerbaijan has not. In fact, they have summarily rejected the compromise peace proposal. If Azerbaijan had accepted the compromise plan, cowritten by the United States, direct negotiations would already be underway, and this conflict may have well been on its way to being resolved.

If we vote today to abolish section 907, we, in effect, would reward Azerbaijan's rejection of the OSCE compromise peace proposal. We will have undermined what I believe and what I think a number of my colleagues who have already spoken believe to be a primary objective of that proposal, which is ending Azerbaijan's ongoing blockade.

The comments of both the Senator from Kentucky and the Senator from Maryland have been right on point. It could not be more self-evident that if the one and only leverage we have in the peace process to bring an end to this blockade and to the hostile relationships is taken away, there will be no incentives whatsoever.

It would be, in my judgment, counterproductive in the extreme to create incentives for the intransigent party to stay the course, to remain intransigent. This, in my judgment, will not bring lasting peace to the region, and I question seriously the conclusion that apparently the administration has reached that somehow this administration, or any other, will be more effective as a negotiator if this changes.

There are plenty of countries that have an interest in this region that do not have a provision like section 907 in place. Yet they have been no more successful in influencing Azerbaijan. The Minsk proposal was rejected by Azerbaijan. I do not understand how, in effect, rewarding Azerbaijan for its resistance is going to change anything.

I want to comment on another point the Senator from Kansas made. He has mentioned several times today his provision, the Silk Road Act, includes a so-called national security waiver. He indicates that it does not, of course, eliminate the sanctions, it just simply allows the President to exercise the waiver which would remove those sanctions if, in the President's view, the circumstances allowed that. This provision, as the Senator from Maryland just said, would, in effect, give the President the power to repeal section 907 or to maintain it.

However, its practical effect would be to eliminate section 907. The administration is on record, and very clearly on record, in supporting the repeal of this principal provision of the law and has been a vocal supporter of the Silk Road bill itself, as the Senator from Kansas just indicated.

The notion we are not, in effect, repealing section 907, we are simply putting the President in a position to consider using a national security waiver to repeal it, may be technically true. But as a practical matter, if we act today to eliminate section 907 and replace it with a waiver language that is suggested, we would be eliminating the section 907 sanctions automatically, because I find it hard to believe the President, in light of his statements and his support, would retain section 907.

I reiterate to my colleagues the importance of our second-degree amendment. Irrespective of your views on the Silk Road Act, either substantively or, for that matter, as a part of the foreign operations appropriations bill, our amendment would be consistent with our policies in this region, and it would maintain existing law with respect to the Government of Azerbaijan.

I hope my colleagues will support Chairman McCONNELL and myself and others who are supporting this very important amendment.

Also, I personally believe the treatment that has been received by the people of Armenia—and this is not the only time in this century that the people of Armenia have been victims of actions by military forces beyond their control—the treatment is simply unacceptable. I am not saying there are not arguments of sympathy toward all parties in this region, but the U.S. Government made the right step when we instituted section 907, that we expressed an appropriate level of sympathy, as well as support, and appropriately so, for the people of Armenia. It would be a tragic mistake for us today to reverse course and to set in motion what, in effect, would be a repeal of section 907. It will send the wrong message to the Azerbaijanis, and I believe just from a human rights point of view, it would send the wrong message with regard to our feelings toward the people of Armenia.

Actions such as that would not be evenhanded, but clearly it would be a decisive gesture on behalf of Azerbaijan. In my judgment, when one takes into account the entire historic scope of things, that is not an appropriate action for our country to take.

I urge colleagues to support our second-degree amendment, to then vote their conscience with regard to the Silk Road Act, both on substance as well as its inclusion in this legislation. As I indicated earlier, I support the efforts of the Senator from Kansas in virtually all other respects with regard to this effort and with regard to that legislation, except for this provision.

Today, on behalf of myself and the others who have joined on the second-

degree amendment, I hope we will have support. Let's not make this dramatic change in American foreign policy in this context. Let's send a message to the people of Azerbaijan that we hope they will take seriously the negotiation of the peace process and that America remains firm in its resolve to not continue or to open up these additional forms of aid until such time as the proposal we have already offered is favorably acted on.

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

Mr. ABRAHAM. Certainly.

Mr. SARBANES. Mr. President, I bring to the Senator's attention a statement that was adopted on April 15 of this year by 23 political parties in Azerbaijan that are members of the movement for electoral reform and democratic elections. These are the major opposition parties in Azerbaijan. Listen to this:

The existing Government of Azerbaijan, having usurped powers as a result of a plot in 1993, created an antidemocratic regime in the country, violated human rights and freedoms, performed brutal repressive policies against political parties and opposition forces, pursued and jailed hundreds of citizens for political reasons, falsified presidential elections, remained indifferent to the assassination of deputies of the people, brought social economic conditions of the population down to a deep precipice, illegally redirected credits from foreign countries for their own purposes, failed to achieve significant improvements in the oil industry, created conditions for the session of some already-signed oil contracts, misappropriated industrial enterprises and violated the labor rights of hundreds of thousands of citizens, substantially destroyed the industrial potential of the country, brought agriculture to a disastrous state, created conditions where a selected group of individuals accumulate state property in their hands but conceal it under the name of reforms, raise corruption and bribery to historically high levels and, thus, brought many sectors of the life of the country to a state of catastrophe.

Then they talk later—I am not going to quote it all—about the cruel pressure of the Government against the free and independent mass media, how citizens were illegally arrested for participating in election rallies and sentenced to jail terms.

Imagine the courage it took to make this statement. And now the Congress of the United States is going to come along and repeal section 907? What message does that send to these brave people who are challenging their own authoritarian government on its practices?

The Senator is absolutely right. It would send absolutely the wrong message; would it not?

Mr. ABRAHAM. It would.

I say to the Senator from Maryland, I obviously do not know, with respect to each and every one of those issues that was raised by opposition parties, the full story, but I also would suspect that very few of our colleagues know the full story or have examined that aspect of this debate.

It seems to me, in the absence of a fuller examination, it would really be a

mistake for the Members of the Senate to vote to remove, effectively repeal section 907 unless they know more of the background that the Senator just discussed.

I know the Senator from Maryland plans to discuss some of the other issues today, but I urge colleagues who are not on the floor and maybe are not following this as closely to just take note of that list and other similar kinds of lists of concerns that have been raised and very serious charges that have been leveled against the government that we would now, in effect, set in motion a potential plan to support. It seems to me this is the kind of issue that requires far greater scrutiny by the Members of the Senate before we would take that action.

I appreciate the Senator from Maryland raising those issues at this time.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. If I could pick right up on the comments made by the Senator from Maryland and the Senator from Michigan, we are talking about a major change in American foreign policy in this amendment. This is a very serious change in our policy toward that part of the world. It is not as if, as the Senator from Maryland has pointed out and as the Senator from Michigan has pointed out, the United States has no relationship with Azerbaijan.

The administration already, without the repeal of 907, can do Export-Import Bank loan guarantees and support. It can do OPIC insurance and support. It can do Trade Development Agency feasibility studies and support. It can do any activities sponsored by the U.S. Foreign Commercial Service. It can do election and democracy support. It can do Nunn-Lugar nonproliferation support. And last but not least, it can do humanitarian support, which includes food, medicine, and related relief.

In other words, 907 has basically been stripped down over the last few years so that all of those activities between our Government and Azerbaijan can take place. So there is not much left of 907.

But as the Senators from Maryland and Michigan have pointed out, what is left is significant because without it there is no real reason for Azerbaijan to pursue the much-needed peace with Armenia that the citizens of both countries richly deserve.

So I thank both Senator SARBANES and Senator ABRAHAM for their contributions to this important debate.

I yield the floor.

Mr. BROWBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWBACK. Mr. President, I have noted in my opening statement, and I have noted later, the human rights issues that exist throughout the region. There is no doubt that they

exist. I think the same standards should be applied to Azerbaijan as apply to the other countries in the region. And those do stay in place.

This is talk of a major shift in U.S. foreign policy. I, again, remind people that we are simply providing the President with waiver authority. If he determines that human rights abuses are such that any of the sanctions should not be lifted, they will not be lifted. The administration is given that authority. We do not lift those sanctions. The President maintains that.

I also note, in the human rights area—because this is an area of key concern, as it should be an area of key concern to everybody—we recently had a coffee for the Israeli Minister of Trade and Industry, Natan Sharansky. That name should be familiar to some Members. He is one of the leading human rights voices in the world. This is a person who understands the connection between the U.S. position and human rights problems.

He was here specifically to support the Silk Road Strategy Act of the bill. He said this:

Look at the human rights situation and weigh this against the importance of the threat that is facing us. It is very important to engage and to continue to encourage a positive process and the way to do this is to strengthen the role we are playing in the region.

Strengthen the U.S. role played in the region. Sharansky is clearly a person who understands the importance of tying legislation to human rights. He is a clear beneficiary of that having been done in the past. This is one of the clearest voices in the world. That is not to deny that human rights abuses have occurred. But we are not lifting the standards of human rights. We are not saying that Azerbaijan has a lower standard than everybody else. We are saying everybody has the same standard. And we provide the President the national waiver authority. This does not shift U.S. policy if the President determines it is not in our national interest, which is the same standard we put to all countries.

I plead with my colleagues to look seriously at this because while we can get down here in the weeds of some particular issues, we are talking about a region of the world that the Iranians are aggressively playing in now. All these Silk Road countries that I am talking about, the Iranians are there. They are providing aid, they are providing hate, and they are trying to overturn these governments. They can say that the authors of the amendment are saying: OK, let's just pull this 907 provision out. The rest is fine.

Azerbaijan is a key part of this Eurasian connection of connecting this region together for democracy, for a growing competitive economy that can stand against the threat of the Iranians and the militant fundamentalists expanding in this region that is taking place now.

The notion that we have not looked at this enough—I bet we have had nearly 10 hearings in the Foreign Relations

Committee between this Congress and last Congress on this issue. It passed the Foreign Relations Committee last Congress and this Congress. We have looked at it and looked at it. I wish we studied most issues as much as we have studied this one. We have. This one has been around. People have looked at it. This 907 provision has been in place for a number of years and it has not helped Armenia.

My final point here is, I am seeking, by this, to help all the countries in this region and U.S. policy. I am seeking, by this, to help Armenia as well. I realize that the people that are in opposition on this would not see that as such. But has our past policy helped Armenia? Has that been of any help?

I talked with the Foreign Minister 3 or 4 months ago, and he talked about how terrible the situation was in Armenia. And I agree, it probably is. But that is suffering under the law we put in place. Let's try something that can lift the whole region up and build stakeholders who can say: We ought to cooperate and work together.

Let's try something that can work instead of this failed policy that is a unilateral sanction. Let's provide to the President the authority to be able to do that, to move that peace process forward. This is the time to do that. I hope we can get to a vote here quickly.

I inquire of my colleague from Kentucky, I know he would like to move this bill, it would seem to me that probably we have had sufficient time. If there is a chance to move forward and vote, I think we are probably getting to that point.

Mr. McCONNELL. I say to my friend from Kansas, we are going to try to process a lot of other amendments. But we have not been offered a time agreement on this yet.

I see my colleague from Maryland is on his feet. If he would like to—

Mr. SARBANES. I want to ask the Senator from Kansas a question, if he would yield for a question.

Mr. BROWNBAC. Yes. And then I would like to yield to Senator HUTCHISON of Texas.

Mr. SARBANES. Were any other countries encompassed within your Silk Road strategy that are imposing a blockade on their neighbors the way Azerbaijan is on Armenia?

Mr. BROWNBAC. Yes.

Mr. SARBANES. Who?

Mr. BROWNBAC. Armenia.

Mr. SARBANES. On whom?

Mr. BROWNBAC. Azerbaijan. I think the Senator and I talked about this earlier today. The Senator will agree that Armenia has taken about 20 percent of the territory of Azerbaijan. The U.N. has condemned that. And what effectively you have in place is a mutual battle line that has existed between those two. The U.N. has condemned this action and told Armenia: Let's hold this back.

Mr. SARBANES. The Minsk group is trying to resolve that issue. The war began because Azerbaijan moved into

an aggressive mode. Does the Senator dispute that?

Mr. BROWNBAC. Would you dispute who is occupying whose territory?

Mr. SARBANES. Let's do it step by step. Does the Senator dispute that Azerbaijan began the war by moving into an aggressive mode?

Mr. BROWNBAC. I don't think that would necessarily be the case. I am not going to start to debate the origins of that war.

Mr. SARBANES. It becomes a highly relevant question, doesn't it?

Mr. BROWNBAC. I think the relevant question is how we move forward in this region of the world. That is the issue that we debate.

Mr. SARBANES. The argument the Senator made about trying to move forward was responded to by the committee in the past with the Exim exception, with the OPIC exception, with the encouraging democracy exception, all of the provisions that provide some aid. Now the Senator wants to lift any limitations altogether. I think any chance of getting this situation resolved will simply be gone.

I know the pressures that exist. The Silk Road strategy involves tremendous oil interests. We ought to put that out on the table, I guess. Someone ought to lay that out as an important consideration. But it ought not to result in overturning what has been an established policy in the way we are trying to do it today, particularly in a situation when, last fall, we thought we would be able to move this peace process. Had Azerbaijan participated in the peace process last fall, we would have been able to move forward. They refused to do so.

Mr. BROWNBAC. Mr. President, if I could reclaim my time, my colleague from Texas is here and desires to address this overall issue. I yield to my colleague from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. I thank the Chair.

I appreciate Senator BROWNBAC giving me a little time to talk about this, because I think it is a very important issue. There are a number of American investments being made in Azerbaijan right now. There are a number of American jobs that will be dependent on our keeping a good relationship with Azerbaijan.

I have been able to visit Azerbaijan. I was there at the same time as the distinguished chairman of the subcommittee. He knows this issue very well.

I look at this a different way. I talked to the President of Azerbaijan while I was in his country and then when he visited our country to sign agreements with several American companies to do business in his country. It is of utmost concern to him that we are beginning to make investments in his country. He welcomes us. He wants to do business with us. Yet we have sanctions on his country because of internal conflicts.

This is not a policy that is evenhandedly put forward by our country. We do business with other countries where we don't agree with the way they are treating certain people within their own country. There are border disputes with other countries, but we don't put sanctions on them in order to impose our will.

I hope Senator BROWNBAC's amendment will pass, at least this part of the amendment, because I think it is important that we send a message to the President of Azerbaijan and to the people of Azerbaijan that we want to be partners with them, that it is an important relationship to this country, and that we should continue to be able to help them work out this internal problem. But I don't think imposing our will on them is the right thing to do.

Senator BROWNBAC is trying to give the President the ability to maneuver in the interest of the United States. I think it is a reasonable request. It is a good amendment. I hope that the Senate will support it.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, in light of the comments of the Senator from Texas, I want to reemphasize something I said earlier. Section 907 is not a sanction. There is no provision currently in place that prevents American companies from trading or doing commerce in Azerbaijan. The only thing section 907 limits is it doesn't allow foreign assistance direct from the U.S. Government to Azerbaijan unless Azerbaijan—listen to this—takes demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh. So it is an absolute misrepresentation of the current situation to assert that this is a sanction. There are no trade sanctions. In fact, as the chairman of the subcommittee indicated, there are a number of Government programs that are operating in Azerbaijan.

The only thing not now permitted is direct foreign aid. There is not an entitlement to foreign aid. All we have said—I think, quite reasonably—is that you can't get any foreign aid unless you take demonstrable steps to cease all blockades against Armenia. That is what 907 provides.

Why should we give them foreign aid and allow them to continue the blockade? We want the blockade to cease.

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

Mr. SARBANES. Certainly.

Mr. McCONNELL. The Senator from Maryland makes a very good point. I visited these countries. American business is there. The American oil companies are there. I do not know why the American oil companies are so interested in the repeal of 907 because it is certainly not inhibiting their ability to do business in Azerbaijan or to drill in the Caspian Sea. Some of us have had an opportunity to see those offshore wells. I might say that the American

oil industry is doing a wonderful job, very environmentally sound drilling practices in the Caspian Sea. It is high time because the Russians committed a number of environmental atrocities both onshore and offshore in Azerbaijan during their decades there.

No American business I am aware of is being inhibited from doing business in Azerbaijan by what little remains of 907. I think the Senator from Maryland is correct in his interpretation of what remains of section 907.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, not to delay this extraordinarily, because I think we should move to a vote, we have had an extended debate. We have had extended hearings on this. It is time to go ahead and move forward to a vote.

Mr. MCCONNELL. We do not yet have an agreement to move to a vote on this amendment. That may come later in the day. We do have a number of amendments we hope to be able to accept momentarily. So I can inform the Senate, I hope we are down to just a handful of remaining amendments that might require rollcall votes. Obviously, the Brownback amendment, as amended by the McConnell-Abraham amendment, is one that is going to require a rollcall vote. Before we get to that, we are going to dispose of a number of amendments by consent very shortly.

Mr. BROWNBACK. Mr. President, if I could just reclaim my time, I want to correct one assertion that this is just about oil. I hope we would look at the people who live in this area of the world which is affected by this Silk Road Strategy Act. It is interrelated. It does all tie together to create this Eurasian corridor.

If you pull Azerbaijan out of it and you say, okay, we will work with everybody but not with them, the corridor and its work towards lifting all of their economies in their countries doesn't work, we are talking a total of nearly 72 million people in this region. If you look at a map of it, you need to work on this together. They have a lot of pressure on them from various areas.

You really need to have this all hooked in together. We need to replace 907 with a national interest waiver that the President can put, and then have a coherent U.S. policy so that we meet our interests in the region. It is clearly to have this engaged, not fall in the hands of the Iranians or back to the Russians, so we can build and grow with them and not force them to become militant fundamentalist countries.

I yield the floor.

Mr. KENNEDY. Mr. President, I just want to join in expressing real reservations about the Brownback proposal that effectively would provide discretionary provisions to the President of the United States. Obviously, it has been represented by a number of those who have spoken on this issue that the

U.S. does have interests in this particular part of the world. But it does seem to me, as someone who has followed this situation closely over a number of years, for the United States now to be in a position where we are seeing a significant alteration of the balance of power by taking unilateral action, rather than trying to add to a resolution of the dispute, I think, only makes it more complicated, more difficult to try to reach some real chance for peace.

I think in many different parts of the world, ultimately, the people who do have responsibility, authority, and power have to be willing to come to the negotiating table and be prepared to make tough and difficult decisions. To think that the United States, by somehow changing and altering its position in terms of effectively siding with one side in this, thinks that we can really advance the cause for peace in that area, I think, is shortsighted. I think it really misunderstands the region and the historical and significant political forces at play in that region.

All of us see there is a different opportunity in that part of the world currently. As we have seen the change in history in different parts of the world, whether in Northern Ireland, or perhaps even today in terms of the Middle East, or in other parts of the world, we have seen, with the change of circumstances by outside forces, progress made. But for the United States now to be in a position where it moves unilaterally in terms of its interests, I don't feel it really advances the cause of peace. There are those who have advanced different options about moving this whole political process forward, who can advance the country's interest in that part of the world in a positive and constructive way. But I fail to see how this change will advance that interest. I don't believe it does.

I strongly support the position my friend and colleague, Senator SARBANES, has mentioned. We find out now there are indirect contacts that are available and accessible. We have the private sector already engaged. There are indirect lines of support to Azerbaijan at the present time. But for the United States now to be in a position which effectively would commit itself to one side in this, after all of the various situations and the current situations, I think would be enormously counterproductive.

So I certainly hope we will not take that action at this time. I don't think it is warranted. It is not justified, and I think it would be counterproductive in terms of the interests of the people in that region. There have been initiatives for the cause of peace in that part of the world. The Armenians have indicated a willingness to move that process forward, and those have been rejected, as I understand it, by the Azerbaijanis. For the U.S., under these circumstances, to be in a situation where we could effectively—and we understand what is really at the bottom

of this, and that is effectively coming down on one side—I think there fails to be a persuasive argument about trying to advance this process for peace and real prosperity, and freeing that region from the kinds of tensions it has faced in the past.

I hope when the Senate comes to deal with this issue, we will maintain what I think has been a sound policy in the past and, with the new initiatives out there in terms of advancing peace, try to find ways to move the process forward rather than interfering in these negotiations by favoring one side over another.

Mr. KENNEDY. Mr. President, I strongly support the amendment to the Silk Road Strategy Act. I support the many worthwhile provisions in the Act, but I oppose the waiver of Section 907 of the Freedom Support Act, which was enacted by Congress in 1992. Section 907 restricts U.S. assistance to Azerbaijan because of Azerbaijan's continuing economic blockade of Armenia. This blockade has led to great suffering by the people of Armenia, who have had to endure years of shortages of vital commodities.

Azerbaijan's cut off of fuel supplies had a devastating effect on Armenia's industry. Factories were unable to operate, throwing tens of thousands of people out of work. Malnutrition increased because of the shortage of food. Schools and hospitals had to shut down or operate under dire circumstances for only a few hours a day.

Over the years, the humanitarian needs have been so great in Armenia. The 1988 earthquake, followed by the blockade, has resulted in continuing devastating circumstances for the people of Armenia. I can remember talking to doctors about the humanitarian needs of the Armenian people. I worked with the Department of Defense airlifting goods donated by the people of Massachusetts and other states to help alleviate the suffering.

Although conditions are somewhat better today than they were a few years ago, Armenia still suffers from the effects of this blockade. It continues to obstruct Armenia's ability to import food, fuel, medicine and other important commodities and items.

Unfortunately, the Silk Road Strategy Act contains no provision requiring Azerbaijan to lift this blockade as a condition of receiving additional U.S. aid. It makes no sense to reward Azerbaijan while that nation continues this inhumane blockade. Azerbaijan already receives \$24 million a year in indirect U.S. assistance. Current law allows the Overseas Private Investment Corporation and the U.S. Trade and Development Agency to provide support to the private sector, and USAID is authorized to provide humanitarian aid and democracy-building assistance to Azerbaijan.

Section 907 is an important incentive for Azerbaijan to come to the negotiating table to resolve the continuing controversy between Azerbaijan and

Armenia. The amendment offered by Senator MCCONNELL, Senator ABRAHAM, and Senator SARBANES will retain this essential lever of sanctions, and I urge the Senate to adopt it. Unless the waiver of Section 907 is removed, it would be a serious mistake for the Senate to approve the Silk Road Strategy Act.

Mr. LEVIN. Mr. President, I rise to support the McConnell amendment striking the provision in the Brownback amendment, also called the Silk Road Act, which would grant the President authority to waive Section 907 of the Freedom Support Act. Section 907 is an important provision of our law which prohibits U.S. Government assistance to the Government of Azerbaijan until it takes "demonstrable steps to cease all blockades and other offensive uses of force against Armenia and Nagorno-Karabakh." For the last 10 years, the Government of Azerbaijan has resisted taking such simple steps and instead has maintained its blockade of the transportation of food, medicine, fuel and other important items to Armenia and Nagorno-Karabakh. The Azeri blockade has led to great human suffering while seriously hampering economic development of the region. I cannot support the Silk Road Act as offered because by allowing for the waiver of Section 907 we would be removing one of the last remaining incentives we have to induce the Azeris to enter into good faith negotiations over this conflict. I believe that we all have similar goals for the region which include: economic development and cooperation; fostering of democratic principles; and the adherence to universally recognized human rights standards. Allowing for the waiver of Section 907 runs counter to these important goals by rewarding a nation which has blockaded its neighbors, maintained an authoritarian government that took power in a nondemocratic fashion, and has a human rights record that has been recognized by the U.S. State Department as "poor." I urge my colleagues to support the continuation of Section 907.

Mr. KERRY. Mr. President, I strongly oppose the amendment of the Senator from Kansas. This amendment gives the President authority to provide assistance for the countries of the South Caucasus and Central Asia—that is, Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. The purpose of this amendment is to reestablish the ancient Silk Road trading route and to gain access to the oil and gas resources of the region. In so doing, it has serious implications for Armenia and for ongoing international efforts to promote a solution to the conflict between Armenia and Azerbaijan over Nagorno-Karabakh, because it allows the President to waive Section 907 of the Freedom Support Act, which I originally authored. That legislation prohibited aid to the Government of Azerbaijan as long as it maintains a blockade against Armenia.

One of the objectives of the Brownback amendment is to foster the development of regional economic cooperation. Yet, this amendment ignores some fundamental facts on the ground. First, Armenia continues to be blockaded to the east by Azerbaijan and to the West by Turkey. Second, Azerbaijan insists on establishing and maintaining east-west energy, rail and road corridors that deliberately bypass Armenia. Although Armenia is one of the countries that could benefit from this bill in theory, in reality it is totally isolated by the situation on the ground.

This bill does nothing to address these realities. There are no provisions requiring that blockades be lifted or that all borders be opened before aid is extended. By failing to include these requirements, the bill in effect legitimizes these blockades and helps Azerbaijan to continue to use them to marginalize Armenia and keep it weak.

The ten-year blockade of Armenia and Nagorno-Karabakh by the Azeri government has cut off the transport of food, fuel, medicine and other vital goods. This blockade has been strengthened by Turkey, which has had a similar blockade for the last six years.

Section 907 is not a sanction but rather an effort to use the leverage embodied in US aid to create a level playing field for Armenia and to encourage the government of Azerbaijan to take some of the basic steps necessary if a peaceful resolution of the conflict is to be found. Section 907, as formulated in current law, prohibits US government economic and military assistance to the Azeri government, but it permits humanitarian and democracy building aid.

All Azerbaijan must do to get section 907 lifted is to "take demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh." By allowing the President to waive Sec. 907, this bill legitimizes Azerbaijan's blockade and rewards its rejection of the 1998 OSCE compromise peace proposal. This only complicates efforts by the international community to foster a settlement to the conflict. The greatest weakness of this Brownback amendment is that it is totally silent on the peace process.

Mr. President, I will vote against the Brownback amendment and in support of the McConnell amendment, which removes the President's ability to waive Sec. 907.

Ms. MIKULSKI. Mr. President, our foreign policy must reflect our values. That's why I oppose the Silk Roads Strategy Act amendment.

The sponsors of this legislation say that we should build stronger ties with the nations of the South Caucasus and Central Asia. I agree. We must promote peace, democracy and economic growth in this important region. But to do this, we can't ignore basic human rights or fundamental American values.

The Silk Roads Strategy Act would enable the President to waive Section 907 of the Freedom Support Act. Section 907 prohibits most direct American aid to Azerbaijan until it takes demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh. Section 907 has been modified in recent years to enable humanitarian aid and aid provided by the Overseas Private Investment Corporation, the Trade Development Agency and the Export Import Bank. Yet Azerbaijan has done nothing to end the embargo and has been recalcitrant in the OSCE peace process.

American foreign aid is not an entitlement. We have a right to place conditions on our assistance. We have a right to demand that countries receiving US aid live up to certain basic humanitarian standards.

For almost ten years, Azerbaijan has maintained a blockade of Armenia. This blockade prevents the delivery of basic human needs—including food, medicine and fuel. What does this mean for the people of Armenia and Nagorno-Karabakh? It means terrible human suffering. It means a high infant mortality rate and poor maternal health. It means hunger. It means shortages of the basic needs of life—food, medicine and energy.

Senator MCCONNELL has offered a second degree amendment that would maintain Section 907. This is a reasonable approach. The McConnell amendment would enable us to strengthen relations with the Caucasus—without compromising our values.

I urge my colleagues to join me in supporting the McConnell amendment—and in opposing the Silk Roads Strategy Act.

#### SILK ROAD STRATEGY ACT OF 1999

Mr. DODD. Mr. President, I think there has been more heat than light evidenced by those who have attempted to characterize what the amendment offered by Senator BROWNBACK seeks to achieve with the proposed amendment or with legislation that he introduced earlier this year—the so called Silk Road Strategy Act.

I call attention to the language of the amendment and what it seeks to achieve support, the bill has even more expansive language in these areas.

Let me highlight for my colleagues just a few of these goals: to promote and strengthen independence, sovereignty, democratic government and respect for human rights; to promote tolerance, pluralism, and understanding and counter racism and anti-Semitism; to assist actively in the resolution of regional conflicts and to facilitate the removal of impediments to cross-border commerce; and to help promote market oriented principles and practices.

The assistance authorized by this legislation is intended to promote reconciliation, economic development, and broad regional cooperation.

Mr. President, I think we would all agree that these are appropriate goals

and programs that are worthy of U.S. support.

There is a great deal of misunderstanding about what the bill and the proposed amendment will do.

It does not supersede the Freedom Support Act nor does it repeal section 907 of the Freedom Support Act which restricts assistance to Azerbaijan. Rather it gives the President the ability to waive continued application of the restrictions if he determines they do not serve United States national interests.

I opposed last year's version of the Silk Road legislation because I believed it went further than was wise or necessary in superseding the Freedom Support Act and in the outright repeal of restrictions on assistance to Azerbaijan.

Having said that, I have made no secret of the fact that I am increasingly opposed to Congressionally mandated foreign policy restrictions that do not include Presidential waiver authority. I think that it makes the conduct of foreign policy extremely difficult and is not the most effective way to promote the goals that Congress is seeking in the legislation it enacts.

Senator BROWNBAC has struck the right balance in the legislation that is before us today. It recognizes the challenges we face in promoting democracy and respect for human rights in the region and it gives the President sufficient tools to make progress in these areas.

I believe it also gives an incentive for governments in the region to make progress in these important areas, knowing that if they do, they will improve relations with the U.S. and open the door to economic assistance which they need if they are to make progress to building democratic institutions in their countries.

For that reason I support the underlying Brownback amendment and do not believe that the perfecting amendment offered by Senator MCCONNELL is necessary.

Mr. FEINGOLD. Mr. President, I rise in opposition to the amendment offered by the Senator from Kansas, (Mr. BROWNBAC), the so-called "Silk Road Strategy Act." I certainly support the Senator's desire to promote peace and democracy in Central Asia and the South Caucasus region, but I remain concerned about the approach this legislation takes toward achieving these laudable goals.

In particular, I am troubled by the provision in the Silk Road Strategy Act which would allow the President to waive Section 907 of the Freedom Support Act. Section 907 prohibits United States assistance to the government of Azerbaijan until it takes demonstrable steps to end the blockade of Nagorno-Karabakh. No such steps have been taken, Mr. President. The blockade continues, as do human rights violations against the Armenian population in the region. I am concerned that the waiver of Section 907 would, in effect,

reward the Azeri government for its refusal to end the blockade.

For those reasons, I opposed prior versions of the Silk Road Strategy Act in the Committee on Foreign Relations in the 105th and 106th Congresses, and I signed on to the minority views contained in the committee report both times. Those views stated, in part, that "to waive [Section 907] in the absence of any progress toward a lifting of the blockade would reward the Government of Azerbaijan for its intransigence and remove a major incentive for good-faith negotiation from one side in the conflict."

Mr. President, a decision not to provide foreign assistance to a government is not a sanction. The United States Congress has the responsibility to prohibit the provision of bilateral assistance to governments with which we have serious concern. This is not a sanction; rather, it is a means of making our foreign policy goals clear. Foreign assistance is not an entitlement. Section 907 plainly states that there will be no U.S. assistance to the government of Azerbaijan until the blockade is lifted. Period. As my colleagues well recall, this body has placed numerous conditions on bilateral assistance to a variety of countries. Section 907 is a condition, not a sanction. Moreover, many types of bilateral assistance are exempt from Section 907, and U.S. trade with Azerbaijan has been unaffected by this provision.

I will support the McConnell-Abraham second degree amendment to strike the waiver authority for Section 907 from the bill, and I will oppose the Brownback amendment in its current form. I urge my colleagues to do so as well.

Mrs. FEINSTEIN. Mr. President, I rise in support of the 2nd degree Amendment offered by the Senator from Kentucky. Without the McConnell Amendment, I find that I must oppose the underlying Amendment offered by the Senator from Kansas.

Although I think that many of the goals and objectives of Senator BROWNBAC's Amendment are worthwhile—I too believe in establishing a policy of greater U.S. engagement with the countries of the Caucasus and Central Asia—I find that I must oppose this Amendment because it contains a fatal flaw: I do not think that Congress should get rid of Section 907 of the Freedom Support Act, which this Amendment does, so long as Azerbaijan continues its decade-long blockade of Armenia and Karabakh.

The McConnell Amendment, which retains Section 907, would fix this flaw.

Expanding Azerbaijan's eligibility for assistance from the United States without seeking progress on the resolution of this issue runs the risk of legitimizing precisely the sort of behavior which the United States, on the cusp of a new century, must seek to discourage.

Azerbaijan is already eligible for U.S. humanitarian assistance, as well as

funds for democracy building and many trade benefits. All that Azerbaijan has to do under Section 907 to be eligible for the full range of U.S. assistance is to "take demonstrable steps to cease all blockades against Armenia and Nagorno-Karabakh."

In other words, all it has to do is end hostilities, end an act of war, and seek to settle this dispute peacefully. If Azerbaijan were to take these simple steps there would be no need to repeal Section 907—its restrictions would no longer apply. Is it too much to ask another country that it end a state of war before we provide it with additional foreign assistance?

In fact, given Azerbaijan's continued unwillingness to make an effort to peacefully resolve this issue, gutting Section 907 rewards Azerbaijan for continued bad behavior, and sends a very disturbing message to others who might behave likewise. Basically we would be saying that it is O.K. to attack your neighbor, impose a blockade, stop food, fuel, and medicine from getting through to those in need, the United States will simply look the other way. In fact, we will do more than look the other way, we will consider offering you military assistance. I do not think this is the sort of message we should be sending.

The nations of the region must solve their problems via direct negotiations and mutual compromise, not by acts of war. When Azerbaijan shows a willingness to end its blockade and seeks a peaceful resolution of the outstanding issues with Armenia then, and only then, should the United States provide it with the sort of assistance that this Amendment would allow.

I urge my colleagues to join me in support of the McConnell Amendment. And, unless the McConnell Amendment, which retains Section 907, is passed by this body, I would urge my colleagues to join me in opposition to the underlying Brownback Amendment.

#### SILK ROAD STRATEGY ACT

Mr. HATCH. Mr. President, I rise in support of Senator BROWNBAC's amendment to the FY 2000 Foreign Operations Appropriations bill, the aptly named "Silk Road Strategy Act." This act puts in place a much-needed strategy toward a much-overlooked part of the world, a part of the world that the U.S. would ignore at considerable risk.

I commend my colleague from Kansas for the extraordinary effort he has committed to shaping this policy and drafting this legislation. Senator BROWNBAC has spent several years studying this region, traveling through it, meeting with political leaders and economic decision makers and discussing his thoughts with the Administration. The fruits of this in-depth research and commitment are evident in this amendment.

I also thank my colleague for working with me to include language in this bill that strengthens the U.S. policy of opening these markets and raising



these countries' level of economic cooperation with the United States through bilateral investment treaties.

As the senior Senator from Utah, I am very fortunate to represent a State with many far-sighted international commercial ventures, and the language I proposed, which Senator BROWNBAC has thoughtfully accepted, supports those interests by requiring the Secretary of State to report annually on the progress that is being made in negotiating investment treaties with nations of the region. I believe this measure will, for the time being, be sufficient to monitor progress in these important negotiations and will alert these nations to the serious concerns that the U.S. Congress has in protecting U.S. investments abroad. U.S. companies investing in this region should have the protections of bilateral investment agreements.

This is entirely consistent with the strategy of the "Silk Road Act," which is posited on the accurate belief that increased U.S. participation in this region is fundamental to their development and our interests.

The economic component is only one part of the strategy of this amendment. By promoting infrastructure development, democratic political reforms, sovereignty, independence, and conflict resolution, the Brownback proposal will contribute to political stability and progress as well.

Last fall, during a visit to the region, I went to the Republic of Georgia and renewed an acquaintance with Edouard Shevardnadze. An artful negotiator as foreign minister in the last years of the Soviet Union, President Shevardnadze returned to his native Georgia, which became independent as a result of the demise of the Soviet Union. As President of Georgia, Edouard Shevardnadze has been a stalwart promoter of democracy and an open economy, and he has done so under very, very difficult circumstances.

Close to one-quarter of his nation's territory is not under central government control. Russian soldiers remain stationed on some of that territory, against the will of the Georgian government. President Shevardnadze has twice narrowly avoided assassination—one of his assassins freely resides in Russia today. In my discussions with President Shevardnadze, we discussed the need for increased U.S. attention to this region and increased participation by U.S. commercial interests. This "Silk Road Strategy Act" promotes these goals.

The region of the world that this act addresses remains rife with internal conflicts, cross-border incursions, and—perhaps most disturbing—continued challenges by radical Islamic interests, supported in many cases by the extremists in Iran. If these conflicts succeed in destabilizing the region, millions of people recently freed from nearly a century of communist totalitarianism will be denied their economic and political progress, nations

surrounding the region will be drawn into wider conflicts, and international markets will be affected.

Further, and most importantly, if this region slips toward instability, I am deeply concerned that the U.S. will see the Central Asian and Caucasus States become the source of many future conflicts. Some of these conflicts could have troubling transnational consequences that directly affect us, such as the spread of terrorism and international crime.

I commend Senator BROWNBAC for this valuable legislation, which makes a solid and important step in refocusing U.S. interests to a part of the world that is important to us now, and will be even more important in the future.

Mr. TORRICELLI. Mr. President, I rise today in support of this amendment and the preservation of Section 907 of the Freedom Support Act. It is important that we maintain our commitment to the Armenian people.

One of the greatest foreign policy priorities in the post-Cold War world is to assist former Communist countries in making the difficult transition to democracy. The fall of the Soviet Union was not the final victory of the Cold War. That will come only when all of these former adversaries embrace liberty, free markets, and the rule of law. Senator BROWNBAC's underlying amendment has the potential to further economic and political progress in the Caucasus and Caspian Sea regions. In its current form, however, it severely weakens one of Congress' central achievements of the post-Cold War era.

The 102nd Congress in 1992, passed the Freedom Support Act. This bill acknowledged that we can help countries make the transition to democracy both with the carrot of economic aid and the stick of withholding such assistance. It included a provision, Section 907, which mandated that Azerbaijan will not receive any direct economic aid until it ceases the blockade of neighboring Armenia and the Armenian enclave of Nagorno-Karabakh. Even still, the United States has supported the Azeri people with over \$180 million in humanitarian assistance through NGOs since 1992. The Foreign Operations Appropriations bill itself also allows OPIC and TDA activities in Azerbaijan which we approved last year.

The Azeri blockade of Armenia and of Karabakh is a direct result of the dispute between the two countries over the status of Karabakh. This is the longest-running ethnic conflict in the former Soviet Union. So far, the human cost has been 35,000 lives and 1.4 million refugees. Outside of the conflict, the brutality of the Azeri blockade has been equally devastating for Armenia. As a land-locked country where only 17 percent of the land is arable, its ties to the outside world are its lifeline. Humanitarian assistance cannot get to Armenia, which is still trying to rebuild from the devastating

earthquake of a decade ago. In Karabakh, the blockade has produced a critical shortage of medical equipment.

True regional cooperation is unrealistic as long as this conflict continues. By passing the underlying amendment in its current form, we are virtually guaranteeing that the OSCE peace process will fail. Armenia will have little incentive to participate in the future, and Azerbaijan will receive the message that its rejection of any future peace proposals is acceptable. I support Senator BROWNBAC's attempts to promote an East-West axis in the region, and I believe it is critical that we encourage these former republics to look westward. By allowing the blockade to endure, however, we are leaving Armenia with only North-South options. If our intent is to truly improve the quality of life in the Caucasus and the Caspian Sea, we must make a positive impact on the Caucasus without undermining our commitment to the Armenian people. I urge my colleagues to support the McConnell-Abraham amendment and allow Section 907 to remain in place.

#### VISIT TO THE SENATE BY THE PRESIDENT OF THE ARAB REPUBLIC OF EGYPT, MOHAMMED HOSNI MUBARAK

The PRESIDING OFFICER. The distinguished chairman of the Foreign Relations Committee, Senator HELMS, is recognized.

Mr. HELMS. I thank the Chair.

Mr. President, I have the honor and privilege of presenting to Members of the Senate and to the Pages the distinguished and very popular President of the Republic of Egypt, Mohammed Hosni Mubarak.

#### RECESS

Mr. HELMS. Mr. President, I ask unanimous consent that the Senate stand in recess for six minutes so we can greet President Mubarak.

I thank the Chair.

There being no objection, the Senate, at 4:13 p.m., recessed until 4:19 p.m.; whereupon, the Senate was called to order by the Presiding Officer (Mr. SESSIONS).

Mr. MCCONNELL. Mr. President, which amendment is pending?

The PRESIDING OFFICER. The pending amendment is No. 1165, offered by Senator BINGAMAN of New Mexico.

Mr. MCCONNELL. I ask the Bingaman amendment be set aside.

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

AMENDMENTS NOS. 1125, 1146, 1150, 1151, 1158, 1162, 1163, 1167, 1168, AND 1173 THROUGH 1177, EN BLOC

Mr. MCCONNELL. There are a number of amendments that have been cleared by both sides that I send to the desk:

Amendment No. 1125 by Senator SMITH of Oregon related to CDC; amendment No. 1146 by Senator LAUTENBERG related to war crimes; amendment No. 1150 by Senator HELMS related to Serbia; amendment No. 1151 by

Senator BURNS dealing with narcotics; amendment No. 1158 by Senator DODD dealing with IMET; amendment No. 1162 by Senator BOXER, dealing with tuberculosis; amendment No. 1167, by Senator KERRY of Massachusetts relating to arms transfer; amendment No. 1168 by Senator KERRY of Massachusetts relating to Cambodia; amendment No. 1173 by Senator BIDEN relating to threat reduction; amendment No. 1174 by Senator LEVIN relating to KEDO; amendment No. 1175 by Senator DOMENICI relating to Habitat for Humanity; amendment No. 1177 by Senator SCHUMER relating to ETRI; amendment No. 1176 by Senator COCHRAN relating to IMET; amendment No. 1163 by Senator CLELAND relating to the Balkans conference.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Kentucky [Mr. McConnell] proposes amendment Nos. 1125, 1146, 1150, 1151, 1158, 1162, 1163, 1167, 1168, and 1173 through 1177, en bloc.

The amendments are as follows:

#### AMENDMENT NO. 1125

At the appropriate place in the bill, insert the following new section and renumber any remaining sections accordingly:

#### SEC. SENSE OF THE SENATE ON THE CITIZENS DEMOCRACY CORPS.

It is the sense of the Senate that—

(1) with regard to promoting economic development and open, democratic countries in the former Soviet Union and Central Eastern Europe, the Committee commends the work of the Citizens Democracy Corps (CDC), which utilizes senior-level U.S. business volunteers to assist enterprises, institutions, and local governments abroad. Their work demonstrates the significant impact that USAID support of a U.S. non-governmental organization (NGO) program can have on the key U.S. foreign policy priorities of promoting broad-based, stable economic growth and open, market-oriented economies in transitioning economies. By drawing upon the skills and voluntary spirit of U.S. businessmen and women to introduce companies, CDC furthers the goals of the Freedom of Support Act (NIS) and Support for Eastern European Democracy (SEED), forging positive, lasting connections between the U.S. and these countries. The Committee endorses CDC's very cost-effective programs and believes they should be supported and expanded not only in the former Soviet Union and Eastern Europe, but in transitioning and developing economies throughout the world.

#### AMENDMENT NO. 1146

(Purpose: To provide substitute language relating to restrictions on assistance to countries providing sanctuary to indicted war criminals)

Beginning on page 100, strike line 11 and all that follows through line 13 on page 107 and insert the following:

RESTRICTIONS ON ASSISTANCE TO COUNTRIES, ENTITIES, AND COMMUNITIES IN THE FORMER YUGOSLAVIA PROVIDING SANCTUARY TO PUBLICLY INDICTED WAR CRIMINALS

SEC. 567. (a) POLICY.—It shall be the policy of the United States to use bilateral and multilateral assistance to promote peace and respect for internationally recognized human rights by encouraging countries, entities, and communities in the territory of the former Yugoslavia to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia—

(1) by apprehending publicly indicted war criminals and transferring custody of those

individuals to the Tribunal to stand trial; and

(2) by assisting the Tribunal in the investigation and prosecution of crimes subject to its jurisdiction.

(b) SANCTIONED COUNTRY, ENTITY, OR COMMUNITY.—

(1) IN GENERAL.—A sanctioned country, entity, or community described in this section is one in which there is present a publicly indicted war criminal or in which the Tribunal has been hindered in efforts to investigate crimes subject to its jurisdiction.

(2) SPECIAL RULE.—Subject to subsection (f), subsections (c) and (d) shall not apply to the provision of assistance to an entity that is not a sanctioned entity within a sanctioned country, or to a community that is not a sanctioned community within a sanctioned country or sanctioned entity, if the Secretary of State determines and so reports to the appropriate congressional committees that providing such assistance would further the policy of subsection (a).

(c) BILATERAL ASSISTANCE.—

(1) PROHIBITION.—None of the funds made available by this or any prior Act making appropriations for foreign operations, export financing and related programs may be provided for any country, entity, or community described in subsection (b).

(2) NOTIFICATION.—Not less than 15 days before any assistance described in this subsection is disbursed to any country, entity, or community described in subsection (b), the Secretary of State, in consultation with the Administrator of the Agency for International Development, shall publish in the Federal Register a written justification for the proposed assistance, including a description of the location of the proposed assistance program or project by municipality, its purpose, and the intended recipient of the assistance, including the names of individuals, companies and their boards of directors, and shareholders with controlling or substantial financial interest in the program or project.

(d) MULTILATERAL ASSISTANCE.—

(1) PROHIBITION.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to work in opposition to, and vote against, any extension by such institutions of any financial or technical assistance or grants of any kind to any country or entity described in subsection (b).

(2) NOTIFICATION.—Not less than 15 days before any vote in an international financial institution regarding the extension of financial or technical assistance or grants to any country or community described in subsection (b), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the appropriate Congressional committees a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries, including the names of individuals with a controlling or substantial financial interest in the project.

(e) EXCEPTIONS.—Subject to subsection (f), subsections (c) and (d) shall not apply to the provision of—

(1) humanitarian assistance;

(2) assistance to nongovernmental organizations that promote democracy and respect for human rights; and

(3) assistance for cross border physical infrastructure projects involving activities in both a sanctioned country, entity, or community and a nonsanctioned contiguous country, entity, or community, if the project is primarily located in and primarily benefits the nonsanctioned country, entity, or community and if the portion of the project located in the sanctioned country, entity, or

community is necessary only to complete the project.

(f) FURTHER LIMITATIONS.—

(1) PROHIBITION ON DIRECT ASSISTANCE TO PUBLICLY INDICTED WAR CRIMINALS AND OTHER PERSONS.—Notwithstanding subsection (e) or subsection (g), no assistance may be made available by this Act, or any prior Act making appropriations for foreign operations, export financing and related programs, in any country, entity, or community described in subsection (b), for any financial or technical assistance, grant, or loan that would directly benefit a publicly indicted war criminal, any person who aids or abets a publicly indicted war criminal to evade apprehension, or any person who otherwise obstructs the work of the Tribunal.

(2) CERTIFICATION.—At the end of each fiscal year, the President shall certify to the appropriate congressional committees that no assistance described in paragraph (1) directly benefited any person described in that paragraph during the preceding 12-month period.

(g) WAIVER.—The Secretary of State may waive the application of subsection (c) with respect to specified United States projects, or subsection (d) with respect to specified international financial institution programs or projects, in a sanctioned country or entity upon providing a written determination to the appropriate congressional committees that the government of the country or entity is doing everything within its power and authority to apprehend or aid in the apprehension of publicly indicted war criminals and is fully cooperating in the investigation and prosecution of war crimes.

(h) CURRENT RECORD OF WAR CRIMINALS AND SANCTIONED COUNTRIES, ENTITIES, AND COMMUNITIES.—

(1) IN GENERAL.—The Secretary of State, acting through the Ambassador at Large for War Crimes Issues, and after consultation with the Director of Central Intelligence and the Secretary of Defense, shall establish and maintain a current record of the location, including the community, if known, of publicly indicted war criminals and of sanctioned countries, entities, and communities.

(2) REPORT.—Beginning 30 days after the date of enactment of this Act, and not later than September 1 each year thereafter, the Secretary of State shall submit a report in classified and unclassified form to the appropriate congressional committees on the location, including the community, if known, of publicly indicted war criminals and the identity of countries, entities, and communities that are failing to cooperate fully with the Tribunal.

(3) INFORMATION TO CONGRESS.—Upon the request of the chairman or ranking minority member of any of the appropriate congressional committees, the Secretary of State shall make available to that committee the information recorded under paragraph (1) in a report submitted to the committee in classified and unclassified form.

(j) DEFINITIONS.—As used in this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

(2) CANTON.—The term "canton" means the administrative units in Bosnia and Herzegovina.

(3) COMMUNITY.—The term "community" means any canton, district, opstina, city, town, or village.

(4) COUNTRY.—The term “country” means Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia (Serbia-Montenegro), the Former Yugoslav Republic of Macedonia, and Slovenia.

(5) DAYTON AGREEMENT.—The term “Dayton Agreement” means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

(6) ENTITY.—The term “entity” refers to the Federation of Bosnia and Herzegovina, the Republika Srpska, Brcko in Bosnia, Serbia, Montenegro, and Kosovo.

(7) INTERNATIONAL FINANCIAL INSTITUTION.—The term “international financial institution” includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(8) PUBLICLY INDICTED WAR CRIMINALS.—The term “publicly indicted war criminals” means persons indicted by the Tribunal for crimes subject to the jurisdiction of the Tribunal.

(9) TRIBUNAL OR INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA.—The term “Tribunal” or the term “International Criminal Tribunal for the Former Yugoslavia” means the International Tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the Territory of the Former Yugoslavia since 1991, as established by United Nations Security Council Resolution 827 of May 25, 1993.

Mr. LAUTENBERG. Mr. President, I would like to thank Senator MCCONNELL and Senator LEAHY for including my amendment No. 1146 in the managers’ package.

Mr. President, I rise today to offer an amendment to ensure U.S. aid does not go to countries or regions or communities in the former Yugoslavia which continue to harbor indicted war criminals.

This amendment would improve language we adopted last year with a clearer provision covering all of the former Yugoslavia.

Mr. President, we have seen terrible atrocities committed in Croatia, in Bosnia, and most recently in Kosovo.

The International Criminal Tribunal for former Yugoslavia has publicly indicted 89 persons for war crimes, crimes against humanity, and genocide. There are almost certainly more indictments which remain sealed. Ongoing investigations in Bosnia and now in Kosovo will surely lead to more indictments.

However, the justice of the War Crimes Tribunal relies on the governments of countries in the region to apprehend indicted war criminals and transfer them to The Hague to stand trial.

Because the Republika Srpska authorities failed to fulfill their responsibilities, United States and other NATO armed forces in the United Nations-authorized peacekeeping force in Bosnia have arrested 7 war criminals. However, 36 publicly indicted war criminals remain at large.

Mr. President, our aid programs provide important leverage to motivate governments in the former Yugoslavia to stop harboring war criminals and start arresting them.

United States policy linking aid to cooperation with the war crimes tribunal is clear.

Indeed, a few years ago, Secretary Albright said the following in her remarks at the Tribunal:

... The United States has made full cooperation with the War Crimes Tribunal, especially the transfer of indictees to The Hague, a prerequisite for U.S. assistance, our support for assistance by others, and our backing for membership in international institutions.

Unfortunately, the administration has resisted putting this policy into practice. Indeed, Secretary Albright has issued broad waivers of the provision included in the fiscal year 1998 and 1999 appropriations bills. The United States now provides aid to the city of Prijedor which hosts no fewer than 8 indicted war criminals.

Just this month Secretary Albright signed another waiver to provide \$10 million in budget support to the Republika Srpska Government—the very Government which includes the Bosnian Serb police force which should be carrying out arrest warrants and is not.

Mr. President, ever more atrocities committed by Serbian police and paramilitary forces in Kosovo are coming to light: executions, torture, rape, burning of homes, expulsions on a massive scale.

We must now send a strong signal that we are determined to see the perpetrators of these crimes face justice. We must end our support for so-called moderates in Republika Srpska until and unless they fulfill their obligations to arrest war criminals and cooperate with the War Crimes Tribunal.

The Amendment I am offering today clearly states the policy of the United States “to use bilateral and multilateral assistance to promote peace and respect for internationally recognized human rights by encouraging countries, entities, and communities in the territory of the former Yugoslavia,” among other things “by apprehending publicly indicted war criminals and transferring custody of those individuals to the Tribunal to stand trial.”

The amendment sets out mechanisms to ensure that U.S. and multilateral aid will go to areas like the Bosnian Federation, where no war criminals remain at large, while prohibiting aid to authorities and areas that harbor war criminals.

Mr. President, I would urge my colleagues to join me in this effort to ensure that the perpetrators of horrible crimes in Croatia, Bosnia, and Kosovo will ultimately face justice.

I thank the Chair and yield the floor.

AMENDMENT NO. 1150

(Purpose: Providing assistance to promote democracy in Serbia)

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

SEC. ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN YUGOSLAVIA.

(a) ASSISTANCE.—

(1) PURPOSE OF ASSISTANCE.—The purpose of assistance under this subsection is to promote and strengthen institutions of democratic government and the growth of an independent civil society in Yugoslavia, including ethnic tolerance and respect for internationally recognized human rights.

(2) AUTHORIZATION FOR ASSISTANCE.—The President is authorized to furnish assistance and other support for individuals and independent nongovernmental organizations to carry out the purpose of paragraph (1) through support for the activities described in paragraph (3).

(3) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under paragraph (2) include the following:

(A) Democracy building.

(B) The development of nongovernmental organizations.

(C) The development of independent media.

(D) The development of the rule of law, a strong, independent judiciary, and transparency in political practices.

(E) International exchanges and advanced professional training programs in skill areas central to the development of civil society and a market economy.

(F) The development of all elements of the democratic process, including political parties and the ability to administer free and fair elections.

(G) The development of local governance.

(H) The development of a free-market economy.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to the President \$100,000,000 for the period beginning October 1, 1999, and ending September 30, 2001, to carry out this subsection.

(B) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subparagraph (A) are authorized to remain available until expended.

(b) PROHIBITION ON ASSISTANCE TO GOVERNMENT OF SERBIA.—In carrying out subsection (a), the President shall take all necessary steps to ensure that no funds or other assistance is provided to the Government of Yugoslavia or to the Government of Serbia.

(c) ASSISTANCE TO GOVERNMENT OF MONTENEGRO.—In carrying out subsection (a), the President is authorized to provide assistance to the Government of Montenegro, if the President determines, and so reports to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, that the Government of Montenegro is committed to, and is taking steps to promote, democratic principles, the rule of law, and respect for internationally recognized human rights.

AMENDMENT TO 1151

(Purpose: To allocate funds to continue mycoherbicide counter drug research and development)

On page 26, line 15, before the period insert the following: “Provided further, That of the funds made available under this heading, not less than \$10,000,000 shall be made available to continue mycoherbicide counter drug research and development”.

Mr. COVERDELL. Mr. President, I rise today to join my colleagues, Senator BURNS and Senator DEWINE, to offer an amendment to the Foreign Operations Appropriations bill. This amendment would provide \$10 million to the State Department Bureau of International Law Enforcement Affairs

for mycoherbicide research and development to be used for narcotic crop eradication. The appropriations bill, as it currently stands, provides no funding for this important tool in our war against illegal drugs.

Many of my colleagues and I view this mycoherbicide technology as a promising new tool that will reduce the cultivation and supply of narcotic crops, and thereby increasing our capacity to combat illegal drugs. I have been briefed on the mycoherbicide technology and understand that it is a naturally occurring plant pathogen that can be introduced into an area to control a target plant species. The program is also environmentally friendly—it poses no threat to humans or animals, other crops, or water supply and replaces the use of harmful chemicals. In addition, the program is a cost effective tool in our war on drugs. The mycoherbicides will remain in the soil for an extended period of time, for up to 40 years, and costs a fraction of the \$2.65 billion we spend on other supply reduction methods.

I remind my colleagues that Congress has recognized the importance of this technology and its ability to eradicate deadly crops when it endorsed the program last year in the Western Hemisphere Drug Elimination Act. The program was funded in the amount of \$23 million for fiscal year 1999. I strongly urge my colleagues to continue their support for this program by passing this amendment and supporting the continued development of the mycoherbicide program.

Mr. President, as illegal drugs continue to cross our borders and threaten the welfare of American citizens, this program is a top priority that can significantly reduce the production of narcotics crops. We know that elimination of illicit crops is the best way of preventing deadly drugs from reaching our streets and destroying untold lives and communities. I urge my colleagues to join with Senator BURNS, Senator DEWINE and me in support of this amendment and in support of this important program.

Mr. DEWINE. Mr. President, I rise today to discuss yet again one of the key problems I have been addressing, as a U.S. Senator, over the last four years. The problem is the inflow of illegal drugs into America. I have heard it said that if we eliminate demand, if we address the domestic side of drug abuse, we really don't have to worry about illegal narcotics producers and importers, because they would then have no market for their drugs.

Mr. President, this argument makes sense on a superficial level, but it does not reflect reality. I have been, throughout my career as a local, state and Federal elected official, a strong supporter of domestic efforts to reduce drug demand. But I have always believed—and continue to believe—that we need a balanced program to attack the drug problem on all fronts. We need to invest not only in domestic demand

reduction and law enforcement programs, but also in international programs to increase interdiction and reduce production of illegal narcotics. We need to do our best to stop drugs from ever reaching our borders.

Mr. President, for nearly a year, I have expressed my belief that this Administration is not doing its best to address this problem. Little seems to have changed in one year.

Before this Administration took office, almost one-third of our counter narcotics resources were committed to stopping drugs outside our borders. Today, that figure is less than 14 percent. Although overall funding for counter narcotics programs has increased dramatically in the last decade, from \$4.5 billion to \$17.8 billion, statistics show an increase in drug use among our youngest citizens. I am disturbed by how easily and how cheaply illegal drugs can be purchased. I am disturbed that the Administration is not taking seriously the initiatives Congress passed last year as part of the bipartisan Western Hemisphere Drug Elimination Act.

Mr. President, President's Budget Request for Fiscal Year 2000 provided ZERO funding for any of the initiatives in that Act. In fact, the President's overall anti-drug budget for next year is \$100 million less than what Congress provided in 1999. The Coast Guard received no funding to acquire additional ships and planes to stop drug trafficking in the Caribbean; the Drug Enforcement Administration received ZERO funding for new agents; the US Customs Service received ZERO funding to acquire maritime/air assets, and ZERO increases for inspectors.

In addition, the Administration has also ignored other key initiatives sought by Congress, including mycoherbicide research and development, and eradication and alternative crop development assistance to our Latin American neighbors, particularly, Colombia and Bolivia. I very much appreciate the efforts of the Appropriations Subcommittee on Foreign Operations in working with me on these issues. They have done a remarkable job to incorporate a key anti-drug initiative that was not sought by the President.

Specifically, Mr. President, I commend the managers of the bill for accepting the amendment offered by the Senator from Montana, Senator BURNS, to fund the mycoherbicide program which we began funding last year under the Western Hemisphere Drug Elimination Act. Mycoherbicide technology is a new and promising eradication technique for coca, poppy, and marijuana. The concept is to employ a natural disease that only attacks a specific narcotics plant without harming neighboring vegetation.

Mycoherbicides can be applied through aerial spraying and will remain in the soil to prevent future growth of the narcotics crops in that area. Mr. President, this has the potential to be a

very cost-effective and low-risk way to drastically reduce drug production at its source. We must pursue this technology and fund the additional research and testing necessary to bring about a deployable product as soon as possible.

Mr. President, let me now turn to the subject of eradication and alternative crop development assistance to Colombia and Bolivia. I am particularly concerned about the lack of resources made available by this Administration for what I consider to be our most urgent foreign assistance project—counter narcotics funding. I fear that we are sending a signal abroad that the United States is not entirely serious about the fight against drugs.

The report language accompanying this bill makes special mention of the progress made in the drug fight by the Government of Bolivia, and I want to add my voice to the committee report as well. Since coming to power in August of 1997, the Government of President Hugo Banzer and Vice President Jorge Quiroga has undertaken an ambitious plan to remove Bolivia from the illegal narcotics trade by the time they leave office in 2002.

Mr. President, many, myself included, were skeptical that this goal could be reached in the time allotted. Now, nearly two years into their "Dignity Plan," the Bolivian Government has shown that this goal can be reached. Since taking office, the Banzer Government has successfully reduced Bolivia's cocaine production potential by a remarkable 40 percent. This has been accomplished by an effective eradication program and an aggressive and successful program of interdiction and control of the chemical precursors which go into cocaine production.

The Foreign Operations Appropriations Bill makes mention of Bolivia's success, and its financial needs. I am deeply concerned that we are not providing sufficient support to the historic effort of the Bolivian Government. They have moved tens of thousands of farmers out of the illegal coca fields and it is absolutely imperative that we help to provide viable commercial alternatives for these farmers and their families. It would be a great tragedy to be within sight of a major victory in the drug war and to lose it for want of resources. The anticipated level of funding in this Bill falls far short of what is required to finish the job in Bolivia in the next two years.

Mr. President, I look forward to working with the Senator from Alaska, Senator STEVENS, the Senator from Georgia, Senator COVERDELL, and the Senator from Iowa, Senator GRASSLEY, to help Bolivia and other countries in their fight against drugs. We will work with the appropriators during conference to provide the highest possible level of funding for this effort. This is a key investment in the future safety of our own streets—and it will bring us closer to the drug-free America our children deserve.

## AMENDMENT NO. 1158

At the appropriate place in the bill at the following new section:

**SEC. . FOREIGN MILITARY TRAINING REPORT.**

(a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by January 31, 2000 a report on all military training provided to foreign military personnel (excluding sales) administered by the Department of Defense and the Department of State during fiscal years 1999 and 2000, including those proposed for fiscal year 2000. This report shall include, for each such military training activity, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign students trained and their units of operation, and the location of the training. In addition, this report shall also include, with respect to United States personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall be deemed to mean a report to the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and International Relations Committees of the House of Representatives.

## AMENDMENT NO. 1162

(Purpose: To increase the commitment to control and eliminate the growing international problem of tuberculosis)

At the end, add the following:

**SEC. 5 . (a) FINDINGS.**—The Congress finds that—

(1) Since the development of antibiotics in the 1950s, tuberculosis has been largely controlled in the United States and the Western World.

(2) Due to societal factors, including growing urban decay, inadequate health care systems, persistent poverty, overcrowding, and malnutrition, as well as medical factors, including the HIV/AIDS epidemic and the emergence of multi-drug resistant strains of tuberculosis, tuberculosis has again become a leading and growing cause of adult deaths in the developing world.

(3) According to the World Health Organization—

(A) in 1998, about 1,860,000 people worldwide died of tuberculosis-related illnesses;

(B) one-third of the world's total population is infected with tuberculosis; and

(C) tuberculosis is the world's leading killer of women between 15 and 44 years old and is a leading cause of children becoming orphans.

(4) Because of the ease of transmission of tuberculosis, its international persistence and growth pose a direct public health threat to those nations that had previously largely controlled the disease. This is complicated in the United States by the growth of the homeless population, the rate of incarceration, international travel, immigration, and HIV/AIDS.

(5) With nearly 40 percent of the tuberculosis cases in the United States attributable to foreign-born persons, tuberculosis will never be eliminated in the United States until it is controlled abroad.

(6) The means exist to control tuberculosis through screening, diagnosis, treatment, patient compliance, monitoring, and ongoing review of outcomes.

(7) Efforts to control tuberculosis are complicated by several barriers, including—

(A) the labor intensive and lengthy process involved in screening, detecting, and treating the disease;

(B) a lack of funding, trainer personnel, and medicine in virtually every nation with a high rate of the disease; and

(C) the unique circumstances in each country, which requires the development and implementation of country-specific programs.

(8) Eliminating the barriers to the international control of tuberculosis through a well-structured, comprehensive, and coordinated worldwide effort would be a significant step in dealing with the increasing public health problem posed by the disease.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that if the total allocation for this Act is higher than the level passed by the Senate, a top priority for the additional funds should be to increase the funding to combat infectious diseases, especially tuberculosis.

## AMENDMENT NO. 1163

(Purpose: Supporting an international conference to achieve a durable political settlement in the Balkans)

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

**SEC. . SENSE OF THE SENATE REGARDING AN INTERNATIONAL CONFERENCE ON THE BALKANS.**

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The United States and its allies in the North Atlantic Treaty Organization (NATO) conducted large-scale military operations against the Federal Republic of Yugoslavia.

(2) At the conclusion of 78 days of these hostilities, the United States and its NATO allies suspended military operations against the Federal Republic of Yugoslavia based upon credible assurances by the latter that it would fulfill the following conditions as laid down by the so called Group of Eight (G-8):

(A) An immediate and verifiable end of violence and repression in Kosovo.

(B) Staged withdrawal of all Yugoslav military, police, and paramilitary forces from Kosovo.

(C) Deployment in Kosovo of effective international and security presences, endorsed and adopted by the United Nations Security Council, and capable of guaranteeing the achievement of the agreed objectives.

(D) Establishment of an interim administration for Kosovo, to be decided by the United Nations Security Council which will seek to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo.

(E) Provision for the safe and free return of all refugees and displaced persons from Kosovo and an unimpeded access to Kosovo by humanitarian aid organizations.

(3) These objectives appear to have been fulfilled, or to be in the process of being fulfilled, which has led the United States and its NATO allies to terminate military operations against the Federal Republic of Yugoslavia.

(4) The G-8 also called for a comprehensive approach to the economic development and stabilization of the crisis region, and the European Union has announced plans for \$1,500,000,000 over the next 3 years for the reconstruction of Kosovo, for the convening in July of an international donors' conference for Kosovo aid, and for subsequent provision of reconstruction aid to the other countries in the region affected by the recent hostilities followed by reconstruction aid directed at the Balkans region as a whole.

(5) The United States and some of its NATO allies oppose the provision of any aid, other than limited humanitarian assistance, to Serbia until Yugoslav President Slobodan Milosevic is out of office.

(6) The policy of providing reconstruction aid to Kosovo and other countries in the re-

gion affected by the recent hostilities while withholding such aid for Serbia presents a number of practical problems, including the absence in Kosovo of financial and other institutions independent of Yugoslavia, the difficulty in drawing clear and enforceable distinctions between humanitarian and reconstruction assistance, and the difficulty in reconstructing Montenegro in the absence of similar efforts in Serbia.

(7) In any case, the achievement of effective and durable economic reconstruction and revitalization in the countries of the Balkans is unlikely until a political settlement is reached as to the final status of Kosovo and Yugoslavia.

(8) The G-8 proposed a political process towards the establishment of an interim political framework agreement for a substantial self-government for Kosovo, taking into full account the final Interim Agreement for Peace and Self-Government in Kosovo, also known as the Rambouillet Accords, and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the UCK (Kosovo Liberation Army).

(9) The G-8 proposal contains no guidance as to a final political settlement for Kosovo and Yugoslavia, while the original position of the United States and the other participants in the so-called Contact Group on this matter, as reflected in the Rambouillet Accords, called for the convening of an international conference, after 3 years, to determine a mechanism for a final settlement of Kosovo status based on the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of the agreement and the provisions of the Helsinki Final Act.

(10) The current position of the United States and its NATO allies as to the final status of Kosovo and Yugoslavia calls for an autonomous, multiethnic, democratic Kosovo which would remain as part of Serbia, and such an outcome is not supported by any of the Parties directly involved, including the governments of Yugoslavia and Serbia, representatives of the Kosovar Albanians, and the people of Yugoslavia, Serbia and Kosovo.

(11) There has been no final political settlement in Bosnia-Herzegovina, where the Armed Forces of the United States, its NATO allies, and other non-Balkan nations have been enforcing an uneasy peace since 1996, at a cost to the United States alone of over \$10,000,000,000, with no clear end in sight to such enforcement.

(12) The trend throughout the Balkans since 1990 has been in the direction of ethnically based particularism, as exemplified by the 1991 declarations of independence from Yugoslavia by Slovenia and Croatia, and the country in the Balkans which currently comes the closest to the goal of a democratic government which respects the human rights of its citizens is the nation of Slovenia, which was the first portion of the former Federal Republic of Yugoslavia to secede and is also the nation in the region with the greatest ethnic homogeneity, with a population which is 91 percent Slovene.

(13) The boundaries of the various national and sub-national divisions in the Balkans have been altered repeatedly throughout history, and international conferences have frequently played the decisive role in fixing such boundaries in the modern era, including the Berlin Congress of 1878, the London Conference of 1913, and the Paris Peace Conference of 1919.

(14) The development of an effective exit strategy for the withdrawal from the Balkans of foreign military forces, including the armed forces of the United States, its NATO

allies, Russia, and any other nation from outside the Balkans which has such forces in the Balkans is in the best interests of all such nations.

(15) The ultimate withdrawal of foreign military forces, accompanied by the establishment of durable and peaceful relations among all of the nations and peoples of the Balkans is in the best interests of those nations and peoples.

(16) An effective exit strategy for the withdrawal from the Balkans of foreign military forces is contingent upon the achievement of a lasting political settlement for the region, and that only such a settlement, acceptable to all parties involved, can ensure the fundamental goals of the United States of peace, stability, and human rights in the Balkans;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should call immediately for the convening of an international conference on the Balkans, under the auspices of the United Nations, and based upon the principles of the Rambouillet Accords for a final settlement of Kosovo status, namely that such a settlement should be based on the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of the agreement and the provisions of the Helsinki Final Act;

(2) the international conference on the Balkans should also be empowered to seek a final settlement for Bosnia-Herzegovina based on the same principles as specified for Kosovo in the Rambouillet Accords; and

(3) in order to produce a lasting political settlement in the Balkans acceptable to all parties, which can lead to the departure from the Balkans in timely fashion of all foreign military forces, including those of the United States, the international conference should have the authority to consider any and all of the following: political boundaries; humanitarian and reconstruction assistance for all nations in the Balkans; stationing of United Nations peacekeeping forces along international boundaries; security arrangements and guarantees for all of the nations of the Balkans; and tangible, enforceable and verifiable human rights guarantees for the individuals and peoples of the Balkans.

#### AMENDMENT NO. 1167

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

SEC. . (a) The President shall continue and expand efforts through the United Nations and other international fora, including the Wassenaar Arrangement, to limit arms transfers worldwide. The President shall take the necessary steps to begin multilateral negotiations within 180 days after the date of the enactment of this Act, for the purpose of establishing a permanent multilateral regime to govern the transfer of conventional arms, particularly transfers to countries:

(1) that engage in persistent violations of human rights, engage in acts of armed aggression in violation of international law, and do not fully participate in the United Nations Register of Conventional Arms; and

(2) in regions in which arms transfers would exacerbate regional arms races or international tensions that present a danger to international peace and stability.

(b) REPORT TO CONGRESS.—(1) Not later than 6 months after the commencement of the negotiations under subsection (a), and not later than the end of every 6-month period thereafter until an agreement described in subsection (a) is concluded, the President shall report to the appropriate committees of the Congress on the progress made during these negotiations.

Mr. KERRY. Mr. President, the amendment I am offering today calls

on the President to begin multilateral negotiations for the purpose of establishing a permanent multilateral regime to govern the transfer of conventional arms to countries that engage in persistent violations of human rights, engage in acts of armed aggression, do not fully participate in the United Nations Register of Conventional, and countries in regions in which arms transfers would exacerbate regional arms races or international tensions.

As the United States and its allies work to expand the community of democratic nations and prevent the spread of violence and ethnic conflict, we must give higher priority to consideration of how conventional arms transfers may work to undermine these important objectives. It is simply not in our interest to allow weapons to flow freely into countries who abuse the rights of their citizens or who are engaged in conflict or destabilizing arms races.

International restraint in arms exports is important to U.S. national security interests, as well as for the furtherance of democracy and human rights. The June 1996 "Report of the Presidential Advisory Board on Arms Proliferation Policy" concluded that U.S. and international security are threatened by the proliferation of advanced conventional weapons. According to the Report, "The world struggles today with the implications of advanced conventional weapons. It will in the future be confronted with yet another generation of weapons, whose destructive power, size, cost, and availability can raise many more problems even than their predecessors today. These challenges will require a new culture among nations, one that accepts increased responsibility for control and restraint, despite short-term economic and political factors pulling in other directions." An international Code of Conduct is a step toward that new culture.

The United States is far-and-away the world's biggest arms merchant, and we must lead the way for the rest of the world in addressing this issue. But we cannot do it alone. A unilateral decision by the United States to limit conventional arms transfers would be an important signal of our commitment to this issue, but it would not stop the flow of weapons into the countries about whom we are most concerned. We should be under no illusion about the ability or willingness of other arms-producing nations to rush in and fill any gap we might create. This amendment will require the President to expand international efforts to curb worldwide arms sales through the United Nations and other fora, such as the Wassenaar Agreement, and to report to the Congress on progress made during these negotiations.

The United States should lead the way to establishing a multilateral regime to prevent nations that ignore the rights of their citizens or bully their neighbors from obtaining the

weapons that support these nefarious activities. This legislation can be the vehicle to accomplish this important objective. I thank the managers of this bill for accepting my amendment.

#### AMENDMENT NO. 1168

Purpose: To restrict U.S. aid to Cambodia

On page 13, strike lines 2 through the colon on line 14, and insert in lieu the following:

"None of the funds appropriated by this Act may be made available for activities or programs for the Central Government of Cambodia until the Secretary of State determines and reports to the Committee on Appropriations and the Committee on Foreign Relations that the Government of Cambodia has established a tribunal consistent with the requirements of international law and justice including the participation of international jurists and prosecutors for the trial of those who committed genocide or crimes against humanity and that the Government of Cambodia is making significant progress in establishing an independent and accountable judicial system, a professional military subordinate to civilian control, and a neutral and accountable police force."

Mr. KERRY. Mr. President, the pending bill prohibits the Administration from providing aid to the central government of Cambodia pending certification by the Secretary of State that Cambodia has held free and fair elections, that the Central Election Commission was comprised of representatives from all parties, and that the Cambodian government has established an international panel of jurists to try individuals who have committed genocide against the Cambodian people.

I share the Committee's view that aid can be a source of leverage in dealing with the new Cambodian government, and I agree that we should use our aid to encourage the Cambodian government to establish a credible, internationally acceptable genocide tribunal. However, I do not believe that the conditions in the bill provide us with effective leverage because they are outdated and irrelevant to the realities on the ground in Cambodia today.

All of us who are involved with Cambodia recognize full well that the elections held last July in Cambodia were a mixed bag at best. The process leading up to the elections had flaws. The elections themselves were quite successful in terms of large voter turnout, lack of intimidation, international monitoring, and lack of violence. But they were less than perfect.

Cambodians know this, but they have moved on. They have formed a new coalition government with what appears to be a workable power sharing arrangement between the two major parties. They have an effective opposition party. The Khmer Rouge is no longer a military or political player, looming as a threat to the new government. The climate of political intimidation and violence that has so often characterized Cambodia is no longer prevalent.



The new Cambodian government has put forth a policy platform which, if implemented, would enable Cambodia to make real strides toward the establishment of democratic institutions and processes.

In light of these realities, it makes no sense to put restrictions on our aid that simply cut off the aid and prevent us from using US aid as an incentive to move the Cambodian government to deal with the serious problems that are on the table now—building an independent judiciary, reforming the military and the policy so that they are professional, neutral and accountable, providing health care and schooling, and tackling the overwhelming problem of poverty.

The amendment that I am offering with Senator MCCAIN replaces the conditions in the bill with new conditions designed to promote the building of democratic institutions and to encourage the Cambodian government to establish a tribunal consistent with the requirements of international law and justice to try those guilty of genocide and crimes against humanity.

Specifically, this amendment prohibits aid to the central government pending a certification by the Secretary of State that Cambodia is making significant progress in establishing an independent and accountable judicial system, a professional military subordinate to civilian control, and a neutral and accountable police force. The amendment also requires the Secretary to certify that the Cambodian government has established a tribunal consistent with the requirements of international law and justice and including the participation of international jurists and prosecutors for the trial of those who committed genocide or crimes against humanity.

Let me say a word about the condition related to the tribunal. When I was in Cambodia in April, I had extensive discussions with Prime Minister Hun Sen, National Assembly Chairman Prince Ranariddh, King Sihanouk, and others about the issues related to the constitution of a genocide tribunal. While the Prime Minister insisted that the tribunal be in Cambodia, he agreed with my proposal that international judges, prosecutors and investigators actively participate in the process. He also indicated that he would support changes in Cambodian law to allow these individuals to actively operate within the Cambodian judicial system. Prince Ranariddh and King Sihanouk also were supportive of this concept.

I believe that this kind of tribunal, with meaningful international participation, could provide a credible and accountable process, consistent with international law and standards, for trying those who committed genocide and crimes against humanity. The carrot of US aid can serve as an important incentive for the Cambodian government to follow through on this process.

Mr. President, I believe this is a good amendment and I thank the managers for accepting it.

Mr. MCCAIN. Mr. President, I rise to join with Senator KERRY in offering an amendment to the foreign operations appropriations bill that would replace language currently in the bill pertaining to Cambodia with language that I firmly believe will prove far more productive in accomplishing our goals in that strife-torn nation. The amendment would replace the current prohibition on assistance pending unrealistic and counterproductive certifications with attainable goals consistent with the positive developments that have occurred in Cambodia since its elections last July.

Few countries in the entire world have experienced the scale of suffering since the Second World War that was inflicted upon the people of Cambodia between 1975 and 1979. A phrase that has become a part of our normal lexicon in discussions of tragedies of great proportion in foreign countries originated in descriptions of the killing fields of Cambodia. What transpired in that country during the rule of the Khmer Rouge defies comprehension. It is a history, however, that must not be forgotten.

After decades of struggling with political events in Cambodia, we have an opportunity to finally help it move in a positive direction. We have an opportunity to help the people of that beautiful nation to begin to put their painful past behind them, and to join the community of nations in good standing. We cannot accomplish that objective, however, with the language currently in the bill before us today. That language prohibits all direct U.S. assistance to the central government of Cambodia until the Secretary of State certifies that the July 1998 elections were free and fair, with emphasis on the period leading up to election day.

Few would argue that numerous irregularities occurred in the months leading up to the election of July 26, 1998. I wish that had not been the case. But those irregularities took place, and we cannot change the past. The question, however, becomes where we go from here. The election itself was, by and large, a free and fair election, and it is unlikely that the pre-election irregularities fundamentally altered its outcome. Since the election, the main competing factions have agreed at an amicable arrangement, and Cambodia today stands its best chance of making significant political and economic progress. A U.S. role, which is currently limited to support of non-governmental organizations anyway, can be instrumental in facilitating greater levels of liberalization. The Central Government of Cambodia shows every sign of wanting to move in that direction. That is why the language in this bill is so troubling. It fails to account for a far more positive political atmosphere in Cambodia than has existed in decades.

We can help Cambodia to move forward, or we can stand aside and see an opportunity to act productively in

Southeast Asia squandered. I am under no illusions about the scale of problems that continue to plague that troubled nation. The government of Phnom Penh must move forward on the issue of establishing an international tribunal for the prosecution of Khmer Rouge officials, it must continue to address pressing issues like deforestation, and it must carry out needed political and economic reforms. But we must not let an important opportunity to help such reforms move forward by restricting aid unless the State Department certifies to something all parties know cannot be certified. We can predicate our policy toward Cambodia on the past, or we can remember the past but look to the future. The Kerry-McCain amendment provides an opportunity to do the latter. I urge its support.

#### AMENDMENT 1173

At the appropriate place, insert the following section:

#### SEC. . EXPANDED THREAT REDUCTION INITIATIVE.

It is the sense of the Senate that the programs contained in the Expanded Threat Reduction Initiative are vital to the national security of the United States and that funding for those programs should be restored in conference to the levels requested in the President's budget.

#### AMENDMENT 1174

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

SEC. . SENSE OF THE SENATE REGARDING U.S. COMMITMENTS UNDER THE U.S.-NORTH KOREAN AGREED FRAMEWORK.—It is the Sense of the Senate that, as long as North Korea meets its obligations under the U.S.-North Korean nuclear Agreed Framework of 1994, the U.S. should meet its commitments under the Agreed Framework, including required deliveries of heavy fuel oil to North Korea and support of the Korean Peninsula Energy Development Organization (KEDO).

Mr. LEVIN. Mr. President, I wish to comment on the foreign operations appropriations bill being considered by the Senate. There is one area of this bill that I believe deserves particular attention, and that is the series of provisions relating to U.S. funding for the Korean Peninsula Energy Development Organization, or KEDO. This is the organization that is implementing certain provisions of the U.S.-North Korean nuclear Agreed Framework of 1994. U.S. funds for KEDO pay for the heavy fuel oil that the U.S. is committed to provide to North Korea in exchange for its agreement to freeze and eventually dismantle its plutonium production program that could be used for nuclear weapons.

Mr. President, that Agreed Framework is working in our national security interests now. Under that agreement, North Korea has frozen its plutonium production facilities and canned almost all of the spent nuclear reactor fuel from its graphite-moderated reactor in Yongbyon, all under the watchful eye of International Atomic Energy Agency (IAEA) personnel and monitoring instruments.

As recent Secretaries of Defense and Chairmen of the Joint Chiefs of Staff

have repeatedly and consistently testified to Congress, it is clearly in our security interest that North Korea not produced any more plutonium and that its spend reactor fuel be canned and removed from North Korea. In addition, it is important for North Korea to account for all its past plutonium production to the satisfaction of the IAEA. If, and only if, North Korea satisfies all those requirements of the Agreed Framework, then KEDO, will provide two lightwater nuclear power production reactors to North Korea, with South Korea and Japan paying the overwhelming majority of the cost of those reactors.

The U.S. is required to provide heavy fuel oil to North Korea on an agreed schedule, and we have had a spotty record so far, largely because of Congressional funding reductions and restrictions. But we have managed to deliver the required oil, albeit sometimes late.

This bill would reduce the Administration's funding request for heavy fuel oil from \$55 million to \$40 million dollars, a decrease of \$15 million. This reduction would prevent the U.S. from purchasing and delivering the required heavy fuel oil to North Korea. In my view, what would be a serious mistake.

If we do not provide the required heavy fuel oil under the Agreed Framework, we would be failing to meet our commitments under the Agreed Framework. This would provide North Korea with a ready-made excuse to withdraw from or violate the Agreed Framework, something we should all recognize would be contrary to our national interests and bad for U.S. security.

As long as North Korea meets its obligations under the Agreed Framework, we should meet our commitments and obligations under the Agreed Framework, including providing the funds necessary to deliver all the required heavy fuel oil to North Korea.

Mr. President, this bill also places unnecessary and unworkable restrictions on the obligation of the \$40 million that is provided for KEDO. These are contained in certifications required before the funds can be obligated. Two of these certifications go beyond the terms of the Agreed Framework and would make it very hard for the U.S. to provide funds to KEDO, unless the President uses a waiver.

I believe it is important that we work in good faith to keep North Korea in compliance with its obligations under the Agreed Framework, and that includes our obligation to provide the necessary funds to deliver the required heavy fuel oil to North Korea.

When the Armed Services Committee and the Foreign Relations Committee members met recently with Former Defense Secretary William Perry, the President's Special Advisor on North Korea, one of my colleagues asked Dr. Perry what Congress could do to help move North Korea in a more peaceful and cooperative direction. Dr. Perry indicated that the most important Con-

gressional action would be to provide full funding for KEDO. I believe Dr. Perry is correct.

Mr. President, for these reasons I offer an amendment to the bill that states the sense of the Senate that, "as long as North Korea meets its obligations under the U.S.-North Korean nuclear Agreed Framework of 1994, the U.S. should meet its commitments under the Agreed Framework, including required deliveries of heavy fuel oil to North Korea and support of the Korean Peninsula Energy Development Organization (KEDO)."

This amendment puts the Senate on record as stating its view that the United States should meet its commitments under the Agreed Framework, including the heavy fuel oil and KEDO commitments.

Mr. President, I believe this amendment improves the bill and makes it clear that the Senate wants the U.S. to uphold its end of the Agreed Framework, and I hope that the bill's provisions relating to KEDO can be modified in conference and that the Administration's requested funding will be restored in conference, to reflect the view of the Senate as expressed in my amendment.

#### AMENDMENT NO. 1175

(Purpose: To provide Tibetan refugee relief)

On page 17, line 10, before the period insert the following:

"That of the amounts appropriated under this heading, \$1.5 million shall be made available to Habitat for Humanity International for the purchase of 14 acres of land on behalf of Tibetan refugees living in northern India, and the construction of multi-unit development."

Mr. DOMENICI. Mr. President, I rise today to offer an amendment that would provide Habitat for Humanity \$1.5 million for construction of a multi-unit development for Tibetan refugees living in Northern India.

These refugees were forcibly driven from their homes by the Chinese communists. They are living in the Dehradun area and are among the poorest people on earth. They are without citizenship rights and cannot own land. As such, they exist as squatters in burned out homes and shacks remaining after the Hindu-Moslem conflicts of a few years ago. The conditions are deplorable; soaking wet in the monsoon season and freezing in the winter.

Many Americans are aware of the plight of these Tibetan refugees and have started taking actions to help them. The Dalai Lama is a full partner in this project and has put the full weight of his friends and government behind this.

This money will fund a plan to purchase 14 acres of land on behalf of the Tibetans and provide for the construction of a multi-unit development for 160 of the poorest families. An American architect has volunteered his time to visit the site, direct the preliminary clearing, and draw the plans for the village.

General Mick Kicklighter, U.S. Army, Ret., serves as President of

Habitat for Humanity International and will oversee the direction of resources for this project. The President of the Arundel County, Maryland, Habitat for Humanity affiliate is working to lay out detailed building time and cost management for the village. The property has been obtained, building permits secured and the land has been cleared by the hand effort of the refugees.

I ask my colleagues to join me and the cosponsors to this amendment to support funding in the amount of \$1.5 million to directed to Habitat for Humanity International for completion of this project. The creation of this village with U.S. assistance will serve as a model for the international aid community. I firmly believe that the impact of this modest sum will be felt globally.

#### AMENDMENT NO. 1176

On page 33, line 6, before the colon, insert the following: " , of which no less than \$1,000,000 shall be available for the Defense Institute of International Studies to enhance its mission, functioning and performance by providing for its fixed costs of operation".

#### AMENDMENT NO. 1177

At the appropriate place, insert:

It is the sense of the Senate that:

The Senate finds, that: The proposed programs under the Expanded Threat Reduction Initiative (ETRI) are critical and essential to preserving U.S. national security.

The Department of State programs under the ETRI be funded at or near the full request of \$250 million in the Foreign Operations Appropriations Bill for Fiscal Year 2000 prior to final passage.

Mr. MCCONNELL. These amendments have been cleared on both sides, and I ask they be considered and agreed to en bloc.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments (Nos. 1125, 1146, 1150, 1151, 1158, 1162, 1163, 1167, 1168, and 1173 through 1177) were agreed to.

Mr. MCCONNELL. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### AMENDMENTS NOS. 1159 AND 1170 THROUGH 1172, EN BLOC, AS MODIFIED

Mr. MCCONNELL. I send the following modifications to amendments that are at the desk:

No. 1159, Senator LANDRIEU on orphans; No. 1170, Senator BROWNBACK, the Sudan; No. 1171, Senator DEWINE on Colombia; and No. 1172, Senator REID on Iraq.

The amendment (No. 1170), as modified, is as follows:

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

#### SEC. \_\_\_\_ INTERNATIONAL DISASTER ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.

Notwithstanding any other provision of law, of the funds made available under chapter 9 of part I of the Foreign Assistance Act of 1961 (relating to international disaster assistance) for fiscal year 2000, up to \$4,000,000

should be made available for rehabilitation and economic recovery in opposition-controlled areas of Sudan. Such funds are to be used to improve economic governance, primary education, agriculture, and other locally-determined priorities. Such funds are to be programmed and implemented jointly by the United States Agency for International Development and the Department of Agriculture, and may be utilized for activities which can be implemented for a period of up to two years.

**SEC. \_\_\_\_ . HUMANITARIAN ASSISTANCE FOR SUDANESE INDIGENOUS GROUPS.**

The President, acting through the appropriate Federal agencies, is authorized to provide humanitarian assistance, including food, directly to the National Democratic Alliance participants and the Sudanese People's Liberation Movement operating outside of the Operation Lifeline Sudan structure.

**SEC. \_\_\_\_ . DEVELOPMENT ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.**

(a) INCREASE IN DEVELOPMENT ASSISTANCE.—The President, acting through the United States Agency for International Development, is authorized to increase substantially the amount of development assistance for capacity building, democracy promotion, civil administration, judiciary, and infrastructure support in opposition-controlled areas of Sudan.

(b) QUARTERLY REPORT.—The President shall submit a report on a quarterly basis to the Congress on progress made in carrying out subsection (a).

Mr. BROWNBACK. Mr. President, I rise in support of the amendment that has been cleared, I understand, by both sides. I would like to submit into the RECORD a clarification regarding the distribution of humanitarian assistance, including food, directly to the National Democratic Alliance participants operating outside of the Operation Lifeline Sudan structure. Namely, the intent and expectation of the Senate through this language is for the Sudanese People's Liberation Movement to be a recipient as a leading member participant in the National Democratic Alliance.

Mr. FRIST. Mr. President, it is important to view this amendment in the greater context of the current humanitarian situation in southern Sudan.

The situation is dire, to say the least: the famine of last year took the lives of hundreds of thousands as flights of relief were banned by Khartoum from large areas outside their control, an act which triggered famine and starvation. The regime in Khartoum is allowed to halt U.N. relief flights at will because of the terms of the 1989 agreement which establish Operation Lifeline Sudan—the U.N. relief organization. As I noted in an op-ed in *The Washington Post* on July 19, 1998, the “practice starves combatants and noncombatants alike and compromises the integrity and effectiveness of relief groups desperately trying to fend off famine.”

I ask unanimous consent that op-ed be printed in the RECORD.

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

[From the *Washington Post*, July 19, 1998]  
SUDAN'S MERCILESS WAR ON ITS OWN PEOPLE  
(By Bill Frist)

When the United Nations World Food Program announced last week that up to 2.6 million people in southern Sudan are in imminent danger of starvation, the news was received with surprising nonchalance. Such news is becoming almost routine from misery-plagued East Africa, but what is unfolding in southern Sudan is at least the fourth widespread, large-scale humanitarian disaster in the region in the past 15 years.

In all cases, the United States' record is not one of success. Ethiopia in 1984, a disastrous military involvement in Somalia in 1993 and shameful neglect in Rwanda in 1994 have left the public bitter toward the prospect of yet more involvement. But again, as famine hovers over the region, we face a disconcertingly similar quandary on the nature of our response.

In January I worked in southern Sudan as a medical missionary, and I have seen firsthand the terrible effects of the continuing civil war and how that war came to help create this situation. As a United States senator, however, I fear that by failing to make necessary changes in our response, American policy toward Sudan may be a contributing factor in the horrendous prospect of widespread starvation.

The radical Islamic regime in Khartoum is unmatched in its barbarity toward the sub-Saharan or “black African” Christians of the country's South. It is largely responsible for creating this impending disaster through a concerted and sustained war on its own people, in which calculated starvation, bombing of hospitals, slavery and the killing of innocent women and children are standard procedure.

Our policy toward Khartoum looks tough on paper, but it has yet to pose a serious challenge to the Islamic dictatorship. Neither has our wavering and inconsistent commitment to sanctions affected its behavior or its ability to finance the war.

Khartoum is set to gain billions of dollars in oil revenues from fields it is preparing to exploit in areas of rebel activity. The U.S. sanctions prohibit any American investment, but recent evidence indicates that enforcement is lax. Additionally, relief groups operating there report that new weapons are flowing in as part of a deal with one of the partners—a government-owned petroleum company in China.

It is our policy toward southern Sudan that is of more immediate importance to the potential humanitarian disaster. From my own experience operating in areas where U.S. government relief is rarely distributed, I fear that both unilaterally and as a member of the United Nations, the United States unnecessarily restricts our own policy in odd deference to the regime in Khartoum.

In southern Sudan our humanitarian relief contributions to the starving are largely funneled through nongovernmental relief organizations that participate in Operation Lifeline Sudan. All of our contributions to the United Nations efforts are distributed through this flawed deal.

In this political arrangement the Khartoum regime has veto power over all decisions as to where food can be sent. That which is needed in the areas outside their control is often used as an instrument of war, with Khartoum routinely denying permission for a flight to land in an area of rebel activity, especially during times when international attention lacks its current focus. This practice starves combatants and noncombatants alike and compromises the integrity and effectiveness of relief groups desperately trying to fend off famine.

Despite associated risks, some relief groups operate successfully outside the arrangement's umbrella, getting good and medicine to areas that the regime in Khartoum would rather see starve. Out of concern that the Khartoum regime would be provoked into prohibiting all relief deliveries under the scheme, the U.S. Agency for International Development and its Office of Foreign Disaster Assistance do not regularly funnel famine relief through outside organizations, and thus our relief supplies are only selectively distributed—a decision that unnecessarily abets Khartoum's agenda.

The U.S. policy in Sudan does not seek an immediate rebel victory and the fragmenting of Sudan that could follow. Because the splintered rebel groups could not provide a functioning government or civil society at this time, that policy cannot be thrown out wholesale. Yet our failure to separate this policy from the action necessary to save these people from starvation result in absurdity.

Thus even while generously increasing the amount of aid, for political reasons we seek the permission of the “host government” in Khartoum to distribute it and feed the very people they are attempting to kill through starvation and war. A second reason for this posture is, presumably, a fear that even modest, calculated food aid would allow the rebels to mobilize instead of foraging for their families—a factor that could turn the outcome on the battlefield in their favor.

The prospect of widespread starvation in southern Sudan does not necessitate that the United States seek a quick solution on the battlefield. Military victory and an end to hostilities are not a substitute for food. However, the administration should make an immediate and necessary distinction between the policy principle and the humanitarian challenge. It should articulate a response without political limitations, which, frankly, are trivial in comparison to the human lives at stake, and it should press the United Nations to do the same.

We can no longer afford to dance around the issues of sovereignty and political principles while restraining our response to a looming disaster that Khartoum helped create. Such academic debates and diplomatic concerns are for the well fed, but offer no solace to the starving.

Mr. FRIST. The Government of Sudan continues to prosecute the war against the south, including the bombing of hospitals and churches, and a campaign of terror, including slavery. Nearly 2 million have died since 1983, with over 4 million displaced from their homes.

In January of last year, I worked in southern Sudan as a medical missionary, in areas outside of government control, and in “hospitals” and clinics where I treated people who had never seen a doctor. What I saw was the product of an indiscriminate and savage war.

Since that time I have worked with other Senators, relief organizations, and the administration in trying to make our humanitarian policy as effective as it possibly can be. It must be a policy which does more than meet the immediate food needs of those who hover on the brink of starvation. It must be a policy which seeks to eliminate the root causes. The inability of the populations in areas outside of the control of the Government of Sudan to protect themselves is at the root of

their vulnerability to starvation and famine.

That is not a politically or logistically easy task. It does not have a single solution which can simply be enacted. It requires that we constantly push the policy to adapt and become more effective, rather than simply become an amount for which we simply write a check each fiscal year. This amendment does not represent the solution to the root causes of the human tragedy in Sudan, but it is one critical piece which we must consider.

The authorization in this amendment will open this issue and place it at the top of the list of issues which we continue to work through with the administration. That process of Congress and the administration jointly working on a more effective Sudan policy has had its moments of disagreement, but it has been largely productive and one where our shared goals have never been compromised.

Additionally, it is worth noting that, beyond the traditional chiefdoms, the groups designated in this amendment are really the only organizations functioning in areas outside of the control of the government of Sudan. As a consequence, these are the only organizations which are defending these populations against the heinous attacks by the Government of Sudan and, increasingly, by irregular or paramilitary organizations sponsored by Khartoum—including slaving parties.

The more than 1 million dollars' worth of relief distributed in Sudan on a daily basis is done so in such a way that it is purposefully steered away from combatants. From the relief organizations' view point, that is essential to maintain some level of insulation from the political aspects of the war. They see themselves as strictly humanitarian organizations.

However, from a practical standpoint, that practice has an unintended, but not surprising consequence. Because the members of the resistance groups have to eat too—for they suffer from starvation as much as women and children—they regularly divert food donations to their own use.

Possibly more important than that is the effect on these organizations themselves and their ability to provide protection for the populations they defend. Because their food supply is erratic and dependent on diversions of other aid, they are often forced to demobilize to either collect food on their own, to steal food, or to leave to plant their crops. The practical effect of that is that they cannot stay mobilized and cannot provide any reliable or cohesive defense.

It is important to remember then that this amendment should not be seen as a reward to the resistance groups. Yet I remind my colleagues that they are the only line of defense between those people and the regime in Khartoum which seeks to subdue or exterminate them in a sustained effort of low-level ethnic cleansing.

The timing of presenting this authority to the President is critically important. The government of Sudan is poised to begin receiving billions of dollars in hard currency from the sale of newly exploited oil in contested areas. The regime in Khartoum has repeatedly and publically said their intention is to convert that hard currency straight into an renewed effort to subdue or eradicate the people in areas outside their control. The ability of the resistance groups to stay mobilized and coherent is arguably more important now than since the beginning of the war. A predictable supply of food is the key to realizing that defense. Again, more so than the weapons Khartoum is purchasing or receiving from the outside world, it is food which most devastating.

Besides the obvious human cost of an ineffective defense against Khartoum and their proxies, is the potential cost to the renewed effort to bring the combatants into an effective peace process. As I noted in a further piece in *The Washington Post*, we must use all available tools to bring the combatants to the table.

I ask unanimous consent that be printed in the RECORD.

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

[From the Washington Post, June 9, 1999]

#### AN END TO THE SUDAN TRAGEDY

(By Bill Frist)

The Post's May 7 editorial "Sudan: The Unending War" brought to light two critical points about that barbaric war of "ethnic cleansing." One is that our actions in Kosovo emphasize our failure to act in the much larger war in Sudan. Without Kosovo, the war in Sudan would continue in obscurity. The other is that it is time for the United States to redouble its efforts toward bringing the war to a conclusion. As bad as the situation has become and intractable as the conflict may seem, we may have a small chance for peace.

But the United States must redouble its efforts strategically with a realistic understanding of our strengths and limitations. What may seem like minor differences among our options actually can represent fundamental differences between success and failure. The appointment of a special envoy may bring needed attention and diplomatic weight to that effort, but it would represent neither a clear understanding of our limitations nor a strategy that can maximize our effectiveness.

A strategy that does so requires three basic steps in the coming months:

We must recognize the conflict for what it is: a calculated and sustained effort by the regime in Khartoum to subdue, eradicate or forcibly convert to Islam large segments of their own population. The fact that it is not exclusively a Muslim against Christian or Arab against black African war must not distract us from its barbarity. Even without a clear "good guy," the war is indiscriminate and patently evil. As the editorial pointed out, it already has claimed more lives than the wars in Bosnia, Kosovo, Chechnya and Somalia combined.

We must conduct our relief operations so they address the roots of the humanitarian disaster, not just the symptoms. We must continue to change our operations so they do

not inadvertently abet the agenda of Khartoum by allowing the government to use our food donations as a weapon—as it does with its calculated denial of access to relief flights that carry out contributions through the United Nations.

We also must change the nature of our generous contributions, moving away from simply food, literally falling from the sky into starving villages, to one where we seek to help establish the most basic civil and economic institutions in the areas outside the government's control. It is the near absence of those institutions in some areas that prevents the Sudanese from sustaining themselves. I plan to introduce legislation that will address those shortcomings, both in our own programs and in the United Nations. Congress can urge the president to continue implementing those changes, but we also must be prepared to support him fully as he does.

We must work harder to reinvigorate the existing multilateral peace process and bring significant pressure to bear on the warring parties and supporters to come to the peace table. Khartoum uses seductive diversions—"confessions" of war-weariness and other hints that a "breakthrough" is at hand—to avoid a process in which it would actually have to produce results.

The rebels continue to be fractious on their endgame. A strong peace process based on an airtight list of principles and measures of success can encourage both to deliver tangible results. A special envoy alone, secret "diplomatic missions" or any other effort that does not bring the combatants and their supporters to the table cannot provide three essential elements: the elimination of a scapegoat for a failed process, sustained pressure on all parties to show progress and a healthy dose of embarrassment for the world regarding the situation.

The tragedy of Sudan has been perpetuated by shameful, worldwide neglect and a stunning lack of resolve. Until Khartoum succeeds in its goal of ethnic cleansing, the war will never go away on its own. Short of military intervention or comprehensive U.N. sanctions, for which there is no political will, a coherent, cooperative and realistic strategy offers the best chance for progress—albeit 16 years late.

Mr. FRIST. The most important tool to bring them to the table is to continue to highlight the fact that neither side will win this war outright on the battlefield. If Khartoum believes they can not win the war on the battlefield because of their new found source of hard currency, they have absolutely no reason to come to the table and work for real peace. Short of military intervention on our own, the best way we can disabuse them of that notion and continue to press them to commit to a peace process is to clearly eliminate the greatest weaknesses which they will exploit. The greatest weakness is not so much the southern Sudanese's vulnerability to attack, but their inability to defend. That inability is not caused by a lack of weaponry, but a lack of calories.

The PRESIDING OFFICER. The Clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes amendments Nos. 1159, 1171 and 1172, as modified, en bloc.

The amendments are as follows:

AMENDMENT NO. 1159, AS MODIFIED

On page 21, line 22, before the period insert the following: "Provided further; That of the

amount appropriated under this heading, not to exceed \$2,000,000 shall be available for grants to nongovernmental organization that work with orphans who are transitioning out of institutions to teach life skills and job skills".

#### AMENDMENT NO. 1171, AS MODIFIED

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

#### SEC. . SENSE OF THE SENATE REGARDING COLOMBIA.

(a) FINDINGS.—Congress makes the following findings:

(1) Colombia is a democratic country fighting multiple wars:

(A) a war against the Colombian Revolutionary Armed Forces (FARC);

(B) a war against the National Liberation Army (ELN);

(C) a war against paramilitary organizations; and

(C) a war against drug lords who traffic in deadly cocaine and heroin.

(3) Colombia is the world's third most dangerous country in terms of political violence with 34 percent of world terrorist acts committed there.

(4) Colombia is the world's kidnapping capital of the world with 2,609 kidnappings reported in 1998 and 513 reported in the first three months of 1999.

(5) In 1998 alone, 308,000 Colombians were internally displaced in Colombia. Over the last decade, 35,000 Colombians have been killed.

(6) The FARC and ELN are the two main guerrilla groups which have waged the longest-running anti-government insurgency in Latin America.

(7) The Colombian rebels have a combined strength of 10,000 to 20,000 full-time guerrillas; they have initiated armed action in nearly 700 of the country's 1073 municipalities, and control or influence roughly 60 percent of rural Colombia including a demilitarized zone using their armed stranglehold to abuse Colombian citizens.

(8) Although the Colombian Army has 122,000 soldiers, there are roughly only 20,000 soldiers available for offensive combat operations.

(9) Colombia faces the threat of the armed paramilitaries, 5,000 strong, who are constantly driving a wedge in the peace process by their insistence in participating in the peace talks.

(10) More than 75 percent of the world's cocaine HCL and 75 percent of the heroin seized in the northeast United States is of Colombian origin.

(11) The conflicts in Colombia are creating spillovers to the border countries of Venezuela, Panama and Ecuador: Venezuela has sent 30,000 troops to its border the Ecuador is sending 10,000 troops to its border.

(12) Venezuela is our number one supplier of oil.

(13) By the end of 1999, all U.S. military troops will have departed from Panama, leaving the Panama Canal unprotected.

(14) In 1998, two-way trade between the United States and Colombia was more than \$11 billion, making the United States Colombia's number one trading partner and Colombia the fifth largest market for U.S. exports in the region.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should recognize the crisis in Colombia and play a more pro-active role in its resolution;

(2) the United States should mobilize the international community to pro-actively engaged in resolving Colombian wars; and

(3) pledge or political support to help Colombia with the peace process.

#### AMENDMENT NO. 1172, AS MODIFIED

At the appropriate place, add the following:

It is the sense of the Senate that the President and the Secretary of State should—

(1) raise the need for accountability of Saddam Hussein and several key members of his regime at the International Criminal Court Preparatory Commission, which will meet in New York on July 26, 1999, through August 13, 1999;

(2) continue to push for the creation of a commission under the auspices of the United Nations to establish an international record of the criminal culpability of Saddam Hussein and other Iraqi officials;

(3) continue to push for the United Nations to form an international criminal tribunal for the purpose of indicting, prosecuting, and imprisoning Saddam Hussein and any other Iraqi officials who may be found responsible for crimes against humanity, genocide, and other violations of international humanitarian law; and

(4) upon the creation of a commission and international criminal tribunal, take steps necessary, including the reprogramming of funds, to ensure United States support for efforts to bring Saddam Hussein and other Iraqi officials to justice.

Mr. MCCONNELL. I ask unanimous consent that these amendments, as modified, be agreed to en bloc.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc, as modified.

The amendments (Nos. 1159, and 1171 and 1172) as modified, were agreed to.

Mr. MCCONNELL. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. There are six amendments at the desk that will not be proposed. I ask unanimous consent the following amendments not be proposed:

No. 1120, Senator BROWNBACK on the Sudan; No. 1147, Senator BROWNBACK on the Sudan; No. 1149, Senator GRASSLEY on narcotics; No. 1156, Senator BIDEN on Iraq; No. 1169, Senator KERRY of Massachusetts, code of conduct; No. 1155, Senator BIDEN on Iraq.

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

Mr. MCCONNELL. We approved earlier in the day 19 amendments in the managers' package. We just approved 18 more from a list compiled at 1 p.m., the deadline for getting amendments to the desk.

There are 5 more amendments we withdrew that will not be offered. That leaves 12 amendments, I say to my friend from Vermont, that remain to be addressed.

We are working on paring that list down further.

Mr. DODD. I ask unanimous consent to set aside the pending amendment.

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

Mr. DODD. Mr. President, I call up an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator has two amendments?

Mr. DODD. One amendment.

The PRESIDING OFFICER. One amendment.

#### AMENDMENT NO. 1157

Mr. DODD. 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 Connecticut [Mr. DODD], for himself and Mr. LEAHY, proposes an amendment numbered 1157.

Mr. DODD. 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 at the following new section:

#### SEC. . TERMINATION OF PROHIBITIONS AND RESTRICTIONS ON TRAVEL TO CUBA.

(a) TRAVEL TO CUBA.—

(1) FREEDOM OF TRAVEL FOR UNITED STATES CITIZENS AND LEGAL RESIDENTS.—Subject to subsection (b), the President shall not regulate or prohibit, directly or indirectly, travel to or from Cuba by United States citizens or legal residents, or any of the transactions incident to such travel that are set forth in paragraph (2).

(2) TRANSACTIONS INCIDENT TO TRAVEL.—The transactions referred paragraph (1) are—

(A) any transaction ordinarily incident to travel to or from Cuba, including the importation into Cuba or the United States of accompanied baggage for personal use only;

(B) any transaction ordinarily incident to travel or maintenance within Cuba, including the payment of living expenses and the acquisition of goods or services for personal use;

(C) any transaction ordinarily incident to the arrangement, promotion, or facilitation of travel to, from, or within Cuba;

(D) any transaction incident to non-scheduled air, sea, or land voyages, except that this subparagraph does not authorize the carriage of articles into Cuba or the United States except accompanied baggage; and

(E) any normal banking transaction incident to any activity described in any of the preceding subparagraphs, including the issuance, clearing, processing, or payment of checks, drafts, travelers checks, credit or debit card instruments, or similar instruments; except that this paragraph does not authorize the importation into the United States of any goods for personal consumption acquired in Cuba.

(b) EXCEPTIONS.—The restrictions on authority contained in subsection (a)(1) do not apply in a case in which—

(1) the United States is at war with Cuba; or

(2) armed hostilities between the two countries are in progress.

(c) APPLICABILITY.—This section applies to actions taken by the President before the date of the enactment of this Act which are in effect on such date, and to action taken on or after such date.

(d) SUPERSEDES OTHER PROVISIONS.—This section supersedes any other provision of law, including section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996.

#### AMENDMENT NO. 1182 TO AMENDMENT NO. 1157

(Purpose: To terminate prohibitions and restrictions on travel to Cuba)

Mr. LEAHY. Mr. President, I send to the desk an amendment in the second degree and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes an amendment numbered 1182 to amendment No. 1157.

Mr. LEAHY. 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 everything after "SEC \_\_\_\_\_" and insert in lieu thereof the following:

**RELAXATION OF RESTRICTIONS ON TRAVEL BY AMERICAN CITIZENS TO CUBA.**

(a) TRAVEL TO CUBA.—

(1) FREEDOM OF TRAVEL FOR UNITED STATES CITIZENS AND LEGAL RESIDENTS.—Subject to subsection (b), the President shall not regulate or prohibit, directly or indirectly, travel to or from Cuba by United States citizens or legal residents, or any of the transactions incident to such travel that are set forth in paragraph (2).

(2) TRANSACTIONS INCIDENT TO TRAVEL.—The transactions referred to in paragraph (1) are—

(A) any transaction ordinarily incident to travel to or from Cuba, including the importation into Cuba or the United States of accompanied baggage for personal use only;

(B) any transaction ordinarily incident to travel or maintenance within Cuba, including the payment of living expenses and the acquisition of goods or services for personal use;

(C) any transaction ordinarily incident to the arrangement, promotion, or facilitation of travel to, from, or within Cuba;

(D) any transaction incident to non-scheduled air, sea, or land voyages, except that this subparagraph does not authorize the carriage of articles into Cuba or the United States except accompanied baggage; and

(E) any normal banking transaction incident to any activity described in any of the preceding subparagraphs, including the issuance, clearing, processing, or payment of checks, drafts, travelers checks, credit or debit card instruments, or similar instruments;

except that this paragraph does not authorize the importation into the United States of any goods for personal consumption acquired in Cuba.

(b) EXCEPTIONS.—The restrictions on authority contained in subsection (a)(1) do not apply in a case in which—

(1) the United States is at war with Cuba;

(2) armed hostilities between the two countries are in progress; or

(3) there is imminent danger to the public health or the physical safety of United States travelers.

(c) APPLICABILITY.—This section applies to actions taken by the President before the date of the enactment of this Act which are in effect on such date, and to actions taken on or after such date.

(d) SUPERSEDES OTHER PROVISIONS.—This section supersedes any other provision of law, including section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996.

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

The PRESIDING OFFICER. Is there objection to it being in order to request the yeas and nays on the first-degree amendment?

Mr. DODD. On the Dodd amendment.

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

Is there a sufficient second?

There is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, as I understand it, the second-degree amendment is what is pending before the Senate.

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on that.

The PRESIDING OFFICER. Is there a sufficient second on the second-degree amendment? There is not.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LOTT. 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. LOTT. I believe the Senator would like to renew his request for the yeas and nays.

Mr. LEAHY. I renew the request on the second-degree amendment, Mr. President. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank my colleague from Vermont for his second-degree proposal. We will take a very short amount of time. It is not our intention to spend a great deal of time on this particular proposal. We have proposed the pending amendments because we believe the time has come to lift the very archaic, counterproductive, and ill-conceived ban on Americans traveling to Cuba. Not only does this ban hinder rather than help our effort to spread democracy, it unnecessarily abridges the rights of ordinary Americans.

The United States was founded on the principles of liberty and freedom. Yet when it comes to Cuba, our Government abridges these rights with no greater rationale than political and rhetorical gain.

Cuba lies just 90 miles from America's shore. Yet those 90 miles of water might as well be an entire ocean. We have made a land ripe for American influence forbidden territory. In doing so, we have enabled Fidel Castro's regime to hold onto power longer and contributed to the continued oppression of the Cuban people.

Surely we do not ban travel to Cuba out of concern for the safety of Americans who might visit that island nation. Today Americans are free to travel to Iran, Sudan, Burma, Yugoslavia, North Korea—but not to Cuba. You can fly to North Korea; you can fly to Iran; you can travel freely. Yet it seems to me if you can go to those countries, you ought not be denied the right to go to Cuba. If the Cubans want to stop Americans from visiting that country, that ought to be their business. But to say to an American citizen that you can travel to Iran, where they held hostages for months on end, to North Korea, which has declared us to be an enemy of theirs completely, but not to travel 90 miles off our shore to Cuba I think is a mistake.

To this day, some Iranian politicians believe the United States to be "the Great Satan." We hear it all the time. Just two decades ago, Iran occupied our Embassy and took innocent American diplomats hostage. To this day, protesters in Tehran burn the American flag with the encouragement of the members of their Government. Those few Americans who venture into such inhospitable surroundings often find themselves pelted by rocks and accosted by the public.

Similarly, we do not ban travel to Sudan, a nation we attacked with cruise missiles last summer for its support of terrorism; to Burma, a nation with one of the most oppressive regimes in the world today; to North Korea, whose soldiers have peered at American servicemen through gun sights for decades; or Syria, which has one of the most egregious human rights records and is one of the foremost sponsors of terrorism.

I can go to Iran, but I cannot go to Cuba. There is an inconsistency here that I think we ought to undo. We ban travel to Cuba, a nation which is neither at war with the United States nor a sponsor of terrorism. I fail to see how isolating the Cuban people from democratic values and ideals will foster the transition to democracy in that country.

I fail to see how isolating the Cuban people from democratic values and from the influence of Americans when they go to that country to help bring about the change we all seek serves our own interests.

Before I go on, let me be perfectly clear: I strongly support effective measures to bring democratic values and rule to all people, including Cuba. No one, certainly not Cubans, should have to live under a dictator's fist. Cubans cannot travel freely to the United States. That is because Fidel Castro does not allow them to do so. Those of us who watched our television screens last night and saw those Cubans trying to escape the dictatorial regime in Cuba, picked up by Cuban boats were horrified by that kind of activity.

Because Fidel Castro does not permit Cubans to leave Cuba and come to this country is not justification for adopting a similar principle in this country



that says Americans cannot travel freely. We have a Bill of Rights. We have fundamental rights that we embrace as American citizens. Travel is one of them. If other countries want to prohibit us from going there, then that is their business. But for us to say that citizens of Connecticut or Alabama cannot go where they like is not the kind of restraint we ought to put on people.

If I can travel to North Korea, if I can travel to the Sudan, if I can travel to Iran, I do not understand the justification for saying I cannot travel to Cuba. I happen to believe that by allowing Americans to travel there, we can begin to have the influence in Cuba that can begin to change the demographics politically to make a difference in bringing about the change we all seek in that country.

Today, every single country in the Western Hemisphere is a democracy, with one exception: Cuba. American influence through person-to-person and cultural exchanges was a prime factor in this evolution from a hemisphere ruled predominantly by authoritarian or military regimes to one where democracy is the rule, with one exception: Cuba.

Our policy toward Cuba blocks these exchanges and prevents the United States from using our most potent weapon in our effort to combat totalitarian regimes, and that is our own people. They are the best ambassadors we have.

Most totalitarian regimes bar Americans from coming into their countries for the very reasons I just mentioned. They are afraid the gospel of freedom will motivate their citizens to overthrow dictators, as they have done in dozens of nations over the last half century. Isn't it ironic that when it comes to Cuba we do the dictator's bidding for him in a sense? Cuba does not have to worry about spreading democracy. Our own Government stops us from doing so.

The current state of regulations governing who can and cannot travel to Cuba is a complex and subjective morass. My colleague, Senator LEAHY, has first-hand experience in attempting to navigate the sea of bureaucracy.

When he attempted to travel to Cuba earlier this year with his wife Marcelle, he discovered that while his travel was exempt from certain licensing requirements, his wife's travel was not. Ultimately, she was able to accompany her husband after applying for a license based on her work as a registered nurse.

The fact is, the entire process is a farce and everyone knows it. Other couples, not a U.S. Senator and his wife, would probably not fare as well in gaining a license to travel to Cuba.

Let me review for my colleagues who may travel to Cuba under current Government regulations and under what circumstances. The following categories of people may travel to Cuba without applying to the Treasury De-

partment for a specific license to travel. They are deemed to be authorized to travel under so-called general license: Government officials, regularly employed journalists, professional researchers who are "full time professionals who travel to Cuba to conduct professional research in their professional areas," Cuban Americans who have relatives in Cuba who are ill but only once a year they can go back.

There are other categories of individuals who theoretically are eligible to travel to Cuba as well, but they must apply for a license from the Department of the Treasury and prove they fit a category in which travel to Cuba is permissible.

What are these categories?

One, freelance journalists, provided they can prove they are journalists; they must also submit their itinerary for the proposed research.

Two, Cuban Americans who are unfortunate enough to have more than one humanitarian emergency in a 12-month period and therefore cannot travel under a general license.

Three, students and faculty from U.S. academic institutions that are accredited by an appropriate national or regional educational accrediting association who are participating in a "structural education program."

Four, members of U.S. religious organizations.

Five, individuals participating in public performances, clinics, workshops, athletic and other competitions and exhibitions.

Just because you think you may fall into one of the above enumerated categories does not necessarily mean you will actually be licensed by the U.S. Government to travel to Cuba.

Who decides whether a researcher's work is legitimate? Who decides whether a freelance journalist is really conducting journalistic activities? Who decides whether or not a professor or student is participating in a "structured educational program"? Who decides whether a religious person is really going to conduct religious activities?

I will tell you who does. Some Government bureaucrats are making those decisions about those personal rights of American citizens.

It is truly unsettling, to put it mildly, when you think about it, and probably unconstitutional at its core. It is a real intrusion on the fundamental rights of American citizens.

It also says something about what we as a Government think about our own people. Do we really believe that a journalist, a Government official, a Senator, a Congressman, a baseball player, a ballerina, a college professor or minister are somehow superior to other citizens who do not fall into those categories; that only these categories of people are "good examples" for the Cuban people to observe in order to understand American values?

I do not think so. I find such a notion insulting. There is no better way to

communicate America's values and ideals than by unleashing average American men and women to demonstrate by daily living what our great country stands for and the contrasts between what we stand for and what exists in Cuba today.

I do not believe there was ever a sensible rationale for restricting Americans' right to travel to Cuba. With the collapse of the Soviet Union and an end to the cold war, I do not think an excuse remains today to ban this kind of travel.

This argument that dollars and tourism will be used to prop up the regime is specious. The regime seems to have survived 38 years despite the Draconian U.S. embargo during that entire period. The notion that allowing Americans to spend a few dollars in Cuba is somehow going to give major aid and comfort to the Cuban regime is without basis, in my view.

This spring, we got a taste of what people-to-people exchanges between the United States and Cuba might mean when the Baltimore Orioles and the Cuban National Team played a home-and-home series. The game brought players from two nations with the greatest love of baseball together for the first time in generations. It is time to bring the fans together. It is time to let Americans and Cubans meet in the baseball stands and on the streets of Havana.

Political rhetoric is not sufficient reason to abridge the freedoms of American citizens. Nor is it sufficient reason to stand by a law which counteracts one of the basic premises of American foreign policy; namely, the spread of democracy. The time has come to allow Americans—average Americans—to travel freely to Cuba. I urge my colleagues to support this amendment.

Again, I make this point to my colleagues: There are no restrictions on you if you want to travel to the Communist Government of North Korea, to the Communist Government of the People's Republic of China, to the Communist Government of Vietnam, to the terrorist-supported Government of Iran, or to travel to the Sudan. This is a completely uneven standard we are applying in order to satisfy some political rhetoric.

If you really want to create some change in Cuba, then unleash the flood of U.S. citizens going down there and talking to average Cubans on the streets of Havana and Santiago and the small communities. Give the 11 million people in Cuba a chance to interface and interact with American citizens. If Fidel Castro wants to say, "No, you can't come here," let him say that, but let not us do his bidding by saying to average citizens: You cannot go there. That is a denial, in my view, of a fundamental right and freedom, unless there is an overriding national interest which would preclude and prohibit American citizens from traveling to a given country. That case has not been

made. It cannot be made when it comes to Cuba.

Senator LEAHY and I urge the adoption of this amendment to begin to create the change we all want to see on this island nation 90 miles off our shore.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Vermont. Mr. LEAHY. Mr. President, the distinguished senior Senator from Connecticut has stated the arguments so very well. Like he, I have traveled to Cuba. I visited Cuba 3 months ago with the distinguished senior Senator from Rhode Island, Mr. REED.

We were able to go there because we are U.S. Government officials. If we had been private citizens, as the distinguished Senator from Connecticut has said, we would have had some problems.

My friend from Connecticut mentioned the problems that my wife Marcelle faced when she went to Cuba. He and I have discussed that because of the absurdity of it.

My wife Marcelle has accompanied me on many foreign trips. We have gone abroad representing our country, at the request of the Senate, at the request of the President; and sometimes we have traveled on our own just to visit friends abroad.

So we did not think there was much of a difference that time. Our passports were in order. We were going to a Caribbean country, having traveled in that area often, so we didn't need any special shots or anything.

We were about to go. But a few days before we were to leave—this is what the Senator from Connecticut referenced—we received a call from the State Department saying they were not sure they could approve my wife's travel to Cuba.

I cannot speak for other Senators, but I suspect that most Senators would react the same way I did if they were told that a State Department bureaucrat had the authority to prevent their spouse or their children from traveling with them to a country with which we are not at war and which, according to the Defense Department, and practically every other American, poses no threat to our national security.

At first I thought it was a joke. They said no. My wife is not a Government official. She is not a journalist. They did not think she could go. She is, and has been, a practicing, registered nurse throughout her professional life. In the end, she was able to join me because an American nurses association asked her to report on an aspect of current health in Cuba, and she agreed to report back to them.

Actually she has visited, with me, other parts of the world where we have used the Leahy War Victims Fund or where we have gone to visit landmine victims or looked at health care. I have always relied on her knowledge and expertise and did on this trip.

But I thought, how many Senators realize that if they wanted to take

their spouse or their children with them to Cuba, they could be prevented from doing so by U.S. authorities. They can take them anywhere else in the world, any other country that would allow them in, but here it is not that the other country would not allow them in. Our country is saying: We're not going to allow you to leave if that is where you're going.

The authors who put that law together knew the blanket prohibition on travel by American citizens would be unconstitutional, so they came up with a nifty way to avoid that problem while still having the same result. They said: Well, Americans could travel to Cuba; they just cannot spend any money there.

Think of it. You can go to Cuba but you can't stay anywhere if it is going to cost you money to stay; you can't eat anything if it is going to cost you money for the food; you can't take a cab, or anything, from the airport if it is going to cost you money.

Well, come on. Almost a decade has passed since the collapse of the former Soviet Union. But even before that Americans went there. Now they freely travel to Russia by the thousands every year, as they did before the collapse of the Soviet Union.

Eight years have passed since the Russians cut their \$3 billion subsidy a year to Cuba, and we now give hundreds of millions of dollars in aid to Russia, even though that was our great enemy during the cold war.

Americans, as the Senator from Connecticut has said, can travel to North Korea. There are no restrictions on the right of Americans to travel there or to spend money there.

I ask a question of my colleagues: Which country poses a greater threat to the United States or world stability? North Korea or Cuba? I think the answer, especially if you watch the news at all, is North Korea, for it is in South Korea where we have tens of thousands of U.S. troops poised to defend it.

Americans can travel to Iran, a country that is in total, gross violation of all international law. They took over our embassy, held our diplomats hostage, broke every single possible international law there was—they still hold our property that they confiscated from us—but we can travel freely there; we can spend money there.

The same goes for Sudan. These are countries that are on our own terrorist list, but we can travel there.

Americans travel to China and Vietnam, countries that have had abysmal human rights records. We not only travel there, we actively promote American investment there.

So our Cuban policy is hypocritical, inconsistent, self-defeating, and contrary to our values—to give it the benefit of the doubt. We are a nation that prides itself on our tradition of encouraging the free flow of people and ideas. It is simply impossible to make a rational argument that Americans should be able to travel freely to North

Korea or Iran but not to Cuba. You cannot make that argument.

I cannot believe that Members of Congress want the State Department or the Treasury Department deciding where their family members or constituents can travel, unless we are at war or there is a national emergency to justify it. But that is what is happening.

So because it is happening, it should not be surprising to anybody in this Chamber that the law is being violated by tens of thousands of Americans who are traveling to Cuba every year, and almost none of them are prosecuted. I kept running into people on the streets of Havana from the United States. I said: Do you have licenses or anything? No. We just came down.

I know people from my own State who drive an hour's drive away to Montreal and then fly to Cuba; people who go to the Hemingway Marina in their boats and then spend time in Cuba.

Mr. DODD. Will my colleague yield on that point?

Mr. LEAHY. Certainly.

Mr. DODD. I think it is an important point you are making. But I think in almost every single case, what these citizens are doing is flying through Canada or Cancun and in a sense violating the law; they are acting illegally.

Mr. LEAHY. That is right.

Mr. DODD. So in a sense we are promoting, by this particular provision in our existing law, illegal travel.

Mr. LEAHY. And also promoting a complete disrespect for our laws because everybody knows they are not going to be prosecuted. It is a ridiculous thing. Why have this significant law on the books and then not prosecute it? Yet if it was being prosecuted, maybe we would hear more of a hue and cry to change it.

It is demeaning to the American people. It is damaging to the rule of law. We have been stuck with this absurd policy for years, even though almost everybody knows—and most say privately—that it makes absolutely no sense. It is beneath the dignity of a great country.

But I also say it not only helps strengthen Fidel Castro's grip on America, it has a huge advantage for our European competitors who are building relationships and establishing a base for future investment in a post-Castro Cuba.

When the Castro era ends is anybody's guess. I was a student in law school here in Washington shortly after the Bay of Pigs. I remember people talking: It will be any minute now—any minute now—Castro is out.

Well, I graduated in 1964, 35 years ago, and he is still there. President Castro is not a democratic leader; he is not going to become one. But maybe it is time we start pursuing a policy that is in our interest, not in a lobbyist's interest or somebody else's interest. I should be clear about this amendment. It does not—I repeat and underscore

that—lift the U.S. embargo. It is narrowly worded so it does not do that. It permits travelers to go there but to carry only their personal belongings. We are not opening up a floodgate for imports to Cuba.

It limits the value of what Americans can bring home from Cuba to the current amount that we Government officials could bring back. That is \$100. You are not going to start a huge trade in Cuban goods of whatever sort for \$100, especially some of the more popular Cuban goods.

It reaffirms the President's authority to prohibit travel in times of war, armed hostilities, or if there is imminent danger to the health or safety of Americans.

Those who oppose this amendment, who want to prevent Americans from traveling to Cuba, will argue that spending dollars there helps prop up the Castro government. To some extent that is true, because the Cuban Government does run the economy. It also runs the schools, the hospitals, maintains roads. As is the U.S. Government, it is responsible for a full range of social services. Any money that goes into the Cuban economy supports the programs that support ordinary Cubans.

There is a black market in Cuba because no one can survive on their meager Government salary. So the income from tourism also fuels that informal sector and goes in the pockets of ordinary Cubans.

It is also worth mentioning that while the average Cuban cannot survive on his or her Government salary, you do not see the kind of abject poverty in Cuba that is so common elsewhere in Latin America. In Brazil, Panama, Mexico, or Peru, all countries we support openly, there are children searching through garbage in the street for scraps of food next to gleaming highrise hotels with limousines lined up outside.

In Cuba, with the exception of a tiny elite consisting of the President and his friends, everyone is poor. They do have access to some basics: A literacy rate of 95 percent; their life expectancy is about the same as that of Americans, even though the health system is focused on preventive care.

The point is that while there are obviously parts of the Cuban economy we would prefer not to support, as there is in North Korea, where we are sending aid, or China or Sudan or any country the government of which we disagree, much of the Cuban Government's budget benefits ordinary Cubans. So when opponents of this amendment argue that we cannot let Americans travel to Cuba because the money they spend there will prop up Castro, remember what they are not saying: The same dollars also help the Cuban people.

We are not going to weaken President Castro's grip on power by keeping Americans from traveling to Cuba. History has proven that. He is as firmly in control now as he was 40 years ago. So let us put a little sense into our rela-

tionship with Cuba. Let's have a little more faith in the power of ideas.

I would rather have U.S. citizens down there speaking about democracy than to have the only voice being the Government's voice speaking about our embargo. Let's have the courage to admit the cold war is over, but let's also get the State Department out of the business of telling our spouses and our children and our constituents where they can travel and spend their own money, especially in a tiny country where most people are too poor to own an extra pair of shoes or clothes, a country that poses no security threat to us.

This amendment will do far more to win the hearts and minds of the Cuban people than the shortsighted approach of those who continue to pretend that nothing has changed since 1959.

I am not one who supports the non-democratic actions of the Castro government. I have spoken very critically both here and in Cuba, of the trials and arrests of those who dared to speak out for a different government. But I was struck over and over again by Cubans of all walks of life basically saying, what are we afraid of? Do we deny our people, U.S. citizens, the ability to travel in other countries around the world? When I say no, we don't stop them from going to Iran, North Korea, China, Russia, Sudan, elsewhere, countries that are even on our terrorist list, but we do here, they shake their heads in disbelief—this in a country where, during the baseball game down there, when the United States flag was carried out on to the baseball field, the Cubans stood and cheered. We ought to think about that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I understand the remarks the Senators have made. It has been suggested earlier that we have had an absurd policy for years and that Cuba is not a real threat to us, certainly not as much of a threat as North Korea. I suggest if that is so—and it certainly has not been so for very long; I suggest Cuba could in the future be a threat to the United States—it is because we stood up to them. We contained them. We basically defeated them and stopped them when they had a systematic determination to subvert the Western Hemisphere and even sent troops into Africa on behalf of Russia, when there was a Soviet Union to subvert Africa for totalitarian communism.

That is what it was about. We have done some things that I think were necessary and have preserved democracy for this hemisphere. It is something we ought to be proud of.

As for Castro, it is time for him to retire. It is time for him to give it up. It is time for him to put his people above his own personal aggrandizement and lust for power. If he cares about his people, he ought to give it up. He can go to North Korea, if he wants to go to a Communist nation.

I don't have any sympathy for the man. I do not know why people want to go to Cuba. All the time: I want to go to Cuba, go to Cuba. Well, I would suggest maybe Honduras. Those people have suffered terrifically. There are people in Haiti we could help. I do not know why everybody wants to help a nation that is oppressing its people so much.

Be that as it may, there are provisions now for people to gain exemptions, if they have a just cause to do so, to go to Cuba. Those who have a legitimate reason can find a way to go there, as the Senator noted. I think we have an appropriate policy. I will oppose changing it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, a case has been made that Americans cannot travel to Cuba. Indeed, the facts reveal that Americans travel to Cuba by the thousands. The policy that this Congress has endorsed, President Reagan, President Bush, and President Clinton have supported.

There has been a calculated policy of American contacts in travel to Cuba. Today American students, journalists, people with archeological interests, cultural interests, travel to Cuba by the thousands. Cuban Americans travel to visit family members who have problems, medical emergencies, by the thousands. The restriction of the U.S. Government is not about travel.

We are using travel as a weapon to help convince the Cuban people to put pressure on the Cuban Government, support for democracy, free markets, that their contact with Americans is helpful in changing the politics of the repression of Cuba. Restrictions in travel is not about denying Americans the right to go to Cuba. It is about denying Fidel Castro the economic benefits of American tourism. Travel that enhances knowledge, causes political difficulties, we not only allow but we have encouraged.

Travel that simply provides Fidel Castro with millions of dollars to support his regime, his military, his security forces, we are denying, and appropriately so. Nor is it a static policy.

On January 9 of this year, President Clinton revised the policy again, for the second time in 2 years, to add new remittances by American citizens to Cuba, so that people can send money and support their families at appropriate levels that are humanitarian, to help with medical or food emergencies but not so much that it would allow Fidel Castro to profit by it. President Clinton has allowed charter passenger flights to cities other than Havana for the first time, and the measure permits direct mail service to Cuba. The measure also authorizes the sale of food and agricultural inputs to independent non-government entities.

New regulations for all of this were issued on May 10—flights, new authority for travel, food and medicine—as

part of a calculated policy to always test Castro: When you are ready to talk about democracy, to respect human rights, American policy will begin to change. Several days after President Clinton announced these new initiatives, the Cuban Government responded and Castro announced that it constituted a policy of "aggression." Once again, as President Carter found, as did Presidents Reagan, Bush, and Clinton, every time you make an act of concession—in this case, a legitimate concession—to test Fidel Castro to see whether he is interested in a bilateral relationship, we are denounced for redressing the Cuban nation by disallowing travel.

My colleagues offer an amendment now to remove these restrictions and open travel and allow Fidel Castro to get the full economic benefit of millions, potentially hundreds of millions of dollars worth of travel.

What kind of regime is it that they will be visiting? If Castro is to receive the benefit of our tourist dollars, what is it he would be doing with this money? It is worth taking a look at Cuba, not of 1961 when the cold war brought us to sanctions, but the Cuba of 1999. It is suggested by my friend and colleague from Vermont that the cold war is over, implying that perhaps we have no argument with this regime.

Our argument with Cuba is about more than the cold war. It is about all the things that have always motivated the United States: human rights, human decency, the nature of the regime itself. Our argument with Fidel Castro is not over. The causes of that argument still endure.

While the United States has been seeking to ease sanctions, look at the record in the last 24 months in response to our review and change of policy. In February, Fidel Castro criminalized all forms of cooperation or participation in any prodemocracy efforts—not a fine, not an arrest, but 20 years in jail if you participate in a prodemocracy effort. This is the Cuba you will be visiting. He imposes a 30-year jail term on anybody who cooperates with an agency of the U.S. Government. That includes Radio Marti, distribution of food or medicine by a government agency, or anyone acting on behalf of anyone associating with this Government.

On March 1, the law was tested. Four prominent human rights dissidents were tried in secrecy for their criticism of the Communist Party of Cuba. International diplomats who traveled to Cuba to witness the trial were barred from attending any of the proceedings. After being held without charges for 1 year—no foreign press, no foreign visitors, no diplomats, held in secrecy for 1 year—they were found guilty and sentenced for up to 5 years in jail. This is the Cuba of 1999.

Amnesty International, in its recent report, concludes that there are now 350 political prisoners in Cuba. Ten unarmed civilians, in the meantime, have

been shot by Cuban security officials on the streets of Havana.

I do not ask the Senate to do anything it has not done before. Just on March 25, the Senate voted 98-0, stating that the United States should make all efforts to criticize Cuba and condemn its human rights record. What is the price of this conduct? They hold hundreds of political prisoners, people are shot in the streets, people are held in secret trials, and our response is: Let's go for a visit. Let's go see how they are doing and have a good meal in Havana. No. My colleague is right. There is no cold war, but there is a great deal at issue that this country cares a great deal about.

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

Mr. TORRICELLI. Yes.

Mr. LEAHY. People have been shot in the streets in China, and held in prisons in China, and tortured and executed in China; are we allowed to go and visit there without having to get a license from our country to do so?

Mr. TORRICELLI. Let me, in my time, answer the Senator's question with a question. Do you believe that travel restrictions on China would change Chinese policy?

Mr. LEAHY. I don't think it would change the policy any more than it would change the policy with Cuba.

Mr. TORRICELLI. That is where we agree.

Mr. LEAHY. I have a further question.

Mr. TORRICELLI. I will answer the question first and continue my remarks. I don't think travel restrictions on China would change Chinese policy. I oppose those restrictions. I do believe travel restrictions on Cuba will change Cuban policy. That is why I support them. I do believe that continued international resolve—for the first time, the Senator's amendment would weaken America's policy. We have gotten Europeans and Latins so outraged by the jailing of these dissidents and these secret trials that European and Latin nations that have voted against us for 20 years have joined with us this year in Europe in voting to condemn the Cuban Government. Just as they are joining the fight for human rights, the United States would abandon it.

There is one other thing that is important. I will finish making my case and I will be glad to yield. There is one other change. This isn't just about what Cuba does internally anymore. This is also about what they are doing to our country. The government that you would have us now visit, in lifting these restrictions, is a Cuba that has crossed a very important threshold.

Just this last year, indicted by the government of Cuba on May 7, were 14 Cubans captured in Miami. Let me suggest to you the nature of that indictment to see whether it makes an impression on the Senator and see whether or not he thinks this is an appropriate time to ease restrictions on travel to Cuba. The indictment of

Cuban agents in Miami last fall was for attempting to penetrate the U.S. Southern Command and planning "terrorist acts against U.S. military installations." The indictment was further revised to include 2 of the 14 with conspiracy to murder 4 American citizens by shooting down their aircraft over the Straits of Florida.

Let me suggest that I, as all of my colleagues, am prepared to respond to initiatives from Havana. The day there are elections, the day there are open trials, the day there is a free press, the day they respond to a request for extradition of people who murder American citizens, I will join you with my colleagues on that day on this floor matching the Cuban Government 2-to-1, 3-to-1, 1 of their initiatives to 3 of ours, 10 of ours, or 20 of ours. We will meet them 95 percent of the way down the field.

But, my friends, to ask this Senate to respond to the record of the last year of jailing dissidents, secret trials, shooting people on the streets, the indictment of 14 Cuban agents penetrating the United States military installations to commit terrorist acts against the United States, and the indictment of Cubans for murdering American citizens—this, my colleagues, would not appear to me to be the best time to suggest that it is time to forgive and forget, and have thousands—maybe tens of thousands—of Americans visit Cuba to rescue the Cuban economy from its current position of collapse, and provide Fidel Castro with the revenue to strengthen his regime.

These sanctions are having an effect. Fidel Castro has had to reduce his military by one-half. He cannot afford to keep them in uniform. The secret police have been reduced by nearly a third in their size. We are causing the collapse of the Communist Party of Cuba—not in a timely way, not as I would like it to be, but it is having an impact.

Why, given this record of indictments and terrorism and murder against American citizens, would we choose this moment?

Those in the world who have been the most critical of our policy—the Holy Father in the Vatican, who led an initiative himself to ease restrictions on Cuba, has now joined the chorus of those. Fidel Castro broke his promise about priests. The Holy Father appealed to him not to proceed with these jail terms, and he did it anyway. The Vatican is now joining the criticism.

The states of Latin America for the first time are voting against his human rights record. And we in the United States who led this effort for all of these years are about to change sides.

This Senate has been resolute on this issue in the past.

I will join with my friend from Kentucky, Senator MCCONNELL, I hope in a motion to table this amendment.

I think the debate has been worthwhile.

My friend from Connecticut and my friend from Vermont have made it very clear to the Cuban Government that we are ready, willing, and able to change our policy if they change theirs. But I believe the motion to table is the right way to proceed in the Senate at the moment.

I would be glad to yield to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, let's be clear where we are. My friend from New Jersey speaks of the trial of the dissidents. Many who have spoken on the floor were critical of that.

I sat 10 feet across the table from Fidel Castro and strongly and harshly criticized the trial of the dissidents. I went to visit each of their families and strongly and harshly criticized that trial and spoke also on the floor. With my reputation on free speech issues, I would be the last person to yield to anybody on the question of criticism of those who try cases against dissidents and those who spoke out against the Government.

I was very pleased to see our European allies speak out about it. But I note for the RECORD that while they spoke out on that, not one of those European allies that the Senator from New Jersey says now come over to our side—not one of those countries—has put limits on the travel of their people to Cuba as we have—not one.

The United States, the most powerful, wealthiest nation on Earth, limits its population in traveling only to this country.

The distinguished Senator from New Jersey said quite correctly that we limited travel of our people to China. It might not make much difference in what they did. I suspect it made some, but probably not much. I say that it probably wouldn't make any more difference in that Government than it does in the Government of Cuba. But we see a huge market there, so we are not going to do that anyway.

I suggest that during the cold war the fact was that we encouraged travel to places like the Soviet Union and China, and we got a diversity of views. Our thoughts and our views were heard more and more, not as much as we would like but more and more.

The Holy Father spoke out, as did most of us in this body, about the trial of the dissidents. But I point out that the Holy Father has never withdrawn his very strong criticism of the United States.

Mr. TORRICELLI. May I reclaim my time for the moment? I yielded to the Senator—

Mr. LEAHY. I thought the Senator had yielded the floor.

Mr. TORRICELLI. Please conclude.

Mr. LEAHY. That is my mistake. I assumed the Senator had yielded the floor.

One last thing: We indicted, and we are using our criminal justice system to try, Cuban spies, just as we have

Russian spies, Chinese spies, Japanese spies, Israeli spies, and spies from even our NATO allies. We have done that. We have not broken our relationships with any one of those countries when we have done that, and some of the things some of those countries have done to us have been very serious crimes, indeed.

Mr. TORRICELLI. I recognize that. I thank the Senator from Vermont.

Let me further present the case, in case the Senator misunderstood me, that this is not a case that Cuba spied against the United States. That we expect. This is a case where the President of the United States, in my judgment, rightfully sought to ease restrictions on travel to Cuba and did so in allowing charter flights, the expansion of flights throughout Cuba, the easing of restrictions on travel to Cuba, and the response that he received is that we now have 14 Cubans under indictment, not for responding but for attempting to infiltrate an American military installation and committing a terrorist act.

What I want the Senator from Vermont to do is put himself in the position of Fidel Castro. The United States makes concessions to allow greater travel, which we have now done twice in 24 months. The Cuban Government attacks those concessions with acts of aggression and attempts to commit terrorist acts against the United States. The human rights situation further deteriorates. People are jailed. Contact with the U.S. Government is criminalized. And now this Senate returns not in outrage but says, Mr. President, we don't think you went far enough; let's go further and further and liberalize trade.

That is my concern, recognizing how this will be seen in Havana.

I agree with the Senator's analysis. The United States allows travel to many places. But the Senator has to concede to me that travel has often been an effective tool in altering international conduct.

This country participated in prohibiting flights to Libya after it shot down the Pan Am flight over Lockerbie, Scotland. We prohibited flights. After a period of 10 years, the Libyan Government relented and allowed extradition to an international court those who are responsible for the act. I don't ask anything with regard to the victims of Lockerbie that we are not asking now of those in the Cuban Government.

What is the difference? How do you look at the families of the young men shot down over the Straits of Florida and murdered by the Cuban Government, and tell them, well, we will overlook this, though we will resolve it with Libya?

When Americans have been in jeopardy, whether it was in Iran, or in Libya, or years ago in Vietnam, when they were arresting people and putting them in concentration camps, we prohibited travel. I suggest to the Senator

that that prohibition is still an effective mechanism of policy.

In any case, I yield the floor to allow my friend from Connecticut to speak.

I urge my colleagues to join with Senator McCONNELL on a motion to table. This is the wrong judgment with the wrong signal at the wrong moment—not undermining the historic American policy, but it is undermining the policy of the Clinton administration which has been well calibrated and very well defined.

This is not a partisan matter. It is bipartisan against the leadership of the Foreign Relations Committee in the Senate led by Senator HELMS and by President Clinton. It counters both policies.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, very briefly, if I may, I will not take much time, because my colleague from Florida wants to be heard, as well as others.

Let me say to my friend and colleague from New Jersey, I admire his rhetorical skills immensely. He made a valiant effort to shift the argument and debate implying we are doing a favor, this is somehow a great act of generosity and kindness, that those who are proposing lifting a restraint on travel to Cuba are trying to help out Fidel Castro.

It is a good, clever argument. I hope it is not a persuasive argument.

We are talking here not about what we are trying to do to help Fidel Castro but a right that American citizens ought to have to travel freely.

My colleague from New Jersey and others have pointed out the dastardly deeds that go on in Cuba. I don't disagree at all. I am outraged by it and condemn it.

I point out, if that is the basis upon which we restrict Americans to travel freely, we would have bans on travel all over the world. It goes on every day. We don't say to a single American citizen: You can't travel to the People's Republic of China. Every day, that government abuses its own people far more egregiously than occurs in Cuba. We see it in Vietnam, Sudan, Yugoslavia, Iran, North Korea. Is there any more oppressive government on the face of this Earth than the Republic of North Korea? Yet any citizen in this country tomorrow or tonight can get on a plane and fly there without having to get permission from the State Department or the Treasury.

My point is, we are applying a standard that is not being applied equally or fairly. I subscribe to the notion that by opening up access you begin to create change. I argue that in Poland, Hungary, and Czechoslovakia it was the access and the interchange between citizens of the free world and those countries which helped create the kind of change that caused communism in those nations to fall. It wasn't isolation that did it; it was contact that did it.

I have watched for 40 years a policy in Cuba that has not produced the change that the Senator from North Carolina and I both want. We disagree how to get there, but I agree with the conclusion he seeks. I believe he agrees with the conclusion I seek.

Why don't we try a different tactic? What is the point of further isolation after 40 years if there is no change? If I can say to a citizen of my State: You can fly to the North Korea, you can fly to the People's Republic of China, you can fly to Iran—countries that have done far worse than the incidents that have occurred in Cuba, far more egregious—we have understood we don't deny citizens of our own country the right to travel.

Let Fidel Castro shut the door and say to my constituents: You can't come to my country. I don't want to sit in the Senate and do his bidding. I don't think I ought to be saying to the citizens of New Jersey, North Carolina, or Florida that you can't travel there. Let them say that.

To tell Cuban Americans: You can go back to your country once a year, and if someone is sick, apply for an application, a license, and maybe we will let you go see your family, maybe we will let you go, that is not my view of the way we ought to be conducting our foreign policy.

This is about American rights. We provide in the Leahy amendment that unless we are involved in a state of war, hostilities, or public health reasons or good reasons why the Government may restrain the travel of its citizens—we are not in that condition here.

If you want to create change in Cuba, let good, honest, average American citizens interface with these people. They are the best ambassadors in the world. They do more good on an hourly basis on behalf of our country than all the diplomats combined. Give them a chance to make that difference and go to the country 90 miles off our shore.

I yield to my colleague from Massachusetts 1 minute for a question.

**THE PRESIDING OFFICER.** The Senator may yield for a question.

**Mr. KERRY.** I congratulate my colleague on his leadership with respect to this. In the years that the Senator served on the Foreign Affairs Committee, in all those years with the visits of Lech Walesa, the visits of Vaclav Havel, and we have all shared wonderful moments with leaders of countries where the curtain fell—I think I recall each of those leaders saying it was the ability of people to come in during the time things were shut, to share with them the sense of what was happening elsewhere, the possibilities, bringing information, to bring them hope; that, indeed, was one of the great sustaining values and empowerments that brought them ultimately to the point of sharing the freedom that we have.

I wonder if the Senator wouldn't agree that it is almost totally contradictory with a Stalinist, tight police

structure. In fact, by not having intercourse with other people elsewhere—the discussion, the movement of people, the discourse, the exchange of ideas that comes with it—you are, in fact, empowering the capacity of that secrecy and of that closed society to keep the hammer down on people, and that flies directly contrary to all of the experience we have learned from those wonderful visits we have had.

**Mr. DODD.** I say in response to my colleague from Massachusetts, he makes an excellent point. I think the observation he has drawn is correct. No one can grant with any certainty whether or not we will create change overnight.

I look down the list of the people who can get licenses to go to Cuba. Members of Congress can; journalists can; people who are involved in some cultural exchanges. Ballerinas can go through a licensing process to get there.

I like the idea that an average citizen in my State, in Massachusetts, in Florida, can go into Cuba and walk those streets, talk to people in the marketplaces, and share with them what we stand for as a nation. Every time we have allowed that to occur, we have created change—maybe not in the People's Republic of China. We did in Poland. We did in Czechoslovakia. We did in Hungary. We did throughout the Soviet bloc when we had a constant flow of people; that opening up, that engagement, that creates change.

It seems to me after 38 years of saying no one can go there, this might be worth trying. Then Fidel Castro can say: I'm not going to allow these people in.

Let him be the one who shuts the door to U.S. citizens traveling there. Let us not deny our own citizens the right to try and make a difference, if that is what they want to do, without going through some bureaucratic licensing process. Even the wife of a distinguished colleague had to go through this process, as a registered nurse, to qualify under the regulations. The spouse of a Senator. She can go to North Korea, China, abusive governments, but she cannot go 90 miles off the shore with her husband, a Senator. If that woman were not the wife of a Senator, she would have been denied that license. We all know that.

I bet there are nurses all across this country who might go to Cuba and make a difference through their engagement in conversation, interfacing with the people of that country, and to begin to create the kind of change we seek.

It is absurd. As my colleague from Massachusetts has suggested by his question, it is absurd. We are 185 days away from the millennium and we sit in this Chamber and tell American citizens that because we disagree, strongly disagree, with the Government of Cuba, we are going to deny them the right to travel there and put it in the same basket as Iraq and Libya.

That doesn't make sense.

I yield.

**Mr. KERRY.** I ask my colleague if, in fact, by denying that exchange, those people the right to travel and connect with relatives and others within the country, if we don't provide Fidel Castro with the selectivity and greater capacity to restrict what information they get, when they get it, how they get it, and if, in fact, we aren't playing right into his capacity to keep a stranglehold—which is the very thing we are trying to undo.

**Mr. DODD.** Mr. President, again, my colleague from Massachusetts makes an excellent point. When you restrict the ability of average citizens to travel, you then restrict the ability of information exchanges about what is going on around the world to actually reach the average citizen in the streets. It can make a difference. So in a sense you empower Mr. Castro and those who support him by giving them the ability to restrain the amount of information people in the streets ought to be able to get about what is going on in the rest of the world. As a matter of fact, we become a coconspirator, if you will, in sustaining this man in power, in my view. But by opening up this process, given the examples we can cite—there are concrete examples all over the world where, when we allowed that travel and that contact to occur, we have made a difference; we created change. The only place there has been no change that I know of is in Cuba, and it is the only place where we have not changed our policy.

There seems to be some logic in that argument. If you want to follow other examples, and those who argue against this resolution who simultaneously argue they want Castro to go, it seems to me our best formulation is to give this a chance to see if we cannot create the kind of change the Senator from Massachusetts and I strongly support. I thank him for his questions. I yield the floor.

Several Senators addressed the Chair.

**THE PRESIDING OFFICER.** The Senator from Kentucky.

**Mr. McCONNELL.** Mr. President, I know this is spirited debate but we need to wrap up a couple of items. Let me notify the Senate, before returning to the debate on this amendment, we are just about to completion. So let me ask unanimous consent the Dodd-Leahy amendments be temporarily laid aside. We will come back to them in just a moment.

**Mr. KERRY.** Reserving the right to object, could I ask a question? I inquire, I ask the Senator, where we are with respect to the Brownback amendment?

**Mr. McCONNELL.** The Brownback amendment is yet to be disposed of. There are a couple of amendments upon which we are going to have to have rollcall votes. I would like to proceed, if I may.

**Mr. KERRY.** If I can ask, will there be time to speak to that amendment?



Mr. McCONNELL. We are trying to wrap the bill up. I would very much like the Senator from Massachusetts to say a few words on that amendment, knowing full well where he stands. But if he will just suspend for a minute and let us wrap up a few housekeeping items here?

Mr. KERRY. Fine.

AMENDMENT NO. 1165

Mr. McCONNELL. I understand there is a Bingham amendment still at the desk that has now been cleared on both sides. I ask unanimous consent we return to the Bingham amendment.

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

The question is on agreeing to the amendment. The amendment is agreed to.

The amendment (No. 1165) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. McCONNELL. Mr. President, I have an amendment by the Senate majority leader that has been cleared on both sides.

AMENDMENT NO. 1183

(Purpose: To require annual reports on arms sales to Taiwan)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. LOTT, proposes an amendment numbered 1183.

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

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

The amendment is as follows:

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

**SEC. . CONSULTATIONS ON ARMS SALES TO TAIWAN.**

Consistent with the intent of Congress expressed in the enactment of section (3)(b) of the Taiwan Relations Act the Secretary of State shall consult with the appropriate committees and leadership of Congress to devise a mechanism to provide for congressional input prior to making any determination on the nature of quantity of defense articles and services to be made available to Taiwan.

Mr. LOTT. Mr. President, I am pleased to offer this amendment that would require that the Congress be notified in a timely fashion of any report or list submitted by the Taiwanese Government for the potential purchase or other acquisition of any defense article or defense service.

This amendment would remedy a long-festering situation whereby the Congress has ceded virtually all decisionmaking authority to the executive branch with respect to arms sales to Taiwan. This situation is contrary to

the letter and spirit of the Taiwan Relations Act of 1979, which established that arms sales decisions regarding Taiwan must be made jointly between the legislative and executive branches of government.

Specifically, the relevant sections of Public Law 96-8, the "Taiwan Relations Act" of April 10, 1979, are as follows: Section 3(a) states, "... 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." And Section 3(b) states, "The President and the Congress shall determine the nature and quantity of such defense articles and services 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."

When Congress passed the Taiwan Relations Act in 1979, it was in response to the Carter administration's abrupt efforts to curtail long-standing defense ties between Washington and Taipei. At the time of the adoption of the Taiwan Relations Act, Congress wanted to make clear that the enduring ties between the American people and the people of Taiwan included a clear and sustained commitment to ensuring that the people of Taiwan had the means to defend themselves. Taiwan's ability to maintain a credible deterrent, qualitatively superior to that of the mainland's forces across the narrow Taiwan Strait, has been crucial in keeping peace in East Asia.

The central tenet of the Taiwan Relations Act was stated very clearly in section 3, namely, that the President and Congress together would determine what Taiwan required for its legitimate self defense without regard to pressures imposed by any third party nation. This provision was written in the law to ensure that executive branch officials would not become excessively concerned with the protestations of the PRC whenever the United States proposed to provide Taiwan defense articles and services needed for Taiwan's self-defense. Unique among laws governing United States defense ties with other nations, the Taiwan Relations Act explicitly requires in law that Congress and President together decide what Taiwan's military defenses require.

The first year after the TRA's enactment, this provision was sorely tested when the executive branch failed to inform Congress fully and currently on what Taiwan needed for its defense. The Foreign Relations Committee under the leadership of Senator Frank Church lambasted executive branch officials. Together with Senator Glenn, Senator Javits, and others, Chairman Church insisted that the administration provide full details on those weapon systems Taiwan had requested.

This practice of involving Congress in reviewing procurement decisions—as required by law—lapsed since that time. In recent years, the executive branch has met with representatives of Taiwan in secret and has refused to share with Congress the complete list of those defense articles and services requested formally or informally by Taiwan.

In this regard, on May 11 of this year I wrote to Secretary of State Madeleine Albright requesting a copy of the list of defense articles and services sought by Taiwan in the most recent round of annual arms procurement talks. Those talks ended on April 21. I received a reply to my letter on May 21, signed by Assistant Secretary of State for Legislative Affairs Barbara Larkin. Mrs. Larkin's reply asserted that the Department would only provide information on "the systems for which we [the Administration] have given Taiwan a positive response."

In other words, the State Department refused my legitimate request to be informed in writing of Taiwan's request for potential purchase or other acquisition of defense articles and services. Frankly, I was shocked and dismayed by this response, especially given the fact the most recent round of talks had already been concluded and given the clear intent of Section 3 of the Taiwan Relations Act. Instead, Mrs. Larkin's letter provided information only on those portions of Taiwan's request that the administration unilaterally had decided to approve.

I understand that a similar, written request by the chairman of the House International Relations Committee Representative BENJAMIN GILMAN, and others, have received the same unsatisfactory response from the administration.

Mr. President, the current situation is intolerable and must be changed. The law of the land requires that Congress be involved in decisions regarding Taiwan's legitimate defense needs. The President and future administrations should know that the American people's representatives in Congress will meet our obligations under the law to be involved in this decisionmaking process.

Toward this end, my amendment requires that Taiwan's procurement request be furnished, on an appropriate basis and in a timely fashion, to the appropriate committees of Congress. I believe this is a necessary step in ensuring that there is a meaningful dialogue between the legislative and executive branches of government and that the decisionmaking process regarding what Taiwan legitimately needs for its self defense, proceeds on a basis that is fully consistent with the letter and spirit of the Taiwan Relations Act.

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

The amendment (No. 1183) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I ask Senator MACK be added as a cosponsor to amendment No. 1136.

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

Mr. MCCONNELL. Mr. President, the following amendments will not be offered. They are at the desk. They will not be offered: amendment No. 1121 by Senator THOMAS; amendment No. 1122, amendment No. 1152, and amendment No. 1153, all three by Senator ASHCROFT; amendment No. 1154 by Senator CRAIG; amendment No. 1148 by Senator GRASSLEY; amendment No. 1164 by Senator CLELAND.

I ask unanimous consent those amendments no longer be in order.

The PRESIDING OFFICER. Without objection, it is so ordered. Those amendments will not be proposed.

Mr. MCCONNELL. Mr. President, we are down to a precious few.

What we are considering doing is propounding an agreement, and I am going to go on and propound it even though I know there may be some objection, but to give a sense of what the roadmap here is to completion. We believe we are down to the amendment we have been discussing all day, the Brownback amendment, as second-degreed by myself and Senator ABRAHAM regarding section 907, and the amendment we are in the process of debating, the Leahy-Dodd amendment with regard to travel restrictions to Cuba. And final passage. That is where I believe we are at this moment—with the need to wrap up the debate on the Dodd-Leahy amendment, the need to give Senator KERRY an opportunity to speak on the 907 issue and Senator TORRICELLI an opportunity to speak to the 907 issue.

Mr. DODD. I would also like to be heard on 907.

Mr. MCCONNELL. Also, Senator DODD on the 907 issue and Senator BINGAMAN for a couple of minutes on Cuba.

That is about where we are. Senator GRAHAM, obviously, is going to speak on the Cuba issue as well.

At that point we should be able to move ahead. Does my colleague from Vermont think we should go ahead and propound this unanimous consent agreement or go on with the debate and just move on through it?

Mr. LEAHY. Mr. President, I see the Senator from Florida on the floor. I was wondering about how much time does he think he will need?

Mr. GRAHAM. I will need 15 minutes.

Mr. LEAHY. That will make it impossible to get the unanimous consent agreement that might get us out of here at a decent hour.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator GRAHAM of Florida be allowed 15 minutes to speak to the Dodd-Leahy amendment; Senator BINGAMAN, 3 minutes on the Cuba amendment; Senator

KERRY, 5 minutes on the 907 amendment; Senator TORRICELLI on the 907 amendment, 5 minutes; Senator DODD, 2 minutes on the 907 amendment; Senator BROWNBACK, 3 minutes to wrap up on 907; myself 3 minutes to yield on 907.

Mr. LEAHY. Mr. President, I understand the distinguished Senator from Maryland would have an objection on a time agreement. Maybe we should start on our debate and urge people to be as brief as we can because I still think we could and should vote on all these.

Mr. MCCONNELL. The objection of the Senator from Maryland is to the Brownback amendment, I gather?

Mr. LEAHY. That is correct.

Mr. MCCONNELL. Why don't we proceed to complete debate on the Dodd-Leahy matter and see if we can dispose of that? Let's proceed on it.

Mr. DODD. That is fine.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 1157

Mr. GRAHAM. Mr. President, I want all to know that there is no disagreement with the objectives, the end goals being sought by the advocates of this amendment and those of us who oppose it. I believe we are all Americans of good conscience and we seek for the Cuban people what we seek for ourselves. We seek a nation that lives with the freedoms associated with democracy. We seek a nation that respects the basic human rights of its people. We seek a nation which will encourage an economy that offers hope to the people of Cuba.

We have had a long association with Cuba. It is an association which runs almost to the first Spanish exploration of our two nations. We were a major participant in the freedom of Cuba in 1898. In fact, we had celebrations within the last few months of our participation in the independence of Cuba.

So our goals for those people, our feeling for the people of Cuba, is a shared one. The question is, What is the appropriate course of U.S. policy to achieve those goals? I believe, as with every other question of what U.S. foreign policy should be, it should be a mixture of a consideration of our national interests and a consideration of the universal values for which America has stood since those words in the Declaration of Independence that declared that we saw that all men—not just American men, not just men, but women—that all persons had certain inalienable rights. Those have been an important factor in our relationships with other peoples of other nations.

On the specific issue of the use of travel restrictions as a part of that U.S. foreign policy, Senator TORRICELLI has talked about the way in which travel restrictions were imposed on Libya and the fact that those restrictions had certain objectives and have had certain consequences.

The Presiding Officer and I have been interested in the issue of Lebanon for a long time. The United States had travel restrictions on Americans visiting

Lebanon. The purpose of those travel restrictions was to encourage changes that would create a greater sense of security. While there are still tense days, as we have seen in the very recent past, it is now considered appropriate to allow Americans to begin again to visit Lebanon.

We have used travel restrictions as a means of achieving goals that were considered to be important to the United States in the past.

Yes, we are using a restriction on travel to Cuba as part of the larger, comprehensive restriction on relationships with the Government of Cuba while we attempt to achieve increased contacts with the people of Cuba.

There is an assumption that if the United States does not open up its travel restrictions, the Cuban people are going to walk down sidewalks that are barren of foreign travelers and the Cuban people will not have contact with the outside world. In fact, almost 100,000 Americans visited Cuba last year under the various provisions of our existing law. In addition to that, some of the major nations of the world, nations with which we have the closest relationship, such as Spain and Canada, have an open policy, in terms of travel to Cuba, for their citizens.

When you ask Spaniards or Canadians, what effect has your open policy towards Cuba had? what effect have the relationships you have had in these instances for decades with the Castro regime had? have you seen a change in the commitment to democracy? have you seen, as a result of your openness towards Cuba, a greater degree of respect for human rights? the answer is a sad no. These democracies, these nations which share our values and which have taken the course of action that is being advocated by the proponents of this amendment, have seen no effect in achieving the goals we share for Cuba—democracy, human rights, and an open economy.

What gives us reason to believe that adopting an unconsidered, undebated—other than the words we speak this afternoon—major change in our policy toward Cuba would have any different result? Recent events, in fact, are to the contrary.

In January of last year, 1998, a significant, what many hoped would be a historic, turning point event occurred in Cuba. The Pope visited that island. Many hoped, prayed, believed that it would lead to fundamental change in Cuba.

We reinforced the momentum of the papal visit by a number of initiatives towards Cuba. On March 20, 1998, just a few weeks after the Pope had departed, in an attempt to build goodwill towards Cuba, President Clinton announced the resumption of licensing for direct humanitarian flights to Cuba.

The President announced the resumption of cash remittances to Cuba.

The President asked for the development of licensing procedures to

streamline and expedite the commercial sale of medicine, medical supplies, and medical equipment to Cuba.

Continuing in that vein, on January 9 of this year the President authorized additional steps to reach out to the Cuban people. The new measures expanded remittances by allowing any United States citizens, not just family members, to send limited funds to the people of Cuba. The President expanded people-to-people contacts. The President allowed charter passenger flights to cities other than Havana and to initiate from cities other than Miami.

The measures also permitted an effort to establish direct mail service to Cuba. The measures also authorized the sale of food and agricultural inputs to independent, nongovernmental entities, including religious groups, family restaurants, and farmers.

All of those are initiatives which the United States has taken since January of 1998 in hopes that it would result in a reciprocal response of some loosening of the police state that is Cuba today.

What happened to all of those initiatives the United States took? What happened to the initiatives that were hoped to flow from the papal visit?

The Cuban Government responded to our United States initiatives by calling these actions acts of aggression. That is what the Cuban Government labeled the opening of additional flights, of direct mail, of allowing greater remittances to the people of Cuba. Fidel Castro called all of those actions acts of aggression.

What did Fidel Castro do in the context of the visit by the Pope? Almost exactly a year after the Pope departed Cuba, the Cuban Government passed a new security law. That law criminalized any form of cooperation or participation in prodemocracy efforts. That law imposed penalties ranging from 20 to 30 years for those who were found to be cooperating with the U.S. Government. Those are the responses of Fidel Castro to the papal visit.

On March 1, four prominent human rights dissidents were tried in secrecy for their peaceful criticism of the Communist Party. Diplomats were barred from attendance at the trial. These four human rights and prodemocracy dissidents were held for over 1 year without charges. They were found guilty. They were sentenced to jail terms, for advocating human rights and democracy, of 3½ to 5 years.

This did not happen 40 years ago. This happened in March of 1999. The Cuban Government ignored calls from the Vatican and the international community for release. Canada, the European Union, and several Latin American countries criticized the Cuban Government and stated their intention to reassess their relationship with the Government. The King of Spain had a scheduled visit to Cuba which he has deferred, in large part because of the treatment of these four dissidents.

Cuba's human rights record in 1999 reflects a continued policy of repres-

sion, a policy which has been recognized not just by the United States, not just by the people of Cuba who suffer under the yoke of oppression, but by the international community.

In its annual report on human rights, which was released earlier this year, Amnesty International states that at least 350 political prisoners remained imprisoned in Cuban cells in 1998. Amnesty International reports that 10 unarmed civilians were shot, executed by Cuban authorities, in 1998.

As we know, the Senate passed a resolution by a vote of 98-0 on March 25 of this year stating that the United States would make all efforts necessary to pass a resolution criticizing Cuba for its human rights records before the U.N. Commission on Human Rights. We were very pleased when the United Nations Commission on Human Rights, with support of nations which just in the last 2 years had opposed such a resolution, passed a resolution on April 23 condemning Cuba for its human rights abuses.

Finally, the State Department country report on human rights practices detailed the same human rights abuses as last year and the year before.

We have made an effort to reach out to Cuba. We have made an effort to send a signal that we were looking for some reciprocity, some demonstration of a wavering in the steel-hard police state which has been Cuba for 40 years.

One is hard pressed to see even the faintest breeze of a positive response to our efforts. The examples of human rights violations in all of these reports are numerous, brutal, and startling. Human rights activists are beaten in their homes. People are arbitrarily detained and arrested. Political prisoners are denied food and medicine brought by their own families. Children are made to stand in the rain chanting slogans against democracy.

In the United States, on May 7 of this year, the U.S. Government revised indictments against 14 Cuban spies captured in Miami last fall while attempting to penetrate the U.S. Southern Command, the United States Naval Air Station at Boca Chica Key near Key West, and planning terrorist acts against military installations. The revised indictments also charge 2 of the 14 with conspiracy to commit murder in the 1996 shoot down of the Brothers to the Rescue fliers.

It is at this point that I must become personal. I know the families of the four fliers who were shot down over international waters, now we know, at the direct command of the highest officials of the Cuban Government. If homicide is defined as the intentional taking of a human life, four acts of homicide occurred over the Straits of Florida against three U.S. citizens and one U.S. resident.

This is the nature of the response that Fidel Castro has given to the efforts by the Pope, by the international community, and by the United States to try to ask, to plead for some relief for the people of Cuba.

As these examples show, as the continuing reign of repression flows from week to week, from day to day in Cuba this is not the time for lifting any of the sanctions on Cuba. This is the time for us to hold the line on our policy, to continue to reach out to the people of Cuba in hopes that someday they will breathe the free air of democracy but to give no quarter to the oppressive Government of Fidel Castro.

Mr. TORRICELLI. Will the Senator yield?

Mr. GRAHAM. I will be pleased to yield.

Mr. TORRICELLI. I congratulate the Senator from Florida on his statement and his extraordinary leadership on this issue through the years and simply inquire of him, through this decade, American policy towards Cuba has largely been defined by the Cuban Democracy Act that the Senator from Florida joined with me in writing, the Helms-Burton Act that the chairman of the Foreign Relations Committee of the Senate, Senator HELMS, wrote, and now under the leadership of President Clinton.

This amendment would largely undermine the policies outlined in that legislation and by President Clinton. Indeed, the President recently has redefined his own policy of travel towards Cuba. But by a sweep of the pen, that bipartisan policy that the Senators and the President of the United States have written would largely be undermined, in my estimation.

Is that the Senator's conclusion?

Mr. GRAHAM. That would certainly be one of the consequences. Another consequence, I say to my friend and colleague, would be that we would send a signal to Fidel Castro that we are prepared to do virtually anything without expecting anything in response; that the same thing that has happened to the Canadians, the Spaniards, to other European and Latin American countries—attempts to reach out to Castro, which are rebuffed in terms of those things that are most important to the people of Cuba—that now we would become complicitous in that same process of unrequited love.

The last thing we have to play, the last policy option that is available to us as we try to influence Castro is exactly the embargo which, by this casual act tonight, we are being asked to begin to dismantle.

Mr. TORRICELLI. If the Senator would continue to yield, I think what is important about your statement is you recognize this policy isn't about travel; it is about money. It is about giving Fidel Castro millions of dollars of American tourist money to support his regime, his dictatorship, his armed forces, his security forces. That is what we are denying.

But the frustration that the Senator from Florida may have—and you probably know more about the Cuban economic experience and the travel experience than anyone in this institution by virtue of your constituency—and to

rely upon your expertise for a moment, it is my understanding, contrary to what the Senate may be led to believe today, that when tourists go to Cuba from European countries, they are put into tourist compounds. Cubans are not allowed to visit those hotels. They cannot talk to people in those hotels. So the notion that hundreds of thousands of American tourists are going to walk the streets of Cuba and democratize the island, spread the message of human rights—in fact, the average Cuban cannot get inside those compounds. They are walled off.

The Senator knows more about this, by far, than I do, but is that not the story of many of these beach-front hotels?

Mr. GRAHAM. That is the story. Unfortunately, the people who those tourists will come in contact with will be the virtual serfs of the Castro regime because the hotels are required to purchase their employees through the Cuban Government, not by direct negotiation with the individual or through some organization representing those individuals. So by that walled-off enclave in which they are enjoying themselves, on an island of prosperity in a sea of despair—which is Cuba today—they are contributing to the maintenance of a system of economic slavery that virtually has left the face of the Earth for the past century and a half.

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

Mr. TORRICELLI. A final question. And I am very pleased the distinguished minority whip, Senator REID of Nevada, is going to join with us on a motion to table.

But before I yield back, Senator KERRY of Massachusetts left a very appealing notion of the example of President Havel, that this exchange of visiting and talking to people about democratic ideas would somehow change the Cuban political reality.

Again, you know more about this than I do. It is my impression that under Cuban law, as Fidel Castro has now changed the law, if a would-be Havel walked up, in Havana, to an American tourist and talked to that tourist about democracy, he would be rewarded—not with information, a growth of knowledge—but he would go to jail because talking about democracy in Cuba to an American tourist will guarantee one thing—you will be arrested, you will be indicted, and you will go to jail.

Is that the reality of what a conversation about democracy with an American tourist is?

Mr. GRAHAM. Yes. And under the law which I alluded to, which was passed just in February of this year, that Cuban citizen who was found to be engaging in that friendly discussion about democracy and the graces that liberty brings to the human spirit will be subject to spending 20 to 30 years, without his freedom, in a Cuban cell precisely because he engaged in that conversation.

Mr. TORRICELLI. I thank the Senator from Florida.

Mr. DODD. Will my colleague yield?

Just very quickly, I want to raise the point—I do not know if my colleagues from New Jersey and Florida have been to Cuba at all recently.

Has my colleague traveled to Cuba in the last several years?

Mr. GRAHAM. Other than Guantanamo, I have not been to Cuba.

Mr. DODD. I appreciate that. Just as a point of reference, I spent a week in Cuba in December, in fact, all over the area, all over Havana, and Varadero as well for a day. I point out to my colleague that I saw Americans all over the streets of Havana. The idea you are confined to Varadero Beach is just not the case. There are people literally everywhere, right in the marketplaces, in the streets, in the restaurants, places they could go. The idea that you are restricted only to go to Varadero Beach is not the case.

Mr. TORRICELLI. Cubans are restricted.

Mr. DODD. To Cuban Americans who want to travel to Cuba—many do—this is, in a sense, saying you can only go back to the country of your birth once during a year, unless you have a sick relative, and then you have to apply to some bureaucrat in the Treasury Department to go down and see your family. That is wrong.

But the idea that Cuban Americans would be restricted to Varadero Beach is just not the case. You can talk with Cuban Americans who have been back to Cuba. They are not restrained on where they can travel in Cuba.

Mr. GRAHAM. I think the point the Senator from New Jersey was raising in his question to me was that for many of those Europeans, Latin Americans, and Americans who go to Cuba, the nature of the hotel arrangements in which they live does not lend itself to the sort of interplay that, for instance, some of us experienced in places such as Prague and Budapest prior to the fall of the Berlin Wall.

It also is the case that Cuban citizens who, in those rare instances, might have an opportunity to relate with an American, since February of this year, face the prospect of being charged with a criminal act of collaborating with a United States citizen and face the prospect of spending 20 to 30 years in a 17th century cell.

Mr. TORRICELLI. Will the Senator allow me to respond to the point? Will the Senator allow me to respond?

Mr. GRAHAM. Yes.

Mr. TORRICELLI. The point is, Americans clearly do in Cuba have the freedom to leave the hotels and wander around the island. As Senator GRAHAM has pointed out, nearly 100,000 Americans went to Cuba last year. So this is not a question that many Americans cannot go. It has simply been the Clinton administration's view to restrict the number so as not to give Castro great financial rewards. One hundred thousand Americans go.

The point I was making with Senator GRAHAM was not to give people the illusion that Americans in a hotel on the beaches near Havana are going to receive Cuban visitors. The average Cuban is not allowed on the hotel grounds on these compounds. This is not going to be people visiting President Havel in his office. They are not allowed to go there. They can't spend money there. They can't be guests there. They are foreign compounds. You might as well be on a beach somewhere on a desert island in the Pacific. They are restricted.

I thank the Senator from Florida for yielding.

Mr. DODD. As someone who has been there and spent the time and wandered without restraint and had conversations with people—I had a long conversation, as someone who speaks the language, speaks Spanish; I was able to have lengthy conversations with people. I wasn't being followed around. I had long discussions with people in marketplaces where they were highly critical of the Cuban Government.

I had a lengthy discussion with a family down there about their objections and opposition to Fidel Castro with a group of people around. In my personal experience and that of others, just on the point of 100,000 U.S. citizens going, most of them are going illegally. It is not as if they have licenses to go. We all know what they do. They go to Montreal or Quebec or Cancun, and then they go in, because they don't stamp their visas. You can meet them all in the airports down there.

We are making them illegal, illegal activities of U.S. citizens. That is not something we ought to be condoning. But this isn't licenses they receive; this is because they are using other means to go down and spend time there. But this is not permissible, visa-stamped approved travel by these people.

Mr. KERRY. Will the Senator yield further?

Mr. GRAHAM. Yes.

Mr. KERRY. I just make the point to the Senator that, having spoken with a lot of people who have gone down there and made some of those trips, the families aren't restricted in that way. They meet with relations. They tell people what is going on in the United States. They talk about their feelings about Fidel Castro.

What is amazing about this debate, what is absolutely stupefying, is that what the Senators seem to be defending is completely contrary now to the experience since 1959. We went through the whole 1960s, went through the Bay of Pigs, went through the 1970s. We went through the height of the Reagan opposition to the Iron Curtain and through all of the changes in Russia, the former Soviet Union, the former east bloc countries. We have seen the dynamics of that change.

The one place where our policy remains the same as it has throughout all of those years is the place where

there has been the least change. One of the reasons they had the power to shoot down those four planes is that there is no movement in the relationship, because they are as isolated.

If you look at the experience of Cubans, restricted, who go back to Cuba to visit their families, limited by the United States of America to one visit a year with their own family, you find that they are the ones saying to us today, we would like to have the right to travel to visit our families as frequently as we can. I am confident that the same kinds of changes that swept over the rest of the world will sweep over that tiny island.

Mr. GRAHAM. I will conclude by saying that I ask those who think the United States changing its policy towards Cuba will have these miraculous effects in terms of breaking waves of freedom to the people that will crush what is an East German police state today—I only ask them to tell us what is the evidence, based on the outreach which has been made by countries such as Canada and Spain and European and Latin American countries, which largely share our values, which have been for 40 years in a continuous relationship with Cuba?

I think the answer to the question is, there are no such evidences that that outreach has had a positive effect on Cuba. We are dealing with a *sui generis* anachronism in Cuba. That degree of singularity requires the kind of singularity of foreign policy that we are directing towards it, with our hopes that soon the people of Cuba will be released from that hold and that our policy will have contributed to that release and will help to establish a basis for a transition to a Cuba that will be respectful of its people and with which the United States can have normal and peaceful and prosperous relationships.

I yield the floor.

Mr. KERRY. Would the Senator like an answer to the question?

• Mr. MACK. Mr. President, I oppose this travel amendment in the strongest possible terms. This is the wrong language at the wrong time. It represents a fundamental change in our Cuba policy—a change without proper consideration.

The Foreign Relations Committee has not considered this language; in fact, nobody has seen this language until it was introduced this afternoon. We should not rush this language through.

We should not do this. This is a half-baked approach, which makes for weak policy; it is not a mature effort to craft serious policy.

Fidel responds to our positive gestures with arrests, oppression, and crackdown. This effort is misguided and must be tabled. •

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I move to table the underlying Dodd

amendment No. 1157, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader is recognized.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, as in executive session, I ask unanimous consent that immediately following this roll-call vote about to begin, the Senate immediately proceed to executive session and vote en bloc on the confirmation of the following nominations on the Executive Calendar: Nos. 104 through 108. I further ask unanimous consent that immediately following the vote, the President be notified of the Senate's action and the Senate then return to legislative session.

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

Mr. LOTT. I also ask unanimous consent that it now be in order to ask for the yeas and nays on the nominations en bloc.

Mr. BYRD. Mr. President, I don't have any objection, but I ask unanimous consent that the majority leader may proceed in this way. A tabling motion has been made, and there is no debate on a tabling motion.

Mr. LOTT. Mr. President, I ask unanimous consent that I be allowed to do this, even though the vote has been ordered on the tabling amendment, so that we can have this vote in this sequence. It is to have a vote on the confirmation of five judicial nominations. Both have been requested, but it will be one vote, and it will count as only one vote on all five nominations.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. I thank Senator BYRD for that correction.

I ask consent then that it now be in order to ask for the yeas and nays on the nominations en bloc.

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

Mr. LOTT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll on the motion to table.

Mr. LEAHY. Mr. President, I ask unanimous consent that notwithstanding the tabling motion—

Mr. BYRD. Mr. President, I ask for the regular order.

Mr. LEAHY. Mr. President, is it out of order to ask for unanimous consent?

Mr. BYRD. Mr. President, there is no debate following a motion to table.

The PRESIDING OFFICER. The clerk will call the roll.

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

Mr. BYRD. Mr. President, I ask unanimous consent that, notwithstanding

the rules that there be no debate, the Senator be allowed to make a unanimous consent.

Mr. LEAHY. That is what I was asking.

Mr. BYRD. The Chair should have the advice from the Parliamentarian to call this to the Senate's attention.

Mr. LEAHY. Mr. President, the distinguished Senator from West Virginia was making the exact same request that I was making. Let's just vote.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1157. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative assistant called the roll.

Mr. BYRD. Mr. President, House Members may not be in the Well.

The PRESIDING OFFICER. The well will be cleared.

The well will be cleared.

The clerk will continue to call the roll.

The legislative assistant resumed the call of the roll.

Mr. BYRD addressed the chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask for order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD. Now, Mr. President, I ask that House Members stay out of the well and stop lobbying Senators. I have had a number of Senators come to me and tell me that House Members are in the well lobbying them. The other Members didn't speak up, but I shall.

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD. I hope the Sergeant at Arms will see to it that House Members, who are our guests, will get out of the well. There are places in the back of the Chamber for them.

The PRESIDING OFFICER. The clerk will resume the call of the roll.

The legislative assistant resumed the call of the roll.

Mr. NICKLES. I announce that the Senator from Ohio (Mr. VOINOVICH) and the Senator from Florida (Mr. MACK), are necessarily absent.

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

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 189 Leg.]

#### YEAS—55

Abraham	Crapo	Inhofe
Allard	DeWine	Kohl
Ashcroft	Domenici	Kyl
Bayh	Edwards	Lieberman
Bennett	Fitzgerald	Lott
Breaux	Frist	McCain
Brownback	Gorton	McConnell
Bryan	Graham	Murkowski
Bunning	Gramm	Nickles
Burns	Grassley	Reid
Byrd	Gregg	Robb
Campbell	Hatch	Roth
Cochran	Helms	Santorum
Collins	Hollings	Sessions
Coverdell	Hutchinson	Shelby
Craig	Hutchison	Smith (NH)

Smith (OR)  
Snowe  
Stevens

Thomas  
Thompson  
Thurmond

Torricelli

Bond  
Boxer  
Breaux  
Brownback  
Bryan  
Bunning  
Byrd  
Campbell  
Chafee  
Cleland  
Cochran  
Collins  
Conrad  
Coverdell  
Craig  
Crapo  
Daschle  
DeWine  
Dodd  
Domenici  
Dorgan  
Durbin  
Edwards  
Feingold  
Feinstein  
Fitzgerald  
Frist  
Gorton  
Graham

Gramm  
Grams  
Grassley  
Gregg  
Hagel  
Harkin  
Hatch  
Hollings  
Hutchinson  
Hutchison  
Inhofe  
Inouye  
Jeffords  
Johnson  
Kennedy  
Kerrey  
Kerry  
Kohl  
Kyl  
Landrieu  
Lautenberg  
Leahy  
Levin  
Lieberman  
Lincoln  
Lott  
Lugar  
McCain  
McConnell

Mikulski  
Moynihan  
Murkowski  
Murray  
Nickles  
Reed  
Reid  
Robb  
Roberts  
Rockefeller  
Roth  
Santorum  
Sarbanes  
Schumer  
Sessions  
Shelby  
Smith (OR)  
Snowe  
Specter  
Stevens  
Thomas  
Thompson  
Thurmond  
Torricelli  
Warner  
Wellstone  
Wyden

rating from the American Bar Association.

She was initially nominated in January 1998, almost 17 months ago. She participated in an extensive two-part confirmation hearing before the Committee back on July 30, 1998. Thereafter she received a number of sets of written questions from a number of Senators and responded in August. A second round of written questions was sent and she responded by the middle of September. Despite the efforts of Senator FEINSTEIN, Senator KENNEDY, Senator SPECTER and myself to have her considered by the Committee, she was not included on an agenda and not voted on during all of 1998. Her nomination was returned to the President without action by this Committee or the Senate in late October.

This year the President renominated Ms. Berzon in January. She participated in her second confirmation hearing two weeks ago, was sent additional sets of written questions, responded and got and answered another question. I do not know why these questions were not asked last year. I do hope that the Committee will vote to report her nomination to the Senate on Thursday and that the Senate will finally, at long last, take the opportunity to confirm her to the federal bench.

The saga of this brilliant lawyer and good person is a long one, but it is not an isolated story. Hers is not even the longest pending nomination. That distinction belongs to Judge Richard Paez who was initially nominated in January 1996—over three and one half years ago—favorably reported by this Committee last year but not voted upon by the Senate. He was renominated in January, as well. His nomination is in limbo before the Senate Judiciary Committee, more than three years after this fine Hispanic judge was first nominated by the President.

In addition, there is the nomination of Justice Ronnie L. White to the federal court in Missouri, a nomination I spoke to the Senate about earlier this week. This past weekend marked the 2-year anniversary of the nomination of this outstanding jurist to what is now a judicial emergency vacancy on the U.S. District Court in the Eastern District of Missouri. He is currently a member of the Missouri Supreme Court.

He was nominated by President Clinton in June of 1997, 2 years ago. It took 11 months before the Senate would even allow him to have a confirmation hearing. His nomination was then reported favorably on a 13 to 3 vote by the Senate Judiciary Committee on May 21, 1998. Senators HATCH, THURMOND, GRASSLEY, SPECTER, KYL, and DEWINE were the Republican members of the Committee who voted for him along with the Democratic members. Senators ASHCROFT, ABRAHAM and SESSIONS voted against him.

#### NAYS—43

Akaka  
Baucus  
Biden  
Bingaman  
Bond  
Boxer  
Chafee  
Cleland  
Conrad  
Daschle  
Dodd  
Dorgan  
Durbin  
Enzi  
Feingold

Feinstein  
Grams  
Hagel  
Harkin  
Inouye  
Jeffords  
Johnson  
Kennedy  
Kerrey  
Kerry  
Landrieu  
Lautenberg  
Leahy  
Levin  
Lincoln

Lugar  
Mikulski  
Moynihan  
Murray  
Reed  
Roberts  
Rockefeller  
Sarbanes  
Schumer  
Specter  
Warner  
Wellstone  
Wyden

#### NOT VOTING—2

Mack

Voinovich

The motion was agreed to.

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### EXECUTIVE SESSION

NOMINATION OF Keith P. Ellison, of Texas, to be United States District Judge for the Southern District of Texas.

NOMINATION OF Gary Allen Feess, of California, to be United States District Judge for the Central District of California.

NOMINATION OF Stefan R. Underhill, of Connecticut, to be United States District Judge for the District of Connecticut.

NOMINATION OF W. Allen Pepper, Jr., of Mississippi, to be United States District Judge for the Northern District of Mississippi.

NOMINATION OF Karen E. Schreier, of South Dakota, to be United States District Judge for the District of South Dakota.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Ohio (Mr. VOINOVICH) and the Senator from Florida (Mr. MACK) are necessarily absent.

The result was announced—yeas 94, nays 4, as follows:

[Rollcall Vote No. 190 Ex.]

#### YEAS—94

Abraham  
Akaka  
Allard

Ashcroft  
Baucus  
Bayh

Bennett  
Biden  
Bingaman

#### NAYS—4

Burns  
Enzi

Helms  
Smith (NH)

#### NOT VOTING—2

Mack

Voinovich

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 4. The Senate does hereby advise and consent to the nominations of Keith B. Ellison of Texas, Gary Allen Feess of California, Stefan R. Underhill of Connecticut, W. Allen Pepper, Jr. of Mississippi, and Karen E. Schreier of South Dakota.

The President will be immediately notified of the Senate's action.

Mr. LEAHY. Mr. President, I am encouraged that the Senate confirmed five of the judicial nominees from the 45 pending before us. I am glad that the District Courts in Mississippi, South Dakota, Texas, Connecticut, and California will soon have additional judicial resources. I only wish that were true for the 69 other vacancies around the country.

In particular, I look forward to the Committee finally approving the nomination of Marsha Berzon to the Ninth Circuit Court of Appeals this week and would ask the Majority Leader to take up that long-delayed nomination with the same expedition that is being. Fully one-quarter of the active judgeships authorized for that Court remain vacant, as they have been for several years. The Judicial Conference recently requested that Ninth Circuit judgeships be increased in light of its workload by an additional five judges. That means that while Ms. Berzon's nomination has been pending, and five other nominations are pending to the Ninth Circuit, that Court has been forced to struggle through its extraordinary workload with 12 fewer judges than it needs.

Marsha Berzon is an outstanding nominee. By all accounts, she is an exceptional lawyer with extensive appellate experience, including a number of cases heard by the Supreme Court. She has the strong support of both California Senators and a well-qualified



Even though he had been voted out overwhelmingly, he sat on the calendar, and the nomination was returned to the President after 16 months with no action.

The President has again renominated him. I have called again upon the Senate Judiciary Committee to act on this qualified nomination. Justice White deserves better than benign neglect. The people in Missouri deserve a fully qualified and fully staffed Federal bench.

Justice White has one of the finest records—and the experience and standing—of any lawyer that has come before the Judiciary Committee. He has served in the Missouri legislature, the office of the city counselor for the City of St. Louis, and he was a judge in the Missouri Court of Appeals for the Eastern District of Missouri before his current service as the first African American ever to serve on the Missouri Supreme Court.

Having been voted out of Committee by a 4-1 margin, having waited for 2 years, this distinguished African American at least deserves a vote, up or down. Senators can stand up and say they will vote for or against him, but let this man have his vote.

Twenty-four months after being nominated and after being renominated five months ago, the nomination remains pending without action before the Senate Judiciary Committee. People like Justice Ronnie L. White deserve to have their nominations treated with dignity and dispatch. Twenty-four months is far too long to have to wait for Senate action.

The Chief Justice of the United States Supreme Court wrote in his Year-End Report in 1997: "Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote. The Senate confirmed only 17 judges in 1996 and 36 in 1997, well under the 101 judges it confirmed in 1994." He went on to note: "The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down."

For the last several years I have been urging the Judiciary Committee and the Senate to proceed to consider and confirm judicial nominees more promptly and without the years of delay that now accompany so many nominations. I hope the Committee will not delay any longer in reporting the nomination of Justice Ronnie L. White to the United States District Court for the Eastern District of Missouri and that the Senate will finally act on the nomination of this fine African-American jurist.

In explaining why he chose to withdraw from consideration after waiting 15 months for Senate consideration, another minority nominee, Jorge Rangel, wrote to the President and explained:

"Our judicial system depends on men and women of good will who agree to serve when asked to do so. But public

service asks too much when those of us who answer the call to service are subjected to a confirmation process dominated by interminable delays and inaction. Patience has its virtues, but it also has its limits."

Justice White has been exceedingly patient. He remains one of the 10 longest-pending judicial nominations before the Senate, along with Judge Richard Paez and Marsha Berzon.

Acting to fill judicial vacancies is a constitutional duty that the Senate—and all of its members—are obligated to fulfill. In its unprecedented slowdown in the handling of nominees since the 104th Congress, the Senate is shirking its duty. That is wrong and should end.

As the Senate recesses for the Independence Day holiday, I am glad to see that the Senate is taking a few small steps toward responsible action by confirming five qualified District Court nominees. I will continue to work to see that the scores of remaining nominees be treated fairly.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000—Continued

Mr. McCONNELL. Mr. President, for the information of all of our colleagues, Senator LEAHY and I have a couple of housekeeping measures to attend to, which we will do now. Then there will be a vote on the McConnell-Abraham second-degree amendment. If that amendment is successful, we will move to final passage. If that amendment is not successful, it is my understanding Senator SARBANES wishes to address the Senate further on the underlying Brownback amendment.

AMENDMENT NO. 1159, AS FURTHER MODIFIED

Mr. McCONNELL. Mr. President, I send to the desk a modification of amendment No. 1159.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as further modified, is as follows:

On page 21, line 22, before the period insert the following: "Provided further, That of the amount appropriated under this heading, not to exceed \$2,000,000 shall be available for grants to nongovernmental organizations that work with orphans who are transitioning out of institutions to teach life skills and job skills": *Provided further*, that of the amount available under the heading "ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES" for Romania, \$4,400,000 shall be provided solely to the Romanian Department of Child Protection for activities of such Department to provide emergency aid for the child victims of the present economic crisis in Romania, including activities relating to supplemental food support and maintenance, support for in-home foster care, and

supplemental support for special needs residential care".

AMENDMENT NOS. 1184 AND 1185

Mr. McCONNELL. Mr. President, I send an amendment on behalf of Senator BYRD and an amendment on behalf of Senator NICKLES to the desk. They have been cleared. I ask unanimous consent they be agreed to.

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

The amendments (Nos. 1184 and 1185) were agreed to, as follows:

AMENDMENT NO. 1184

(Purpose: To express the sense of the Senate regarding assistance under the Camp David Accords)

On page 128, between lines 13 and 14, insert the following new section:

#### SEC. \_\_\_\_ SENSE OF THE SENATE REGARDING ASSISTANCE UNDER THE CAMP DAVID ACCORDS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Egypt and Israel together negotiated the Camp David Accords, an historic breakthrough in beginning the process of bringing peace to the Middle East.

(2) As part of the Camp David Accords, a concept was reached regarding the ratio of United States foreign assistance between Egypt and Israel, a formula which has been followed since the signing of the Accords.

(3) The United States is reducing economic assistance to Egypt and Israel, with the agreement of those nations.

(4) The United States is committed to maintaining proportionality between Egypt and Israel in United States foreign assistance programs.

(5) Egypt has consistently fulfilled an historic role of peacemaker in the context of the Arab-Israeli disputes.

(6) The recent elections in Israel offer fresh hope of resolving the remaining issues of dispute in the region.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should provide Egypt access to an interest bearing account as part of the United States foreign assistance program pursuant to the principles of proportionality which underlie the Camp David Accords.

Mr. BYRD. Mr. President, my views on foreign assistance are well known. I don't like it. I understand there are circumstances in which the United States needs to extend a helping hand to other nations facing political and economic strains that we thankfully do not have to endure. I simply think that the United States spends too much of its citizens' hard-earned tax dollars overseas, and that is why I traditionally vote against the Foreign Operations Appropriations bill.

My reluctance to send U.S. tax dollars overseas leads me to scrutinize closely those programs that we do fund. One of the largest recipients of U.S. foreign assistance is the Middle East, and in particular Israel, and to a lesser extent, Egypt. These nations are our strongest allies in a troubled region, and I firmly believe that maintaining a strong relationship with them is in the best strategic interests of the United States. We cannot forget that it was Egypt and Israel that negotiated the Camp David Accords, an historic breakthrough in the efforts to

bring peace to the Middle East. As part of the Camp David Accords, a concept was reached regarding the ratio of United States foreign assistance between Egypt and Israel. This formula has been followed since the signing of the Accords.

I have believed for many years that the United States is spending too much on foreign assistance to Egypt and Israel. I have tried in the past, to no avail, to reduce the level of assistance being sent to Israel. I am pleased that the United States has finally embarked on a program of reducing economic assistance to both nations, with the agreement of those nations. However, maintaining proportionality between Egypt and Israel as the level of foreign assistance is reduced is vitally important, and never more so than now, when the recent elections in Israel offer fresh hope of restarting the peace process.

Unfortunately, the mechanism by which United States foreign assistance is currently being provided to Egypt and Israel has resulted in an imbalance to that program in that Israel has the unique advantage of having immediate access to an interest bearing account while Egypt has not been accorded the same treatment. This, I believe, is a procedure which can be interpreted as a departure from the standard of fairness that is central to United States assistance under the Camp David Accords.

Mr. President, this is an injustice that should be corrected. Speaking frankly, it is my opinion that neither Israel nor Egypt should be earning interest on United States foreign assistance. But, under the principles of parity that underlie the Camp David Accords, both nations should receive the same treatment. Egypt and Israel are pivotal allies in the Middle East, and the United States should accord them equal treatment in disbursing its foreign assistance.

#### AMENDMENT NO. 1185

(Purpose: Regarding availability of United States assistance for the Palestinian Authority)

Strike section 577, and insert in lieu thereof the following:

#### SECTION 577. UNITED STATES ASSISTANCE TO THE PALESTINIAN AUTHORITY.

(1) GAO CERTIFICATION.—NOT MORE THAN 30 DAYS PRIOR TO THE OBLIGATION OF FUNDS MADE AVAILABLE TO THIS ACT FOR ASSISTANCE FOR THE PALESTINIAN AUTHORITY THE COMPTROLLER GENERAL OF THE UNITED STATES SHALL CERTIFY THAT THE PALESTINIAN AUTHORITY—

(A) has adopted an acceptable accounting system to ensure that such funds will be used for their intended assistance purposes; and

(B) has cooperated with the Comptroller General in the certification process under this paragraph.

(2) GAO AUDITS.—

(A) AUTHORITY.—Six months after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit to determine the extent to which the Palestinian Authority is implementing an acceptable accounting system in tracking the use of funds made available by the Act for assistance for the Palestinian Authority.

#### UNANIMOUS CONSENT AGREEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes all action on S. 1234, it not be engrossed and be held at the desk. I further ask that when the House of Representatives' companion measure is received in the Senate, the Senate immediately proceed to its consideration, all after the enacting clause of the House bill be stricken and the text of S. 1234, as passed, be inserted in lieu thereof, the House bill, as amended, be read for the third time and passed, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses thereon, and the Chair be authorized to appoint conferees on the part of the Senate, and the foregoing occur without any intervening action or debate.

I further ask unanimous consent that upon passage by the Senate of the House companion measure, as amended, the passage of S. 1234 be vitiated, and the bill be indefinitely postponed.

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

#### AMENDMENTS NOS. 1186, 1187, AND 1188, EN BLOC

Mr. LEAHY. Mr. President, I ask unanimous consent that three amendments that have been cleared on the other side on behalf of the Senator from Vermont be considered en bloc and agreed to.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes en bloc amendments numbered 1186, 1187, and 1188.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 1186, 1187, and 1188) were agreed to, en bloc, as follows:

#### AMENDMENT NO. 1186

At the appropriate place, insert:

#### AUTHORIZATIONS

SEC. . The Secretary of the Treasury may, to fulfill commitments of the United States, (1) effect the United States participation in the fifth general capital increase of the African Development Bank, the first general capital increase of the Multilateral Investment Guarantee Agency, and the first general capital increase of the Inter-American Investment Corporation; (2) contribute on behalf of the United States to the eighth replenishment of the resources of the African Development Fund, the twelfth replenishment of the International Development Association. The following amounts are authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: \$40,847,011 for paid-in capital, and \$639,932,485 for callable capital, of the African Development Bank; \$29,870,087 for paid-in capital, and \$139,365,533 for callable capital, of the Multilateral Investment Guarantee Agency; \$125,180,000 for paid-in capital of the Inter-American Investment Corporation; \$300,000,000 for the African Development Fund; \$2,410,000,000 for the International Development Association; and \$50,000,000 for the International Bank for Reconstruction and Development's HIPC Trust Fund.

#### AMENDMENT NO. 1187

At the appropriate place in the bill insert the following:

#### WORKING CAPITAL FUND

SEC. . Section 635 of the Foreign Assistance Act of 1961 (22 U.S.C. 2395) is amended by adding a new subsection (1) as follows:

“(1) There is hereby established a working capital fund for the United States Agency for International Development which shall be available without fiscal year limitation for the expenses of personal and non-personal services, equipment and supplies for: (A) International Cooperative Administrative Support Services; (B) central information technology, library, audiovisual and administrative support services; (C) medical and health care of participants and others; and (D) such other functions which the Administrator of such agency, with the approval of the Office of Management and Budget, determines may be provided more advantageously and economically as central services.

“(2) The capital of the fund shall consist of the fair and reasonable value of such supplies, equipment and other assets pertaining to the functions of the fund as the Administrator determines and any appropriations made available for the purpose of providing capital, less related liabilities.

“(3) The fund shall be reimbursed or credited with advance payments for services, equipment or supplies provided from the fund from applicable appropriations and funds of the agency, other federal agencies and other sources authorized by section 607 of this Act at rates that will recover total expenses of operation, including accrual of annual leave and depreciations. Receipts from the disposal of, or payments for the loss or damage to, property held in the fund, rebates, reimbursements, refunds and other credits applicable to the operation of the fund may be deposited in the fund.

“(4) The agency shall transfer to the Treasury as miscellaneous receipts as of the close of the fiscal year such amounts which the Administrator determines to be in excess of the needs of the fund.

“(5) The fund may be charged with the current value of supplies and equipment returned to the working capital of the fund by a post, activity or agency and the proceeds shall be credited to current applicable appropriations.”.

#### AMENDMENT NO. 1188

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

#### DEVELOPMENT CREDIT AUTHORITY PROGRAM ACCOUNT

For the cost of direct loans and loan guarantees, up to \$7,500,000 to be derived by transfer from funds appropriated by this Act to carry out Part I of the Foreign Assistance Act of 1961, as amended, and funds appropriated by this Act under the heading, “Assistance for Eastern Europe and the Baltic States”, to remain available until expended, as authorized by section 635 of the Foreign Assistance Act of 1961; Provided, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974; Provided further, That for administrative expenses to carry out the direct and guaranteed loan programs, up to \$500,000 of this amount may be transferred to and merged with the appropriation for “Operating Expenses of the Agency for International Development”; Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be

applicable to direct loans and loan guarantees provided under this heading.

Mr. LEAHY. I ask that the amendments be agreed to.

The PRESIDING OFFICER. They have been agreed to.

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

## AMENDMENT NO. 1119

The PRESIDING OFFICER. The question is on the McConnell amendment. All those in favor—

Mr. MCCONNELL. Mr. President, are the yeas and nays not ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. MCCONNELL. I ask for the yeas and nays on the McConnell amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to McConnell amendment No. 1119. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Florida (Mr. MACK) and the Senator from Ohio (Mr. VOINOVICH) are necessarily absent.

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

The result was announced—yeas 53, nays 45, as follows:

## [Rollcall Vote No. 191 Leg.]

## YEAS—53

Abraham	Durbin	Kohl
Akaka	Edwards	Leahy
Baucus	Enzi	Levin
Bayh	Feingold	McConnell
Bennett	Feinstein	Mikulski
Biden	Fitzgerald	Moynihan
Bond	Gorton	Reed
Boxer	Graham	Reid
Breaux	Grassley	Robb
Bryan	Gregg	Rockefeller
Bunning	Harkin	Santorum
Burns	Hatch	Sarbanes
Campbell	Hollings	Schumer
Cleland	Inouye	Specter
Collins	Johnson	Stevens
Craig	Kennedy	Torricelli
Daschle	Kerrey	Wellstone
DeWine	Kerry	

## NAYS—45

Allard	Grams	Murkowski
Ashcroft	Hagel	Murray
Bingaman	Helms	Nickles
Brownback	Hutchinson	Roberts
Byrd	Hutchison	Roth
Chafee	Inhofe	Sessions
Cochran	Jeffords	Shelby
Conrad	Kyl	Smith (NH)
Coverdell	Landrieu	Smith (OR)
Crapo	Lautenberg	Snowe
Dodd	Lieberman	Thomas
Domenici	Lincoln	Thompson
Dorgan	Lott	Thurmond
Frist	Lugar	Warner
Gramm	McCain	Wyden

## NOT VOTING—2

Mack	Voinovich
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The amendment (No. 1119) was agreed to.

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

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

The motion to lay on the table was agreed to.

## AMENDMENT NO. 1118

The PRESIDING OFFICER. The question is on agreeing to the first-degree amendment, as amended.

The amendment (No. 1118) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, we are ready for final passage.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

## ORDER OF PROCEDURE

Mr. LOTT. Mr. President, for the information of all Senators, this will be the last recorded vote for tonight. We will then go to the Treasury-Postal Service appropriations bill, and, hopefully, good progress, or all progress, can be completed on that tonight, with the possibility of stacked votes on or in relation to the Treasury-Postal Service appropriations bill in the morning.

The next recorded vote, though, will be at 10:30 in the morning on a cloture motion with regard to Social Security lockbox. Hopefully, there will be other stacked votes in that sequence. For now, that is the only one.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was read the third time.

Mr. DOMENICI. Mr. President, the Senate is now considering S. 1234, the foreign operations and export financing appropriations bill for fiscal year 2000.

The Senate bill provides \$12.7 billion in budget authority and \$4.7 billion in new outlays to operate the programs of the Department of State, Export and Military Assistance, Bilateral and Multilateral Economic Assistance, and Related Agencies for Fiscal Year 2000.

When outlays from prior year budget authority and other completed actions are taken into account, the bill totals \$12.7 billion in budget authority and \$13.2 billion in outlays for fiscal year 2000.

The subcommittee is below its Section 302(B) allocation for budget authority and outlays.

I urge the adoption of the bill.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee scoring of this bill be printed in the RECORD.

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

## S. 1234, FOREIGN OPERATIONS APPROPRIATIONS, 2000—SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal year 2000, in millions of dollars]

	General purpose	Crime	Man-datory	Total
Senate-reported bill:				
Budget authority .....	12,700	.....	44	12,744

## S. 1234, FOREIGN OPERATIONS APPROPRIATIONS, 2000—SPENDING COMPARISONS—SENATE-REPORTED BILL—Continued

[Fiscal year 2000, in millions of dollars]

	General purpose	Crime	Man-datory	Total
Outlays .....	13,139	.....	44	13,183
Senate 302(b) allocation:				
Budget authority .....	12,701	.....	44	12,745
Outlays .....	13,150	.....	44	13,194
1999 level:				
Budget authority .....	13,266	.....	45	13,311
Outlays .....	12,740	.....	45	12,785
President's request:				
Budget authority .....	14,070	.....	44	14,114
Outlays .....	14,104	.....	44	14,148
House-passed bill:				
Budget authority .....	.....	.....	44	.....
Outlays .....	8,456	.....	44	.....
SENATE-REPORTED BILL COMPARED TO:				
Senate 302(b) allocation:				
Budget authority .....	(1)	.....	.....	(1)
Outlays .....	(11)	.....	.....	(11)
1999 level:				
Budget authority .....	(566)	.....	(1)	(567)
Outlays .....	399	.....	(1)	398
President's request:				
Budget authority .....	(1,370)	.....	.....	(1,370)
Outlays .....	(965)	.....	.....	(965)
House-passed bill:				
Budget authority .....	12,700	.....	.....	12,700
Outlays .....	4,683	.....	.....	4,683

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mrs. FEINSTEIN. Mr. President, I rise to bring to the attention of my colleagues an issue which I believe is of importance in the FY 2000 Foreign Operations Appropriations bill: U.S. assistance to Egypt. Before I begin, however, I thank the chairman and ranking member of the subcommittee for their expert and sound guidance on this bill. They deserve our commendation for working with such tight 302(b) allocations.

Egypt is a country that many in the Senate hold in high regard. Egypt is a dependable and steady ally in the Middle East. This year marks the twentieth anniversary of peace between Israel and Egypt, a peace which has served and continues to serve as a benchmark of the end of hostilities between Arabs and Israelis. Since peace between Egypt and Israel was established in 1979, Congress has recognized that in America's relations with these two allies that fair treatment of both Israel and Egypt in the provision of foreign assistance is a key feature in preserving peace and stability in the region.

The administration requested as part of its FY 2000 budget that a portion of Egypt's military assistance held in reserve to pay for the potential termination of contracts accrue interest. This proposal, known as an interest bearing account (IBA), would allow interest to accrue on approximately \$470 million in the termination liability account for Egypt. Israel's military assistance has been treated in this way for some time, treatment that I and many others here support. The net impact of granting Egypt this treatment would be about \$20 million in interest to Egypt, without any additional cost or outlay by the U.S. taxpayer.

Like many of my colleagues, I support the administration's request for an IBA for Egypt, and I feel very strongly that Egypt should have the

same terms as Israel. The Department of State has made a commitment to Egypt on this issue, and I think it is important that this commitment be kept.

Despite our support for an IBA, the Congressional Budget Office has told us that the IBA would be scored as a \$470 million outlay—despite the fact that it actually costs nothing—and would thus break the Senate's tight outlay ceiling for this bill. Although support for an IBA for Egypt is strong—I am confident that on the merits an Amendment proposing an IBA would have the support of the vast majority of my colleagues—the Senate is confined at this time in our actions by budgetary pressures.

I am hopeful that we might still be able to resolve this scoring issue and perhaps address the question of an IBA for Egypt in Conference.

Again, I thank the subcommittee chairman and ranking member for their work on this bill. I look forward to continuing to work with them on this issue.

BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AND THE STATE DEPARTMENT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Senators STEVENS, MCCONNELL, COVERDELL, DEWINE, and I may enter into a colloquy on funding for the Bureau of International Narcotics and Law Enforcement and the State Department.

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

Mr. GRASSLEY. I say to Senator STEVENS, Senators COVERDELL, DEWINE, and I have afforded an amendment No. 1148 to the Foreign Operations Appropriations bill regarding increased funding for the State Department's counterdrug efforts.

Mr. STEVENS. I am aware of the amendment.

Mr. GRASSLEY. As the Senator knows, we have been working on this bill and on others to ensure adequate funding for our Nation's counter narcotics efforts. And I appreciate the committee's past support in this regard. I am aware that we face tough budget decisions and we need to balance many program needs within a balanced budget.

Mr. STEVENS. We have had to make a lot of tough decisions in this bill while trying to ensure that we meet the needs of many critical programs. I know that Senator MCCONNELL and Senator LEAHY and the subcommittee have worked shared to be fair, and they have had to make tough choices.

Mr. GRASSLEY. I appreciate their efforts. Our amendment asks for more funding for INL, although it is still below the President's request. Senators COVERDELL, DEWINE, and I have worked with the committee in the past on this issue. It is my understanding that the House is working to provide a higher level.

Mr. STEVENS. I believe that is the case but the House has not yet made a

final decision on appropriation levels for the State Department's counter narcotics programs.

Mr. GRASSLEY. If there is a difference between the House and Senate levels, that will mean that the final appropriation levels will be conferenceable, is that correct?

Mr. STEVENS. That is the case.

Mr. GRASSLEY. It is my understanding that if the numbers in House and Senate bills are different that it is your intention to work during the conference to ensure that we see a higher level of funding for this program?

Mr. STEVENS. That is correct. I will work on trying to see a higher level of funding. But let me point out that there is a difference between the House and Senate allocation levels and that we will have a lot of reconciling to do.

Mr. COVERDELL. I ask the distinguished Senator from Alaska if that effort will preclude increased funding for INL?

Mr. STEVENS. It does not preclude it, and I will work to ensure that we try to get more funding.

Mr. COVERDELL. I know that Senator GRASSLEY and Senator DEWINE share my concern that we ensure that our international counter drug programs here and elsewhere receive the support they need to keep drugs off our streets and out of our homes. We had a press conference today on just his point. We have been fighting a battle the last few years to raise the visibility of the need for serious counter drug efforts and the need to fund those adequately. The State Department program is an important part of that effort.

Mr. DEWINE. If I might add something to the comments of my distinguished colleague from Georgia. Last year, the Congress added significant new money into our international and interdiction efforts. This was in part a down payment on the Western Hemisphere Drug Elimination Act, that I introduced in the 105th Congress. It is important that we ensure that the effort begun then is sustained. Having seen first hand the positive benefits of this program in this region. I strongly believe that increased funding for INL should be strongly considered in conference.

Mr. STEVENS. I share the Senators' concerns for the need for sustained and adequate funding.

Mr. MCCONNELL. I too share this concern. The Foreign Operations bill is an effort to address that concern and the many other programs that need attention in our foreign policy.

Mr. GRASSLEY. It is my understanding that every effort will be made in conference to ensure that there will be increased funding for the State Department's counter narcotics programs. If that is the case, then I am prepared to withdraw my amendment and I thank Senator STEVENS and Senator MCCONNELL for their consideration in this matter.

Mr. COVERDELL. I join Senator GRASSLEY in thanking the committee.

Mr. DEWINE. I also thank the committee.

#### IMF GOLD SALE

Mr. ALLARD. Will the distinguished Senator from Kentucky yield for a question?

Mr. MCCONNELL. I will be happy to yield to the Senator from Colorado.

Mr. ALLARD. As the chairman of the Foreign Operations Appropriations Subcommittee, is the Senator aware of a proposal by the Administration to support the sale of some ten million ounces of gold by the International Monetary Fund (IMF) from its gold reserves in order to provide debt relief for countries under the Heavily Indebted Poor Countries Initiative (HIPC)?

Mr. MCCONNELL. Yes, I am aware of this proposal. Let me say to the Senator from Colorado that the proposal to have the IMF sell its gold in order to provide debt relief to the HIPC nations is a matter of significant concern to me.

Mr. ALLARD. I share the chairman's concern. The sale of IMF gold would have the effect of depressing gold prices well beyond the twenty year low to which the price of gold has already plunged. As I think the Senator from Kentucky well knows, a further drop in the price of gold will not only hurt American industry but cost thousands of U.S. workers their jobs. Equally important, falling gold prices will directly impact 36 of the 41 nations that are slated to benefit from the HIPC program. This is because those 36 nations are in fact gold producers, and their economies would suffer to such a degree that the damage done to their economies resulting from depressed gold prices would be greater than any debt relief they might receive. Does the Senator agree with that analysis?

Mr. MCCONNELL. The Senator from Colorado is exactly right. Considering the fact that barely 40 percent of the interest to be derived from the investment of the proceeds from the sale of the IMF gold would actually be available to the HIPC nations for debt relief, it seems to me that this amounts to a cruel hoax. Of particular concern to me is the fact that the sale of the IMF gold would reduce gold prices to such an extent that the harm done to HIPC nations' economies will likely exceed any benefit from this debt relief effort. I believe the issue of debt relief for the HIPC nations is important and must be dealt with, but such a program must be designed to reduce the economic burden on these countries not compound them.

Mr. ALLARD. I ask the chairman, is it the case that in order for this proposed IMF gold sale to go forward, that the Congress must specifically authorize the U.S. representative to the IMF to cast a vote in favor of such a sale?

Mr. MCCONNELL. The Senator from Colorado is exactly correct. Existing law 22 U.S.C. 286c specifically requires Congress, by law, to authorize such action. I would point out to the Senator,

as I am sure he is already aware, that absent an act of Congress, the statute makes it clear that neither the President nor any person or agency acting on behalf of the United States can vote to approve the sale of IMF gold.

Mr. ALLARD. I thank the chairman for that clarification. Would it be fair to conclude, I say to my friend from Kentucky, that you are not in a position to support legislation that would seek to have this Congress authorize U.S. approval of the sale of IMF gold?

Mr. MCCONNELL. The Senator from Colorado is absolutely correct. For the reasons I have outlined, I believe the proposal to sell IMF gold as part of the HIPC Initiative is misguided and just plain bad policy. I could not support legislation authorizing such a sale as part of this or any bill. And, I will say to the distinguished Senator from Colorado, that when I take this bill to conference with the House, we will include a Statement of Manager's language that will reiterate that the sale of IMF gold cannot go forward unless we in Congress specifically provide authorization.

Mr. ALLARD. I thank the chairman.

Mr. COVERDELL. Mr. President, I rise today to express my concern about the proposed reduction of funding for the Peace Corps in this foreign operations appropriations bill—a reduction that is contrary to the will of Congress as expressed by the overwhelming, bipartisan support for the Peace Corps Reauthorization Act, which passed unanimously this session in both Houses of Congress.

I am mindful of the constraints imposed by the lower allocations to the appropriators. But Congress has spoken affirmatively on the issue of increased funding for the Peace Corps. The authorizing committee and, then, this body, supported the bill by unanimous consent. A few months earlier, the House passed the measure by a vote of 326-90. President Clinton immediately signed the bill in May.

Mr. President, as chairman of the authorizing committee for the Peace Corps, I worked with the committees' ranking Member and former Peace Corps Volunteer, Senator DODD, to sponsor the Peace Corps Act. The Act authorizes a 12 percent increase for Fiscal Year 2000 and is part of a multiyear plan to enable the Peace Corps to reach its goal of 10,000 Volunteers by 2003. Reaching this mark has been a long-standing goal of Congress—a goal set into law in 1985.

Despite the consistent endorsement of the growth plan, the Appropriations Committee has recommended a \$50 million reduction in funding from the authorized amount (and \$20 million less than the Peace Corps current budget of \$240 million). This appropriation is ill-advised. If enacted, it would deny the Peace Corps the opportunity to reach its goal of 10,000 Volunteers serving abroad. And, even worse, it would force the Agency to cut the current level of Volunteers by over 1,000 (That is, from 6,700 to 5,700) Volunteers).

I recognize the constraints under which the Peace Corps and all federal programs must operate. For that reason, I have been a close observer of the Peace Corps activities, as has Senator DODD, in exercising our oversight responsibilities. I remain confident that the Peace Corps remains the best foreign assistance program of its kind, and that it has systems in place to continue fielding Volunteers responsibly and efficiently. Part of the genius of the Peace Corps is its ability to use a relatively small amount of money to do big things. Even if the Peace Corps received full funding at \$270 million, the amount would be about 1 percent of our foreign aid budget.

Mr. President, I believe that the Peace Corps is well prepared to begin implementation of the multi-year plan. I urge the appropriators to join the Members of Congress from both sides of the aisle and in both Houses who have overwhelmingly endorsed this worthy goal.

#### U.S.-HAITI POLICY

Mr. DEWINE. Mr. President, I have a long standing interest in Haiti. I have made seven trips to this island nation in the past four years. I have spoken often about the developments in that country here on the Senate floor. I am here today because I am extremely concerned about the tumultuous conditions in Haiti. And, I feel the United States must understand the immediacy and vast importance of the present situation in order to act in an appropriate way.

Mr. President, the serious political and financial circumstances leave Haiti at a crossroads. In order to survive, Haiti must act decisively, and the global community must respond accordingly.

It is of vital importance that Haiti holds Parliamentary elections this year, and that we respond with our technical and security resources to support and strengthen this process. In addition, the U.S. Governments' policy on limiting financial assistance, which in the past I have whole heartedly embraced and which has been effective, should now be re-thought.

Haiti has a heritage of political turmoil and unrest. To understand the present situation, one must first comprehend the series of events in the two years which have led to this unfortunate circumstance.

The seriously flawed April 6, 1997 elections, which attracted less than 5 percent of the Haitian electorate, provoked the resignation in June 1997 of Prime Minister Rosney Smarth. For twenty months, a political deadlock existed between President Rene Preval and the majority party in Parliament over the contested April 1997 elections and over President Preval's nominee for Prime Minister, Jacques Edouard Alexis. The political crisis virtually paralyzed the government and delayed millions of dollars in international aid to Haiti.

Mr. President, in January of this year, Haiti's drawn out crisis took a very troubling turn when President Preval announced that the Haitian National Assembly's term had expired and that he would proceed to install a government by "executive order." What happened in essence, of course, was that President Preval chose to ignore Haiti's Parliament and rule by decree. Tragically, President Preval effectively disbanded the Parliament and stripped them of their power.

Even though Prime Minister Alexis was approved by both Houses before the Parliament was dissolved, the new Prime Minister does not yet have any authority to govern because his cabinet has not been approved by the Parliament. And since there is no functioning Parliament, there can be no confirmation of the Prime Minister's cabinet. We have gone from a long period without a Prime Minister in Haiti to a period now without a governing Parliament.

While the political crisis in Haiti deepens, there has been some progress made. In March of this year, President Preval and the opposition political parties agreed on a Provisional Electoral Council, charge with establishing fair and equal elections. And the Council has been effective. Specifically, the Council recently made a brave and bold move by announcing the annulment of the April 1997 elections. Mr. President, I applaud this recent action. We need to support this recent overture and take it to the next level. We must urge the Haitians to have parliamentary elections.

We know that the present political vacuum must be filled with a credible government or else, we may risk it being filled by a de facto dictatorship. The global community has the responsibility to take action now.

First, the Haitians must have Parliamentary elections before the end of this year. A balance of power is fundamental to an effective democracy. The election of a new Parliament prior to Presidential elections in December 2000, begins establishing this foundational balance, which is in the best interest of Haiti.

The United States and the international community have the ability and resources to help in two specific ways, through technical assistance and security reinforcement. In order to ensure that the Haitians hold free, fair, open, and credible elections, the United States, in partnership with the international community, must leverage all available assets in a coordinated effort to support the election process.

The United States should provide resources in support of the election process to include the encouragement of political coalition building. The technical assistance can be coordinated by the other countries who are involved in Haiti that can also provide substantial financial help.

In addition to the technical assistance, Haiti's security must be

strengthened in order for the elections to be held in a safe environment. We must increase support to the Haitian National Police. In addition, provisions should be made so that United Nations Civilian Police—known as the CIVPOL—can continue its important mission through this election period. There should also be a large and significant presence of international observers during the six to eight weeks prior of the elections. These basic actions taken quickly and with authority will demonstrate that the United States is committed to democracy in Haiti.

Second, we need to re-assess U.S. policy on financial assistance to Haiti.

For the past several years, the U.S. Government has conditioned assistance to the Haiti due to the Haitian Government's ineptness. While the United States has tried to help Haiti sustain democracy, unfortunately, the Haitian Government has lacked political will. The Haitian Government has not taken action to resolve a number of extrajudicial and political killings in Haiti and there have been numerous human rights violations. The Government has also been extremely slow in privatization of its government owned enterprises, and it has not been accountable in maintaining government institutions through their constitutional and electoral processes.

Let me be clear when I say that the objective in our conditioning of assistance to Haiti was to urge the Haitian Government to take the necessary steps to overcome these concerns and challenges. Our conditioning of assistance has produced some positive change in Haiti. With the upcoming Parliamentary elections in Haiti, however, it is important that we provide flexibility in our assistance to assure that these very important and needed elections are transparent.

Today, Mr. President, I am suggesting that the U.S. Government focus its appropriation policy on accountability. While the Congress is not losing the opportunity to review and perform oversight of our appropriated funds to Haiti, this new language sets congressional priorities. Specifically, the top areas include: First, aggressive action to support the institution of the Haitian National Police; second, steps to ensure that any elections undertaken in Haiti with U.S. assistance are full, free, fair and transparent; third, a program designed to develop the indigenous human rights monitoring capacity; fourth, steps to facilitate the continued privatization of state-owned enterprises; and fifth, a sustained agriculture development program.

We have also incorporated reporting requirement language so that the Administration can give U.S. a detailed assessment of each benchmark. This new language was drafted by several Senators including myself and Senators HELMS, DODD, and GRAHAM.

The ideological and financial crossway that is before Haiti is of na-

tional and global importance. The U.S. national interest is served by a stable, democratic, prospering Haiti that cooperates with U.S. counter-drug efforts. We can help ensure this end through our technical and physical support of immediate Parliamentary elections and through lifting the limitations on financial assistance. Our Nation's eyes have been so focused across the Atlantic that I fear we may have forgotten our responsibility in our own hemisphere. But, now is the time to act in order that democracy may take her proper place in this hemisphere.

Mr. FEINGOLD. Mr. President, I thank the managers of this bill for their work on this legislation. This is not an easy bill.

I certainly commend their efforts to keep this bill within the budget caps. I regret that in trying to balance our many important priorities, international affairs spending may have suffered disproportionately.

Mr. President, national security can not be viewed solely through a defense lens, but also must comprise all the critical preventive measures offered through an active foreign affairs program. This means continuing to fight the spread of disease and drugs, providing adequate nutrition for children and families, and pursuing U.S. goals in arms reduction. We also should continue to make our full contributions to the multilateral institutions, in particular the United Nations, on which the United States relies.

I will, however, support this legislation.

However, I do wish to comment on one area of funding in particular which has suffered cuts in this legislation, and that is international peacekeeping. This bill appropriates funds for America's voluntary peacekeeping activities, which includes such things as our contributions to the Israel-Lebanon Monitoring Group, to the Organization for Security and Cooperation in Europe (OSCE), and to the Multinational Force and Observers (MFO) in the Middle East. The voluntary peacekeeping account also funds our contributions to important peacekeeping initiatives in Africa, including through an Africa regional fund and through the Africa Crisis Response Initiative.

But Mr. President, this bill would cut the voluntary peacekeeping account by \$50 million off the President's request; that's 40% below the request. While the bill would support a slight increase from last year's appropriation for this account, I am afraid that this level is inadequate to support our peacekeeping efforts in Africa.

This voluntary peacekeeping fund is designed to support peacekeeping efforts other than assessed missions by the United Nations, which are funded separately through an account in another appropriations bill. The account funded in this bill is designed to try to anticipate needs in the peacekeeping arena, but also to be flexible and prepared to deal with unanticipated contingencies.

This morning, the chairman of the Subcommittee, the distinguished gentleman from Kentucky, made the assertion that the administration's request regarding peacekeeping was, in his words, "redundant," because there is more than one account that provides funds for peacekeeping in Africa.

But, Mr. President, I would respectfully disagree with this characterization and note that the requirements for peacekeeping in Africa are such that a distinct account may be required.

At a recent hearing of the Senate Subcommittee on Africa, Chairman FRIST and I heard testimony regarding the conflict raging in Central Africa, in which there are currently as many as nine countries involved. These wars don't get much press attention in the United States, but it is likely that more people are dying there right now than we have seen killed in Kosovo in recent months and in a number of other well publicized conflicts outside Africa.

Mr. President, it is easy to make generalizations about the causes of conflict in Africa, but I think its roots are not well understood.

At that hearing, I posed some important questions which I would like to repeat here on the floor.

First, what is the basis for U.S. policy in Africa? Is it to support democracy and respect for human rights? Is it to avoid genocide? Is it to encourage stability and economic development? These are some of the things I hear administration officials saying, but sometimes I am not sure our actions are consistent with these lofty goals. For example, some would question how the United States government hopes to prevent genocide, when it is often hesitant to condemn atrocities that fall short of genocide. Some also question our commitment to preventing genocide in the future when our government has so far declined to examine in any detail our own weak response during the 1994 crisis.

Second, if there were to be another "genocide"—assuming there is consensus as to the meaning of that word—what steps is the United States prepared to take to stop it? Is NATO going to start launching air strikes against the offending powers? We all know that is unrealistic, yet the crisis in Kosovo is causing a lot of people—including Members of Congress and including myself—to ask: "Why Kosovo and not Rwanda?" Why is it that the United States can spend billions of dollars trying to stop ethnic cleansing in one place, but yet wouldn't even use the word "genocide" in the Rwanda case until two months after the killing started, and thousands had been killed?

The distinguished chairman of the Foreign Operations Subcommittee, the Senator from Kentucky, also noted the Committee's intent to have Serbia designated as a terrorist state, which is mandated in the legislation. I support this designation, and I agree with my colleague that it is hard to understand



the difference, as he said this morning on the floor, "between thugs blowing up a village with a car bomb or thugs shelling and burning a village to the ground. The intent and impact are the same. In both instances, innocent civilians are the targets and the victims."

Mr. President, this is precisely my point. Only I would make this point with respect to Africa and say this: I do not understand the difference between the terror and violence that is going on in Sierra Leone and what is going on in Kosovo! In both instances, innocent civilians are the targets and the victims. Yet the bill before us today provides millions of dollars to support peacekeeping and other activities for Kosovo, and barely anything for similar activities in Africa.

I do not understand how the decision to intervene in Kosovo fits in with an overall post-Cold War American foreign policy strategy. Obviously, the tragedies and the horrors that have been perpetrated in Kosovo demand a response and that response must include a role for the United States. But as the world's only superpower, I do not believe the United States is able to act effectively only in Europe or only in our own region. We have shown our ability to project overwhelming power throughout the world. Is an accident of geography sufficient to allow inaction in Africa, while Kosovo requires a huge commitment? This question needs to be answered not so much for me but for the American people, and to some extent for the people of Africa. They do not understand, and I do not understand, why one tragedy demands our attention and our action, and another one simply does not.

Mr. President, my point here is that, given the overwhelming response to the events in the Balkans, the very least we can do in response to conflict in Africa is to support regional peacekeeping efforts, as well as do all we can on the preventive side.

The United States has been a significant contributor to existing regional efforts such as the actions of the Economic Community of West African States, or ECOWAS, and its peacekeeping force, ECOMOG in both Liberia and in the ongoing conflict in Sierra Leone. There is no doubt that ECOMOG has had its share of problems, but nevertheless, it is solely through the efforts of this regional peacekeeping force that there is even the hope of a peaceful resolution in the Sierra Leone situation.

Mr. President, we can never truly anticipate the extent of needs such as this, and I would hope we could allow the administration some flexibility in this account. We should ensure the availability of funding to provide resources to support what I hope will be a peace agreement in Sierra Leone and maybe a cease-fire agreement in the conflict between Ethiopia and Eritrea. If these positive developments take place, the United States should be poised to provide some support. This is

no time to send a signal that we are not concerned with these crises.

Finally, just a quick word about the two Africa-related portions of this voluntary account. As I understand his remarks, the Senator from Kentucky believes it is "redundant" to have both an Africa Regional fund and monies for the Africa Crisis Response Initiative. But in my view, these two funds serve two separate purposes. The first, the Africa regional fund, represents our traditional peacekeeping functions. This is the account that has been used to provide logistical assistance to ECOMOG in both the Liberia and Sierra Leone cases. The other, the Africa Crisis Response Initiative (ACRI), is different. ACRI seeks to assist African militaries to build their own capacities to conduct peacekeeping operations. It is hoped that countries which now receive training under ACRI would agree to participate in future peacekeeping operations. In this regard, ACRI represents a forward-leaning approach; call it "preventive diplomacy."

Mr. President, ACRI has been in operation for just a short while and can still be considered in its early stage. Most of the militaries that have received training through ACRI have been trained at the company or, in a few cases, battalion levels, but an important aspect of the program is also to conduct brigade level training. As envisioned, the brigade level training is key to the whole ACRI program because it would expand joint training exercises between and among participating countries and would help ensure interoperability between and among the forces of contributing nations.

Mr. President, just as the ACRI program is getting underway, I do not think we should be cutting support for it. Our efforts to build peacekeeping capacity in Africa will fail if we can not assist in preparing our partners to actually participate and conduct peacekeeping operations.

In summary, Mr. President, I believe the voluntary peacekeeping account represents an important part of our international affairs funding, and of America's ability to lead in the world, and I am concerned that the cuts to this account will have an inordinate impact on Africa.

Mr. LAUTENBERG Mr. President, I rise today first of all to thank and commend the Chairman and the ranking member of the Foreign Operations Appropriations Subcommittee for their efforts to develop a bill to meet priority foreign affairs needs within the limits of the subcommittee allocation.

Mr. President, the Budget Resolution did not allocate sufficient resources for Foreign Affairs and the Foreign Operations Subcommittee frankly did not receive a sufficient allocation to maintain America's world leadership role. We need to recognize that neither isolationism nor limited engagement is an option if we want to maintain America's security and prosperity.

We need to realize that we cannot conduct effective foreign policy solely

by having a strong military. In fact, by limiting funding for other tools of diplomacy we increase our reliance on threats and use of military force.

This bill fails to fulfill the President's request in numerous areas.

I am deeply concerned that the Wye aid package for Israel, the Palestinians, and Jordan requested by the President has not been fully funded. The fact that it could not be accommodated within the subcommittee allocation without drastically cutting important programs around the world merely reinforces my previous point.

In the near future, we are going to have to step up to the responsibility of funding aid to help implement the Wye River Memorandum. I hope the Chairman will agree that we will need to find a way to fund this aid outside the confines of this bill. This is a small price to pay for continued and renewed efforts to achieve a lasting peace in the Middle East.

The bill does not include the \$60 million I sought for tuberculosis prevention programs. We need much stronger programs to combat tuberculosis now. Tuberculosis kills more people worldwide than AIDS and malaria combined, yet receives substantially fewer aid dollars.

TB is spread easily and each active case leads to many more, so concerted global action to bring TB under control, now estimated to require \$1 billion, becomes more expensive the longer we wait. We need to find more resources to begin to confront the challenge of TB this year.

I hope we will also be able to find an additional \$20 million for the United Nations Development Program (UNDP). UNDP has made great strides in cutting costs and improving coordination among UN agencies in the field to more effectively deliver essential assistance and promote sustainable economic development.

Unfortunately, we're penalizing the poor in many countries by following the Administration's lead and failing to restore funding for UNDP to \$100 million.

I am also concerned that the bill significantly underfunds debt relief for the poorest countries.

Funding for the Peace Corps is reduced from the requested level, when it should have been increased to make progress toward the President's goal of fielding ten thousand Peace Corps Volunteers.

Even counter terrorism programs have not been adequately funded.

Having raised these concerns, let me reiterate my commendation to the subcommittee Chairman and Ranking Member for making a real effort to achieve a balanced bill while remaining within an allocation nearly \$2 billion below the President's request.

I would also like to thank the subcommittee chairman and ranking member for including many important programs. In particular, Seeds of Peace contributes to reconciliation in the

Middle East by bringing together young people from throughout the region, including Israelis and Palestinians and other Arabs.

Carelift International, which is largely funded by the private sector, improves health care in transition and developing countries at low cost by sharing refurbished American medical equipment.

Senator MCCONNELL has also put some real dollars behind the rhetoric supporting regional integration in Southeast Europe. We need to aid the Kosovars to rebuild their shattered lives and help the countries and peoples of this troubled region to overcome their differences and their history and truly become a part of the new Europe.

I do hope we will be able to restore funding requested by the Administration for regional programs under the SEED Act, including programs to combat trans-national crime.

I am not offering amendments to increase allocations to unfunded or underfunded programs because I think it would be very difficult to do so without reducing funding for other priorities.

I voted for this bill in the subcommittee and committee because I think Senators MCCONNELL and LEAHY have done a good job with the limited resources available to them. I will likely vote for the bill in the Senate as well, but not without deep reservations about the overall funding level and priorities which have not been funded adequately.

I thank the Chair and yield the floor.

Mr. MCCAIN. Mr. President, United States national security and economic well-being is closely tied to our ability to formulate and execute foreign policies that both protect our interests and reflect our ideals. It is the responsibility of the Congress to pass legislation on foreign policy consistent with those interests and ideals. We may differ about the means, but we seldom disagree about the goal: political stability and economic prosperity in every region of the globe. Sometimes we employ political and economic sanctions in pursuit of our objectives; sometimes we resort to the use of military force. These responsibilities are considerable, and they are real. And we owe it to the American public to handle them responsibly.

I do not wish to exaggerate the implications of the questionable spending that is included in the bill before us. Clearly, the wasteful and unnecessary spending provisions, as well as the numerous earmarks, threaten neither our national interest nor our economic well-being. They do, however, detract from the integrity of the process by which the federal budget is put together, and they do undermine our credibility with the public. The net result is to diminish our ability to contribute substantially to this nation's national security and economic policies. Frivolous items placed in major spending bills for parochial or personal

reasons is a serious disservice to the institution to which we belong, and to the public that we serve.

It is for this reason that is so discouraging to read the foreign operations appropriations bill and find that, once again, it includes \$5 million to establish an International Law Enforcement Academy in Roswell, New Mexico. To see that provision once again placed in the bill is to reaffirm the notion that fiscal prudence and operational requirements are alien concepts to some members of this body. Similarly, language in the report accompanying the bill recommending that the Agency for International Development spend as much as necessary on such worthwhile projects as research on pond dynamics strikes me as representing a seriously misplaced sense of priorities. And should we really be earmarking more than \$1 million in additional funds so that a Minnesota job training program can shift its dependence to private sector funding? In a foreign aid bill? I have to question the wisdom of provisions like these.

Mr. President, as United States military forces take up positions in Kosovo while others continue their peacekeeping efforts in Bosnia and soldiers serve unaccompanied hardship tours on the demilitarized zone of the Korean peninsula, what kind of message are we sending about our role in the foreign policy process when we pass a bill that directs the Agency for International Development to study and, almost certainly, fund research on protea germplasm in South Africa? With all the problems around the world demanding our attention, do we really need to focus on the future welfare of the Waboom tree? I think not. And, of course, the bill provides the usual absurd amount—specified as “at least” \$4 million—for that oldie but goodie, the International Fertilizer Center in Alabama. I have to believe, Mr. President, that if the Department of State or the Agency for International Development agreed with the need to spend so much annually out of the foreign operations budget for research on fertilizer, it would probably include such an item in its budget request.

Israel and Hawaii collaborating on research regarding the competitiveness of the tropical fish and plant global market sounds contrived, but I'll allow for the possibility that there's more to that program than meets the eye. When viewed alongside the report's language “urging” AID to allocate \$500,000 for the Pacific International Center for High Technology Research, a pattern begins to form, but I won't elaborate further.

As usual, the foreign operations appropriations bill includes a long list of earmarks for specific American universities, the very kind of budgeting that ensures the American taxpayers get the least value for their dollar. A competitive process wherein funding is allocated according to which project, if any, is the most meritorious is a pre-

ferred process for allocating financial resources, but this bill goes far in the opposite direction. As a leader in the effort at developing normal economic relations with Vietnam, I applaud projects designed to facilitate the establishment of a market economy in that country; whether Boise State University deserves a \$3 million earmark to establish a business school there, however, strains credulity.

There is much that is good in this bill in terms of genuine efforts at improving health care in less developed countries. I continue to be troubled, however, by the Committee's tendency to specify precisely which organizations it believes should be the recipient of foreign aid dollars. That is a practice that deserves closer scrutiny than heretofore has been the case. I would like to think that such determinations are solely merit based following a competitive process and that parochial considerations play no part. Skepticism, though, is warranted.

In closing, I am a strong supporter of maintaining an active U.S. role in global affairs. United States foreign aid programs are an essential instrument of our national security policy. Even with the vast number of troubling items in this bill, I will support its passage. But I would be remiss in my responsibilities were I to ignore what I firmly believe is an imprudent budgeting process that has a self-defeating tendency to squander foreign aid dollars that we can ill-afford to waste. I will continue to hope for improvements in the process by which these bills are assembled.

Mr. President, I ask unanimous consent that the accompanying list be printed in the RECORD.

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

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT FOR FISCAL YEAR 2000 (S. 1234)—DIRECTIVE LANGUAGE AND EARMARKS

#### REPORT LANGUAGE PROVISIONS

Overseas Private Investment Corporation: Directs the Overseas Private Investment Corporation (OPIC) to support establishment of a new \$200 million Maritime Fund using United States commercial maritime expertise. Earmark is included as Section 539 in the bill text.

University Development Assistance Programs: The Committee annually earmarks or “recommends” funding for specific universities around the United States without benefit of competitive analytical processes to determine the value of the activity and whether it can best be done in an alternate manner. The following universities are expected to continue to receive such funds:

University of Hawaii, to train health care and social workers;

University of Northern Iowa, to incorporate democratic concepts and practices into schools and teachers education programs;

Washington State University, for water research in the Middle East;

Purdue University, for water research in the Middle East;

South Carolina University, for water research in the Middle East;

Mississippi State University, at least \$500,000 for water research in Turkey;

George Mason University, for health care in developing countries;

San Diego University Foundation Middle East Development Program, to promote dialogue among Middle Eastern experts on water planning;

Boise State University, \$3 million to establish a business school in Vietnam;

University of Idaho, \$300,000, to train engineers in Guatemala in water management;

Utah State University, to establish, with \$2.1 million, a World Irrigation Training Center;

University of South Alabama, \$1 million to monitor birth defects in Ukraine;

Auburn University, \$450,000 to continue its relationship with Osmania University in India;

University of Louisville, Spalding University, University of Indiana/Purdue, University of Wisconsin, University of Maine and Notre Dame, to continue to support the establishment of an American University in Jordan;

St. Thomas University, Miami, Florida, \$5 million to continue to encourage and promote democratic principles in Africa;

University of Idaho, at least \$485,000 for the university's Post Harvest Institute for Perishables under the Collaborative Agribusiness Support Program;

Montana State University-Bozeman, \$1 million for soil management, recommended to be conducted at MSU-Bozeman; and

Washington State University, AID is expected to work with WSU to establish small business development centers in Romania and Russia.

Maintenance of Protea Germplasm: Directs AID to consider and fund if meritorious a joint proposal from the South Africa and United States protea industries.

Tropical Plant and Animal Research Initiative: AID is urged to consider a joint application from Israel and Hawaii to collaborate on research regarding the competitiveness of the tropical fish and plant global market.

International Fertilizer Development Center: "at least" \$4 million is earmarked for the center.

Pacific Islands Renewable Energy Demonstration: AID is urged to allocate \$500,000 for the Pacific International Center for High Technology Research.

Soils Management Collaborative Research Support Program: The Committee recommends that AID fund the program for as much as is necessary for the achievement of the goals of all approved projects.

Opportunities Industrialization Centers, International: at least \$1 million is earmarked to enable OIC International in Minnesota to continue its transition to private sector funding.

U.S. Telecommunications Training Institute: earmarks \$500,000 for the USTTI.

Mitch McConnell Conservation Fund: earmarks \$500,000 for the Charles Darwin Research Station and the Charles Darwin Foundation to support research on the Galapagos Islands.

Johns Hopkins University's centers in Bologna, Italy, and Nanjing, China [the Committee directs that at least \$600,000 be provided the Nanjing center, noting its disappointment with AID for not being sufficiently attentive to that institution's funding.]

Medical Relief: \$7 million is earmarked for Carelift International, Philadelphia, to continue and expand its operations in needy countries.

Orphanages: \$4 million is recommended for improving orphanage facilities in Russia, the funding to be provided through Rotary Inter-

national, the Anchorage Interfaith Council, and the Municipality of Anchorage.

#### BILL LANGUAGE

International Law Enforcement Academy for the Western Hemisphere, Roswell, New Mexico: The bill earmarks \$5 million for establishment of an International Law Enforcement Academy for the Western Hemisphere, to be located at the deBremmond Training Center in Roswell, NM.

Global Environment Facility: the bill earmarks \$25 million as the U.S. contribution to the Global Environment Facility.

Bilateral Economic Assistance: Note: The report accompanying S. 1234 uses the influence of the Appropriations Committee to ensure that funds go to specified organizations without regard for alternative means of accomplishing desired objectives, which in most cases are inarguably worthwhile:

Tuberculosis: Specifies the American Lung Association and the American Thoracic Society as nongovernmental organizations that should be supported.

Maternal Health: Encourages AID to provide \$4 million to Maternal Life International to reduce maternal mortality and provide health care for HIV in Sub-Saharan Africa.

Iodine Deficiency: Recommends that AID provide \$2 million in Child Survival funds to Kiwanis International via UNICEF.

Polio Eradication: Provides \$25 million and encourages the provision by AID of funds for Rotary International.

Vitamins for At-Risk Women, Infants and Children: Encourages provision by AID of \$2.8 million to Magee Womancare International to develop a program for children in orphanages.

Hepatitis: Encourages AID to support the Ramses Foundation in its work in Egypt.

Orphans, Displaced, and Blind Children: Recommends AID provide at least \$1 million through Helen Keller International for its work with displaced children and orphans.

American Schools and Hospitals Abroad: The Appropriations Committee regularly allocates funds for specific institutions, usually the same institutions every year, under the American Schools and Hospitals Abroad program. The following are specified as deserving of further support:

American University in Beirut;  
The Lebanese American University (formerly Beirut University College)

Hadassah Medical Organization  
Feinberg Graduate School of the Weizmann Institute of Science, Israel

University College Dublin: AID is requested to consider funding the establishment of a Center of American Studies at the Dublin center.

Lebanon: earmarks minimum of \$4 million for the American University of Beirut, Lebanese American University and International College and recognizes the "commendable efforts" of the YMCA of Lebanon.

India: \$250,000 for healthcare in the Sringeri region of India should be administered by the Sharada Dhanvantari Charitable Hospital.

Tibet: AID is urged to support development projects sponsored by the Bridge Fund.

Promoting Economic Growth: Supports \$9 million to fund the International Center for Economic Growth's Global Stability Project to implement a "third generation" macro-economic model.

Patrick Leahy War Victims Fund: Recommends that \$10 million be allocated for activities carried out by the Patrick Leahy Fund.

Palestinian-Israeli Cooperation Program: The Committee recommends \$600,000 for the program, which seeks to facilitate the establishment of cooperative projects in medicine, science, the arts, and children's activities.

Distance Learning Technology: AID is urged to maintain funding for programs oriented toward legal reform in Central and Eastern Europe, including through the Central and Eastern European Law Institute.

Mr. BIDEN. Mr. President, the foreign operations appropriation bill is a crucial bill. It is integral to all of our assistance programs overseas. The bill's importance to American foreign policy cannot be over emphasized. This bill provides funding for development aid to poor countries, funds to combat terrorism and proliferation of nuclear weapons overseas, and monies for all of the multilateral financial institutions which lend to needy countries.

As I see it, the bill before the Senate has two major problems. First, the bill as a whole is significantly underfunded. The amount dedicated to our nation's foreign operations is almost \$2 billion below the President's request for funding.

I understand that some of this is due to the caps placed on expenditures as part of the Balanced Budget Act of 1997; however, we in the Senate cannot hide behind that piece of legislation every time we want an excuse for why the administration's appropriations requests are under funded. I am not saying that this is not a legitimate reason for not granting the President's entire request, but \$2 billion is an enormous shortfall.

In addition to inadequate funding overall, there are particular programs and foreign policy initiatives which are either funded at a level which is drastically reduced from the President's request, or which have not been funded at all.

Mr. President, the administration in its statement of policy with respect to this bill has clearly stated that "A bill funded at this level would be grossly inadequate to maintain America's leadership around the world. It would inevitably require severe reductions from previously enacted levels for programs managed by the Departments of State and Treasury, the Agency for International Development and other agencies."

The statement quite clearly states that if the significant funding and language problems in this bill as reported are not resolved that "the President's senior advisors have no choice but to recommend that he veto the bill."

I wish to speak to several very important aspects of this bill that must be addressed in conference. First, the bill fails to provide the \$500 million requested by the President to support the Middle East Wye River Agreement.

Second, it fails to fund the administration's Expanded Threat Reduction Initiative, so important to our ability to reduce the proliferation threat and continue the elimination of weapons of mass destruction.

Third, this bill imposes new onerous conditions on U.S. funding for the 1994 Agreed Framework, the cornerstone of our North Korea policy.

I also have very strong concerns with respect to two provisions in the bill relating to Kosovo and our ongoing relationship with Russia.

Unfortunately, by withholding critical support for Jordan, Israel, and the Palestinian Authority, this bill would have us renege on the commitments that made the Wye River agreement possible. The leaders of Jordan, the Palestinian Authority, and Israel have taken great risks for peace. We pledged to stand with them as they took these risks.

In the months ahead, we will undoubtedly be called upon to play a lead role in the peace talks. But by refusing to fund one penny of the President's request for the Wye River agreement, this bill calls into question our commitment to Middle East peace just as there is renewed hope for accelerated progress.

Some may argue that the Middle East gets enough assistance as it is. Relative to other accounts that may be true, but the levels of assistance to the Middle East are a reflection of the strategic and moral issues at stake.

The funds requested by the administration are in keeping with our commitment to Israel's security. They will help wage battle in Palestinian areas against the greatest enemy of peace—namely, the poverty and despair that provides a fertile breeding ground for extremism. They will help bolster Jordan—a close ally whose peace with Israel should serve as a model for others in the region.

I am convinced that the sums requested by the administration to support peace pale in comparison to the costs we would incur if conflict and turmoil returned to the Middle East.

One of the most disturbing elements of this bill is its failure to fund the Expanded Threat Reduction Initiative that helps reduce the threat of weapons of mass destruction. Technically the cuts are to the larger budget lines for aid to the Newly Independent States and for Nonproliferation and related programs. But report language calls the funding of Expanded Threat Reduction Initiative programs "ill advised," and they will bear the brunt of these cuts.

Weapons of mass destruction dwarf the other threats to our national security. If we fail to help Russian experts find nonmilitary employment, we may foster Iran's nuclear weapons, or Iraq's biological weapons, or Libyan missiles. Even a single use of such weapons against the United States, U.S. forces, or our allies would be a terrible tragedy—especially if we failed to prevent it.

The failure to fund the Expanded Threat Reduction Initiatives means no funds—not even the levels appropriated last year—for helping Russian biological weapons experts find new careers. This is a vital program that has enabled biological weapons experts to resist offers from Iran and other rogue states. We should be expanding this program, rather than cutting it.

The Threat Reduction cut means no funds for the International Science and Technology Centers in Russia and Ukraine that have helped over 24,000 former weapons scientists since 1994. The Science Center program has been very successful. It has been praised for its tight management, under board chairman Ron Lehman, a former official in Republican administrations whom we all know to be a true patriot. Science Center support for Russian scientists is exempt from Russian taxes. We should be expanding this program, too, rather than cutting it.

The Threat Reduction cut means no funds—not even last year's levels—for the Civilian Research and Development Foundation, which gives vital training to Russian former weapons scientists who are trying to form viable businesses. We tell Russian weapons experts to adapt to a market economy. But they will never achieve that, if we don't give them the training. And if they fail, they will be ripe for the plucking by rogue states who would buy their weapons expertise.

The Threat Reduction cut means no funds—not even last year's levels—to assist customs officials in Russia and the rest of the former Soviet Union. The customs officials whom we assist are our most reliable allies in stopping the flow of nuclear and weapons of mass destruction materials.

For example, it was customs officials in Azerbaijan who stopped a shipment of specialty steel to Iran that would have been used for missiles. This bill also contains only \$5 million—out of \$15 million requested—for world-wide assistance to customs services. This is the program that aids border control agencies in the Baltic states, where we have seen Russian nuclear smuggling efforts in the past. It makes no sense to provide only \$5 million for this vital function.

These cuts even wipe out the border security assistance to Georgia that Senator McCONNELL instituted last year.

The Threat Reduction cut means no funds to assist in removing Russian troops from Moldova—a longstanding objective of the United States and of the Congress. Do we suddenly want the Russian troops to stay longer in a country that does not want them? Do we no longer care whether this exacerbates ethnic conflict in Moldova?

The Foreign Operations Subcommittee made these cuts without prejudice. But it makes no sense to let us guard our national security only by cutting important programs to support democracy, free media, and the rule of law in the former Soviet Union.

I am very pleased that the managers have accepted a sense of the Senate amendment I offered urging that the Threat Reduction funds be restored in conference to the level requested by the President.

I urge the managers of this bill to do their utmost to achieve this, and I wish them complete success in that important effort.

On the eve of South Korean President Kim Dae Jung's visit to Washington, and just as former Secretary of Defense Bill Perry is completing his comprehensive Korea policy review, this bill places the Agreed Framework in grave jeopardy.

The bill not only provides inadequate funding for heavy fuel oil deliveries to North Korea—deliveries the United States is obligated to arrange under the 1994 Agreed Framework—it also effectively prevents the appropriated funds from being expended by requiring the President to certify the uncertifiable with respect to North Korea's conduct.

Under existing law, the President must already certify that North Korea is in full compliance with the Agreed Framework and its confidential minute in order to expend monies appropriated for heavy fuel oil deliveries to the North. This a reasonable requirement. But if the North is fulfilling its side of the bargain, we should fulfill ours rather than dream up new requirements on the North.

Do we have other serious concerns about North Korea, in addition to its nuclear ambitions? Of course we do. But these other concerns—missile development and export, narcotics trafficking, armed provocations along the DMZ—cannot be addressed successfully if we abandon the Agreed Framework.

For all of its imperfections, the Agreed Framework has served our national interest well, reducing the risk of war and capping the North's ability to produce fissile material for nuclear bombs. Five years ago, North Korea was on the verge of withdrawing from the Nuclear Nonproliferation Treaty and acquiring the capacity to build dozens of nuclear weapons every year. Today, with the Agreed Framework intact, the North's nuclear facilities stand idle.

The spent fuel from its research reactor has been canned and placed under round-the-clock monitoring by the International Atomic Energy Agency. The Agreed Framework has also given us unprecedented access to North Korea, even to sensitive military sites, as demonstrated by the recent successful U.S. visit to the Kumchangni underground facility.

These are not insignificant accomplishments, and we should think twice before we risk turning back the clock.

By underfunding the Korean Energy Development Organization and unilaterally imposing new obligations on North Korea, this bill could precipitate a crisis on the Peninsula and distance us from our key ally, South Korea.

In addition, I have two serious problems with sections of the bill relating to Kosovo. First, \$20 million shall be available "for training and equipping a Kosova security force." Mr. President, this language conveys the impression that we want to train something like a national guard or an army. In the real world, most people would see this as our training and equipping a KLA Army.

U.N. Security Council Resolution 1244 (1999), which gives international sanction to KFOR, is not specific about the future status of Kosovo. Any future Kosovo national guard or army presupposes an independent Kosovo.

Aside from that being counter to United States policy, it is completely irrelevant to this bill. For the duration of fiscal year 2000, security in Kosovo will be guaranteed by the heavily armed, NATO-led KFOR. There is absolutely no need for any kind of an indigent "security force" other than a civilian police force.

The final legislation should make it crystal-clear that the appropriation will be used to train and equip a police force, not an army.

My second Kosovo-related objection concerns the requirement that the Secretary of State certify that the Russians have not established a "separate zone of operational control" and are "fully integrated under NATO unified command and control arrangements."

This requirement has been overtaken by events. The Military-Technical Agreement between NATO and Russia found a formula to include Russian peacekeepers in KFOR. This formula has been accepted by our government, by all other 18 NATO members, and by the United Nations.

I have no doubt that Secretary Albright could broadly construe words like "operational control" and "fully integrated" and thereby make the required certification.

But what would we get by retaining this language and forcing her to do so? I'll tell my colleagues. We would be gratuitously sticking our finger in the Russians' eye at the precise moment we are trying to involve them in KFOR and in the entire reconstruction effort in Kosovo.

To sanitize a phrase used by an esteemed former President of the United States, I would rather have the Russians inside our tent looking out, than outside our tent looking in.

I would like to remind my friend Senator MCCONNELL that when the two of us recently appeared on the Sunday Fox Television News talk-show he said with regard to the Russians in Kosovo—and I quote; "I don't know that we need to threaten foreign assistance."

Apparently he has changed his mind. I agreed with Senator MCCONNELL that day on television. I wish he had held to his position.

It is important that these problems be addressed in conference, and that a way be found to increase the overall funding levels.

At this time I will reluctantly vote to send this legislation to conference. However, I reserve the right to vote against it should these problems not be addressed in the final conference report.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Florida (Mr. MACK), is necessarily absent.

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—97

Abraham	Feingold	Lugar
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (OR)
Collins	Johnson	Snowe
Conrad	Kennedy	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thompson
Daschle	Kyl	Thurmond
DeWine	Landrieu	Torricelli
Dodd	Lautenberg	Voinovich
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Durbin	Lieberman	Wyden
Edwards	Lincoln	
Enzi	Lott	

NAYS—2

Byrd Smith (NH)

NOT VOTING—1

Mack

The bill (S. 1234), as amended, was passed.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. President, I commend first the occupant of the Chair for an extraordinarily effective debate on the issue that dominated today's discussion in the foreign operations appropriations bill. I think the Senator from Kansas did an outstanding job.

I also want to thank my staff. Robin Cleveland has done work on foreign policy matters for some 15 years now, and I thank Robin for, as usual, outstanding work; and Billy Piper, with whom I have worked 5 or 6 years, has done an absolutely superb job; and his assistant, Jon Meek, from my personal staff; as well as Jennifer Chartrand, a new member of the Subcommittee on Foreign Operations. All of those folks are on the majority side; and of course Tim Rieser and Cara Thanassi from the minority staff, with whom we always enjoy working, and Steve Cortese and Jay Kimmitt from the full committee.

I say to my friend, PAT LEAHY, I enjoy our annual collaboration on this bill, and I look forward to working with the Senator in conference.

Mr. LEAHY. Mr. President, I commend the distinguished senior Senator from Kentucky for the alacrity with which he moved this bill. Those who have reached that level of knowledge know we Senators are constitutional impediments to our staffs.

I compliment Robin Cleveland, who has worked so hard at trying to balance the competing interests of so many Senators on both sides of the aisle, as well as Billy Piper and Jennifer Chartrand; and on my side, the indefatigable Tim Rieser, a man who has not slept since it was announced we might go to this bill a month or so ago. He has, again, maintained the remarkable Rieser filing cabinet, which is primarily in his head, knowing all the ins and outs of this bill and handling it so well.

He was ably assisted by Cara Thanassi. Ms. Thanassi began a few years ago on our staff. She has grown enormously in talent and ability and was absolutely essential in this work.

In working with the Senator from Kentucky, we have tried to accommodate each other on issues, even though on some issues we obviously have a different philosophy. We have respected each other and accommodated each other and tried to make sure a bipartisan piece of legislation came through. I think the resulting vote today shows that bipartisanship on foreign policy was maintained.

I yield the floor.

#### TRIBUTE TO AMBASSADOR JIM SASSER

Mr. SARBANES. Mr. President, I rise to pay tribute to Ambassador James Sasser, our former colleague from Tennessee, who served in this body as a distinguished chairman of the Senate Budget Committee. He is returning from his post in the People's Republic of China where he has been the U.S. Ambassador since 1995. He has done an outstanding job during a challenging period in our relations with China.

Having had the honor to serve with Jim for 18 years in the Senate, I know him to be a man of great insight, intellect, and integrity, a highly respected public servant. While he served in the Senate, his interests and work covered a broad range of domestic and foreign policy issues. As Senate Budget Committee chairman, his keen grasp of financial and budgeting issues enabled him to handle that assignment with tremendous skill under very difficult circumstances. Jim constantly showed great resolve in addressing measures to reduce our deficit. He was instrumental in helping lead our country on to a path which is reflected in today's budget surplus.

This dedication and commitment has characterized Jim's lifetime devotion to our country. His interests in public service began long before he was elected to the Senate. Jim's father, a public servant himself, instilled in Jim the principles of public service at an early

age. He served as a role model for Jim and set him on a course which he has followed with great distinction.

Throughout his career, Jim Sasser has demonstrated, both in spirit and in deed, his adherence to the ideals most important to this Nation. He is a shining example of how much one individual can contribute to our Nation's well-being. Jim's leadership has always been highly regarded and broadly respected.

Throughout his tenure as Ambassador to China, Jim has been confronted with many difficult aspects of the relationship. Jim's work has emphasized the importance of keeping the lines of communication open by regularizing our contacts with the current Chinese leadership and ensuring that we remain engaged in our bilateral relationship. Jim's longstanding commitment to the promotion of democratic principles and values has played an important role in helping shape his service to our country.

Jim Sasser has done a terrific job as our Ambassador to China, and I wish him well in all his future endeavors.

Mr. HOLLINGS. Mr. President, I rise today to pay tribute to my esteemed former colleague, Ambassador Jim Sasser. He will soon be stepping down from his post as the longest serving American Ambassador to China. But it does not seem long ago that he and I were working together on the Budget Committee where he served as the chairman of the Senate Budget Committee. In fact, as we talk today of the great state of the economy, it should be former Senator Sasser that we thank for having the leadership to push through the deficit reduction package that has led to today's unprecedented economic growth and prosperity. As a former Budget Committee Chairman myself, it was with great pride that I worked side-by-side with the former Senator in the Budget Committee because I understood the great challenges that the job entailed. He did a superb job in his duties here in the Senate, and it is with the same dedication and fairness that he represented this nation so admirably in his post as the U.S. Ambassador to China.

I still remember vividly the front page of the newspaper a few months ago which showed Ambassador Sasser looking through the shattered window of the American Embassy. Suffice to say that Ambassador Sasser has served during some very difficult times in China-U.S. relations. Few relationships are as difficult to define and put in perspective and I think that Ambassador Sasser would agree that there is still much work to be done. But during his tenure, Ambassador Sasser was able to build consensus and to find common ground between the two nations that has allowed the relationship to prosper. Ambassador Sasser should be commended for his dedication as a gifted emissary between the world's largest developed country and the world's largest developing country. He has served

the United States admirably and I commend him for his dutiful service.

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

Mr. CAMPBELL. Mr. President, I ask the Chair to lay before the Senate Calendar No. 169, the fiscal year 2000 Treasury and general government appropriations bill.

The PRESIDING OFFICER (Mr. BROWNBACK). The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1282) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

#### PRIVILEGE OF THE FLOOR

Mr. CAMPBELL. I ask unanimous consent the following individuals have floor privileges for the duration of the consideration of S. 1282, the Treasury and government appropriations bill for the fiscal year 2000: Tammy Perrin, Lula Edwards, Dylan Pressman, and Liz Blevins.

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

Mr. CAMPBELL. Mr. President, I am now pleased to lay before the Senate the committee recommendation for the Treasury Department, the Postal Service, the Executive Office of the President, and various independent agencies. The bill was crafted by the Subcommittee on Treasury and General Government and contains a total of \$27,737,971,000 in new budget authority. Of that, \$14,533,811,000 is for mandatory accounts.

The committee recommendation is within the 302(b) allocations and strikes a delicate balance between congressional priorities, administration initiatives, and agency requirements. This would not have been possible without the hard work and cooperation of the new ranking member of the subcommittee, Senator DORGAN, and his staff.

This bill consists of mostly salaries and expenses accounts and the majority of the increases for agencies is to simply allow them to maintain current levels. There are very few new initiatives in this bill.

Title I provides a total of \$12,213,529,000 for the Department of the Treasury. This is \$162,601,000 less than the administration request. The committee has again placed a priority on Treasury's law enforcement needs as well as support for efforts by State and local law enforcement.

Here are a few highlights from Title I:

\$312,400,000 to the Customs Service to retain 5,000 current Customs employees since the user fee proposed by the administration has not been enacted.

Emphasis on the need for the Gang Resistance Education and Training program—called GREAT—by including \$3 million more than the administration request for grants to State and local law enforcement.

Expansion of the Youth Crime Gun Interdiction Initiative into 10 additional cities, bringing the total to 37 cities. This will allow ATF to track and prosecute those who supply guns to our youth.

Funding for the Integrated Violence Reduction Strategy to allow AFT to more comprehensively investigate NICS denials in order to make sure that felons do not possess guns.

Full funding to the IRS for customer service training and to implement the IRS Restructuring and Reform Act of 1998.

Title II provides \$93,436,000 for the United States Postal Service, and continues to require free mailing for overseas voters and the blind as well as six-day delivery, and prohibit the closing or consolidation of small and rural post offices.

Title III recommends a total of \$553,128,000 for the Executive Office of the President, \$86,370,000 less than the administration request. This includes the Office of Management and Budget, the Office of National Drug Control Policy, the Federal drug control programs, and funding for the national anti-drug media campaign.

Of special note, the committee:

Recommends establishing a separate account for the Counterdrug Technology Assessment Center, and has provided \$31,100,000 for that program to transfer much needed technology to State and local law enforcement.

Provides \$188,277,000 for the High Intensity Drug Trafficking Areas program which will allow continuation of existing HIDTA programs at their current levels. These programs highly acclaimed by local law enforcement.

Recommends a total of \$145,500,000 for the national anti-drug media campaign.

Title IV is independent agencies such as the Federal Election Commission, the General Services Administration, and the National Archives, as well as agencies involved in Federal employment such as the Federal Labor Relations Authority, the Merit Systems Protection Board, the Office of Government Ethics, the Office of Special Counsel, and the Office of Personnel Management. Also included in this title are mandatory accounts to provide for Federal retirees, health benefits, and life insurance. The committee recommends a total of \$14,877,878,000 for this title.

For the third year in a row, the administration has not requested funding for courthouse construction. Unfortunately, due to the very limited funding available to the committee, we have not included any new courthouse construction projects in this bill.

In order to stay within our 302(b) allocations, the subcommittee was forced



to make very difficult decisions, as were all Appropriations subcommittees. As a result, this bill is very tightly crafted to allow the agencies to continue their vital work. Very few new initiatives were recommended and we were not able to accommodate all of our colleagues' requests due to funding constraints. I remind my colleagues that any funding amendments must be offset and, frankly, there is very little fat in this bill. If amendments are offered, we would ask the sponsor to identify the accounts we should be reducing to accomplish their goal.

Finally, I would like to again thank the ranking member, Senator DORGAN, for his hard work and support. This bill would not have been possible without his assistance, and that of his staff Barbara Retzlaff and Elizabeth Blevins. I also thank my staff: Pat Raymond, Tammy Perrin and Lula Edwards for their tireless and invaluable work on this bill. This bill has been a collaborative effort and it deserves the support of the Senate.

I yield the floor to Senator DORGAN.

The PRESIDING OFFICER. The Senator from the great State of North Dakota.

Mr. DORGAN. Mr. President, in light of the hour and especially in light of the statement made by my colleague from Colorado, the chairman of this subcommittee, I will be mercifully brief. But I do want to say this bill, the fiscal year 2000 Treasury and general government bill, is one that we have worked hard to bring to the floor of the Senate in a manner that we think is fair and relates to the limits that were imposed upon us. The chairman and I believe the allocation level, obviously, could have been greater in order to allow us to have provided some additional funding to some areas of the bill, but we are restricted by budget rules and by the allocation that was given us.

I would like to say working with Chairman CAMPBELL has been a pleasure. He is easy to work with. His staff, Pat Raymond, Tammy Perrin, and Lula Edwards have worked hard to ensure this bill has been well crafted, as has been the work of Barbara Retzlaff and Chip Waldren, who have been working with me on this legislation.

Senator CAMPBELL has described the major highlights of this bill, so I will not repeat that at this hour of the evening, but I do want to address a couple of brief issues.

One, the issue of courthouse construction. Members of the subcommittee are well aware of the judiciary's continuing need to have some court space available to conduct their business and to move cases to settlement. We know that. Regrettably, there was not enough money in the allocation to this subcommittee to provide for courthouse construction. The President did not request courthouse construction nor was it funded in this bill. Budgetary constraints were the major factor with respect to that but

not the only factor. Another reason we believe it would be somewhat precipitous to approve funding for the design and construction of many new courthouses prior to the AOC's completion of its comprehensive review of judiciary space is we think that review ought to be done first.

The committee was pleased to receive the Administrative Office of the Court's May 28 letter confirming the award of a contract to a consulting firm to analyze and evaluate the judiciary's long-range planning process, their courthouse design guidelines, their program policies and practices, and the funding mechanisms and responsibilities. But the committee is concerned that the completion date for that report will be well after the date by which the administration must complete action on their 2001 fiscal year budget request. We anticipate having that report before we would complete action on fiscal year 2001 budget decisions and appropriations decisions here in the Congress. I believe that is important because we have received information which indicates that 11 of the 16 courthouses for which the AOC requested funding in the year 2000 deviated from the Judicial Conference of the United States Court Design Guide.

For example, magistrate and bankruptcy courtrooms were increased from 1,800 usable square feet to 2,400 usable square feet, a 33-percent increase. Total courthouse circulation space increased from 20 percent to 30 percent. Individual courtrooms were routinely being provided for individual senior district judges for more than 10 years, and the list goes on.

I believe some of those excesses in the construction program resulted in some of the past funding delays. None of us believe a funding moratorium is the best way to maintain an important Federal asset program, so I hope the construction review will be completed and we can proceed in the future with a construction program.

Second, I want to discuss very briefly the issue of the Office of National Drug Control Policy National Youth Anti-Drug Media Campaign. That is a long way of talking about the media campaign that has been going on in this country on the issue of drugs. This is the third year of that funding, funding of over one-half of a billion dollars that has been provided for this initiative.

I would like to say I support this initiative. I think the power of advertising is well recognized. Appropriate advertising and advertising that is well done dealing with a message to our young people in this country, "do not take drugs," is an appropriate way to send that message.

I worked with the subcommittee to ensure that adequate funds were provided this year for that campaign to be effective. I do not believe that halfway through the campaign it is time to dilute the message.

I know there will perhaps be an amendment offered dealing with alco-

hol. No one is more concerned about the issue of alcohol consumption, drunk driving, and alcohol abuse in this country than I. But I do not want to dilute what we are doing on the antidrug campaign with this alcohol issue at this point. There are other venues, other ways, other programs with which we can confront the drunk driving and alcohol abuse issue, and we will.

This year we were not able to fully fund the television campaign dealing with the antidrug message. We have had to cut that some. We would have liked to have funded all of these issues in a manner that fully funds the budget request, but we did not have the money to do that. There simply were not the available resources to accomplish that. We have been forced to make certain cuts.

My hope is perhaps some of these can be in conference, perhaps some additional budget allocation will be made available as we proceed through this process.

Again, the work done by Senator CAMPBELL, his staff, and our staff has produced a good piece of legislation. I hope we can move through it rather quickly tomorrow and preserve the bulk of what we have done to fund these very important programs.

AMENDMENTS NOS. 1189, 1190, AND 1191

Mr. DORGAN. Mr. President, on behalf of Senator MOYNIHAN, I send three amendments to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. MOYNIHAN, proposes amendments numbered 1189, 1190, and 1191.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 1189

(Purpose: To ensure the expeditious construction of a new United States Mission to the United Nations)

On page 56, line 3, after "and", insert the following: "\$44,300,000 shall be available for demolition of the United States Mission to the United Nations at 755 United Nations Plaza (First Avenue and 45th Street), New York, New York, and".

AMENDMENT NO. 1190

(Purpose: To ensure that the General Services Administration has adequate funds available for programmatic needs)

Beginning on page 52, line 25, strike the colon and all that follows through "re-scinded" on page 53, line 2.

AMENDMENT NO. 1191

(Purpose: To ensure that health and safety concerns at the Federal Courthouse at 40 Centre Street in New York, New York are alleviated)

On page 56, line 6, after ":", insert the following: "\$5,870,000 shall be made available for the repairs and alterations of the Federal Courthouse at 40 Centre Street, New York, New York;"

Mr. DORGAN. I ask unanimous consent that the amendments be set aside.

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

AMENDMENT NO. 1192

Mr. CAMPBELL. Mr. President, I send to the desk an amendment on behalf of myself and Senator DORGAN.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. CAMPBELL], for himself and Mr. DORGAN, proposes an amendment numbered 1192.

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

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

The amendment is as follows:

On page 51, line 15 and on page 57, line 14 strike “\$5,140,000,000” and insert in lieu thereof “\$5,261,478,000”.

On page 53 line 2 after “are rescinded” insert “and shall remain in the Fund”.

Mr. CAMPBELL. Mr. President, this amendment is a technical correction to the GSA Federal buildings fund.

UNANIMOUS CONSENT AGREEMENT

Mr. CAMPBELL. Mr. President, I ask unanimous consent that all first-degree amendments to the Treasury and general government appropriations bill must be offered by 11:30 a.m. tomorrow, Thursday, July 1.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Reserving the right to object, and I will not object, my understanding is that has been cleared with our side and Members of the Senate have been notified this evening that will be the case on this bill. I do not object.

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

The question is on agreeing to the amendment.

Mr. CAMPBELL. I just asked unanimous consent that all first-degree amendments to the Treasury and general government appropriations bill be offered by 11:30 a.m. tomorrow, Thursday, July 1.

The PRESIDING OFFICER. That has been agreed to.

#### MORNING BUSINESS

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

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

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I ask unanimous consent to proceed for the next 30 minutes in morning business.

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

#### COLOMBIA'S FOUR WARS

Mr. DEWINE. Mr. President, we have just concluded the foreign operations

bill, and I congratulate Senator MCCONNELL, Senator LEAHY, and others who have worked so very diligently on this difficult and tough bill. Contained in the bill we just passed, among other things, was a sense-of-the-Senate resolution. This sense-of-the-Senate resolution was proposed and offered by myself and by my colleague from Georgia, Senator COVERDELL. It deals with the situation in Colombia and the United States relationship to that troubled country.

I want to talk this evening about that sense-of-the-Senate resolution and about the situation in Colombia.

For the past several months, United States foreign policy has really been dominated by the crisis in Kosovo. Certainly we have to continue to work with the NATO alliance and Russia to help bring the Albanian Kosovars back to their homeland and to bring a stable peace to the region. But tonight I want to discuss another compelling and very serious foreign policy crisis that is taking place right in our own hemisphere. Like Kosovo, it is a crisis that has displaced hundreds of thousands of people, more than 800,000 since 1995, and instead of a small province being ethnically cleansed by its own government, this democratic country is fighting multiple conflicts—a war against two threatening and competing guerrilla groups, a war against paramilitary organizations, and, finally, a war against drug lords who traffic in deadly cocaine and in heroin.

I am, of course, talking about the four wars that are taking place tonight in Colombia. While a 19-nation NATO alliance struggles to prevent the disintegration of a small province, the disintegration of an entire nation is going practically unnoticed by our own Government in Washington. The decade-long struggle in the Balkans is being duplicated in Colombia, which is fracturing into politically and socially unstable ministates and is posing a significant threat to our own hemisphere. Colombia is shaping up to be the Balkan problem of the Americas. More than 35,000 Colombians have been killed in the last decade. More than 308,000 Colombians were internally displaced in 1998 alone. In Kosovo, 230,000 people were displaced during this same period of time before NATO took action. And like the Albanian Kosovars, Colombians are fleeing their country today in large numbers. More than 2,000 crossed into Venezuela in a matter of a few days recently. A Miami Herald article recently reported a growing number of Colombians leaving for south Florida.

Our Nation has a clear national interest in the future of the stability of our neighbor to the south, Colombia. In 1998, legitimate two-way trade between the United States and Colombia was more than \$11 billion, making the United States Colombia's No. 1 trading partner, and Colombia is our fifth-largest trading partner in the region. In spite of this mutually beneficial partnership, the United States simply

has not devoted the level of time nor resources nor attention needed to assist this important democratic partner as it struggles with drug problems, with violent criminal and paramilitary organizations, and guerrilla insurgents. In fact, in December 1998, a White House official told the Washington Post that Colombia, quote, “poses a greater immediate threat to us than Bosnia did, yet it receives almost no attention.”

Attention is needed—now more than ever. According to the State Department, Colombia is the third most dangerous country in the world in terms of political violence, and accounts for 34 percent of all terrorist acts committed worldwide. The Colombian National Police reported that Colombian rebels carried out 1,726 terrorist strikes in 1998—that's 12 percent more than in the previous year.

Kidnapping is also a significant problem. Approximately 2,609 people were kidnapped in 1998, and there have been 513 reported kidnappings in the first three months of this year. Guerrillas are responsible for a high percentage of these incidents.

The wholesale acts of violence that have infected this country are symptoms of four wars that are going on in Colombia. Any single one of them would pose a significant threat to any country. Together, these wars represent a threat beyond the borders of Colombia. Let me describe them in detail.

For more than three decades, the guerrilla groups known as Colombian Revolutionary Armed Forces—the FARC—and the National Liberation Army—the ELN—have waged the longest-running anti-government insurgency in Latin America.

Determining the size of these guerrilla organizations is an inexact science. Most open sources range their combat strength from about 10,000 to 20,000 full-time guerrillas. However, irregular militias, part-time guerrillas, and political sympathizers also play a role that is hard to quantify.

The insurgents have their own armament capabilities and are manufacturing high-quality improvised mortars. Organized crime links also have long been suspected. The Chief of the Colombian National Police, General Jose Serrano, has reported in the past that the FARC has completed guns-and-cash-for-drugs deals with organized crime groups in Russia, Ukraine, Chechnya and Uzbekistan. A Colombian army study recently stated that the two main leftist guerrilla groups had raised at least \$5.3 billion from 1991 to 1998 from the drug trade, abductions, and extortions to fund their long-running uprising against the state.

According to the State Department's 1998 Human Rights Report, the FARC and ELN, along with other, smaller groups, initiated armed action in nearly 700 of the country's 1073 municipalities, and control or influence 60 percent of rural Colombia. Although these

groups have had no history of major urban operations, a number of recent guerrilla-sponsored hostage takings recently have taken place.

Colombian President Pastrana is trying to make peace at all costs with FARC rebels, who have little incentive to agree to any peace deal. Throughout these negotiations, the FARC has continued to assault and kill dozens of Colombian military and police.

The current prospects for peace are dismal. If Pastrana were to accept the demands of the FARC and ELN for political and territorial autonomy, he would have to splinter his country into Balkan-type factions. The effects of this would be increased paramilitary violence and increased regional instability.

In fact, one of the FARC conditions already agreed to by President Pastrana was the creation of a temporary, demilitarized zone the size of Switzerland. All Colombian Armed Forces and Police were ordered out of the area. Despite this enormous concession on the part of the Colombian government, the FARC has not agreed to any cease-fire and has made no concessions. In fact, they made it clear to the Colombian Government that they should expect continued guerrilla operations and attacks.

"Farclandia" is the name some local residents have given to this odd state-within-a-state. The area has over 90,000 residents. Despite its creation as a temporary demilitarized zone, the FARC appear to be cementing control and taking steps to ensure that expulsion from the zone would be extremely difficult, particularly if the talks break down.

According to the Catholic Bishop residing in the DMZ area, residents are required to feed the FARC, which is simply a form of taxation. The FARC has attempted to expel a Catholic priest for being an "enemy of peace." The priest argued the FARC is violating human rights, usurping the locally elected government, interfering with economic activity, imposing labor duty, and recruiting minors, teenagers, and married men. The bottom line is that FARC fighters are using their armed stranglehold on the zone to abuse Colombian citizens.

In April, FARC leaders asked Pastrana to extend rebel control over another zone in southern Colombia—approximately 7,600 square miles—that is allegedly the home to some of the most concentrated cocaine-production facilities in the world. The Pastrana Government agreed to place the request on the negotiating table. While the additional zone was not approved, Pastrana agreed to allow FARC rebels to have continued control over the DMZ. This is the second time, since November 1998, that President Pastrana has extended the DMZ to the FARC during the talks.

This decision provoked outrage within Colombian military ranks, particularly since military officers had been

humiliated by the creation of the original zone. That earlier decision required the withdrawal of hundreds of police and army troops. By the end of May, Colombian Defense Minister Ricardo Lloreda announced his resignation.

Following his announcement, dozens of military officers resigned in solidarity with Lloreda. Of the total of 30 Colombian army generals, reports indicate that between 10 and 17 resigned in solidarity with Lloreda. With the exception of Lloreda's resignation, Pastrana did not accept any other resignations. However, as a result of this mass protest, Pastrana agreed that the FARC zone would be demilitarized for only six more months and that a retired general would be included in the negotiating team for the talks.

In another important development, the Colombian Congress too is beginning to express its doubt in the peace process. Earlier this month, the Congress rejected a bill that would have given Pastrana sweeping powers to grant political concessions—including an amnesty for convicted guerrillas.

Lloreda's resignation was truly unfortunate. I met Defense Minister Lloreda in Colombia last November. Lloreda, described by his peers as someone who could help bring about needed reform in the military, was just beginning to gain some ground. He had already begun rebuilding the army, a difficult task given its record of human rights violations. In fact, he had forced the resignation of Colombian military officers suspected of human rights violations and had others arrested.

Lloreda had also lifted the morale among the military, having suffered significant defeats by the FARC forces. According to the Economist magazine, the defense budget has doubled this year to \$1.2 billion. In March, the army even managed a successful offensive, which left 50 guerrillas dead.

The resignation, however, threw Pastrana's 10-month-old government into crisis and placed the future of the nation's fragile process in doubt. It has also left open important questions about the future of the Colombian military.

Mr. President, Colombian military operational mobility is widely acknowledged to be a shortcoming. Colombia is a very large country. One of their departments is as large as the nation of El Salvador. In fighting an insurgency, the state has to defend many critical areas, but also has to have the capability to mass and economize forces to attack guerrilla formations when they present themselves. Colombia's army has barely 40 helicopters for a territory the size of Texas and Mexico combined. El Salvador, 1/50th the size of Colombia, had 80—twice as many—during its civil war.

Although the Army has 122,000 soldiers, most of them are 1-year conscripts. Approximately 35-40% are high school graduates not assigned to combat duties by law. At any time, about 30% are undergoing basic train-

ing. A large portion of the remaining force (50-60%) is assigned to static defense of key economic or isolated municipal outposts. That leaves approximately 20,000 soldiers remaining for offensive combat operations. These are the veterans or volunteers that constitute—apart from the officer corps—the only true repository of combat experience in their army. Now consider that the active guerrilla combatants alone number between 11,000 and 20,000. You do the math. It doesn't look good. It is conceivably a one to one "fighting" ratio. How can a military, with limited resources, fight two guerrilla movements which have virtually unlimited resources from drug trafficking, kidnappings, extortion and arms trafficking?

The Colombian Army has already suffered a string of military defeats. In 1998, the Colombian Armed Forces suffered three major blows in March, August, and November. In fact, the FARC executed one of its major blows against the military just as President Pastrana was meeting with FARC leaders on the peace talks.

The FARC currently holds over 300 military and police POW's. And according to Jane's Intelligence Review, Colombian guerrillas killed 445 soldiers during 1998. If you include Colombian National Police, the figure would rise to 600. The CNP too has experienced significant losses. Over 4,000 policemen have been killed in Colombia in the past decade.

As if the FARC weren't enough of a problem, let me complicate this situation further by discussing the war with the ELN. The ELN has been envious of the attention the FARC has been getting, particularly at the negotiating table. As a result, the ELN has resorted to a series of recent hostage takings. Shortly after Pastrana and the FARC announced in April that formal negotiations would take place in the summer, the ELN hijacked a Colombian commercial airliner in mid-April, kidnapping 41 passengers and crew.

Then, shortly after Defense Minister Lloreda's resignation, about 30 ELN guerrillas invaded a church service in an upper-class neighborhood in Cali and abducted over 140 worshippers. In response, the Government deployed more than 3,000 soldiers and policemen to locate them. While some hostages have been released from the hijacking and church incidents, approximately 50 are still being held including two Americans.

I have outlined, Mr. President, the two main guerrilla groups which are a significant threat to Colombia. Unfortunately, however, I have not yet spoken of another ongoing war which poses an additional and substantial threat—the Colombian paramilitaries. In fact, the Colombian paramilitaries are also seeking a role at the negotiations table.

The Colombian paramilitaries are an umbrella organization of about 5,000 armed combatants. Their mission has

been to counter the grip of leftist guerrillas. Carlos Castano, the powerful leader of the paramilitary umbrella organization United Self-Defense Groups of Colombia, has been quoted defending the strategy of killing villagers who are guerrilla supporters and sympathizers.

The paramilitaries are funded by wealthy landowners and, in some cases, cocaine traffickers. They exercised increasing influence during 1998, extending their presence into areas previously under guerrilla control.

The presence of paramilitary groups have driven a wedge in the peace talks because the FARC leadership refuses to negotiate until the government effectively clamps down on the right wing gunmen. The problem is that the government also has a problem in trying to control the paramilitaries.

In an attempt to become a player at the negotiating table, Castano's organization kidnapped a Colombian Senator last month. In fact, Castano said shortly after the abduction that his aim was to gain political recognition and a place at the negotiating table for his movement. The Senator was freed after being held for two weeks. The Senator later commented that Pastrana should eventually include Colombia's paramilitary forces in negotiations to end the 35 year civil war. Since the leftist rebels vehemently oppose their participation in the peace talks, prospects for the peace negotiations are complicated even further.

Before I talk about the increasing drug threat from Colombia, let me spend a few minutes on the general violence in Colombia.

According to the U.N. High Commissioner for Human Rights, Colombia led the world in kidnappings in 1998, and may be the most likely place in the world to be abducted. The country averages five people a day snatched by guerrillas or other criminals. Guerrillas from the FAR, ELN and the smaller Popular Liberation Army accounted for approximately 1,600 kidnappings of the 2,609 reported in 1998.

A report issued by the Colombian Government's anti-kidnapping office in May calculated that at least 4,925 people have been abducted since January 1996, with the largest total coming in 1998. The problem with this statistic is that many families and businesses prefer to deal directly with kidnappers and not report abductions to the police. Hence, this figure is only the official one. It is understandably difficult to count how many kidnappings truly occur in Colombia.

Imagine, if you will, living in a country where you can't send your child on school field trip; where you can't decide to go out of Bogota for the weekend to visit relatives in a nearby city. In fact, the situation is so grave that you think twice about going to the grocery store or even to a movie.

A recent New York Times article described the lives of Colombians and the

precautions they must take on a daily basis. The article stated that Colombians are refusing to fly on any airplane that is not a jet. They cite the example of ELN hijacking of a prop plane. The Colombian quoted in the article commented that it is almost impossible for guerrillas to take over a big jet and make it land at some little airstrip out in the jungle.

In the week before Easter, a traditional vacation time throughout Latin America, travel within Colombia was down 40% over last year, according to a Colombian civic group. With increasing regularity, the five million residents of Bogota are canceling trips to towns that are barely a two hour drive away, while traffic on highways to the Caribbean coast has also dropped significantly.

Kidnapping is such a significant threat that a Colombian government study made public estimates that the country's three main guerrilla groups have obtained more than \$1.2 billion in kidnapping ransoms in recent years.

Mr. President, the situation in Colombia has gotten so bad that the State Department recently issued a warning, advising Americans to not travel to Colombia. You see, Colombians are not the only targets in their country. There have been U.S. casualties as well.

In late 1997, the State Department added the FARC to its list of terrorist organizations.

In January 1999, guerrillas announced that all U.S. military and law enforcement personnel in Colombia would be considered legitimate targets to be killed or captured. In late February, the FARC viciously murdered three U.S. human rights workers. This horrific execution met with no reaction from the Clinton Administration. A resolution was recently introduced in the House, calling on the Colombian government to pursue the killers, members of the FARC and extradite them to the U.S.

Colombian terrorists continue to target Americans, kidnapping over a dozen U.S. citizens in 1999 so far—this is double the total amount for 1998. The 1998 State Department Terrorism Report also suggests that terrorists also continued to bomb U.S. commercial interests, such as oil pipelines and small businesses.

There has also been much concern that the civil war in Colombia could spill over into neighboring countries—including Venezuela, where President Chavez is alleged to have had contacts in the past with the ELN. A spill-over into Venezuela would be disastrous for the United States, given that Venezuela is our number one—let me repeat this—number one supplier of foreign oil. The situation is so grave that Venezuela has sent 30,000 troops to the border with Colombia.

There has been a recent exodus of Colombians into Venezuela. In a two day period recently, over 2,000 Colombians began their exodus to Venezuela after

death squads massacred about 80 people near a border town. Many of the Colombians were said to be coca farmers.

At first, Venezuelan President Chavez said Venezuela was prepared to offer the Colombians temporary refuge until they could return safely to their homes. However, only one day after the recent cross-over began, Venezuela had already started repatriating Colombians back to Colombia. And within a few days, all Colombians have been repatriated.

Colombian-Venezuelan relations have been tense. For example, while Chavez has agreed to play a role in the negotiations, in mid-May Chavez announced he was seeking a direct meeting with FARC commander Manuel Marulanda. In fact, two months earlier, he angered President Pastrana by suggesting that the FARC's armed struggle was legitimate and declaring that Venezuela remained "neutral" in the conflict.

There has also been some concern of a spillover of the conflict into Ecuador, another nation bordering Colombia. In fact, Ecuadoran government officials indicate that rebel forces have crossed over to their nation, primarily for rest and relaxation. With the end of its border dispute with Peru, Ecuador is in the process of relocating 10,000 troops to the Colombian border. In addition, Ecuadoran intelligence has reportedly periodically taken down some guerrilla supply routes.

Colombia also borders Panama, which should be of significant concern to our nation. It is a known fact that Colombian rebels have been infiltrating the Darien province in Panama for quite some time in search of supplies.

In late May, hundreds of Panamanians fled their homes near the border with Colombia, fearing a violent clash between Colombian guerrillas and paramilitary bounty hunters. Witnesses claim that there were about 500 FARC rebels in Panama.

Mr. President, this rebel crossing is occurring just 250 miles southeast of the Panama Canal. And let me remind you that U.S. military forces are departing from Panama.

The United States should be extremely concerned. The departure of U.S. forces could encourage Colombian rebel groups to become more active in the deep, inaccessible rainforests of Panama's Darien region. And while Panama has increased a border police force to 1,500, they are no match to the Colombian rebels. Panama has no military, and our total U.S. troop presence is scheduled to depart Panama by the end of this year. We just closed down operations out of Howard Air Force Base in May, and we are about to turn over the Panama Canal and remaining military facilities at the end of this century.

Mr. President, while the United States is complying with the Panama Canal Treaties, in terms of giving Panama the Canal at the end of this year, the treaties state that the United

States has the continued responsibility to protect and defend the Panama Canal. And the duration of this treaty is indefinite. In the event that something happens to the Panama Canal, just a few hundred miles from Colombia, how would the United States respond then?

I have spent most of my time talking about the worsening civil strife in Colombia. But I cannot end this speech without talking about the final war in Colombia. It's the war Americans probably have heard the most about—the war prompted by the fact that Colombia is the world's most important cocaine producer and a leading producer of heroin.

According to our State Department, over 75% of the world's cocaine HCL is processed in Colombia. 1998 marked the third consecutive year of significant increase in Colombia coca crop size; recent statistics indicate that about 75% of the heroin seized in the northeast United States is of Colombian origin. Colombian heroin is so pure—roughly 80% to 90%—that in 1998, the number of heroin overdose cases in the United States went up significantly. In fact, in 1998, the number of heroin overdoses in Orlando surpassed the number of homicides.

Drug trafficking is profitable, and provides the FARC with the largest share of its income. Sixty percent of FARC fronts are involved in the drug trade. About 30% of ELN war fronts are likewise engaged in drug trafficking. This includes extortion/taxation of coca fields and yields, precursor chemicals and security of labs and clandestine air strips. The insurgents control the southern rural terrain of Colombia where the largest density of cocaine fields and production is found.

Mr. President, I have outlined a deteriorating situation in Colombia. I have spoken to you about Colombia's ongoing and escalating four wars. These are significant issues that have a direct impact on our hemisphere and our Nation. The future of Colombia as a unified country, and the stability of an entire hemisphere is at risk. The sad reality is that our country is not yet making an adequate response to this crucial foreign policy challenge. We are simply not paying attention, nor are we adequately responding.

U.S. leadership in this Colombian crisis is needed. This is no time to keep our backs turned. Continued inattention will only contribute to continued instability. Like Kosovo, the U.S. should mobilize the international community to play a role in resolving the Colombian conflict. Certainly we should pledge our support to the democratically elected Government. We should also be ready to provide other types of support such as training, equipment, and professional development to help Colombia overcome these threats to democracy and freedom.

Finally, we must continue to work to disrupt and dismantle the drug trafficking organizations and to reduce

their financial control of antidemocratic elements in Colombia.

We are doing some things in Colombia. I had the opportunity to see those myself when I traveled there a few months ago. But we simply have to do more. We have to become more engaged.

I remember President Ronald Reagan's profound wisdom in negotiating from a position of strength in his efforts to strengthen our military. This strategic vision led to the crumbling ultimately of our adversaries. Unfortunately, this dynamic has not yet taken hold in Colombia.

Because of the Colombian Government's weakness, no incentive appears to exist for its multiple adversaries to respect and to adhere to any agreements. Their only incentive is to extract further concessions from the Government and to further attempt to weaken the Colombian Government.

Before I close, let me quote a passage from a report in *Time* magazine. I quote:

The six members of the presidential peace commission did not know where they were headed when their Bell 212 helicopter took off from Bogota at dawn. The pilot had been given the top-secret coordinates minutes before takeoff, but not even he was sure of the destination. Suddenly, the flag of the FARC, the oldest, largest and bloodiest of the country's numerous anti-government guerrilla groups, was sighted in the jungle below. This time, however, the flag signified the making of history, not war. In a small clearing in the Alto de la Mesa rain forest, FARC guerrillas and the government's representatives met to sign a momentous eleven-point cease-fire agreement.

While this article seems to depict the present situation in Colombia in terms of peace talks, the fact is that it does not. The main reason is that there has not yet been a cease-fire agreement as a result of this latest round of talks.

Let me repeat that. There has not yet, to this day, been a cease-fire agreement as a result of this latest round of talks.

The article I quoted appeared in *Time* magazine's issue dated April 16, 1984.

In April 1984, the then-Colombian President triumphantly announced on national television his Government's formal acceptance of that pact with the FARC guerrillas. He thought that he had negotiated an end to the guerrilla conflict with the FARC leadership.

Let me note that there have been numerous other accounts by other Colombian Presidents throughout the years to negotiate a resolution to the guerrilla wars in Colombia. Each time the peace talks have failed, and each time the guerrilla groups have been further strengthened.

While the current President of Colombia is negotiating with the very same FARC leader, a few things have changed over the last 15 years. Back in 1984, the *Time* article reported that the FARC consisted of 2,050 guerrillas backed by an additional 5,000 people in "civil defense cadres" spread mainly

throughout the countryside. But today the FARC has about 10,000 to 15,000 active combatants—quite a change.

In 1994, the ELN had roughly 200 men and the Popular Liberation Army had about 275. The ELN today has between 5,000 and 7,000 troops.

It is simply amazing to me what a difference 15 years has made in Colombia, a difference, unfortunately and tragically, for the worse. We have gone from seeing Colombia's combat-ready guerrilla number in the 2,000 range—2,000 is what it was—to a situation today where there is likely a guerrilla combatant rebel for every Colombian military combatant person available, a 1-to-1 ratio.

My question to this Congress and to this administration is, How can we expect Colombia to overcome these multiple wars? The rebel personnel resources have significantly increased since the mid-1980s and are one of the main reasons behind this rise in the alliance between the guerrillas and the drug traffickers.

This strategic alliance, in which each party benefits from the other's involvement, makes it very clear that it is extremely difficult to separate the drug war from guerrilla and paramilitary wars. That is why the United States must play a role to help Colombia overcome all of its wars—not just the drug dealers. We must understand that our drug consumption only further exacerbates the Colombian crisis. And we must be involved in helping them resolve the four wars I have described.

In the 1980s, the United States made a major investment in the struggle for democracy and human rights in Latin America. We pretty much succeeded. We basically went from a situation a generation or two ago where half the countries were democratic to a situation today where every country save one is democratic, or is at least moving rapidly towards democracy. We have succeeded.

But if we want Latin America to continue to evolve into a stable and peaceful trading partner and a friend of the United States, we will have to make a more serious commitment to Colombia. No one wants to see Colombia devolve into a criminal narco-state. But unless we act soon in partnership with the democratically elected Government of Colombia, unless we act soon to reverse this democratic death spiral, it is only a matter of time before Colombia ceases to exist as a sovereign nation with democratic principles.

President Ronald Reagan showed profound wisdom in leading this hemisphere toward democracy and toward free markets. We must do all we can to make sure that this positive tide is not rolled back for our neighbors to the south.

I thank the Chair for his indulgence.

RETIREMENT OF DR. KENT WYATT

Mr. LOTT. Mr. President, I want to pay tribute to Dr. Kent Wyatt who is

retiring today after serving as the President of Delta State University for the past 24 years. During his tenure at Delta State, Dr. Wyatt has repeatedly been recognized as one of America's premier higher education administrators.

Kent was born in Berea, Kentucky and later moved to Cleveland, Mississippi. He earned an undergraduate degree in education from Delta State and a Masters degree in education from the University of Southern Mississippi. Kent topped off his formal education at the University of Mississippi where he received a Doctorate in Education.

After completing his doctoral studies at Ole Miss, Kent commenced his teaching career back home in Cleveland, Mississippi where he served as a mathematics teacher, a coach, and then as a principal for the School District. Kent soon followed in his father's footsteps, Forest E. Wyatt, who served as a teacher and the head football coach at Delta State University.

In 1964, Kent's alma mater, Delta State University, hired him as its Alumni Secretary. But, he quickly shifted over to the university's management. Recognizing his leadership and vision, Kent was named Delta State's fifth President in 1975 after serving six years as assistant to the president.

During the last quarter century, Kent has amassed an impressive record. He continuously emulated "quality without compromise." As a result of his stewardship, Delta State's faculty has grown from 202 to 328, with all academic programs receiving national accreditation, and 18 new facilities were built. Since 1975, Delta State's enrollment has grown by 32%. Equally astounding, Kent increased the university's financial assets by a factor of ten since 1975. A most impressive record for Dr. Wyatt and Delta State University.

Kent's peers in Mississippi and across the nation have repeatedly drawn on his academic leadership. For example, Kent recently served on the Search Committee for the Executive Director of the National Collegiate Athletic Association (NCAA) and on the NCAA's President's Commission.

Running a large university would challenge many, but Kent also managed to serve those off campus too. Kent also served his community for over three decades. He was the President of the Cleveland Lions Club as well as the President of the Chamber of Commerce. He also served on the boards of the United Way, Mississippi Economic Council, Grenada Banking System, Union Planters Bank of Northwest Mississippi, and the Southern Baptist Theological Seminary. Kent currently serves as a Deacon at the First Baptist Church.

Kent's wife Janice, their children Tara and Elizabeth, as well as their grandchildren Kent Wyatt Mounger and Collins Hartfield Mounger, have good reasons to be proud of his many accomplishments.

As Congress addresses the many challenges facing higher education in America today, my colleagues and I can benefit from the many contributions Kent has made in Cleveland, Mississippi. Not only has he been an inspiration to the more than 15,000 college students who passed through the halls of Delta State during his tenure, Kent has helped to mold the future leaders of this great country.

Kent and Janice have chosen to stay in Bolivar County. While he will be missed at Delta State, the town of Cleveland, the County of Bolivar, the State of Mississippi, and Mississippi's Congressional delegation are thankful that Kent, a true Delta State Statesman, has chosen to remain in his hometown to serve as a continuing inspiration for public service at its best.

Mr. President, I want to express to Kent my heartfelt appreciation for everything he has done for his community, our state, and the nation. I am hopeful that Kent and Janice will enjoy the next important phase of their lives.

#### COMMEMORATION OF U.N. TORTURE VICTIM SUPPORT DAY

Mr. WELLSTONE. Mr. President, this past Saturday was the 2nd annual U.N. International Day in Support of Torture Victims and Survivors. The practice of torture is one of the most serious human rights abuses of our time. According to Amnesty International, torture conducted by government security forces, or that is condoned by other government officials occurs in at least 120 countries today. We need look no farther than today's headlines about Turkey, Iraq, Kosovo, China and Ethiopia to know that we will be dealing with the problems that torture victims face for many years.

We can and must do more to stop such horrific acts of torture, and to treat its victims. Focusing on treatment and rehabilitation for torture survivors is one of the best ways we can manifest our concern for human rights worldwide. As our recent intervention in Kosovo to stop a humanitarian crisis demonstrates, both the United States and the international community have become aware of the need to prevent these human rights abuses and to punish the perpetrators when abuses take place. Yet, too often we have failed to address the needs of the victims after their rights have been violated. The treatment of torture victims must be a central focus of our efforts to promote human rights.

This commitment to protect human rights is one shared by many around the world. In 1984 the U.N. approved the United Nations Convention Against Torture. The U.S. Senate ratified it in April of 1994. And just last year the Congress enacted the Torture Victims Relief Act which authorizes funds for treatment services for victims of torture in the United States and abroad. I was pleased to learn that last week the

Senate Committee on Appropriations recommended that the funds authorized by the act be appropriated in full in the foreign operations appropriations bill. Under this recommendation, AID will provide \$7.5 million to support foreign treatment centers and the U.S. will contribute \$3 million to the U.N. Voluntary Fund for Victims of Torture. I hope this recommendation makes it through to the final bill which goes to the President. While these are significant achievements, we must focus on what more needs to be done.

In many countries torture is routinely employed in police stations to coerce confessions or obtain information. Detainees are subjected to both physical and mental abuse. Methods include beatings with sticks and whips; kicking with boots; electric shocks; and suspension from one or both arms. Victims are also threatened, insulted and humiliated. In some cases, particularly those involving women, victims are stripped, exposed to verbal and sexual abuse. Medical treatment is often withheld, sometimes resulting in death.

The purpose of torture is intimidation and the total destruction of an individual's character. Torture impacts on humanity in profound ways. The shattering of lives, dispersing of families, and destruction of communities all result from this politically-motivated form of violence. The destruction of people's humanity, cultures, and traditions are often the result for both the torturer and the victim of torture.

Treating torture victims must be a much more central focus of our efforts as we work to promote human rights worldwide. Without active programs of healing and recovery, torture survivors often suffer continued physical pain, depression and anxiety, intense and incessant nightmares, guilt and self loathing. They often report an inability to concentrate or remember. The severity of trauma makes it difficult to hold down a job, study for a new profession, or acquire other skills needed for successful adjustment into society.

Friday morning I met with Sister Dianna Ortiz and several other torture survivors courageous enough to share their stories. They related to me horrific tales of family displacement, sexual abuse, and mental and physical humiliation. Mr. Feltavu Ebba, a survivor from Ethiopia told me his horrific tale of torture he received solely based on his ethnic identification. He said:

I was locked up in a room 4 meters by 4 meters with more than 50 other prisoners. I was not allowed to see my family and relatives for the first six years.

Needless to say, the damage done to his relationship with his children can never be repaired. Also, every minute of his existence in prison was wrought with emotional and physical pain. He said:

Again after three years of prison in 1982 I was physically and mentally tortured for a week . . . This time by dipping me head-



down in a barrel filled with cold, dirty water and beating under my feet with interwoven electrical wire.

Another survivor, Monica Feria, told me of her torture in Peru. Rather than attempt to speak on her behalf, I will let her words speak for themselves.

We ran for our lives through the ducts that took us to another prison where the male prisoners accused of belonging to the Shining Path were kept. On the way many of us were shot. While crawling I saw bodies that had been blown up, arms, heads, and blood. Everything was covered with that horrible colour of burnt black. As I crawled avoiding the bullets I felt under me dead bodies still warm. The horror . . .

This is only a fraction of the horrific episodes relayed to me by these courageous survivors. Just last week the New York Times quoted the Human Rights Watch organization as being distressed at the continued prevalence of torture worldwide.

In Minnesota, we began to think about the problem of torture and act on it, over ten years ago. The Center for Victims of Torture in Minneapolis is the only fully-staffed torture treatment facility in the country and was one of the first in the world; there are now over 200 centers worldwide. The center offers outpatient services which can include medical treatment, psychotherapy and help gaining economic and legal stability. Its advocacy work also helps to inform people about the problem of torture and the lingering effects it has on victims, and ways to combat torture worldwide. The Center has treated or provided services to hundreds of people over the last ten years.

Some of the often shrill public rhetoric these days seems to argue that we as a nation can no longer afford to remain engaged with the world, or to assist the poor, the elderly, the feeble, refugees, those seeking asylum—those most in need of aid who are right here in our midst. The Center for Victims of Torture stands as a repudiation of that idea. Its mission is to rescue and rehabilitate people who have been crushed by torture, and it has been accomplishing that mission admirably over the last ten years. It is a light of hope in the lives of those who have for so long seen only darkness, a darkness brought on by the brutal hand of the torturer.

I would like to thank the distinguished human rights leaders who have helped me in this fight, including those at the Center for Torture Victims in Minneapolis and others such as Sister Ortiz, the Torture Abolition and Survivors Support Committee (TASSC), the Congressional Human Rights Caucus, and those in the human rights community here in Washington and in Minnesota. Without their energy and skills as advocates for tough U.S. laws which promote respect for internationally-recognized human rights worldwide, the cause of human rights here in the U.S. would be seriously diminished. I salute them today. We recommit ourselves to the aid of torture survivors, and to building a world in which tor-

ture is relegated to the dark past, and in which torture treatment programs are made obsolete.

#### THE MISSING, EXPLOITED, AND RUNAWAY CHILDREN PROTECTION ACT OF 1999 S. 249

Mr. LEAHY. Mr. President, I had planned to be giving a statement on final passage of the "Missing, Exploited, and Runaway Children Protection Act of 1999." Unfortunately, I cannot do this, because just as there was last year, there continues to be a hold up on passing this important legislation. We could and should have passed this legislation last year. We could and should pass this legislation today.

Last year we missed that opportunity when the Republican majority in both Houses of Congress played partisan games and tried to use this non-controversial authorization bill as a vehicle to insist on conferencing a much-criticized Republican juvenile justice bill. That procedural gimmick cost us valuable time to get this legislation enacted.

The majority was roundly criticized. The Washington Post went so far as to call the Republican Majority's short-circuit conference tactic "faintly absurd." The San Francisco Chronicle used even stronger terms, calling it "sneaky maneuvering and Byzantine procedural moves." The Philadelphia Inquirer's reaction to this tactic was: "Shame on the House. And shame on the Senate if it approves this bill as is, without debate." The New York Times labeled this maneuver a "stealth assault on juvenile justice."

By contrast to last year, at least in the Senate, procedural ambushes on juvenile justice legislation have been eschewed and we were given the opportunity last month to have full and fair debate. After significant improvements through amendments, the Hatch-Leahy juvenile justice bill passed the Senate on May 20, 1999 by a strong bipartisan vote.

Similarly, I am pleased that the Leahy-Hatch substitute to this bill, the Missing, Exploited, and Runaway Children Protection Act of 1999, overwhelmingly passed the Senate on April 19. In late May, the House of Representatives followed suit.

The House, however, inserted new language, not included in the Senate-passed bill. This new language includes two studies and language regarding the "consolidated review of applications" for grants under the Runaway and Homeless Youth Act.

The first study mandates the Secretary of HHS to examine the percent of runaways who leave home because of sexual abuse. The study is not funded and sets an unreasonable time frame. The second instructs the Secretary of Education to commission a \$2.1 million study by the National Academy of Sciences on the antecedents of school violence in urban, suburban, and rural schools, including the incidents of

school violence that occurred in Pearl, Mississippi; Paducah, Kentucky; Jonesboro, Arkansas; Springfield, Oregon; Edinboro, Pennsylvania; Fayetteville, Tennessee; Littleton, Colorado; and Conyers, Georgia. The study must include the impact of cultural influences and exposure to the media, video games, and the Internet.

It is my understanding that this school violence study was slipped into the legislation after the House committee reported the bill. In essence this bill seeks to mandate funding from the Department of Education, although this authorizing legislation, and sets an unreasonable time frame for a thoughtful study to be conducted. I do not support such efforts to bypass the consideration of the Appropriations Committees.

The juvenile violence study inserted into S. 249 also duplicates numerous studies in, S. 254, the Senate-passed juvenile justice bill. The studies in S. 254 include:

Study of Marketing Practices of Motion Picture, Recording, and Video/Personal Computer Game Industries. The Federal Trade Commission and the Department of Justice are directed to study the extent of the entertainment industry's marketing of unsuitable materials to minors and the industry's enforcement of the current rating systems.

Study. This section instructs the Comptroller General to conduct a study on (1) the incidents of school-based violence; (2) impediments to combating school-based violence; (3) promising initiatives for addressing school-based violence; and (4) crisis preparedness of school personnel and law enforcement officials.

School Violence Research. This section instructs the Attorney General to establish a research center that will serve as a clearinghouse for school violence research at the National Center for Rural Law Enforcement in Little Rock, Arkansas.

National Commission on Character Development. This section creates a National Commission on Character Development to study and make recommendations with respect to the impact of cultural influences on developing and instilling character in America's youth.

Study of Marketing Practices of the Firearms Industry. This section directs the Federal Trade Commission and the Attorney General to conduct a study of the marketing practices of the firearms industry to determine the extent to which the firearms industry advertises its products to juveniles.

National Media Campaign Against Violence. This section creates a \$25 million national media campaign targeted to parents and youth to reduce and prevent violence by young Americans. The campaign will be operated by the National Crime Prevention Council with the consultation of national, statewide or community-based youth organizations.

Behavioral and Social Science Research on Youth Violence. This section authorizes the National Institutes of Health, acting through the Office of Behavioral and Social Sciences Research, to conduct a comprehensive study on the causes and prevention of youth violence.

National Youth Violence Commission. This subtitle establishes a Commission composed of 16 members to conduct a comprehensive factual study of incidents of youth violence in order to determine the root causes of such violence by studying the involvement of teachers and school administrators, trends in family relationships, alienation of youth from the families and peer groups, availability of firearms to youth, impact of youth violence on youth, effects on youth of depictions of violence in the media, and the availability of information regarding the construction of weapons. The Commission will make recommendations to the President and Congress to address the causes of youth violence and reduce incidents of youth violence in the form of a report which shall be submitted no later than 1 year after the date on which the Commission first meets.

The youth violence study inserted into S. 249 by the House also duplicates ongoing efforts by President Clinton. In August 1998, the Departments of Justice and Education released "Early Warning, Timely Response: A Guide to Safe Schools." This guide provides schools and communities with information on how to identify the early warning signs and take action steps to prevent and respond to school violence. Every school in the nation received a copy of the guide.

In October 1998 at the White House Conference the President released the first Annual Report on School Safety. The report includes an analysis of all existing national school crime data and an overview of state and local crime reporting; examples of schools and strategies that are successfully reducing school violence, drug use and class disruption; actions that parents can take locally to combat school crime; and resources available to schools and communities to help create safe, disciplined and drug-free schools.

On April 1, 1999, a new Safe Schools/Healthy Students Initiative was announced by Attorney General Janet Reno, Secretary of Education Richard Riley and Surgeon General David Satcher, M.D., to provide 50 communities with up to \$3 million per year for three years to link existing and new services and activities into a comprehensive community-wide approach to violence prevention and healthy child development. It is based on evidence that a comprehensive, integrated community-wide approach is an effective way to promote healthy childhood development and address the problems of school violence and drug abuse.

On June 1, 1999 the President directed the Federal Trade Commission and the Department of Justice to conduct a

joint study of the marketing practices of entertainment industries to determine whether these industries are marketing to children violent and other material that is rated for adults.

There are many more studies and activities I could list, but I think my point has been made.

I regret that the House has again, as in the last Congress, has taken a clean bill and chosen to add extraneous matters. Rather than allow this tactic to delay passage of this already long-delayed and much-needed authorization for a number of worthwhile programs, I will not insist that the House amendment be stricken at this time. I will look to reconsider it in the course of the conference on the S. 254, the Hatch-Leahy juvenile crime legislation.

The other language inserted by the House that causes me concern is the "consolidated review of grant application." In the Leahy-Hatch Senate bill we were careful to make clear the continuation of current law governing the minimum grants available for small States under Basic Center grants program.

My concern about the consolidation language, however, has been abated after I received assurances from Secretary Shalala that small States will in no way be disadvantaged from receiving funding at current levels or above. If small States, like Vermont, effectively compete for national competitive grants programs, that is to their additional benefit and will not reduce the small State minimums in important programs like the Basic Center grants program.

In order to address my concern, on May 26, I sent a letter to Secretary Shalala asking that the Department guarantee that the House bill, like the Senate bill, preserves the current funding mechanism under the Runaway and Homeless Youth Act. On June 7, through Secretary Shalala's Assistant Secretary for Legislation, Rich Tarplin, I received such assurance and with that, I am pleased to be working to expedite the enactment of this legislation.

I thank Secretary Shalala and Assistant Secretary Rich Tarplin for making explicit that small States like Vermont will not be disadvantaged by the language added by the House. In addition, I thank Barbara Clark, of the Office of the Assistant Secretary for Legislation, for her tireless work over too many years to see through the reauthorization of these programs. I hope all of our efforts are rewarded with passage of S. 249 as soon as possible.

I ask unanimous consent that copies of my letter to Secretary Shalala and the response that I received be included in the RECORD following my remarks.

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

(See exhibit 1.)

MR. LEAHY. Mr. President, I am also disappointed that the House chose to scale back the authorization of these program from five years as passed by the Senate to four years.

The bottom line, however, is that the Runaway and Homeless Youth Act and the National Center for Missing and Exploited Children have gone without authorization for too long. We should pass this legislation without further delay.

I have been able to clear this bill on my side of the aisle. Unfortunately, the Republicans have not been able to do the same and are, once again, holding up enactment of this legislation. The holdup on passage of this already long-delayed and much needed authorization for a number of worthwhile programs to provide assistance to at risk children and their families must be put to an end.

The Missing, Exploited, and Runaway Children Protection Act of 1999 authorizes a variety of critical programs for our nation's most at risk children and youth—those who are missing or have been exploited and those who have run away or been forced from home or are homeless. The National Center for Missing and Exploited Children provides extremely worthwhile and effective assistance to children and families facing crises across the U.S. and around the world. In 1998, the National Center helped law enforcement officers locate over 5,000 missing children. They also handled 132,357 telephone calls to their hotline, which included calls to report a missing child, to request information or assistance and to provide leads on missing or potentially exploited children. This figure includes 10,904 reported leads or sightings of missing children, an increase of 25 percent over such leads in 1997.

Since 1984, the National Center has helped investigate more than 80 cases involving Vermont children who have been reported missing. They have had extraordinary success in resolving these cases, some of which have taken several years and have involved out of state or international negotiations. I want to thank Ernie Allen and all of the dedicated employees and volunteers associated with the National Center for their help in these matters.

The National Center serves a critical role as a clearinghouse of resources and information for both family members and law enforcement officers. They have developed a network of hotels and restaurants which provides free services to parents in search of their children and have also developed extensive training programs. The National Center has trained 728 sheriffs and police chiefs from across the U.S. in recent years, including police chiefs from Dover, Hartford, Brattleboro and Winooski, Vermont, as well as members of the Vermont State Police. They have trained an additional 150,000 other officers in child sexual exploitation and the detection of missing children since 1984.

The National Center is also a leader in reducing the number of infant abductions by educating nurses, security staffs and hospitals. A seminar held in Vermont, trained 250 nurses and security personnel, should provide greater

peace of mind to new parents in my home State.

Most recently, they have expanded their role in combating the sexual exploitation of children by going on-line. Last year, they launched their "CyberTipline" which allows Internet users to report suspicious activities linked to the Internet, including child pornography and the potential enticement of children on-line. In the second half of 1998, they received over 4,000 leads from the CyberTipline which resulted in numerous arrests. I applaud the ongoing work of the Center and hope that we will promptly pass this bill so that they can proceed with their important activities with fewer funding concerns.

The National Center established an international division some time ago and has been working to fulfil the Hague Convention on the Civil Aspects of International Child Abduction. Last year the National Center held a conference on international concerns with child abductions and international custody battles between separated parents from different countries.

The other important piece of this legislation is the reauthorization of the Runaway and Homeless Youth Act which distributes funding to local community programs on the front lines assisting the approximately 1.3 million children and youth each year who are homeless or have left or been forced from their families for a variety of reasons. Those who provide services pursuant to these programs and those who are the beneficiaries of those services are far too important to be left hanging. In a Congress in which the budget and appropriations processes have given way to short-lived spending authority, they all deserve the reassurance of reauthorization and a commitment to funding. Only then will our State youth service bureaus and other shelter and service providers be able plan, design and implement the local programs necessary to make the goals of the Act a reality.

In 1974, Congress passed the Runaway and Homeless Youth Act as Title III of the Juvenile Justice and Delinquency Prevention Act. The inclusion of the Runaway and Homeless Youth Act in this legislation recognized that young people who were effectively homeless were in need of shelter, guidance and supervision, rather than punishment, and should be united with their families wherever possible.

Since 1974, the programs that make up the Runaway and Homeless Youth Act have evolved to meet the complex problems faced by our young people, their families and our communities. Over the last decade, as a nation, we have witnessed an increase in teen pregnancy rates, drug and alcohol abuse beginning as early as grade school, child physical and sexual abuse, and a soaring youth suicide rate.

Since 1989, the transitional living program has been part of the Runaway and Homeless Youth Act. This pro-

gram, which was developed by my former colleague Senator Simon, has filled a gap in the needs of older youth to help them make the transition to independent living situations.

The majority of these program in Vermont are run by the Vermont Coalition of Runaway and Homeless Youth. The Vermont Coalition is a community-based network comprised of member programs that provide crisis response, emergency shelter, counseling, and other services to troubled youth throughout Vermont counties.

The programs we are seeking to reauthorize include those directed at young people who have had some kind of alcohol or other drug problem. The isolation in rural areas can lead to serious substance abuse problems. It is difficult to reach young people in rural areas and it is difficult for them to find the services they need. In Vermont, these drug abuse prevention programs provide essential outreach services.

Service providers are being challenged as never before with an increasingly complex set of problems affecting young people and their families. Now is not the time to abandon them. There is consensus among services providers that young people seeking services and their families are increasingly more troubled—as evidenced by reports of family violence, substance abuse and the effects of an array of economic pressures. These services may well be the key to breaking through the isolation of street youth, their mistrust of adults, and their reluctance to get involved with public or private providers.

The programs embodied in S. 249, the Missing, Exploited, and Runaway Children Protection Act, are important and should not once again be held hostage to the controversial debate on juvenile crime.

#### EXHIBIT 1

UNITED STATES SENATE,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, May 26, 1999.

Hon. DONNA SHALALA,  
Secretary of Health and Human Services,  
Washington, DC

DEAR SECRETARY SHALALA: I am pleased that we are close to enactment of S. 249, the Missing, Exploited, and Runaway Children Protection Act of 1999, which will reauthorize programs under the Runaway and Homeless Youth Act (RHYA) and authorize funding for the National Center for Missing and Exploited Children. The Senate passed the Leahy-Hatch substitute to S. 249 on April 19, by unanimous consent. Yesterday, the House passed its version of this legislation.

I am concerned about language inserted into the bill during House consideration upon which the Senate was not consulted. That language provides for a "consolidated review of applications" of RHYA grants. Before agreeing to the new language, I need to be assured that this could in no way be construed as consolidating any of the RHYA programs under a single formula allocation.

As you know, under the RHYA, each year each State is awarded at a minimum \$100,000 for housing and crisis services under the Basic Center grant program. Effective community-based programs around the country can also apply directly for the funding available for the Transitional Living Program

and the Sexual Abuse Prevention/Street Outreach grants.

I hope that you can clarify that the new language inserted by House will do nothing to collapse the distinct programs authorized under the RHYA. These programs are very important and I would like to see the legislation passed without further delay.

I have been working since 1996 to enact this reauthorizing legislation. I worked to have the Senate pass this legislation during the last Congress and again earlier this year. With your assurance that Vermont and other small states will not be disadvantaged by the language inserted by the House in competing for national grant funding, I will seek to expedite enactment.

Sincerely,

PATRICK LEAHY,  
Ranking Member.

DEPARTMENT OF HEALTH &  
HUMAN SERVICES,  
Washington, DC, June 7, 1999.

Hon. PATRICK LEAHY,  
U.S. Senate, Washington, DC

DEAR SENATOR LEAHY: You have asked us to consider the impact of certain language recently inserted into the House version of S. 249, the "Missing, Exploited, and Runaway Children Act of 1999". Specifically, you have asked us to consider whether proposed section 385, Consolidated Review of Applications, will adversely affect the eligibility of small States to receive Runaway and Homeless Youth Act (RHYA) funding above the minimum grant allotment of the RHYA Basic Center Grant program.

I am advised by General Counsel that currently the Secretary has wide statutory discretion to prescribe the procedures which will be used in awarding various grants under the RHYA. The Secretary presently exercises this discretion by choosing to include in a consolidated grant announcement several discrete funding opportunities with distinct application requirements. After studying the pertinent language in S. 249, General Counsel has concluded that the proposed legislation provides for a similar level of discretion with respect to procedures to be used for various grant awards under the RHYA. Therefore, since the proposed legislation does not require the Secretary to change in any way her current procedures for awarding RHYA grants, it will not require the Secretary to commingle the current separate and discrete RHYA funding opportunities so as to adversely affect the eligibility of small States to receive RHYA funding above the minimum grant allotment of the RHYA Basic Center grant program.

I hope this information is helpful to you as you proceed with final consideration of S. 249. The Department deeply appreciates all your efforts to reauthorize the Runaway and Homeless Youth Act.

Sincerely,

RICHARD J. TARPLIN,  
Assistant Secretary for Legislation.

#### AN EFFORT TO RAISE THE CAFE STANDARDS

Mr. ABRAHAM. Mr. President, I rise today to talk about an issue of critical importance to the families in my State. Throughout Michigan, men and women are working hard every day to produce the cars that make our economy and our Nation move. They and their families depend on the jobs produced by our automobile manufacturing industry, just as the rest of us can depend on the cars they produce.

But those jobs in Michigan's economy are jeopardized by efforts to increase the standards for Corporate Average Fuel Economy, or CAFE. I have come to the floor today because I want to make certain that my colleagues are aware of the extremely serious impact of increased CAFE standards, not just on Michigan but on every State in the Union. I also point out that these punitive measures will be ineffective and fly in the face of ongoing efforts on the part of our automakers to increase fuel economy, efforts that promise to produce fruit in the very near future.

The Federal Government currently mandates that auto manufacturers mandate a fuel economy of 27.5 miles per gallon for cars and 20.7 miles per gallon for sports utility vehicles and light trucks.

Since 1995, Congress has wisely refused to allow the Federal bureaucracy to unilaterally increase these standards. We have recognized that it is our duty as legislators to make policy in this important area of economic and environmental concern.

Now, however, I understand that a number of colleagues are calling for an end to this congressional authority. They are calling on the administration to unilaterally increase CAFE requirements for sports utility vehicles and light trucks to 27.5 miles per gallon.

This action is misguided. It will hurt the working families of Michigan. It will undermine American competitiveness. I want to put the Senate on notice that I will use every legislative means at my disposal to see that it does not happen.

CAFE requirements costs jobs with few tangible positive affects. It really is that simple.

Let me explain what I mean.

To meet increased CAFE requirements, SUVs and light trucks would have to be dramatically reengineered. Auto makers would be forced to implement and design radically new engine and autobody changes. Such changes would be enormously challenging, and would be reflected in decreased power and carrying capacity, coupled with an increase in price. The result would be a less desirable automobile. It would spell the doom of the line vehicles which are largely responsible for the resurgence and continued success of American automobile industry.

Of course, this is precisely the goal of CAFE advocates: reduced public demand and consumption of this line of vehicle, but it is an unwise course.

A government engineered campaign to steer the public away from the sport utility market, one which the U.S. producers dominate, will also be of enormous benefit to overseas competitors.

The fact is, the U.S. dominates the light truck market because sky-high gasoline prices in countries such as Japan have forced foreign auto makers to make smaller, lighter cars.

This matters because CAFE requirements are averaged over a producers entire fleet of vehicles. Since the Japa-

nese auto producers produce relatively few light truck models, these producers will have to make no changes in vehicle capacity or production in order to meet U.S. CAFE requirements.

Thus, foreign producers would avoid the cost and challenge of modifying their fleet fuel economy averages. And that means the government, not the market, will have placed an uneven burden on American workers.

Consumers also suffer when their choices are narrowed. And auto makers and their employees suffer when they are forced to make cars the public simply does not want.

In a statement before the Consumer Subcommittee of the Senate Commerce Committee, Dr. Marina Whitman of General Motors notes that in 1982: "we were forced to close two assembly plants which had been fully converted to produce our new, highly fuel-efficient compact and mid-size cars. The cost of these conversions was \$130 million, but the plants were closed because demand for those cars did not develop during a period of sharply declining gasoline prices."

This story could be repeated for every major American automaker, Mr. President. And the effects on our overall economy have been devastating.

During this time of economic prosperity, it is easy for some people to forget the massive dislocation of workers which occurred during the 1970's and 1980's.

But we should keep in mind, not only the thousands of jobs in the auto manufacturing industry that were lost during this period, but also the massive impact this downturn in a key industry had on our economy as a whole.

The story of plant closings were devastating for domestic automakers back in the 1970s and 1980s.

It is unfortunately the case, sometimes when we are in a period of economic prosperity, as we are now, it is easy to forget the massive dislocation of workers which did occur back at that time.

We should keep in mind not only the thousands of jobs in the auto manufacturing industry that were lost during that period, but also the massive impact that downturn in a key industry had on our economy.

The American auto industry accounts for one in seven U.S. jobs. Steel, transportation, electronics, literally dozens of industries employing thousands upon thousands of Americans depend on the health of our auto industry.

If we do again to our auto industry what was done to it during the 1970's and 1980's, we will quickly see our current prosperity turn to an era of significant unemployment, in my judgment.

Mr. President, the last thing our economy and our people need is a repeat of those hard times.

Our automakers simply cannot afford to pay the fines imposed on them if they fail to reach CAFE standards, or

to build cars that Americans will not buy. In either case the real victims are American workers and consumers.

Nor should we forget, Mr. President, that American automakers are investing almost \$1 billion every year in research to develop more fuel efficient vehicles.

Indeed, we do not need to turn to the punitive, disruptive methods of CAFE standards to increase fuel economy for American vehicles. Especially since domestic manufacturers have increased passenger car fuel economy 108 percent and light truck fuel economy almost 60 percent since the mid-1970s.

And more progress will soon be realized. Since 1993, the Partnership for a New Generation of Vehicles has brought together government agencies and the auto industry to conduct joint research—research that is making significant progress and will bridge the gap to real world applications after 2000.

By enhancing research cooperation, PNGV will help our auto industry develop vehicles that are more easily recyclable, have lower emissions, and can achieve up to triple the fuel efficiency of today's midsize family sedans. All this while producing cars that retain performance, utility, safety and economy.

By next year, Mr. President, technologies developed in the PNGV program will be incorporated into concept vehicles. These vehicles will help the auto industry determine their functional benefits, develop production infrastructure and determine commercial viability.

By 2004 we will have production-feasible prototypes that can be brought to mass production within 3-5 years.

Direct-injection engines, new forms of fuel cells, lithium batteries, new polymers, and many other technological developments are now in the works. They are in the works thanks to a strategy that places cooperation over punitive government mandates.

We have made solid progress, Mr. President. Progress toward making vehicles that achieve greater fuel economy without sacrificing the qualities consumers demand.

And we should remember, Mr. President, that we can remain competitive and retain American jobs only if people will actually buy the vehicles our industry produces.

Cooperation will produce the results we need. New punitive mandates will produce an economic downside none of us want to see.

Again, I will use every legislative means at my disposal as a U.S. Senator to stop bills or amendments to increase CAFE standards. I urge my colleagues to reject this misguided attempt to increase the destructive CAFE requirements.

As the son of a man who worked as a UAW member on the line for about 20 years of his life, and the son-in-law of a man who did it for 39 years in the State of Michigan, my family understands, as do thousands of other families in our State, exactly what happens

when people stop buying American-made cars. People in our State and people in other States start to lose their jobs.

We don't want that to happen. We can achieve the twin goals of keeping people at work and producing more fuel-efficient vehicles if we continue the course that has been working. The development, the research, the technology, which the Federal Government has participated in is going to produce the success we want. We can do it without government-imposed mandates of people losing their jobs.

This Senator plans to fight in every way he can to make sure that is the course we follow.

I yield the floor.

#### TRIBUTE TO GENERAL CHARLES C. KRULAK, USMC

Mr. WARNER. Mr. President, I rise today to pay tribute to a truly distinguished officer, gentleman, and patriot: General Charles C. Krulak, Commandant, United States Marine Corps. I do so, with humility and respect, on behalf of the six members of the Senate who served in the Marine Corps. Although today marks the end of his remarkable uniformed career, his legacy will live on throughout the Corps' history as a "guide-on" for future marines.

Today also marks the first time in 70 years that a Krulak will not be privileged to be in the ranks of the United States Marine Corps. General Krulak's father, General V.H. "Brute" Krulak, himself a legendary officer, served with distinction in three wars ultimately achieving the rank of Lieutenant General. All three of General "Brute" Krulak's sons graduated from the United States Naval Academy, but it was his son Charles, or Chuck, that followed very closely in his father's footsteps.

Mr. President, during the past four years, I have had the distinct honor and pleasure of working very closely with General Chuck Krulak. I first met General Krulak during an inspection tour in Vietnam where, as a young Captain, he had been wounded and was being evacuated. We later reminisced about that moment, which bonded us together forever, during his first courtesy call to me as the new Commandant of the Marine Corps. Today at the Change of Command, fittingly held on the historic grounds of the 8th and I Marine Corps Barracks, General Krulak, during his final address, recognized Congress, as did his father, that it was the Congress that created the Marine Corps and then saved the Marine Corps when its very existence was threatened by a former President, so many years ago. He then proclaimed that Congress will always preserve the Corps. He is correct!

I believe General Krulak embodies the very core values that reflect the Marine Corps' deepest convictions: Honor, Courage, and Commitment.

After 35 years of service, he remains passionate about his Marine Corps and his marines. In a farewell address to the Corps, General Krulak articulated his respect and understanding of the selflessness and pride of the many Marines he had known throughout his life. He spoke of the ethos of the corps and Touchstones of Valor and Values. Mr. President, I submit General Krulak's farewell address to the Corps in the record of the proceedings of the Senate as part of my tribute today.

I urge my colleagues to read his address and think about the young men and women Marines who so honorably serve everyday, everywhere around the world to protect this great nation.

General, as a former Marine myself, I salute you for a job exceedingly well done! You are a true patriot and the world is a better place because of your dedication to and belief in . . . Honor, Courage, and Commitment. Semper Fi.

[From Leatherneck Magazine, June 1999]

#### A FAREWELL TO THE CORPS (By Gen. Charles C. Krulak)

From my earliest days, I was always awed by the character of the Marine Corps, by the passion and love that inspired the sacrifices of Marines like my father and his friends. As a young boy, I admired the warriors and thinkers who joined our family for a meal or a visit . . . Marines like "Howlin' Mad" Smith, Lemuel C. Shepherd, Gerald C. Thomas, and Keith B. McCutcheon. I wondered about the source of their pride, their selflessness, and their sense of purpose. Now, at the twilight of my career, I understand those Marines. I know that they were driven by love for the institution to which they had dedicated their lives and by the awesome responsibility they felt to the Marines who shared their devotion and sacrifice. Today, that same motivation burns deep within the heart of each of us. The ethos of our Corps, purchased so dearly by these heroes of old, reaches into our souls and challenges us to strive tirelessly for excellence in all that we do. It profoundly influences the actions of every Marine that has ever stood on the yellow footprints at our Recruit Depots or taken the oath as an Officer of Marines.

The ethos of our Corps is that of the warrior. It is defined by two simple qualities . . . our two touchstones. The first is our Touchstone of Valor. When we are summoned to battle, we don our helmets and flak jackets; we march to the sound of the guns; we fight and we win—Guaranteed. The second is our Touchstone of Values. We hold ourselves and our institution to the highest standards . . . to our core values of Honor, Courage, and Commitment. These two Touchstones are inextricably and forever linked. They form the bedrock of our success and, indeed, of our very existence.

Our Touchstone of Valor is the honor roll of our Corps' history. Bladensburg, Bull Run, Cuzco Well, Belleau Wood, Guadalcanal, Tarawa, Iwo Jima, Inchon, the Chosin Reservoir, Hue City, Kuwait . . . the blood and sacrifice of Marines in these battles, and countless others, have been commemorated in gilded script and etched forever on the black granite base of the Marine Corps War Memorial. The names of these places now serve as constant reminders of our sacred responsibility to our Nation and to those whose sacrifices have earned the Marine Corps a place among the most honored of military organizations. The memory of the Marines who fought in these battles lives in us and in the core values of our precious Corps.

To Marines, Honor, Courage, and Commitment are not simply words or a bumper sticker slogan. They reflect our deepest convictions and dramatically shape everything that we do. They are central to our efforts to "Make Marines," men and women of character who can be entrusted to safeguard our Nation and its ideals in the most demanding of environments. We imbue Marines with our core values from their first moments in our Corps because we know that Marines, not weapons, win battles. We also know that success on the battlefield and the support of the citizens whose interests we represent depend on our ability to make moral and ethical decisions under the extreme stress of combat . . . or in the conduct of our daily lives.

As an institution, we have had to fight hard to maintain our standards. To some, they may seem old-fashioned, out-of-step with society, or perhaps even "extremist," but we know that our high standards are the lifeblood of the Corps, so we have held the line! In this regard, what individual Marines are doing everyday counts far more than anything that is done in Washington. The standards of our Corps are not simply maintained by generals, colonels, and sergeants major, but, far more importantly, by leaders throughout the Corps, at every level. The Marine conviction that Semper Fidelis is a way of life, not just a motto, speaks powerfully to the citizens that we serve. It also unites us with our fellow Marines, past and present—inspiring us to push harder, to reach further, and to reject the very notion of failure or compromise.

Sustained and strengthened by the ethos of our Corps, you have accomplished a great deal during the past four years. I have been humbled to be part of your achievements and witness to your selfless devotion. Time and again, Marines distinguished themselves in contingencies around the world, across the spectrum of conflict. Marines from across the Total Force were the first to fight, the first to help and the first to show America's flag—consistently demonstrating our resolve and readiness to win when called to action. With the involvement of the Fleet Marine Force and input from the entire Corps, the Warfighting Laboratory has looked hard at the 21st Century strategic environment. Marines "stole a march" on change by testing new concepts and emerging technologies, exploring new tools for developing leaders and decision makers, and experimenting in the "Three Block War." Our recruiters, drill instructors, and small-unit leaders have implemented the Transformation Process and are recruiting, training, and developing the "Strategic Corporals" for tomorrow's conflicts. Led by Marines at the Combat Development Command, we have deepened our understanding of Operational Maneuver From The Sea (OMFTS), its enabling concepts and technologies, as well as its many challenges. The men and women serving in the many thankless billets at Headquarters Marine Corps and in the joint arena have developed and articulated our requirements for the future and have secured the resources to translate OMFTS into a reality. Our supporting establishment, at every post and station, has epitomized selflessness and dedication while providing for our readiness requirements. All these things are important—and they are the accomplishments of every Marine. None of them, however, are as significant as maintaining our hands on the twin Touchstones of our Corps.

The words of my father ring as true today as when he first wrote them over fifty years ago. "We exist today—we flourish today—not because of what we know we are, or what we know we can do, but because of what the grassroots of our country believes we are and believes we can do . . . The American people

believe that Marines are downright good for the country; that the Marines are masters of a form of unflinching alchemy which converts unoriented youths into proud, self-reliant stable citizens—citizens into whose hands the nation's affairs may safely be entrusted . . . And, likewise, should the people ever lose that conviction—as a result of our failure to meet their high—almost spiritual—standards, the Marine Corps will quickly disappear.”

May God bless each and every one of you and may God bless our Corps!

#### CONFERENCE OF MAYORS ENDORSE MINIMUM WAGE INCREASE

Mr. KENNEDY. Mr. President, the United States Conference of Mayors recently gave its ringing endorsement to an increase in the minimum wage. On June 15, at their annual conference in New Orleans, the mayors unanimously adopted a resolution calling for such an increase.

The resolution was sponsored by Mayor Thomas M. Menino of Boston, who is renowned for his leadership on behalf of working families in our city, and I commend Mayor Menino for this important and constructive initiation.

Thanks to the leadership of Mayor Menino, the Conference of Mayors has highlighted the needs and concerns of America's workers. The adoption of the Mayors' resolution makes it all the more important for Congress to act, and to act this year.

Mayors are on the front lines at the local level. They know the day-to-day realities of the lives of working Americans. They have seen firsthand how the decrease in value of the minimum wage leaves workers unable to support their families. By next year, the real value of the minimum wage will have dropped by \$2.50 an hour from its peak 30 years ago. For a generation, we have allowed the value of the minimum wage to decline unfairly at the expense of millions of hard working American men and women and their families.

The unfortunate reality is that in 1999, large numbers of Americans work 40 hours a week, 52 weeks a year, yet still can't support their families. Their wages don't enable them to put food on the table or a reasonable roof over their heads. A minimum wage worker earns \$10,712 a year—\$3,100 below the poverty line for a family of three.

Every day, working families across the country are forced to turn to emergency food assistance to supplement their diets, and then to emergency shelters for a place to sleep. A 1998 U.S. Conference of Mayors survey found that 61% of people requesting emergency food assistance were families—parents and their children. The majority of cities also reported an increase in requests for emergency shelter by homeless parents with children. As the Mayors' survey emphasized, these are working Americans, yet they are not earning enough to make ends meet.

The majority of minimum wage workers are adults struggling to

achieve a decent standard of living. Instead of enabling workers to reach this goal that all families deserve, today's minimum wage tramples on that dream for a better life.

Now is the time to raise the minimum wage. The country's economy is soaring to new heights and setting new records for growth and prosperity. The economy is the best in decades, and yet millions of America's hardest workers are not sharing in this prosperity. The Dow Jones Average is touching 11,000. The highest compensated CEO in 1998 was paid \$117 million. But minimum wage workers still can't lift their families out of poverty.

Minimum wage workers deserve better. They serve our food, take care of our children, clean our office buildings, and perform countless other basic jobs. When hard working Americans put in a full day's work year round, they deserve a fair share of the nation's prosperity.

Over 11 million workers would benefit from an increase in the minimum wage. They should not have to rely on food aid or shelters.

Mayor Menino and mayors across America want action, Congress should heed their call to action and raise the minimum wage.

I ask unanimous consent that the text of Mayor Menino's resolution, adopted unanimously by the Conference of Mayors, be printed in the RECORD.

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

#### RESOLUTION NO. 14

(Submitted by the Honorable Thomas M. Menino, Mayor of Boston)

#### FEDERAL MINIMUM HOURLY WAGE RATE ADJUSTMENT

Whereas, the current federal minimum hourly wage rate is inadequate to raise families out of poverty; and

Whereas, the real value of the minimum wage continues to fall short since its highest level in 1968; and

Whereas, the purchasing power of the minimum wage continues to fall short and fails to allow families to make ends meet; and

Whereas, millions of workers paid by the hour earn at or below minimum wage and the majority of minimum wage workers are adults; and

Whereas, the poverty line for a family of four leaves many minimum wage earners unable to survive and they are the sole breadwinners for their households; and

Whereas, the majority of the average share of household income is earned by a minimum wage worker; and

Whereas, the income disparities between the races have been widening, not narrowing; and

Whereas, the minimum wage is one factor in these wide income disparities, as minorities work disproportionately in minimum wage jobs; and

Whereas, these minimum wage jobs often lack medical, sick or vacation leave, other benefits and job security; and

Whereas, these minimum wage jobs are a major factor in the decision of millions of workers who would likely drop out of the labor force because they see no future in such employment, but there are no other alternatives to raise a family; and

Whereas, many citizens who cannot survive on minimum wage seek alternatives outside the traditional job market that may, at time, be destructive to them, their families, and the total society; and

Whereas, studies have shown that raising the minimum wage does not result in job losses.

Now, therefore, be it *Resolved*, That the federal minimum hourly wage rate should be increased to encourage significantly greater labor force participation and enable minimum wage job holders to support themselves and their families at income levels above the nationally defined poverty level.

Projected Cost: Unknown.

#### SENATE INACTION ON THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. DORGAN. Mr. President, it is the responsibility of the Senate Foreign Relations Committee to consider treaties submitted by the President as soon as possible after their submission. Normally, most treaties are considered within a year of being submitted. The President of the United States transmitted the Comprehensive Nuclear Test Ban Treaty to the Senate on September 23, 1997.

The Senate Foreign Relations Committee has not held a single hearing on this important Treaty in the 646 days since the President sent the CTBT to the Senate for its consideration. In comparison, the START I Treaty was ratified in 11 months, the SALT I Treaty in 3 months, the Conventional Armed Forces in Europe Treaty in 4 months, and the Limited Nuclear Test Ban Treaty in 3 weeks.

As of today, 152 countries have signed the CTBT, including Russia and China, and 37 countries have ratified the Treaty. The world is waiting for the United States to lead on this issue. I hope my colleagues will urge for this Treaty's rapid consideration.

#### CHILD SURVIVAL AND DISEASE PROGRAMS FUND

Mr. DEWINE. Mr. President, I would like to express my strong support for the Child Survival and Disease Program Fund. Last year Congress, allocated \$650 million plus \$50 million in supplemental emergency funds to the Child Survival and Disease Program Fund for Fiscal Year 1999. As in the past, House Subcommittee Chairman Callahan has taken the lead in protecting these child survival programs and I commend him for his leadership on this issue. For FY 2000 the Clinton Administration, however, has budgeted \$40 million below the \$700 million allocated last year. In order to preserve the benefits of these important programs for children worldwide, as we have done in the past, we should accept in conference the House language that Chairman Callahan proposes.

It is a tragedy that millions of children die each year from disease, malnutrition, and other consequences of poverty that are both preventable and



treatable. The programs of the Child Survival Fund, which are intended to reduce infant mortality and improve the health and nutrition of children, address the various problems of young people struggling to survive in developing countries. It places a priority on the needs of the more than 100 million children worldwide who are displaced and/or have become orphans.

The Child Survival and Disease Programs Fund includes initiatives to curb the resurgence of communicable diseases such as malaria and tuberculosis. According to the World Health Organization, in 1999 alone, more children will die of tuberculosis than in any other year in history. In the underdeveloped world, the Child Survival and Disease Programs Fund works towards eradicating polio as well as preventing and controlling the spread of HIV/AIDS.

Aside from addressing issues of health, the Child Survival and Disease Programs Fund also supports basic education programs. An investment in education yields one of the highest social and economic rates of return—because it gives children the necessary tools to become self-sufficient adults. According to the World Bank, each additional year of primary and secondary schooling results in a 10–20% wage increase. Unfortunately, there are still 130 million primary aged children who are not attending any school, 2/3 of those children are girls.

The programs supported by the Child Survival and Disease Programs Fund are effective because they save three million lives each year through immunizations, vitamin supplementation, oral rehydration therapy, and the treatment of childhood respiratory infections, which are the second largest killer of children on earth. If every child received vaccinations, an additional two million children each year would be saved from these terminal diseases. Eliminating the symptoms and causes of this poverty is not only the humane thing to do—it is also a necessary prerequisite for global stability and prosperity.

In my view, Congress needs to maintain its support for these valuable programs. It is my hope that the Senate Foreign Operations Subcommittee will accept the proposed House language. The Child Survival and Disease Programs are effective and are important. They should be continued.

I see the Chairman of the Senate Foreign Operations Subcommittee on the floor and urge his continued support for that program.

Mr. McCONNELL. I thank the Senator from Ohio for his statement. I have listened very carefully to his remarks, and I commend him for his tireless efforts in supporting children's causes, here in the United States and throughout the world. I would like to assure him that I will give every possible consideration to his request when we go to conference.

Mr. DEWINE. I thank my distinguished friend from Kentucky, and I yield the floor.

## THE MILITARY AND EXTRATERRITORIAL JURISDICTION ACT OF 1999

Mr. LEAHY. Mr. President, I support S. 768, which was significantly improved during the Judiciary Committee mark up with a substitute amendment that I cosponsored with Senators SESSIONS and DEWINE. This important legislation will close a gap in Federal law that has existed for many years. S. 768 establishes authority for Federal jurisdiction over crimes committed by individuals accompanying our military overseas and court-martial jurisdiction over Department of Defense employees and contractors accompanying the Armed Forces on contingency missions outside the United States during times of war or national emergency declared by the President or the Congress.

Civilians accompanying the Armed Forces have been subject to court-martial jurisdiction when "accompanying or serving with the Armies of the United States in the field" since the Revolutionary War. See *McCune v. Kilpatrick*, 53 F. Supp. 80, 84 (E.D. Va. 1943). It is only since the start of the Cold War that American troops, accompanied by civilian dependents and employees, have been stationed overseas in peace time. Provisions of the Uniform Code of Military Justice provide for the court-martial of civilians accused of crimes while accompanying the armed forces in times of peace or war. The provisions allowing for peace time court-martial of civilians were found unconstitutional by a series of Supreme Court cases beginning with *Reid v. Covert*, 354 U.S. 1 (1957). With foreign nations often not interested in prosecuting crimes against Americans, particularly when committed by an American, the result is a jurisdictional "gap" that allows some civilians to literally get away with murder.

A report by the Overseas Jurisdiction Advisory Committee submitted to Congress in 1997, cited cases in which host countries declined to prosecute serious crimes committed by civilians accompanying our Armed Forces. These cases involved the sexual molestation of dependent girls, the stabbing of a serviceman and drug trafficking to soldiers. The individuals who committed these crimes against service men and women or their dependents were not prosecuted in the host country and were free to return to the United States and continue their lives as if the incidents had never occurred. The victims of these awful crimes are left with no redress for the suffering they endured.

This inability to exercise Federal jurisdiction over individuals accompanying our armed forces overseas has caused problems. During the Vietnam War, Federal jurisdiction over civilians was not permissible since war was never declared by the Congress. Major General George S. Prugh said, in his text on legal issues arising during the Vietnam War, that the inability to discipline civilians "became a cause for major concern to the U.S. command."

More recently, Operation Desert Storm involved the deployment of 4,500 Department of Defense civilians and at least 3,000 contractor employees. Similarly large deployments of civilians have been repeated in contingency operations in Somalia, Haiti, Kuwait and Rwanda. Although crime by civilians accompanying our armed forces in Operation Desert Storm was rare, the Department of Defense did report that four of its civilian employees were involved in significant criminal misconduct ranging from transportation of illegal firearms to larceny and receiving stolen property. One of these civilians was suspended without pay for 30 days while no action was taken on the remaining three.

Due to the lack of Federal jurisdiction over civilians in a foreign country, administrative remedies such as dismissal from the job, banishment from the base, suspension without pay, or returning the person to the United States are often the only remedies available to military authorities to deal with civilian offenders. The inadequacy of these remedies to address the criminal activity of civilians accompanying our Armed Forces overseas results in a lack of deterrence and an inequity due to the harsher sanctions imposed upon military personnel who committed the same crimes as civilians.

I expect the deployment of civilians in Kosovo and elsewhere will be relatively crime free, but regardless of the frequency of its use, the gap that allows individuals accompanying our military personnel overseas to go unpunished for heinous crimes must be closed. Our service men and women and those accompanying them deserve justice when they are victims of crime. That is why I introduced this provision as part of the Safe Schools, Safe Streets and Secure Borders Act with other Democratic Members, both last year as S. 2484 and again on January 19 of this year, as S. 9.

I had some concerns with certain aspects of S. 768 that were not included in my version of this legislation, and I am pleased that we were able to address those concerns in the Sessions-Leahy-DeWine substitute. For example, the original bill would have extended court-martial jurisdiction over DOD employees and contractors accompanying our Armed Forces overseas. The Supreme Court in *Reid v. Covert*, 354 U.S. 1 (1957), *Kinsella v. Singleton*, 361 U.S. 234 (1960) and *Toth v. Quarles*, 350 U.S. 11 (1955), has made clear that court-martial jurisdiction may not be constitutionally applied to crimes committed in peacetime by persons accompanying the armed forces overseas, or to crimes committed by a former member of the armed services.

The substitute makes clear that this extension of court-martial jurisdiction applies only in times when the armed forces are engaged in a "contingency operation" involving a war or national emergency declared by the Congress or

the President. I believe this comports with the Supreme Court rulings on this issue and cures any constitutional infirmity with the original language.

In addition, the original bill would have deemed any delay in bringing a person before a magistrate due to transporting the person back to the U.S. from overseas as "justifiable." I was concerned that this provision could end up excusing lengthy and unreasonable delays in getting a civilian, who was arrested overseas, before a U.S. Magistrate, and thereby raise yet other constitutional concerns.

The Sessions-Leahy-DeWine substitute cures that potential problem by removing the problematic provision and relying instead on Rule 5 of the Federal Rules of Criminal Procedure. This rule requires that an arrested person be brought before a magistrate to answer charges without unnecessary delays, and will apply to the removal of a civilian from overseas to answer charges in the United States.

Finally, S. 768 as introduced authorized the Department of Defense to determine which foreign officials constitute the appropriate authorities to whom an arrested civilian should be delivered. In my proposal for this legislation I required that DOD make this determination in consultation with the Department of State. I felt this would help avoid international faux pax. I am pleased that the Sessions-Leahy substitute adopted my approach to this issue and requires consultation with the Department of State.

I am glad the legislation which I and other Democratic members of the Judiciary Committee originally introduced both last year and again on January 19 of this year, is finally being considered, and I urge its prompt passage.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, June 29, 1999, the federal debt stood at \$5,602,716,451,360.35 (Five trillion, six hundred two billion, seven hundred sixteen million, four hundred fifty-one thousand, three hundred sixty dollars and thirty-five cents).

One year ago, June 29, 1998, the federal debt stood at \$5,502,438,000,000 (Five trillion, five hundred two billion, four hundred thirty-eight million).

Five years ago, June 29, 1994, the federal debt stood at \$4,604,970,000,000 (Four trillion, six hundred four billion, nine hundred seventy million) which reflects a debt increase of almost \$1 trillion—\$997,746,451,360.35 (Nine hundred ninety-seven billion, seven hundred forty-six million, four hundred fifty-one thousand, three hundred sixty dollars and thirty-five cents) during the past 5 years.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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.)

#### PROCLAMATION TO MODIFY DUTY-FREE TREATMENT UNDER THE GENERALIZED SYSTEM OF PREFERENCES RELATIVE TO GABON, MONGOLIA, AND MAURITANIA; TO THE COMMITTEE ON FINANCE—MESSAGE FROM THE PRESIDENT—PM 45

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance.

*To the Congress of the United States:*

The Generalized System of Preferences (GSP) offers duty-free treatment to specified products that are imported from designated beneficiary developing countries. The GSP is authorized by title V of the Trade Act of 1974, as amended.

I have determined, based on a consideration of the eligibility criteria in title V, that Gabon and Mongolia should be added to the list of beneficiary developing countries under the GSP.

I have also determined that the suspension of preferential treatment for Mauritania as a beneficiary developing country under the GSP, as reported in my letters to the Speaker of the House and President of the Senate of June 25, 1993, should be ended. I had determined to suspend Mauritania from the GSP because Mauritania had not taken or was not taking steps to afford internationally recognized worker rights. I have determined that circumstances in Mauritania have changed and that, based on a consideration of the eligibility criteria in title V, preferential treatment under the GSP for Mauritania as a least-developed beneficiary developing country should be restored.

This message is submitted in accordance with the requirements of title V of the Trade Act of 1974.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 30, 1999.

#### MESSAGE FROM THE HOUSE

At 4:36 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1327. An act to designate the United States Postal Service building located at 34480 Highway 101 South in Cloverdale, Oregon, as the "Maurine B. Neuberger United States Post Office".

H.R. 1568. An act to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes.

H.R. 1802. An act to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes.

H.R. 2014. An act to prohibit a State from imposing a discriminatory commuter tax on nonresidents.

H.R. 2280. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid for service-connected disabilities, to enhance the compensation, memorial affairs, and housing programs of the Department of Veterans Affairs, to improve retirement authorities applicable to judges of the United States Court of Appeals for Veterans Claims, and for other purposes.

H.J. Res. 34. Joint resolution congratulating and commending the Veterans of Foreign Wars.

#### MEASURES REFERRED

The following bills and joint resolution were read the first and second times by unanimous consent and referred:

H.R. 1327. An act to designate the United States Postal Service building located at 34480 Highway 101 South in Cloverdale, Oregon, as the "Maurine B. Neuberger United States Post Office"; to the Committee on Governmental Affairs.

H.R. 1568. An act to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes; to the Committee on Small Business.

H.R. 1802. An act to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes; to the Committee on Finance.

H.R. 2014. A act to prohibit a State from imposing a discriminatory commuter tax on nonresidents; to the Committee on Finance.

H.R. 2280. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid for service-connected disabilities, to enhance the compensation, memorial affairs, and housing programs of the Department of Veterans Affairs, to improve retirement authorities applicable to judges of the United States Court of Appeals for Veterans Claims, and for other purposes; to the Committee on Veterans' Affairs.

#### MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the first and second times by unanimous consent and placed on the calendar:

H.J. Res. 34. Joint resolution congratulating and commending the Veterans of Foreign Wars.

#### 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-4000. A communication from the Acting General Counsel, Department of Defense, transmitting, a draft of proposed legislation entitled "Commercial Personnel Transfer Program for Science and Engineering"; to the Committee on Armed Services.

EC-4001. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation entitled "Developmental Disabilities Assistance Amendments of 1999"; to the Committee on Health, Education, Labor, and Pensions.

EC-4002. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13-94, "Comprehensive Plan Technical Corrections and Response to NPC Recommendations and Closing of a Public Alley in Square 1189, S.O. 98-150, Act of 1999"; to the Committee on Governmental Affairs.

EC-4003. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation amending the Woodrow Wilson Memorial Bridge Authority Act of 1995; to the Committee on Finance.

EC-4004. A communication from the Assistant Secretary, Policy, Management and Budget and Chief Financial Officer, Department of the Interior, transmitting, pursuant to law, the annual Accountability Report for fiscal year 1998; to the Committee on Governmental Affairs.

EC-4005. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services in the amount of \$50,000,000 or more for the United Kingdom; to the Committee on Foreign Relations.

EC-4006. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed manufacturing license agreement with Canada; to the Committee on Foreign Relations.

EC-4007. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services in the amount of \$50,000,000 or more for the United Kingdom; to the Committee on Foreign Relations.

EC-4008. A communication from the Secretary of Education, transmitting, pursuant to law, a report relative to the resignation of the Commissioner of the National Center for Education Statistics and the designation of an Acting Commissioner; to the Committee on Health, Education, Labor, and Pensions.

EC-4009. A communication from the Director, Federal Emergency Management Agency, transmitting, pursuant to law, the report of the Office of Inspector General for the period October 1, 1998, through March 31, 1999; to the Committee on Governmental Affairs.

EC-4010. A communication from the Assistant Secretary of Defense, transmitting, pursuant to law, a report entitled "TRICARE Head Injury Policy and Provider Network Adequacy"; to the Committee on Armed Services.

EC-4011. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports for May 1999; to the Committee on Governmental Affairs.

EC-4012. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-4013. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyfluthrin: (cyano(4-fluoro-3-phenoxyphenyl)-methyl-3-(2,2-dichloroethenyl)-2,2-dimethyl-3-cyclopropanecarboxylate); Pesticide Tolerance" (FRL # 6088-9), received June 29, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4014. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Difenoconazole; Pesticide Tolerance; Technical Amendment" (FRL # 6089-3), received June 29, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4015. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Louisiana: Reasonable-Further-Progress Plan for the 1996-1999 period, Attainment Demonstration, Contingency Plan, Motor Vehicle Emission Budgets, and 1990 Emission Inventory for the Baton Rouge Ozone Nonattainment Area; Louisiana Point Source Banking Regulations" (FRL # 6370-8), received June 29, 1999; to the Committee on Environment and Public Works.

EC-4016. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Utah: Forward and Definitions, Revision to Definition for Sole Source of Heat and Emissions Standards, Nonsubstantive Changes; General Requirements, Open Burning and Nonsubstantive Changes; and Foreword and Definitions, Addition of Definition for PM10 Nonattainment Area" (FRL # 6368-8), received June 29, 1999; to the Committee on Environment and Public Works.

EC-4017. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Phoenix; Arizona Ozone Nonattainment Area, Revision to the 15 Percent Rate of Progress Plan" (FRL # 6368-8), received June 29, 1999; to the Committee on Environment and Public Works.

EC-4018. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Modification of the Hazardous Waste Program; Hazardous Waste Lamps" (FRL # 6368-8), received June 29, 1999; to the Committee on Environment and Public Works.

EC-4019. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Stay of Action on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport" (FRL # 6364-4), received June 29, 1999; to the Committee on Environment and Public Works.

EC-4020. A communication from the Director, Office of Regulatory Management and

Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sustainable Development Challenge Grant Program" (FRL # 6370-4), received June 29, 1999; to the Committee on Environment and Public Works.

EC-4021. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 99-33), received June 28, 1999; to the Committee on Finance.

EC-4022. A communication from the Acting Director, Professional Responsibility Advisory Office, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Ethical Standards for Attorneys for the Government" (AG Order No. 2216-99), received June 25, 1999; to the Committee on the Judiciary.

EC-4023. A communication from the Deputy Executive Secretary to the Department, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Hospital Conditions of Participation: Patients' Rights—Medicare and Medicaid Programs (HFCA 3018-IFC)" (RIN0938-AJ56), received June 29, 1999; to the Committee on Finance.

EC-4024. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Dates of an Emergency Interim Rule (Implements requirements of the American Fisheries Act related to the 1999 Western Alaska Community Development Quota Program)" (RIN0648-AM77), received June 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4025. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 777 Series Airplanes, Request for Comments; Docket No. 99-NM-116 (6-23/6-28)" (RIN2120-AA64)(1999-0254), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4026. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bell Helicopter Textron Canada (BHTC); Docket No. 98-SW-62 (6-28/6-28)" (RIN2120-AA64)(1999-0255), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4027. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: MT Propeller Entwicklung GMBH Model MTV-3-B-C Propellers; Docket NO. 7-ABE-36 (6-28/6-28)" (RIN2120-AA64)(1999-0256), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4028. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pilatus Aircraft Ltd. Models PC- and PC-12/45 Airplanes; Docket NO. 7-ABE-36 (6-28/6-28)" (RIN2120-AA64)(1999-0256), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4029. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: LET Aeronaughtical Works Model L33 SOLO Sailplanes; Docket NO. 98-CE-120 (6-28/6-28)" (RIN2120-AA64)(1999-0258), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4030. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: The New Piper Aircraft, Inc., PA-23, PA-30, PA-31, PA-34, PA-39, PA-40, and PA-42 Series Aircraft; Docket No. 98-CE-77 (6-28/6-28)" (RIN2120-AA64)(1999-0259), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4031. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747300 and -400 Series Airplanes; Request for Comments; Docket No. 99-NM-45 (6-29/6-28)" (RIN2120-AA64)(1999-0260), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4032. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Sikorsky Aircraft model S-76A Helicopters; Request for Comments; Docket No. 99-SW-26 (6-24/6-28)" (RIN2120-AA64)(1999-0261), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4033. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Robinson Helicopter Company Model 44 Helicopters; Docket No. 98-SW-71 (6-24/6-28)" (RIN2120-AA64)(1999-0262), received June 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4034. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid and Butterfish Fisheries; 1999 Specifications; Inseason Adjustments of Illex Squid annual specifications", received June 25, 1999; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 376. A bill to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications, and for other purposes (Rept. No. 106-100).

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment:

H.R. 1175. A bill to locate and secure the return of Zachary Baumel, an American citi-

zen, and other Israeli soldiers missing in action.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

H. Con. Res. 35. A concurrent resolution congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a central municipal council on March 8, 1999.

By Mr. HELMS, from the Committee on Foreign Relations, with amendments and an amended preamble:

S. Res. 109. A resolution relating to the activities of the National Islamic Front government in Sudan.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 119. A resolution expressing the sense of the Senate with respect to United Nations General Assembly Resolution ES-10/6.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. Res. 129. An original resolution authorizing expenditures for years October 1, 1999 to September 30, 2000 and October 1, 2000 to February 28, 2001, by the Committee on Energy and Natural Resources.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Con. Res. 36. A concurrent resolution condemning Palestinian efforts to revive the original Palestine partition plan of November 29, 1947, and condemning the United Nations Commission on Human Rights for its April 27, 1999, resolution endorsing Palestinian self-determination on the basis of the original Palestine partition plan.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive report of a committee was submitted on June 29, 1999:

By Mr. CHAFEE, for the Committee on Environment and Public Works:

Timothy Fields, Jr., of Virginia, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

The following executive reports of a committee were submitted on June 30, 1999:

By Mr. HELMS, from the Committee on Foreign Relations:

Melvin E. Clark, Jr., of the District of Columbia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 1999.

Lawrence Harrington, of Tennessee, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

Donald Lee Pressley, of Virginia, to be an Assistant Administrator of the Agency for International Development.

Richard Holbrooke, of New York, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

Richard Holbrooke, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

## FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Richard C.A. Holbrooke.

Post: US Ambassador to the United Nations.

Nominated: February 10, 1999.

Contributions:

(1) Self: (see attached sheet).

(2) Spouse: Kati Marton—None.

(3) Children: Anthony Holbrooke—None; David Holbrooke—None.

(4) Parents: Trudi Kearn—None; Dan Holbrooke (deceased)—None.

(5) Grandparents (deceased)—None.

(6) Brothers and Spouses: Andrew Holbrooke—None; Vivian Holbrooke—None.

(7) Sisters and Spouses: N/A.

Richard Holbrooke Political Contributions:

June 20, 1996: \$2,000.—Swett for Senate.

August 27, 1996: \$1,000.—Torricelli for Senate.

September 18, 1996: \$1,000.—Victory '96 (NYSDC).

September 1996: \$10,000.—Victory '96 (Dem. Natl Comm.).

October 30, 1996: \$1,000.—Friends of Schumer.

April 10, 1997: \$1,000.—A Lot of Support for Tom Daschle.

October 10, 1997: \$1,000.—Mikulski for Senate.

November 7, 1997: \$1,000.—The Kerry Committee.

November 10, 1997: \$1,000.—Friends of Barbara Boxer.

December 2, 1997: \$2,000.—Schumer '98.

December 12, 1997: \$1,000.—Chris Dodd for Senate.

January 8, 1998: \$1,000.—Tom Lantos for Congress.

April 6, 1998: \$1,000.—Kennedy for Senate.

April 21, 1998: \$1,000.—The Moynihan Committee.

April 23, 1998: \$500.—Mondale for Governor.

June 1998: \$500.—Mondale for Governor.

John David Holum, of Maryland, to be Under Secretary for Arms Control and International Security, Department of State, (New Position)

David B. Sandalow, of the District of Columbia, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.

Donald W. Keyser, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for Rank of Ambassador during tenure of service as Special Representative of the Secretary of State for Nagorno-Karabakh and New Independence States Regional Conflicts.

Larry C. Napper, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for Rank of Ambassador during tenure of service as Coordinator of the Support for East European Democracy (SEED) Program.

Frank Almaguer, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Honduras.

## FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Frank Almaguer.

Post: Ambassador to Honduras.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions:

1. Self Frank Almaguer: See attachment.

2. Spouse Antoinette Almaguer: None.

3. Children Names: Francisco Daniel Almaguer—None; Nina Suzanne Almaguer—None.

4. Parents, Names: Francisco Almaguer—Deceased; Eusebia Vera—None.

5. Grandparents: All deceased since the 50's or earlier.

6. Brothers and Spouses: None.

7. Sisters and Spouses, Names: Beatriz Manduley—See attachment; Octavio Manduley—See attachment; Miriam Leiva—See attachment; Fernando Leiva—See attachment.

#### FEDERAL CAMPAIGN CONTRIBUTION REPORT ATTACHMENT

Nominee: Frank Almaguer.

Contributions amount, date, donee:

\$30.00, 11/25/94, DNC.

35.00, 02/11/95, DNC.

30.00, 07/22/95, Clinton-Gore '96.

30.00, 12/16/95, DNC.

35.00, 01/28/96, DSCC.

10.00, 09/01/96, DNC.

35.00, 02/25/97, DSCC.

30.00, 02/28/97, DNC.

30.00, 10/17/97, DNC.

30.00, 12/07/97, DNC.

0.00, 1998, None.

\$295.00 in Federal campaign contributions since 1/1/94.

Plus state/local: \$50.00, 11/04/95, VA Demo. Victory Fund.

Sisters and spouses:

Beatriz & Octavio Manduley: Mr. & Mrs. Manduley have informed me that the Federal Electoral Commission has no record of their contributions and that they have not kept their own records. However, they estimate that they have jointly contributed between \$25 and \$50 to each of the re-election campaigns (94,96,98) of Congressman Howard Coble (R, NC) and, in 1996, of Senator Jesse Helms (R, NC).

Miriam & Fernando Leiva: I have requested Mr. and Mrs. Leiva to provide me with the required information. They have not been available to give me a formal response. However in a conversation last Oct. 30, they told me that they made only token contributions to political campaigns, and only on rare occasions.

John R. Hamilton, 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 Peru.

#### FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: John R. Hamilton.

Post: Peru.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: None.

4. Parents Names: Susan G. Hamilton (mother)—None; John P. Hamilton (father, deceased) (1992).

5. Grandparents Names: Milbrey Gordon—grandmother, deceased (1972); James Gordon—grandfather, deceased (1930); Joshua P. Hamilton—grandfather, deceased (1967); Margaret LeSuer—grandmother, deceased (1950).

6. Brother and Spouses: Joshua P. Hamilton, brother—None; Judy Jones Hamilton, spouse—None; James G. Hamilton, brother—None; Brenda Hamilton, spouse—None; Joseph L. Hamilton, brother—None; Katherin Hamilton, spouse—None.

7. Sister and Spouse: Mary Louisa Blair, sister—None; Thom W. Blair, Jr., spouse—None.

Gwen C. Clare, of South Carolina, a Career Member of the Senior Foreign Service, Class

of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

#### FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Gwen Cavanagh Clare.

Post: Sao Paulo, Brazil.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions:

1. Self: None.

2. Spouse, Daniel H. Clare, III: None.

3. Children and Spouses Names: Daniel H. Clare, IV—None; Monica C. Clare—None.

4. Parents Names: Dorothy H. Southworth; Gilbert L. Southworth (stepfather); Walter J. Cavanagh (deceased). On and off over the years, my parents have made small contributions to the Republican Party—unsure of amount.

5. Grandparents Names: deceased.

6. Brother and Spouses Names: Gilbert L. Southworth, Jr.—None.

7. Sisters and Spouses: Barbara S. Southworth—None.

Oliver P. Garza, of Texas, 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 Nicaragua.

#### FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Oliver P. Garza.

Post: Nicaragua.

The following list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions:

1. Oliver P. Garza: None.

2. Spouse: Yolanda D. Garza: None.

3. Children and spouses: Desiree Denise Garza Bell and spouse, David Bell—none; Melissa Jo Garza—none; Christopher Marc Garza and spouse, Virginia Garza—none; J. Gregory Garza and spouse, Margaret Garza—none.

4. Father: Mike M. Garza—Deceased; Mother: Ruth P. Garza, none.

5. Grandfather: Geronimo Pastrano, none; Grandmother: Nickolasa Pastrano, none.

6. Brother: Margarito P. Garza and spouse, Emma Jean Garza—none; Brother: Rudy P. Garza and spouse, Yolanda Garza—none.

7. Sisters: N/A.

Joyce E. Leader, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

#### FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Joyce E. Leader.

Post: Republic of Guinea.

The following list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions—amount, date, donee:

1. Self: None.

2. Spouse: None.

3. Children and spouses: None.

4. Parents: Barbara B. Worrel—deceased; Leland E. Leader—deceased; William J.

Worrel (stepfather)—\$100, 1987, Republican Party.

5. Grandparents: Helen and Edgar Biecher—deceased; Viola and Burleigh Leader—deceased.

6. Brothers and spouses: Stephen W. (step-brother) and Pat Worrel—none.

7. Sisters and spouses: Susan J. Worrel (stepsister), divorced—none; Janice K. and Terrence Ahern—\$25/\$25, 1996/1997 Nat's Republican Committee; \$150/\$75, 1996/1997 Local Republican Committee.

David B. Dunn, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zambia.

Nominee: David B. Dunn.

Post: Lusaka.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions—Amount, date, donee:

1. Self: None.

2. Spouse: Maria-Elena Dunn, none.

3. Children: Thomas and Brian Dunn, none.

4. Parents: Elmer Dunn—\$30, 10/12/94, Rep. Ntl. Comm.; \$55, 12/12/95, Rep. Ntl. Comm.; \$50, 1/10/97, Rep. Ntl. Comm.; \$50, 12/17/97, Rep. Ntl. Comm.; \$25, 6/11/96, Calif. Rep. Party; \$25, 1/10/97, Calif. Rep. Party; \$25, 2/11/98, Calif. Rep. Party.

5. Grandparents: Morris and Frances Dunn, deceased; Thomas and Susan Hill, deceased.

6. Brothers and spouses: Stephen and Jeannette Dunn, none.

7. Sisters and spouses, NA.

M. Michael Einik, 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 Former Yugoslav Republic of Macedonia.

#### FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: M. Michael Einik.

Post: Skopje, FYROM.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions—Amount, date, donee:

1. Self: none.

2. Spouse: none.

3. Children and spouses: Nurit, Daniella and Eyal Einik, none.

4. Parents: Minna Einik, none; Isaac Einik, deceased.

5. Grandparents: All deceased in WWII.

6. Brothers and spouses: N/A.

7. Sisters and spouses: Eileen Marcus—\$100.00, last five years, does not recall; Zvi Marcus, none.

Mark Wylea Erwin, of North Carolina, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Islamic Republic of the Comoros and as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Seychelles.

#### FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Mark Wylea Erwin.

Post: Ambassador to the Republic of Mauritius, the Republic of Seychelles, and to the Federal Islamic Republic of the Comoros.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

**Contributions:**

1. Self: see attached.
2. Spouse: Joan Erwin, see attached.
3. Children: Jennifer, and Melissa, None.
4. Parents: Mark L. Erwin and Joan Berube, deceased.
5. Grandparents: C.H. and Zuba Freeman, deceased.
6. Brothers: Mallory Edgar, deceased.
7. Sisters and spouses: Pam Morrell & B.L., see attached.

*Political Contributions, Mark W. Erwin*

1994:  
Sue Myrick for Congress, \$200.00, 02/09/94.  
Belk Campaign, \$250.00, 02/22/94.  
Sue Myrick Campaign (Joan), \$800.00, 05/10/94.  
David Price for Congress, \$100.00, 05/26/94.  
David Price Campaign, \$150.00, 06/09/94.  
Bill Hefner for Congress, \$250.00, 06/27/94.  
Burroughs for Judge, \$500.00, 06/28/94.  
Lancaster for Congress, \$250.00, 07/21/94.  
Charlie Rose for Congress, \$250.00, 08/03/94.  
John Spratt for Congress Committee, \$200.00, 08/10/94.  
Martin Nesbitt Campaign, \$100.00, 08/16/94.  
Judge S. Thompson Campaign, \$100.00, 08/25/94.  
Maggie Lauterer Campaign, \$100.00, 09/20/94.  
John Spratt for Congress, \$500.00, 10/21/94.  
Richard Moore for Congress, \$250.00, 10/25/94.  
1995:  
Clinton Campaign, \$1,000.00, 04/27/95.  
Charlie Sanders for Senate, \$250.00, 05/04/95.  
Clinton-Gore '96 (Joan Erwin), \$1,000.00, 06/00/95.  
Sue Myrick for Congress, \$250.00, 08/04/95.  
Close for U.S. Senate, \$500.00, 11/20/95.  
Charlie Sanders for Senate, \$750.00, 12/06/95.  
1996:  
Bob Etheridge Campaign, \$200.00, 05/09/96.  
Committee to Re-elect Sue Myrick, \$1,000.00, 05/10/96.  
North Carolina Democratic Committee, \$1,000.00, 07/22/96.  
Close for U.S. Senate, \$500.00, 07/22/96.  
Victory '96, \$1,500.00, 08/14/96.  
Close for U.S. Senate, \$500.00, 09/25/96.  
Bill Hefner Campaign, \$250.00, 10/28/96.  
John Spratt for Congress Committee, \$500.00, 11/13/96.  
1997:  
CFANSS-PAC, \$400.00, 04/02/97.  
NCSC, \$1,000.00, 08/25/97.  
Fritz Hollings Campaign, \$500.00, 08/27/97.  
DCCC, \$1,000.00, 10/09/97.  
Committee to Elect Mike Jackson, \$100.00, 10/16/97.  
South Carolina Democratic Party, \$250.00, 10/24/97.  
D.G. Martin for U.S. Senate Committee, \$1,000.00, 11/20/97.  
Friends of Chris Dodd, \$1,000.00, 12/02/97.  
Citizens to Elect David Young, \$500.00, 12/11/97.  
1998:  
Price for Congress, \$100.00, 01/08/98.  
The Committee to Reelect Loretta Sanchez, \$200.00, 01/13/98.  
Hayes for Congress, \$500.00, 01/20/98.  
Bob Bell for Judge, \$50.00, 03/17/98.  
Clayton for Congress Committee, \$100.00, 04/06/98.  
Sue Myrick for Congress, \$1,000.00 04/23/98.  
Robin Hays for Congress, \$500.00, 04/28/98.  
Gephardt in Congress Committee, \$1,000.00, 06/16/98.

Bob Etheridge for Congress Committee, \$500.00, 07/06/98.

Victory in North Carolina, \$2,000.00, 07/28/98.

Mike Jackson for Congress, \$200.00, 08/03/98  
Sue Myrick for Congress, \$1,000.00, 08/25/98.  
Leadership '98, \$5,000.00, 08/00/98.  
Bob Bell for Judge, \$100.00, 09/08/98.  
Mel Watt for Congress, \$1,000.00, 9/10/98.  
John Spratt for Congress, \$1,000.00, 10/14/98.  
ADP/Senate Campaign, \$5,000.00, 10/98.

*Political Contributions, Pam Morrell (sister)*

1994:  
RPAC, \$99.00.  
1995:  
Clinton-Gore '96 Primary, \$1,000.00, 06/22/95.  
Close for U.S. Senate, \$250.00, 11/10/95.  
RPAC, \$208.00.  
1996:  
Clinton-Gore '96 Gen. Election, \$1,000.00, 08/16/96.  
Spratt for Congress, \$500.00, 06/29/96.  
DNC Serices Corp/DNC, \$600.00, 09/05/96.  
RPAC, \$198.00.  
1997:  
RPAC, \$250.00.  
1998:  
Spratt for Congress, \$250.00, 03/25/98.  
Spratt for Congress, \$500.00, 10/03/98.  
RPAC, \$100.00.

Christopher E. Goldthwait, of Florida, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.

**FEDERAL CAMPAIGN CONTRIBUTION REPORT**

Nominee: Christopher E. Goldthwait.

Post: Chad.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

**Contributions:**

1. Self: None.
2. Spouse: None.
3. Children and spouses: None.
4. Parents: Elizabeth and John Goldthwait—None.
5. Grandparents: None.
6. Brothers and spouses: None.
7. Sisters and spouses: None.

Joseph Limprecht, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Albania.

**FEDERAL CAMPAIGN CONTRIBUTION REPORT**

Nominee: Joseph Limprecht.

Post: Albania.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, and Donee*

1. Self—None.
2. Spouse—None.
3. Children and Spouses, Names: Alma Limprecht and Eleanor Limprecht—None.
4. Parents Names: Marjorie Limprecht—None.
5. Grandparents Names: N/A.
6. Brothers and Spouses Names: N/A.
7. Sisters and Spouses Names: Jane Limprecht—\$100.00—1995-98—Va. Democratic Party.

Prudence Bushnell, 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 Guatemala.

**FEDERAL CAMPAIGN CONTRIBUTION REPORT**

Nominee: Prudence Bushnell.

Post: Republic of Guatemala.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, and Donee*

1. Self—None.
2. Spouse: Richard A. Buckley—None.
3. Children and Spouses Names: Patrick Michael Buckley—None; Kathleen Mary Buckley—None; Thomas Francis Buckley—\$900—1995—Republican Party; Delia Maria Buckley—None; Eileen Marie Buckley Mannion—None.
4. Parents Names: Bernice & Gerald Bushnell—\$50/year—1995-97—Democratic Party.
5. Grandparents Names: Frank & Edna Duflo—Deceased; Sherman & Ethel Bushnell—Deceased.
6. Brothers and Spouses Names: Peter Bushnell/Elsie Gettleman—None; Jonathan Bushnell/Judy Fortam—None.
7. Sisters and Spouses Names: Susan Bushnell/John F.X. Murphy—\$150/year—1995-1998—Republican Party.

Donald Keith Bandler, of Pennsylvania, 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 Cyprus.

**FEDERAL CAMPAIGN CONTRIBUTION REPORT**

Nominee: Donald Keith Bandler.

Post: Ambassador to Cyprus.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, and Donee*

1. Self, Donald Keith Bandler—None.
2. Spouse, Jane Goldwin Bandler—None.
3. Children and Spouses Names: Lara Goldwin Bandler—None; Jillian Goldwin Bandler—None; Jeffrey Isidor Goldwin Bandler—None.
4. Parents Names: Fred Bandler, (deceased); Estelle Cooper Bandler—None.
5. Grandparents Names: Isidor Bandler (deceased), Fanny Bandler (deceased), Samuel Cooper (deceased), Anna Cooper (deceased).
6. Brothers and Spouses Names: N/A.
7. Sisters and Spouses Names: Beth Bandler—None; Amy Bandler Garfinkel—None; Donald Garfinkel—None.

Johnnie Carson, of Illinois, 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 Kenya.

**FEDERAL CAMPAIGN CONTRIBUTION REPORT**

Nominee: Johnnie Carson.

Post: Ambassador, Republic of Kenya, Nominated: December 1998.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.



*Contributions, Amount, Date, and Donee*

1. Self—None.
2. Spouse—None.
3. Children and Spouses Names: (Elizabeth, Michael, Katherine)—None/None/None.
4. Parents Names: Dupree Carson, Deceased/None; Aretha Rhodes Carson, Deceased/None.
5. Grandparents Names: Tobby Rhodes, Deceased/None; Elizabeth Rhodes, Deceased/None.
6. Brothers and Spouses Names: Ronald Carson, Deceased; Arthur Carson, None.
7. Sisters and Spouses Names: Barbara Carson, Deceased.

Thomas J. Miller, 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 Bosnia and Herzegovina.

## FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Thomas J. Miller.

Post: Ambassador to Bosnia and Herzegovina.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, and Donee*

- Self—None.  
 Spouse: Bonnie Stern Miller—None.  
 Children (Spouses): Julie Michelle Miller (single)—None; Eric Robert Miller (single)—None.  
 Parents: Louis R. Miller, Jr.—None; Barbara S. Mason—None.  
 Grandparents: M/M Sam Shure (deceased)—None; M/M Louis R. Miller (deceased)—None.  
 Brothers (Spouses): Louis R. Miller (Sherry):  
 1,000.00—8/96—Pete Wilson  
 1,000.00—1998—Janice Hahn  
 M/M Richard M. Miller (Kathan)—None;  
 Bruce D. Miller (single)—None.  
 Sisters (Spouses): None.

Bismarck Myrick, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Liberia.

## FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Bismarck Myrick.

Post: Liberia.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, and Donee*

1. Self, Bismarck Myrick.
2. Children and Spouses: Bismarck Myrick, Jr.—None; Wesley Todd Myrick—None; Allison Elizabeth Myrick—None.
3. Parents: Elizabeth Lee Land—Deceased; Maceo Lee Myrick—Deceased.
4. Grandparents: Emmanuel Myrick—Deceased.
5. Brothers and Spouses: James M. Lee—None.
6. Sisters and Spouses: Carol Myrick Kitchen—None; Steve Kitchen—None; Emily D. Thomas—None.

Michael D. Metelits, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United

States of America to the Republic of Cape Verde.

## FEDERAL CAMPAIGN CONTRIBUTION REPORT

Nominee: Michael D. Metelits.

Post: Ambassador to Cape Verde.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, and Donee*

1. Self: Michael Metelits—None.
2. Spouse: Maria Metelits—None.
3. Children and Spouses Names: Gabriella Metelits—None.
4. Parents Names: Betty and Bernard Metelits—None.
5. Grandparents Names: Deceased—N/A.
6. Brothers and Spouses Names: Stephen Arthur and Robert Joseph Metelits—N/A.
7. Sisters and Spouses Names: None.

I have requested this information and brothers (and the only spouse) declined to respond.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. HELMS. Mr. President, for the Committee on Foreign Relations, I report favorably nomination lists which were printed in the Records of January 19, 1999, March 24, 1999, April 12, 1999, May 18, 1999 and May 26, 1999, at the end of the Senate proceedings, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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

In the Foreign Service nomination of Peter S. Wood, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of January 19, 1999.

In the Foreign Service nominations beginning Brian E. Carlson, and ending Leonardo M. Williams, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 24, 1999.

In the Foreign Service nominations beginning Dale V. Slaght, and ending Eric R. Weaver, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 24, 1999.

In the Foreign Service nominations beginning Johnny E. Brown, and ending Mee Ja Yu, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 12, 1999.

In the Foreign Service nomination of Stephen A. Dodson, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of May 18, 1999.

In the Foreign Service nominations beginning Karen Aguilar, and ending Laurie M. Kassman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 26, 1999.

## 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 Mrs. MURRAY (for herself, Mr. DODD, Mr. KENNEDY, Mr. DASCHLE, Mr. FEINGOLD, Mr. HARKIN, Mr. LAUTENBERG, Mr. INOUE, Mr.

WELLSTONE, Mr. KERRY, Mr. AKAKA, and Ms. MIKULSKI): S. 1304. A bill to amend the Family and Medical Leave Act of 1993 to allow employees to take school involvement leave to participate in the academic school activities of their children or to participate in literacy training, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THOMAS (for himself and Mr. ENZI): S. 1305. A bill to amend the Endangered Species Act of 1973 to improve the process for listing, recovery planning, and delisting, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KENNEDY, Mrs. BOXER, Mr. LEVIN, and Mr. LAUTENBERG): S. 1306. A bill to amend chapter 44 of title 18, United States Code, relating to the regulation of firearms dealers, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. HATCH, and Mr. MCCONNELL): S. 1307. A bill to amend the Food Stamp Act of 1977 to permit participating households to use food stamp benefits to purchase nutritional supplements providing vitamins or minerals, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MURKOWSKI (for himself and Mr. BREAU): S. 1308. A bill to amend section 468A of the Internal Revenue Code of 1986 with respect to deductions for decommissioning costs of nuclear power plants; to the Committee on Finance.

By Mr. SESSIONS: S. 1309. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide for the preemption of State law in certain cases relating to certain church plans; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. BOND, Mr. LEVIN, Mr. BENNETT, Mr. SANTORUM, Mrs. HUTCHISON, Mr. TORRICELLI, Mr. LUGAR, Mr. ALLARD, Mr. SPECTER, Mr. EDWARDS, Mr. BROWNBACK, Mr. LAUTENBERG, Mr. COCHRAN, Mr. ENZI, Mr. FRIST, Mr. HELMS, and Mr. ABRAHAM): S. 1310. A bill to amend title XVIII of the Social Security Act to modify the interim payment system for home health services, and for other purposes; to the Committee on Finance.

By Mr. MURKOWSKI: S. 1311. A bill to direct the Administrator of the Environmental Protection Agency to establish an eleventh region of the Environmental Protection Agency, comprised solely of the State of Alaska; to the Committee on Environment and Public Works.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. COCHRAN:  
 S. Res. 128. A resolution designating March 2000, as "Arts Education Month"; to the Committee on the Judiciary.

By Mr. MURKOWSKI:  
 S. Res. 129. An original resolution authorizing expenditures for years October 1, 1999

to September 30, 2000 and October 1, 2000 to February 28, 2001, by the Committee on Energy and Natural Resources; from the Committee on Energy and Natural Resources; to the Committee on Rules and Administration.

By Mr. GRAHAM (for himself, Mr. DEWINE, Mr. DODD, Mr. BIDEN, and Mr. LUGAR):

S. Res. 130. A resolution expressing the sense of the Senate that Haiti should conduct free, fair, transparent, and peaceful elections; to the Committee on Foreign Relations.

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. MOYNIHAN, Mr. AKAKA, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BRYAN, Mr. BYRD, Mr. CLELAND, Mr. CONRAD, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. HOLLINGS, Mr. INOUE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. WYDEN):

S. Res. 131. A resolution relating to the retirement of Ron Kavulick; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself, Mr. DODD, Mr. KENNEDY, Mr. DASCHLE, Mr. FEINGOLD, Mr. HARKIN, Mr. LAUTENBERG, Mr. INOUE, Mr. WELLSTONE, Mr. KERRY, Mr. AKADA, and Ms. MIKULSKI):

S. 1304. A bill to amend the Family and Medical Leave Act of 1993 to allow employees to take school involvement leave to participate in the academic school activities of their children or to participate in literacy training, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

##### TIME FOR SCHOOLS ACT OF 1999

Mrs. MURRAY. Mr. President, in 1993, thanks to the hard work of Senator DODD and others, we passed the Family and Medical Leave Act (FMLA). It was one of the first pieces of legislation that I was intimately involved in passing. During the last six years we've come to realize that it has been a huge success. In fact, as we come to the close of the decade we can honestly say that FMLA has been one of the more useful laws we've passed in the last ten years.

Now I want to expand upon that success and allow parents a little bit of time under the current time constraints of FMLA to participate in school activities. The "Time for Schools Act of 1999" will allow a parent 24 hours per year to participate in the academic activities of his or her child. This 24 hour period comes from the already available 12 weeks under FMLA.

This is something our country needs. Parents overwhelmingly want more

time to support their children in school. Businesses thrive when our schools produce well-trained graduates—and parental involvement helps kids succeed.

As a parent, I know how difficult and how important it is to participate in the education of children. I have been lucky to have had the opportunity to be involved in the school lives of my children. But many parents don't have the time it takes to do those little things that will assure their child's success in school, because they can't get away from their jobs.

By adding academic school activities to one of our most successful laws, we will give parents something they need: time off to become directly involved with their children's learning.

These days we have many dual-income families and single parents struggling to work to make ends meet. All of these families know how important it is to be involved in their children's learning. However, the single largest barrier to parental involvement at schools seems to be lack of time.

Studies have shown that family involvement is more important to student success than family income or family education levels. In fact, things parents can control, such as limiting excess television watching and providing a variety of reading materials, account for almost all the differences in average student achievement across states.

All sectors of our communities want more time for young people. Students, teachers, parents and businesses feel something must be done to improve family involvement. In fact, 89 percent of company executives identified the biggest obstacle to school reform as the lack of parental involvement.

And, a 1996 post-election poll commissioned by the national PTA found that 86 percent of people favor legislation that would allow workers unpaid leave to attend parent-teacher conferences, or to take other actions to improve learning for their children.

A commitment to our children is a commitment to our nation's future. I want to make sure all young people receive the attention they need to succeed.

My legislation will allow parents time to: (1) attend a parent/teacher conference; (2) participate in classroom educational activities; or (3) research new schools.

I look at the Family and Medical Leave Act—which has helped one in six American employees take time to deal with serious family health problems, and which 90 percent of businesses had little or no cost implementing—and I see success. People in my state have been able to deal with urgent family needs, without losing their jobs.

A 1998 study by the Families and Work Institute found that 84% of employers felt that the benefits of providing family or medical leave offset or outweigh the costs. Taking time out for children not only helps parents and

children, but is also beneficial to business.

My bill extends the uses of family leave to another urgent need families face—the need to help their children learn. The time is right for the "Time for Schools Act."

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

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

S. 1304

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Time for Schools Act of 1999".

#### SEC. 2. GENERAL REQUIREMENTS FOR LEAVE.

(a) ENTITLEMENT TO LEAVE.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

"(3) ENTITLEMENT TO SCHOOL INVOLVEMENT LEAVE.—

"(A) IN GENERAL.—Subject to section 103(f), an eligible employee shall be entitled to a total of 24 hours of leave during any 12-month period to participate in an academic activity of a school of a son or daughter of the employee, such as a parent-teacher conference or an interview for a school, or to participate in literacy training under a family literacy program.

"(B) DEFINITIONS.—In this paragraph:

"(i) FAMILY LITERACY PROGRAM.—The term 'family literacy program' means a program of services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family and that integrate all of the following activities:

"(I) Interactive literacy activities between parents and their sons and daughters.

"(II) Training for parents on how to be the primary teacher for their sons and daughters and full partners in the education of their sons and daughters.

"(III) Parent literacy training.

"(IV) An age-appropriate education program for sons and daughters.

"(ii) LITERACY.—The term 'literacy', used with respect to an individual, means the ability of the individual to speak, read, and write English, and compute and solve problems, at levels of proficiency necessary—

"(I) to function on the job, in the family of the individual, and in society;

"(II) to achieve the goals of the individual; and

"(III) to develop the knowledge potential of the individual.

"(iii) SCHOOL.—The term 'school' means an elementary school or secondary school (as such terms are defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility operated by a provider who meets the applicable State or local government licensing, certification, approval, or registration requirements, if any.

"(4) LIMITATION.—No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period."

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: "Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule."

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C.

2612(d)(2)(A)) is amended by inserting before the period the following: “, or for leave provided under subsection (a)(3) for any part of the 24-hour period of such leave under such subsection”.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

“(3) NOTICE FOR SCHOOL INVOLVEMENT LEAVE.—In any case in which the necessity for leave under subsection (a)(3) is foreseeable, the employee shall provide the employer with not less than 7 days’ notice, before the date the leave is to begin, of the employee’s intention to take leave under such subsection. If the necessity for the leave is not foreseeable, the employee shall provide such notice as is practicable.”.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

“(f) CERTIFICATION FOR SCHOOL INVOLVEMENT LEAVE.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.”.

### SEC. 3. SCHOOL INVOLVEMENT LEAVE FOR CIVIL SERVICE EMPLOYEES.

(a) ENTITLEMENT TO LEAVE.—Section 6382(a) of title 5, United States Code, is amended by adding at the end the following:

“(3)(A) Subject to section 6383(f), an employee shall be entitled to a total of 24 hours of leave during any 12-month period to participate in an academic activity of a school of a son or daughter of the employee, such as a parent-teacher conference or an interview for a school, or to participate in literacy training under a family literacy program.

“(B) In this paragraph:

“(i) The term ‘family literacy program’ means a program of services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family and that integrate all of the following activities:

“(I) Interactive literacy activities between parents and their sons and daughters.

“(II) Training for parents on how to be the primary teacher for their sons and daughters and full partners in the education of their sons and daughters.

“(III) Parent literacy training.

“(IV) An age-appropriate education program for sons and daughters.

“(ii) The term ‘literacy’, used with respect to an individual, means the ability of the individual to speak, read, and write English, and compute and solve problems, at levels of proficiency necessary—

“(I) to function on the job, in the family of the individual, and in society;

“(II) to achieve the goals of the individual; and

“(III) to develop the knowledge potential of the individual.

“(iii) The term ‘school’ means an elementary school or secondary school (as such terms are defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility operated by a provider who meets the applicable State or local government licensing, certification, approval, or registration requirements, if any.

“(4) No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.”.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: “Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.”.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by inserting

before “, except” the following: “, or for leave provided under subsection (a)(3) any of the employee’s accrued or accumulated annual leave under subchapter I for any part of the 24-hour period of such leave under such subsection”.

(d) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

“(3) In any case in which the necessity for leave under subsection (a)(3) is foreseeable, the employee shall provide the employing agency with not less than 7 days’ notice, before the date the leave is to begin, of the employee’s intention to take leave under such subsection. If the necessity for the leave is not foreseeable, the employee shall provide such notice as is practicable.”.

(e) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

“(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.”.

### SEC. 4. EFFECTIVE DATE.

This Act takes effect 120 days after the date of enactment of this Act.

Mr. KENNEDY. Mr. President, it is a privilege to join in sponsoring The Time for Schools Act of 1999, and I commend Senator MURRAY for her impressive leadership. This legislation will provide parents with much-needed assistance as they struggle to balance the needs of their children and the demands of their jobs.

Six years ago, the Family and Medical Leave Act became the first bill signed into law by President Clinton. Workers covered by the law can take up to 12 weeks of unpaid leave a year in order to care for a newborn or adopted child, or a seriously ill family member, and know that their jobs will be there when they get back.

By any measure, the Family and Medical Leave Act has been a resounding success. Over 89 million Americans—70% of the workforce—are covered by the law, and millions of workers have been able to take the time they need to care for their families. The vast majority of covered employers—over 90%—have found the law relatively easy to administer, according to the bipartisan Commission on Family and Medical Leave.

Now it is time to take another step, and extend that success to enable parents to take up to 24 hours of unpaid family leave a year to be involved in their children’s academic activities at school. I am proud that, under state law, parents in Massachusetts know they can take care of their children’s school needs without losing their jobs. We should give all parents across the nation that right under federal law, too.

Parents play a crucial role in their children’s lives. But too often, society offers them only barriers and blame as they try to raise their children. While we hear a lot of talk about family values, the test is whether we genuinely value families. If we do, then we must adopt better policies to help working parents balance the competing demands of the workplace and their responsibility to care for their children.

We know that working parents want to be more involved in their children’s lives. In a study by the PTA, two-thirds of employed parents with children under 18 felt they did not have enough time to spend with their children. Forty percent felt they weren’t devoting enough time to their children’s education. Almost a quarter reported that attending teacher-parent conferences created problems at work.

We know that involved parents increase the likelihood of a child’s success at school. According to some studies, it may be the single most important factor in student learning. One study showed that the involvement of both parents in their child’s school was significantly associated with the child’s academic achievement.

The Time for Schools Act will give working parents up to 24 hours of leave a year to participate in their children’s school activities, such as attending parent-teacher conferences, taking part in classroom educational activities, or selecting the right school for their children.

Responsible employers know that flexible family workplace policies mean better, more productive workers. These policies are good for families, and good for business. In 1998, survey by the Families and Work Institute reported that the overwhelming majority of employers—84%—agree that the benefits of family or medical leave offset the costs.

The advantage of this legislation to employers are clear. A mother or father worried about how a child is doing at school is a less effective employee. The 24 hours of leave granted under this Act will be counted towards the 12 weeks of leave already provided under the Family and Medical Leave Act. In addition, workers must give employers a week’s notice, except in emergencies. As a result, the legislation will have only a minimal impact on employers.

The tragedies we have witnessed at schools in recent years demonstrate how important it is for parents to pay attention to how children are doing at school. When this bill becomes law, workers will know they don’t have to stop being parents when they go to work. They can be good parents at school, as well as after school.

Again, I commend Senator MURRAY for her leadership on this important measure, and I look forward to working with her to enact it as soon as possible this year.

By Mr. THOMAS (for himself and Mr. ENZI):

S. 1305. A bill to amend the Endangered Species Act of 1973 to improve the process for listing, recovery planning, and delisting, and for other purposes; to the Committee on Environment and Public Works.

LISTING AND DELISTING REFORM ACT OF 1999

Mr. THOMAS. Mr. President, I rise today to introduce the Listing and Delisting Reform Act of 1999, cosponsored by my colleague from Wyoming,

Senator ENZI. The Endangered Species Act has become one of the best examples of good intentions gone astray, and so today I am taking one small step toward injecting some common sense into what has become a regulatory nightmare. It is my intention to start making the law more effective for local landowners, public land managers, communities and state governments who truly hold the key to any successful effort to conserve species. My legislation seeks to improve the listing, recovery planning and delisting processes so that recovery, the goal of the act, is easier to achieve.

In Wyoming, we have seen first hand the need to revise the listing and delisting processes of the Endangered Species Act. Listing should be a purely scientific decision. Listing should be based on credible data that has been peer-reviewed. Recently, the Prebles Meadow Jumping Mouse was listed in the State of Wyoming. The listing process for this mouse demonstrates how the system has gone haywire devoid of good science. One of the more significant shortcomings of the Preble's Rule relates to confusion about claims regarding the "known range" of as opposed to the alleged "historical range." Historical data and current knowledge do not support the high, short-grass, semi-arid plains for southeastern Wyoming as part of the mouse's historical habitat range. The U.S. Fish and Wildlife Service has even admitted to uncertainties regarding taxonomic distinctions and ranges. Further, the State was not properly notified causing counties, commissioners, and landowners all to be caught off guard. Such poor practices do not foster the types of partnerships that are required if meaningful species conservation is to occur. Clearly, changes are desperately needed to the Endangered Species Act.

Not far behind the mouse in Wyoming, is the black tailed prairie dog. Petitions to list the prairie dog have been filed and the U.S. Fish and Wildlife Service has said the petition is not only warranted but deserves further study. I have lived in Wyoming most of my life, and I have logged a lot of miles on the roads and highways in my State over the years. I can tell you from experience that there is no shortage of prairie dogs in Wyoming. Any farmer or rancher will concur with that opinion. This petition, and countless other actions throughout the country, makes it painfully clear that some folks are intent on completely eliminating activity on public lands, no matter what the cost to individuals or local communities that rely on the land for economic survival.

My legislation will require the Secretary of the Interior to use scientific or commercial data that is empirical, field tested and peer-reviewed. Right now, it is basically a "postage stamp" petition: any person who wants to start a listing process may petition a species with little or no scientific support.

This legislation prevents this absurd practice by establishing minimum requirements for a listing petition that includes an analysis of the status of the species, its range, population trends and threats. The petition must also be peer reviewed. In order to list a species, the Secretary must determine if sufficient biological information exists in the petition to support a recovery plan. Under my proposal, states are made active participants in the process and the general public is provided a more substantial role.

This legislation requires explicit planning and forethought with regard to conservation and recovery at the time the species is listed. Let me be clear about the intent of this requirement. I do not question the basic premise that some species require the protection of the Endangered Species Act. However, listing a species can cause hardship on a community. For that reason, it is critically important and only reasonable that every listing be supported by sound science. We should be sure of the need for a listing before we ask the members of our communities and private landowners to make sacrifices.

In my State of Wyoming, I have found that with several listings, the Secretary of the Interior is unable to tell me what measures will be required to achieve species recovery. The Secretary cannot tell me what acts or omissions we can expect to face as a consequence of listing. How can this be, if the Secretary is fully apprized of the status of the species? Conversely, if the Secretary cannot clearly describe how to reverse threatening acts to a species so that we can achieve recovery, how can we be sure that the species is, in fact, threatened?

This ambiguity has caused much undue frustration to the people of Wyoming. If the Secretary believes that certain farming or ranching practices, or the diversion of a certain amount of water, or a private citizen's development of one's own property, is the cause for a listing, then the Secretary should identify those activities that have to be curtailed or changed. If the Secretary does not have enough information to indicate what activities should be restricted, then why list a species? Why open producers and others to the burden of over-zealous enforcement and even litigation without being able to achieve the goal of recovering the species?

This legislation is ultimately designed to improve the quality of information used to support a listing. If the Secretary knows enough to list a species, he should know enough to tell us what will be required for recovery. That should be the case under current law, and that is all that this provision would require.

Just as the beginning of the process needs changes, we need to revise the end of the process—the delisting procedure. Recovery and delisting are quite simply, the goals of the Endangered

Species Act. Yet, it is virtually impossible to currently delist a species. There is no certainty in the process and the States—the folks who have all the responsibility for managing the species once it is off the list—are not true partners in that process. Once the recovery plan is met, the species should be delisted.

Wyoming's experience with the Grizzly Bear pinpoints some of the problems with the current delisting process. The Interagency Grizzly Bear Committee set criteria for recovery and in the Yellowstone ecosystem, those targets have been met, but the bear has still not been removed from the list. We've been battling the U.S. Fish and Wildlife Service for years over this one to no avail, despite tremendous effort and financial resources to meet recovery objectives. Despite rebounded populations, we keep funneling money down a black hole.

The point is something needs to be done. My constituents, rightly so, are angry and upset about this current law and the trickling effects of countless listings. Real lives are being impacted. It is time for some real changes. These are small changes but I believe they will make big impacts. The changes I have suggested will have a significant effect on the quality of science, public participation, state involvement, speed in recovery and finally the delisting of a species. Species that truly need protection will be protected, but let's not lose sight of the real goal—recovery and delisting.

By Mr. SCHUMER:

S. 1306. A bill to amend chapter 44 of title 18, United States Code, relating to the regulation of firearms dealers, and for other purposes; to the Committee on the Judiciary.

TARGETED GUN DEALER ENFORCEMENT ACT OF 1999

Mr. SCHUMER Mr. President, today I am introducing the "Targeted Gun Dealer Enforcement Act of 1999." This legislation would enable law enforcement to crack down on certain gun dealers and "straw purchasers" responsible for funneling firearms into the hands of those who use guns in crime.

A licensed gun dealer in West Milwaukee, Wisconsin was the retail source of 1,195 guns linked to crime between 1996 and 1998. Similarly, 1,176 crime guns recovered by law enforcement authorities over those three years were traced to a single gun dealer in Riverdale, Illinois. In fact, 137 gun stores account for more than 13,000 crime guns seized in 1998. Year after year, many of these 137 dealers emerge as major sources of crime guns, even though most are not located in high-crime areas.

The path a gun takes to a crime scene is often a path of rapid diversion from first retail sale at federally licensed gun dealers to an illegal market supplying juveniles and felons. According to a February 1999 ATF crime gun trace analysis report, "New guns in juvenile or criminal hands signal direct

diversion, by illegal firearms trafficking—for instance through straw purchases or off the book sales by corrupt FFLs.”

An extremely small percentage of gun dealers are disproportionately responsible for this problem of rapid diversion of guns from first retail sale to crime scenes. Indeed, almost half of the guns recovered in crime and traced through ATF in 1998 are traceable to a mere 1.1 percent of the nation's licensed gun dealers. Yet law enforcement's ability to prevent certain gun dealers and straw purchasers from supplying young people and felons with new guns for use in crime is constrained by current federal firearms law—which limits the records and sanctions to which law enforcement has ready access.

My legislation would give law enforcement the tools it needs to crack down on certain gun dealers and “straw purchasers” responsible for funneling firearms into the hands of those who use guns in crime. The bill would, among other things, impose strict new reporting requirements and automatic sanctions for illegal activity upon the 0.4 percent of licensed gun dealers responsible for 25 or more crime gun traces in given year; authorize ATF to suspend the licenses of and impose civil monetary penalties upon licensed gun dealers who willfully violate federal firearms law; clearly outlaw and increase penalties for “straw purchasing”; and enable law enforcement more readily to trace the purchase-and-sale histories of firearms used in crime.

Mr. President, I ask unanimous consent that a copy of the legislation be printed in the RECORD.

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

S. 1306

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Targeted Gun Dealer Enforcement Act of 1999”.

#### SEC. 2. REGULATION OF LICENSED DEALERS.

##### (a) PROHIBITION ON STRAW PURCHASES.—

(1) IN GENERAL.—Section 922(a)(6) of title 18, United States Code, is amended by inserting “, or with respect to the identity of the person in fact purchasing or attempting to purchase such firearm or ammunition,” before “under the”.

(2) PENALTIES.—Section 924(a)(3) of title 18, United States Code, is amended by adding at the end the following: “Notwithstanding the preceding sentence, a violation in relation to section 922(a)(6) or 922(d) by a licensed dealer, licensed importer, licensed manufacturer, or licensed collector shall be subject to the penalties under paragraph (2) of this subsection.”.

(b) NOTIFICATION OF STATE LAW REGARDING CARRYING CONCEALED FIREARMS.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

“(z) NOTIFICATION OF STATE REQUIREMENTS.—It shall be unlawful for a licensed dealer to transfer a firearm to any person, unless the dealer notifies that person whether applicable State law requires persons to

be licensed to carry concealed firearms in the State, or prohibits the carrying of concealed firearms in the State.”.

(c) REVOCATION OR SUSPENSION OF LICENSE; CIVIL PENALTIES.—Section 923 of title 18, United States Code, is amended by striking subsections (e) and (f) and inserting the following:

“(e) REVOCATION OR SUSPENSION OF LICENSE; CIVIL PENALTIES.—

“(1) IN GENERAL.—The Secretary may, after notice and opportunity for hearing—

“(A) suspend or revoke any license issued under this section, if the holder of such license—

“(i) willfully violates any provision of this chapter or any rule or regulation prescribed by the Secretary under this chapter; or

“(ii) fails to have secure gun storage or safety devices available at any place in which firearms are sold under the license to persons who are not licensees (except that in any case in which a secure gun storage or safety device is temporarily unavailable because of theft, casualty loss, consumer sales, backorders from a manufacturer, or any other similar reason beyond the control of the licensee, the licensed dealer shall not be considered to be in violation of the requirement to make available such a device);

“(B) suspend or revoke the license issued under this section to a dealer who willfully transfers armor piercing ammunition; and

“(C) assess and collect a civil penalty of not more than \$10,000 per violation against any holder of a license, if the Secretary is authorized to suspend or revoke the license of that holder under subparagraph (A) or (B).

“(2) LIABILITY.—The Secretary may at any time compromise, mitigate, or remit the liability with respect to any willful violation of this subsection or any rule or regulation prescribed by the Secretary under this subsection.

“(3) REVIEW.—An action of the Secretary under this subsection may be reviewed only as provided in subsection (f).

“(4) NOTIFICATION REQUIREMENT.—Not less than once every 6 months, the Secretary shall notify each licensed manufacturer and each licensed dealer of the name, address, and license number of each dealer whose license was suspended or revoked under this section during the preceding 6-month period.

“(f) RIGHTS OF APPLICANTS AND LICENSEES.—

“(1) IN GENERAL.—If the Secretary denies an application for, or revokes or suspends a license, or assesses a civil penalty under this section, the Secretary shall provide written notice of such denial, revocation, suspension, or assessment to the affected party, stating specifically the grounds upon which the application was denied, the license was suspended or revoked, or the civil penalty was assessed. Any notice of a revocation or suspension of a license under this paragraph shall be given to the holder of such license before the effective date of the revocation or suspension, as applicable.

“(2) APPEAL PROCESS.—

“(A) HEARING.—If the Secretary denies an application for, or revokes or suspends a license, or assesses a civil penalty under this section, the Secretary shall, upon request of the aggrieved party, promptly hold a hearing to review the denial, revocation, suspension, or assessment. A hearing under this subparagraph shall be held at a location convenient to the aggrieved party.

“(B) NOTICE OF DECISION; APPEAL.—If, after a hearing held under subparagraph (A), the Secretary decides not to reverse the decision of the Secretary to deny the application, revoke or suspend the license, or assess the civil penalty, as applicable—

“(i) the Secretary shall provide notice of the decision of the Secretary to the aggrieved party;

“(ii) during the 60-day period beginning on the date on which the aggrieved party receives a notice under clause (i), the aggrieved party may file a petition with the district court of the United States for the judicial district in which the aggrieved party resides or has a principal place of business for a de novo judicial review of such denial, revocation, suspension, or assessment;

“(iii) in any judicial proceeding pursuant to a petition under clause (ii)—

“(I) the court may consider any evidence submitted by the parties to the proceeding, regardless of whether or not such evidence was considered at the hearing held under subparagraph (A); and

“(II) if the court decides that the Secretary was not authorized to make such denial, revocation, suspension, or assessment, the court shall order the Secretary to take such actions as may be necessary to comply with the judgment of the court.

“(3) STAY PENDING APPEAL.—If the Secretary suspends or revokes a license under this section, upon the request of the holder of the license, the Secretary shall stay the effective date of the revocation, suspension, or assessment.”.

(d) EFFECT OF CONVICTION.—Section 925(b) of title 18, United States Code, is amended by striking “until any conviction pursuant to the indictment becomes final” and inserting “until the date of any conviction pursuant to the indictment”.

(e) REGULATION OF HIGH-VOLUME CRIME GUN DEALERS.—Section 923(g) of title 18, United States Code, is amended by adding at the end the following:

“(8) HIGH-VOLUME CRIME GUN DEALERS.—

“(A) DEFINITION.—In this paragraph, the term ‘high-volume crime gun dealer’ means any licensed dealer with respect to which a designation under subparagraph (B)(i) is in effect, as provided in subparagraph (B)(ii).

“(B) DESIGNATION OF HIGH-VOLUME CRIME GUN DEALERS.—

“(i) IN GENERAL.—The Secretary shall designate a licensed dealer as a high-volume crime gun dealer—

“(I) as soon as practicable, if the Secretary determines that the licensed dealer sold, delivered, or otherwise transferred to 1 or more persons not licensed under this chapter not less than 25 firearms that, during the preceding calendar year, were used during the commission or attempted commission of a criminal offense under Federal, State, or local law, or were possessed in violation of Federal, State, or local law; or

“(II) immediately upon the expiration date of a suspension of the license of that dealer for a willful violation of this chapter, if such violation involved 1 or more firearms that were subsequently used during the commission or attempted commission of a criminal offense under Federal, State, or local law.

“(ii) EFFECTIVE PERIOD OF DESIGNATION.—A designation under clause (i) shall remain in effect during the period beginning on the date on which the designation is made and ending on the later of—

“(I) the expiration of the 18-month period beginning on that date; or

“(II) the date on which the license issued to that dealer under this section expires.

“(C) NOTIFICATION REQUIREMENT.—Upon the designation of a licensed dealer as a high-volume crime gun dealer under subparagraph (B), the Secretary shall notify the appropriate United States attorney's office, the appropriate State and local law enforcement agencies (including the district attorney's

offices and the police or sheriff's departments), and each State and local agency responsible for the issuance of business licenses in the jurisdiction in which the high-volume crime gun dealer is located of such designation.

“(D) REPORTING AND RECORDKEEPING REQUIREMENTS.—Notwithstanding any other provision of this paragraph—

“(i) not later than 10 days after the date on which a handgun is sold, delivered, or otherwise transferred by a high-volume crime gun dealer to a person not licensed under this chapter, the high-volume crime gun dealer shall submit to the Secretary and to the department of State police or State law enforcement agency of the State or local jurisdiction in which the sale, delivery, or transfer took place, on a form prescribed by the Secretary, a report of the sale, delivery, or transfer, which report shall include—

“(I) the manufacturer or importer of the handgun;

“(II) the model, type, caliber, gauge, and serial number of the handgun; and

“(III) the name, address, date of birth, and height and weight of the purchaser or transferee, as applicable;

“(ii) each high-volume crime gun dealer shall submit to the Secretary, on a form prescribed by the Secretary, a monthly report of each firearm received and each firearm disposed of by the dealer during that month, which report shall include only the name of the manufacturer or importer and the model, type, caliber, gauge, serial number, date of receipt, and date of disposition of each such firearm, except that the initial report submitted by a dealer under this clause shall include such information with respect to the entire inventory of the high-volume crime gun dealer; and

“(iii) a high-volume crime gun dealer may not destroy any record required to be maintained under paragraph (1)(A).

“(E) INSPECTION.—Notwithstanding paragraph (1), the Secretary may inspect or examine the inventory and records of a high-volume crime gun dealer at any time without a showing of reasonable cause or a warrant for purposes of determining compliance with the requirements of this chapter.

“(F) RECORDKEEPING BY LOCAL POLICE DEPARTMENTS.—Notwithstanding paragraph (3)(B), a State or local law enforcement agency that receives a report under subparagraph (D)(i) may retain a copy of that record for not more than 5 years.

“(G) LICENSE RENEWAL.—Notwithstanding subsection (d)(2), the Secretary shall approve or deny an application for a license submitted by a high-volume crime gun dealer before the expiration of the 120-day period beginning on the date on which the application is received.

“(H) EFFECT OF FAILURE TO COMPLY.—

“(i) IN GENERAL.—Notwithstanding subsection (e), the Secretary shall, after notice and an opportunity for a hearing—

“(I) suspend for not less than 90 days any license issued under this section to a high-volume crime gun dealer who willfully violates any provision of this section (including any requirement of this paragraph);

“(II) revoke any license issued under this section to a high-volume crime gun dealer who willfully violates any provision of this section (including any requirement of this paragraph) and who has committed a prior willful violation of any provision of this section (including any requirement of this paragraph); and

“(III) revoke any license issued under this section to a high-volume crime gun dealer who willfully violates any provision of section 922 or 924.

“(ii) STAY PENDING APPEAL.—Notwithstanding subsection (f)(3), the Secretary may

not stay the effective date of a suspension or revocation under this subparagraph pending an appeal.”.

### SEC. 3. ENHANCED ABILITY TO TRACE FIREARMS.

(a) VOLUNTARY SUBMISSION OF DEALER'S RECORDS.—Section 923(g)(4) of title 18, United States Code, is amended to read as follows:

“(4) VOLUNTARY SUBMISSION OF DEALER'S RECORDS.—

“(A) BUSINESS DISCONTINUED.—

“(i) SUCCESSOR.—When a firearms or ammunition business is discontinued and succeeded by a new licensee, the records required to be kept by this chapter shall appropriately reflect that fact and shall be delivered to the successor. Upon receipt of those records, the successor licensee may retain the records of the discontinued business or submit the discontinued business records to the Secretary.

“(ii) NO SUCCESSOR.—When a firearms or ammunition business is discontinued without a successor, records required to be kept by this chapter shall be delivered to the Secretary within 30 days after the business is discontinued.

“(B) OLD RECORDS.—A licensee maintaining a firearms business may voluntarily submit the records required to be kept by this chapter to the Secretary if such records are at least 20 years old.

“(C) STATE OR LOCAL REQUIREMENTS.—If State law or local ordinance requires the delivery of records regulated by this paragraph to another responsible authority, the Secretary may arrange for the delivery of records to such other responsible authority.”

(b) CENTRALIZATION AND MAINTENANCE OF RECORDS.—Section 923(g) of title 18, United States Code, is amended by adding at the end the following:

“(9) CENTRALIZATION AND MAINTENANCE OF RECORDS BY SECRETARY.—Notwithstanding any other provision of law, the Secretary—

“(A) may receive and centralize any information or records submitted to the Secretary under this chapter and maintain such information or records in whatever manner will enable their most efficient use in law enforcement investigations; and

“(B) shall retain a record of each firearms trace conducted by the Secretary, unless the Secretary determines that there is a valid law enforcement reason not to retain the record.”.

(c) LICENSEE REPORTS OF SECONDHAND FIREARMS.—Section 923(g) of title 18, United States Code, is amended by adding at the end the following:

“(10) LICENSEE REPORTS OF SECONDHAND FIREARMS.—A licensed importer, licensed manufacturer, and licensed dealer shall submit to the Secretary, on a form prescribed by the Secretary, a monthly report of each firearm received from a person not licensed under this chapter during that month, which report shall not include any identifying information relating to the transferor or any subsequent purchaser.”.

### SEC. 4. GENERAL REGULATION OF FIREARMS TRANSFERS.

(a) TRANSFERS OF CRIME GUNS.—Section 924(h) of title 18, United States Code, is amended by inserting “or having reasonable cause to believe” after “knowing”.

(b) INCREASED PENALTIES FOR TRAFFICKING IN FIREARMS WITH OBLITERATED SERIAL NUMBERS.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking “(k),”;

and

(2) in paragraph (2), by inserting “(k),” after “(j),”.

### SEC. 5. AMENDMENT OF FEDERAL SENTENCING GUIDELINES.

The United States Sentencing Commission shall amend the Federal sentencing guide-

lines to reflect the amendments made by this Act.

Mr. DURBIN. Mr. President, I am happy to join my colleague Senator SCHUMER in introducing the “Targeted Gun Dealer Enforcement Act of 1999.” This bill will give law enforcement the tools they need to prevent suspect gun dealers from supplying firearms to criminals and plaguing our communities with gun violence.

Guns kill 34,000 Americans every year—thirteen children every day. They kill more teen-agers than any natural cause.

This bill allows the Bureau of Alcohol Tobacco and Firearms (ATF) to closely monitor those gun dealers who they should be monitoring—the dealers who have had more than 25 crime guns traced to them in the last year.

The facts in Illinois are particularly compelling on this issue. In Illinois, 26 gun dealers account for more crime guns than the remaining 3,700 Illinois federally licensed gun dealers combined.

These figures show that while most gun dealers are law abiding and responsible, some shops have become “convenience stores” for criminals. Twenty-six dealers were the source of more than 1,600 crime guns with each dealer responsible for selling at least 25 guns used in crimes in 1998.

This bill will help law enforcement find out why these dealers are the source of guns later used to commit crimes. The bill will require high volume crime dealers to report handgun sales to ATF and local police. Law enforcement can then use these records to more effectively trace crime guns.

The bill will also encourage gun dealers to sell guns more responsibly. In the Youth Crime Gun Interdiction Initiative, ATF found that many guns used by youths to commit crimes are purchased from licensed dealers by individuals acting as “straw” purchasers. A “straw purchaser” is a person who illegally purchases a firearm for another person, such as a juvenile or a felon.

This bill seeks to address that problem by prohibiting the sale of a firearm when a seller has “reason to know” that such firearm will be used to commit a crime of violence or a drug crime. Current law requires actual knowledge on the part of the dealer that the buyer will use the firearm to commit a crime of violence. This change will make it easier for law enforcement to target dealers who they believe are turning a blind eye in supplying guns to buyers under questionable circumstances.

In 1998, Chicago police officers conducted “Operation Gunsmoke,” an investigation to target gun-sellers just outside the city limits. Seven undercover officers purchased 171 guns from 12 suburban gun stores in a three month period. Not one dealer refused to sell the agents weapons even as the agents openly violated laws needed to purchase firearms. This investigation was key to the City of Chicago's



groundbreaking lawsuit against the gun industry on the theory of public nuisance.

We must act now to keep guns from getting into the hands of criminals. I applaud Senator SCHUMER's leadership on this issue and hope my colleagues will join us in this important effort to make our communities safer. The statistics show most gun dealers are responsible, but a few unscrupulous dealers are supplying criminals with guns that plague our communities.

By Mr. HARKIN (for himself, Mr. HATCH, and Mr. McCONNELL):

S. 1307. A bill to amend the Food Stamp Act of 1977 to permit participating households to use food stamp benefits to purchase nutritional supplements providing vitamins or minerals, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FOOD STAMP VITAMIN AND MINERAL  
IMPROVEMENT ACT OF 1999

Mr. HARKIN. Mr. President, today I am pleased to be joined by Senator HATCH and Senator McCONNELL in introducing the Food Stamp Vitamin and Mineral Improvement Act of 1999.

Mr. President, this bipartisan legislation is very simple and I believe makes just plain common sense. It would give those Americans using food stamps the ability to purchase vitamin and mineral supplements for themselves and their families.

The change called for in this legislation has been supported by a broad coalition of groups and nutrition experts. For example, it is backed by the Alliance for Aging Research, the Spina Bifida Association of America, the National Osteoporosis Foundation and the National Nutritional Foods Association. Nutrition experts such as Dr. Paul Lachance, Chair of the Department of Food Science at Rutgers University, Dr. Jeffrey Blumberg of Tufts University, Dr. Charles Butterworth, Director of Human Nutrition at the University of Alabama Birmingham, and Dr. Dennis Heldman, Chair of the Department of Food Science and Human Nutrition at the University of Missouri have also called for making this common sense change to food policy.

Mr. President, I believe this legislation would contribute substantially to improving the nutrition and health of a segment of our society that too often falls below recommended levels of nutrient consumption.

Scientific evidence continues to mount showing that sound nutrition is essential for normal growth and cognitive development in children, and for improved health and the prevention of a variety of conditions and illnesses.

Studies have also shown, unfortunately, that many Americans do not have dietary intakes sufficient to meet even the conservative Recommended Daily Allowances or RDA's for a number of essential nutrients. Insufficient dietary intakes are especially critical

for children, pregnant women and the elderly.

A recent study conducted by the Tufts University School of Nutrition, and based on government data, showed that millions of poor children in the United States have dietary intakes that are well below the government's Recommended Daily Allowance for a number of important nutrients. The study found that major differences exist in the intakes of poor versus non-poor children for 10 out of 16 nutrients (food energy, folate, iron, magnesium, thiamin, vitamin A, vitamin B6, vitamin C, vitamin E, and zinc). Moreover, the proportion of poor children with inadequate intakes of zinc is over 50 percent; for iron, over 40 percent; and for vitamin E, over 33 percent.

For some nutrients, such as vitamin A and magnesium, the proportion of poor children with inadequate intakes is nearly six times as large as for non-poor children.

Pregnant women also have high nutritional needs. Concerns about inadequate folate intake by pregnant women prompted the Public Health Service to issue a recommendation regarding consumption of folic acid by all women of childbearing age who are capable of becoming pregnant for the purpose of reducing the incidence of spina bifida or other neural tube defects. That is why this change has long been a priority of the Spina Bifida Association of America.

Furthermore, the percent of pregnant and nursing women who get the RDA level of calcium has dropped from just 24 percent in 1986 to a mere 16 percent in 1994. That's 84 percent of women who aren't getting enough calcium—which we know is critical to preventing the debilitating effects of osteoporosis.

And again, the evidence is that lower income women, many of whom are eligible for Food Stamps, are more likely to have inadequate intake of key nutrients. Women with income of 130 percent or less of the poverty level have higher rates of deficiencies in intake of Vitamins A, E, C, B-6 and B-12, as well as Iron, Thiamin, Riboflavin and Niacin than those with higher incomes.

Obviously, the best way to obtain sufficient nutrient intake is through eating a variety of nutritious foods, but some groups—particularly those at the greatest risk, including children, pregnant women and the elderly—may find it significantly difficult to obtain sufficient nutrient intake through foods alone. Accordingly, many people in our nation do rely on nutritional supplements to ensure that they and their families are consuming sufficient levels of key nutrients.

This legislation would enable low-income people to have greater access to nutritional supplements to improve their nutrient intake. Currently, recipients of food stamps are not allowed to use those resources to purchase nutritional supplements. This restriction clearly serves as an impediment to adequate nutrition for low-income people

who may need supplements to ensure they are consuming sufficient levels of nutrients. It defies common sense.

This restriction also prevents food stamp recipients from exercising their own responsibility and choice to use food stamps for purchasing nutritional supplements that they determine are important to adequate nutrition for their children or themselves. It is a glaring inconsistency that food stamps may currently be used to purchase a variety of non-nutritious or minimally nutritious foods but not to purchase nutritional supplements. Incredibly, you can use Food Stamps to buy Twinkies, but not Vitamin C or a multivitamin.

Opponents of this legislation will argue that food stamps are most effectively used to improve nutrition through purchasing food rather than nutritional supplements, and that if food stamps may be used for nutritional supplements, households will be less able to stretch their resources to purchase sufficient quantities of food.

The available evidence indicates, however, that food stamp households actually make more careful and effective use of their resources in purchasing nutritious foods than consumers in general. Since food stamp households necessarily have a limited amount of money to spend on food—and generally already find it difficult to meet their food needs—they simply cannot afford to make unwise or unnecessary purchases of nutritional supplements using food stamps which would otherwise be used for food.

In addition, a month's worth of daily multivitamin supplements can cost as little as one can of soda. So I believe the concerns that food stamps will be wasted or unwisely used for nutritional supplements is unfounded.

Our proposal is also clearly consistent with the stated purpose of the Food Stamp program, that is to "promote the general welfare and to safeguard the health of the nation's population by raising the nutrition among low-income households."

So, Mr. President, I hope that my colleagues will join us in supporting this legislation designed to improve opportunities for low-income Americans to ensure adequate nutrition for their families and themselves. Simply put, if you think it doesn't make sense that Food Stamps can be used to buy twinkies and doughnuts but not Vitamin C or a daily multi-vitamin supplement, you should support this bipartisan legislation.

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

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

S. 1307

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Food Stamp Vitamin and Mineral Improvement Act of 1999".

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the dietary patterns of Americans do not result in nutrient intakes that fully meet recommended dietary allowances of vitamins and minerals;

(2) children in low-income families and the elderly often fail to achieve adequate nutrient intakes from diet alone;

(3) pregnant women have particularly high nutrient needs, which they often fail to meet through diet alone;

(4)(A) scientific studies show that nutritional supplements that contain folic acid (a B vitamin) can prevent as many as 60 to 80 percent of neural tube birth defects;

(B) the Public Health Service, in September 1992, recommended that all women of childbearing age who are capable of becoming pregnant should consume at least 0.4 of a milligram of folic acid per day for the purpose of reducing the risk of having a pregnancy affected with spina bifida or other neural tube birth defects; and

(C) the Food and Drug Administration has approved a health claim for folic acid to reduce the risk of neural tube birth defects;

(5) infants who do not receive adequate intakes of iron may be somewhat impaired in mental and behavioral development; and

(6) scientific evidence indicates that increasing intake of specific nutrients over an extended period of time protects against diseases or conditions such as osteoporosis, cataracts, cancer, and heart disease.

**SEC. 3. USE OF FOOD STAMPS TO PURCHASE VITAMINS AND MINERALS.**

Section 3(g)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2012(g)(1)) is amended by striking "or food product" and inserting ", food product, or nutritional supplement providing a vitamin or mineral".

By Mr. MURKOWSKI:

S. 1308. A bill to amend section 468A of the Internal Revenue Code of 1986 with respect to deductions for decommissioning costs of nuclear power plants; to the Committee on Finance.

**NUCLEAR DECOMMISSIONING FUND**

Mr. MURKOWSKI. Mr. President, I am joined today by Senator JOHN BREAUX in introducing The Nuclear Decommissioning Funds Clarification Act. This change in the tax law is necessary because the electricity industry is rapidly moving from a regulatory monopoly model to the competitive marketplace.

In 1984, Congress enacted Code Section 468A which was designed to allow state public service commissions to authorize that future costs for decommissioning nuclear power plants could be charged by a utility to its customers to be dedicated to a nuclear decommissioning fund. Currently, utilities are permitted a deduction for contributions to their decommissioning funds. The amount that can be deducted is currently limited to the cost of service amount or the ruling amount. The cost of service amount is the amount of decommissioning costs included in the taxpayer's cost of service for rate-making purposes. The ruling amount is the amount that the IRS determines to be necessary to provide for level funding of an amount equal to the taxpayer's nuclear decommissioning costs.

Since Section 468A was adopted, the electricity industry landscape has been substantially transformed. Since 1992,

more than 20 states have approved plans to introduce competition and all states are considering deregulation. The Energy Committee which I chair has also held several hearings on Federal deregulation proposals and it is my hope that a federal deregulation bill will be adopted in this Congress.

Since deductible contributions made to a nuclear decommissioning fund are based on limitations reflected in cost-of-service ratemaking, companies operating in a competitive market can no longer deduct contributions to decommissioning funds. Our bill clarifies the deductibility of nuclear decommissioning costs in a market environment and codifies the definition of nuclear decommissioning costs that limit contributions.

This legislation also clarifies a number of tax issues relating to decommissioning funds to ensure that nuclear utilities can operate effectively in this new competitive environment.

By Mr. SESSIONS:

S. 1309. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide for the preemption of State law in certain cases relating to certain church plans; to the Committee on Health, Education, Labor, and Pensions.

**CHURCH PLAN PARITY AND ENTANGLEMENT PREVENTION ACT OF 1999**

Mr. SESSIONS. Mr. President, today I am introducing legislation to protect the health and pension benefits of thousands of clergy and lay workers. This legislation clarifies the regulatory status of church benefit programs and allows service providers to continue contracting with church plans.

Unfortunately, state insurance statutes, in all but three states, fail to address the legal status of these benefit programs. Thus, under some interpretations of state insurance law it is possible to conclude that these employer plans are subject to regulation as insurance companies. This uncertain legal status has caused service providers to refuse to contract with church plans—leaving these programs without the necessary tools to maximize benefits and reduce costs.

Recently, the Insurance Department of South Dakota informed the church benefits community that either federal or state legislation is necessary to exempt their programs from their state's insurance laws. With the possibility that 46 more states could make the same request, I believe the only practical solution is for Congress to clarify the status of these plans. That is what my legislation does.

Mr. President, my legislation is within the spirit of the National Securities Markets Improvement Act (NSMIA) of 1996 (P.L. 104-290) which not only exempted church plans from federal securities laws—providing the same treatment secular plans had previously enjoyed—but, also preempted state securities laws. This is not a unique idea.

Similarly, the Internal Revenue Code includes numerous accommodations to the special circumstances of church plans. For example, the church plans which annuitize benefits are deemed not to be commercial insurers for purposes of maintaining their tax-exempt status.

Mr. President, I have heard from ministers in my state about the urgency to move this legislation expeditiously. Indeed, Bishop Wesley Morris of the United Methodist Church visited me about this very matter. It is supported by the Church Alliance, a coalition of more than 30 denominational benefit programs, including the Presbyterian Church in America, the Rabbinical Pension Board, the Christian Brothers Service, the United Church of Christ, The United Methodist Church, the Episcopal Church, the Southern Baptist Convention and many others.

While these denominations may disagree about certain theological issues, they are united in providing sound health care and pension programs to their ministers and lay workers. Furthermore, while there are differing opinions with the Senate, and among ourselves, about health care legislation, there should be no disagreement that we need to protect benefit plans that serve ministers and lay workers. It makes no sense to leave these programs at the mercy of 47 different insurance laws. Every person active in his or her church knows the rising cost of health care is a problem.

Mr. President, I want to clarify two points with respect to preemption of State laws as provided by this legislation. The exception that allows states to enact legislation applicable to church plans is intended to permit states to regulate church plans only if a specific statute is passed by a State legislature on a stand-alone basis and the sole purpose of the statute is to regulate church plans.

Furthermore, I want to point that this legislation is intended to permit insurance companies and other service providers to contract with church plans regardless of whether such church plans would have been treated as multiple-employer welfare arrangements under State law, if this legislation had not been enacted.

Mr. President, I urge the Senate to pass this measure.

By Ms. COLLINS (for herself, Mr. BOND, Mr. LEVIN, Mr. BENNETT, Mr. SANTORUM, Mrs. HUTCHISON, Mr. TORRICELLI, Mr. LUGAR, Mr. ALLARD, Mr. SPECTER, Mr. EDWARDS, Mr. BROWNBACK, Mr. LAUTENBERG, Mr. COCHRAN, Mr. ENZI, Mr. FRIST, Mr. HELMS, and Mr. ABRAHAM):

S. 1310. A bill to amend title XVIII of the Social Security Act to modify the interim payment system for home health services, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Medicare Home

Health Equity Act of 1999, which is designed to provide a measure of financial and regulatory relief for cost-efficient home health agencies across the country. These agencies are experiencing severe financial problems that are inhibiting their ability to deliver much-needed care, particularly to chronically ill seniors with complex needs.

America's home health agencies provide invaluable services that have enabled a growing number of our most frail and vulnerable Medicare beneficiaries to avoid hospitals and nursing homes and stay just where they want to be—in the comfort and security of their own homes.

In 1996, home health was the fastest growing component of Medicare spending, consuming one out of every eleven Medicare dollars, compared with one in every forty in 1989. The program grew at an average annual rate of more than 25 percent from 1990 to 1997. As a consequence, the number of home health beneficiaries more than doubled, and Medicare home health spending soared from \$2.5 billion in 1989 to \$18.1 billion in 1996.

This rapid growth in home health spending understandably prompted Congress and the Administration, as part of the Balanced Budget Act of 1997, to initiate changes that were intended to make the program more cost-effective and efficient. Therefore, there was widespread support for the provision in the Balanced Budget Act of 1997 which called for the implementation of a prospective payment system for home care. Until this system can be implemented, home health agencies are being paid according to an "interim payment system," or IPS.

In trying to get a handle on costs, however, Congress and the Administration created a system that penalizes efficient agencies and that may be restricting access for the very Medicare beneficiaries who need care the most—the sicker seniors with complex, chronic care needs like diabetic, wound care patients or IV therapy patients who require multiple visits.

Unfortunately, the "interim payment system" is critically flawed in that it effectively rewards the agencies that provided the most visits and spent the most Medicare dollars in 1994, the base year, while it penalizes low-cost, more efficient providers—and their patients. None of us should tolerate wasteful expenditures, but neither should we impede the delivery of necessary services by low-cost providers.

Home health agencies in the Northeast and the mid-West have been among those particularly hard-hit by the interim payment system. As the Wall Street Journal observed last year, "If New England had been just a little greedier, its home health industry would be a lot better off now—Ironically, the region is getting clobbered by the system because of its tradition of non-profit community service and efficiency."

Even more troubling, this flawed system may force our most cost-efficient providers to stop accepting Medicare patients with more serious health care needs. According to a recent survey by the Medicare Payment Advisory Commission, almost 40 percent of the home health agencies surveyed indicated that there were patients whom they previously would have accepted whom they no longer accept due to the IPS. Thirty-one percent of the agencies admitted that they had discharged patients due to the IPS. These discharged patients tended to be those with chronic care needs who required a large number of visits and were expensive to serve. As a consequence, these patients caused the agencies to exceed their aggregate per-beneficiary caps.

I simply do not believe that Congress and the Administration intended to construct a payment system that inevitably discourages home health agencies from caring for those seniors who need care the most. Last year's Omnibus Appropriations bill did provide a small measure of relief for home health agencies. This proposal did not, however, go far enough to relieve the financial distress that cost-effective agencies are experiencing.

These problems are all the more pressing given the fact that the Health Care Financing Administration was unable to meet its original deadline for implementing a prospective payment system. As a result, home health agencies will be struggling under the IPS far longer than Congress envisioned when it enacted the Balanced Budget Act.

Moreover, it now appears that Congress greatly underestimated the savings stemming from the BBA. Medicare spending for home health fell by nearly 15 percent last year, and the CBO now projects that post-BBA reductions in home care spending will exceed \$47 billion in FY 1998–2002. This is a whopping three times greater than the \$16 billion CBO originally estimated for that time period.

I recently chaired a Permanent Subcommittee on Investigations (PSI) hearing where we heard about the financial distress and cash-flow problems cost-efficient agencies across the country are experiencing. Witnesses expressed concern that these problems are inhibiting their ability to deliver much-needed care, particularly to chronically ill patients with complex needs. More than a thousand agencies have closed in the past year because the reimbursement levels under Medicare fell so far short of their actual operating costs. Others are laying off staff or declining to accept new patients with more serious health problems.

This points to the most central and critical issue—cuts of this magnitude cannot be sustained without ultimately affecting care for our most vulnerable seniors. At the PSI hearing, Barbara Smith, a senior research staff scientist with the Center for Health

Services Research and Policy at George Washington University, testified that the preliminary findings of her studies suggest significant potential effects on beneficiaries, particularly those with unstable chronic care needs. Her research shows that these patients are being displaced from home care or are experiencing significant changes in services that appear to be driven by reimbursement policies rather than by clinical considerations. In her testimony, she stated:

"My main concern is that we are carving out a wedge of people who are chronically ill and have intensive needs for services who are not going to have a reliable source of care in any sector. They are becoming the health care system's untouchables."

Moreover, the financial problems that home health agencies have been experiencing have been exacerbated by a number of new regulatory requirements imposed by HCFA, including the implementation of OASIS, the new outcome and assessment information data set; new requirements for surety bonds; sequential billing; IPS overpayment recoupment; and a new 15-minute increment home health reporting requirement. Witnesses at the PSI hearing expressed particular frustration about what Maryanna Arsenault, the CEO of the Visiting Nurse Service in Saco, Maine, termed HCFA's regulatory policy of "implement and suspend." They pointed to examples such as the hastily enacted requirements for surety bonds and sequential billing where no sooner had a mandate been put into an effect, than it was suspended but only after agencies had invested significant time and resources in compliance.

The legislation that my colleague from Missouri and I are introducing today, along with a bipartisan group of 16 of our colleagues, responds to these concerns. It makes needed adjustments to the Balanced Budget Act of 1997 and related federal regulations to ensure that Medicare beneficiaries have access to medically-necessary home health services.

Among other provisions, the bill eliminates the automatic 15 percent reduction in Medicare home health payments now scheduled for October 1, 2000, whether or not a prospective payment system is enacted. When the Balanced Budget Act was enacted, CBO reported that the effect of the BBA would be to reduce home health expenditures by \$16.1 billion between fiscal years 1998 and 2002. CBO's March 1999 revised analysis estimates those reductions to exceed \$47 billion—three times the anticipated budgetary impact. A further 15 percent cut would be devastating to cost-efficient providers and would further reduce seniors' access to care. Moreover, it is unnecessary since the budget target for home health outlays will be achieved, if not exceeded, without it.

The legislation will also provide supplemental "outlier" payments to home health agencies on a patient-by-patient

basis, if the cost of care for an individual is considered to be significantly higher than average due to the patient's particular health and functional condition. This provision would remove the existing financial disincentive for agencies to care for patients with intensive medical needs who, according to recent reports issued by both the General Accounting Office (GAO) and the Medicare Payment Advisory Commission (MedPAC), are the individuals most at risk of losing access to home health care under the IPS.

The current IPS unfairly penalizes historically cost-efficient home health agencies that have been most prudent with their Medicare resources. Our legislation builds on reforms in last year's Omnibus Appropriations Act by gradually raising low-cost agencies' per-beneficiary limits up to the national average over three years, or until the new home health prospective payment system is implemented and IPS is terminated.

To decrease total costs in order to remain under their per-beneficiary limits, agencies have had to significantly reduce the number of visits to patients, which has, in turn, increased the cost of each visit. Implementation of OASIS has also significantly increased agencies' per-visit costs. Therefore, the legislation will increase the IPS per-visit cost limit from 106 to 108 percent of the national median.

Other provisions of the legislation will:

- Extend the current IPS overpayment recoupment period from one to three years without interest;

- Revise the surety bond requirement for home health agencies to more appropriately target fraud;

- Eliminate the 15-minute incremental reporting requirement; and

- Maintain the Periodic Interim Payment (PIP) program through the first year of implementation of the prospective payment system to ensure that such a dramatic change in payment systems does not create new cash-flow problems for agencies. I ask unanimous consent that a section-by-section summary further detailing these provisions be included in the RECORD at the conclusion of my remarks.

Mr. President, the Medicare Home Health Equity Act of 1999 will provide a measure of financial and regulatory relief to beleaguered home health agencies in order to ensure that Medicare beneficiaries have access to medically-necessary home health services, and I encourage all of my colleagues to join us as cosponsors.

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

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

#### THE HOME HEALTH EQUITY ACT OF 1999— SUMMARY

The Home Health Equity Act of 1999 is intended to make needed adjustments to the Balanced Budget Act of 1997 and related fed-

eral regulations to ensure that Medicare beneficiaries have access to medically-necessary home health care services.

#### MAJOR PROVISIONS

- Eliminates the automatic 15 percent reduction in Medicare home health payments now scheduled for October 1, 2000.

- Under the Balanced Budget Act of 1997 (as amended by the Omnibus Consolidated and Emergency Supplemental Appropriations Act), expenditures for Medicare home health care are to be reduced by 15 percent, whether or not a Medicare home health prospective payment system is implemented on October 1, 2000. This provision would eliminate that proposed reduction. When it was enacted, the Congressional Budget Office (CBO) reported that the effect of the BBA would be to reduce home health expenditures by \$16.1 billion between fiscal years 1998 and 2002. CBO's March 1999 revised analysis now estimates those reductions to exceed \$47 billion—three times the anticipated budgetary impact. A further 15 percent cut to home health cost limits would be devastating to cost-efficient providers and would reduce seniors' access to care. Moreover, it is unnecessary since the budget target for home health outlays will be achieved, if not exceeded, without it.

- Provides supplemental "outlier" payments to home health agencies on a patient-by-patient basis if the cost of care for an individual is considered by the Secretary to be significantly higher than average due to the patient's particular health and functional condition.

- Recent reports issued by both the General Accounting Office (GAO) and the Medicare Payment Advisory Commission (MedPAC) conclude that patients with intensive medical needs are the individuals most at risk of losing access to home health care under the Interim Payment System (IPS). This provision would remove the existing financial disincentive under the IPS for agencies to care for these patients.

- Increases the per-beneficiary cost limit for agencies with limits below the national average to the national average cost per patient over a three-year period or until the Medicare home health prospective payment system is implemented.

- The Balanced Budget Act of 1997's Interim Payment System (IPS) bases an agency's average per-patient reimbursement on that agency's average cost per patient in 1993 or 1994. As a consequence, the system unfairly penalizes historically cost-efficient home health agencies that have been most prudent with their Medicare resources. This provision builds on reforms made by the Omnibus Consolidated and Emergency Supplemental Appropriations Act (OCESSA) by gradually raising low-cost agencies' per-beneficiary limits up to the national average over three years or until the new home health prospective payment system is implemented and IPS is terminated.

- Increases the IPS per-visit cost limit to 108 percent of the national median.

- The Balanced Budget Act reduced the per-visit cost limit from 112 percent of the mean to 105 percent of the median. The OCESSA increased the limit to 106 percent of the median. This provision would further increase it to 108 percent of the national median. Most analysts agree that the growth in Medicare home health expenditures in the early 1990s was due to the high number of visits provided to patients, not to the cost per visit. CBO confirms that controlling use, not price, is the key to Medicare home health cost containment. To decrease total costs in order to remain under their per-beneficiary limits, agencies have had to significantly reduce the number of visits to patients, which has, in turn, increased the cost

of each visit. Implementation of OASIS has also significantly increased agencies' per-visit costs.

- Revises the surety bond requirements for home health agencies to more appropriately target fraud.

- This provision would clarify that the surety bond requirement is only to be used to protect against overpayments based on fraudulent claims or behavior. Perhaps the main problem with the surety bond proposal that HCFA developed last year (and which is currently in regulatory limbo) was that it went beyond Congressional intent. Congress enacted the original surety bond provision as a way to use private sector monitors to help keep fraudulent providers out of the market. HCFA tried, through the regulations it developed, to use surety bonds as a means to recover any overpayments they made to home health agencies. This unnecessarily increased both the costs and difficulties agencies encountered in trying to obtain a surety bond.

- Extends the IPS overpayment recoupment period to three years without interest.

- The BBA did not require HCFA to publish information on calculating the IPS per-visit limits until January 1, 1998, even though the limits were effective beginning October 1, 1997. Similarly, HCFA was not required to publish information related to the calculation of the agencies' annual aggregate per-beneficiary limit until April 1, 1998, despite an October 1 start date. More than a year after the implementation of the IPS, HCFA's fiscal intermediaries still had not notified many agencies of the visit and per-beneficiary limits under which they were expected to operate. Moreover, throughout this period, fiscal intermediaries continued to pay agencies in accordance with the previous years' limits, resulting in significant overpayments to many home health agencies throughout the country.

- Fiscal intermediaries have begun to issue notices of overpayments to these agencies and are demanding repayment. This has posed a significant problem, particularly for smaller agencies that do not have large cash reserves. To ease these repayment problems, HCFA has directed the fiscal intermediaries to allow home health agencies to extend their repayments over 12 months. Many agencies, however, say that this is insufficient. This provision would extend the overpayment recoupment period to three years without interest.

- Eliminates the 15-minute incremental reporting period.

- The BBA mandates that home health agencies record the length of time of home health visits in 15-minute increments, which the HCFA will implement on July 1, 1999. Unfortunately, HCFA's instructions implementing the 15-minute reporting requirement are excessively labor-intensive. As proposed by HCFA, the only time that can be counted is time spent actively treating the beneficiary. Time for travel or for administrative duties that are essential to patient care, such as charting or coordinating work with the physician, may not be counted. Implementation of the 15-minute reporting requirement will not only be difficult for staff, but will also be disruptive to patient care. This provision would eliminate the current 15-minute reporting requirement. An alternative to the 15-minute reporting requirement that better measures time of direct patient care and its relationship to outcomes should be developed within the context of the Medicare home health PPS.

- Temporarily maintains the Periodic Interim Payment (PIP) program

- PIP is a program that is available to many home health agencies that permits HCFA to make payments to the agencies—based on

historical payment levels—prior to the final settlement of claims and cost-reports. This program, which is scheduled to terminate on October 1, 2000, has been invaluable to participating agencies and has helped them to avoid cash-flow difficulties. This provision would continue PIP through the first year of implementation of the prospective payment system to ensure that such a dramatic change in payment systems does not create new cash-flow problems.

Mr. BOND. In the last couple days, a lot of people have been talking about the Medicare program and what we want it to look like as we think far ahead into the future. I'm glad this is happening, because this is an important debate. We do need to discuss things like a prescription drug benefit, comprehensive Medicare reform, the long-term solvency of the program, and other related issues.

But as we focus on the future of Medicare, we also need to do our best to make sure that the existing program is working as well as it can. That's why we're here today. Part of the existing program—the home health care benefit—is completely broken, and we've come together to try to fix it.

Why do we care? Well, home health care is the key to fulfilling what is virtually a universal desire among seniors and those with disabilities—to remain independent and within the comfort of their own homes despite their health problems. For people who have difficulty leaving their home and who have health conditions that require low- to mid-level medical attention, home health care is a tremendous help. Home health care keeps these people out of more expensive and less comfortable settings such as nursing homes and hospitals. And home care is often the only source of care for many disabled individuals and frail elderly, especially those living in underserved rural and urban areas of our country. Simply put, home health is crucial to millions of Americans' comfort and health, and we must make sure they continue to have access to it.

The problem is that more and more Americans do not have access to needed home health services—they simply cannot find a home health agency that will care for them. This means they will either not receive the care they need, or that they will get this care, they'll just get it at more expensive and intimidating facilities like hospitals or nursing homes. This is the crisis we are facing.

I would like to take a moment to describe several different ways this home health crisis is rearing its ugly head across the country.

First, we have seen literally thousands of home health agencies close their doors in the last two years. Perhaps as many as 2,000 of the 10,000 agencies that existed in 1997 have either been driven out of business or out of Medicare. In Missouri alone, about 75 out of 300 home health agencies have closed since 1997, including the well-respected and well-established Visiting Nurse Association of Greater St. Louis.

A few of the agencies that have closed have no doubt been shady characters we should be glad to see go. But many—and perhaps most—of the agencies that have closed are legitimate providers with real patients.

Second, those agencies that have survived have had to change drastically the way they operate. Many have been forced into layoffs and cutbacks in other areas that directly or indirectly impact patient care. Many face chronic cash flow problems and may be forced to refund large amounts of cash to the Health Care Financing Administration—perhaps in the hundreds of thousands of dollars—that they accidentally received because they had not yet been informed of the new ground rules for home health payments. Because of the bizarre incentives against caring for patients with the most complex cases, many home health agencies have also been actively managing the types of patients they care for, trying to avoid or discharge costlier patients.

All of this is bad for patients, and it will likely get worse. Without Congressional action, it may never get better. I truly believe that without significant changes, home health services within Medicare could practically disappear. Home health services would theoretically still be part of the Medicare program, but few if any people with Medicare would be able to receive care in their home simply because there will be nobody there to provide it for them.

The Medicare Home Health Equity Act—which I am introducing today with Senator COLLINS and 12 other colleagues—responds to this crisis and attempts to save home health care within the Medicare program.

This bill addresses a variety of payment and regulatory issues, all of which have impeded or prevented home health agencies from providing high-quality, efficient care. Two provisions are particularly critical.

First, as I have mentioned, home health agencies currently have little incentive to provide care for sicker and costlier patients. In fact, because more complex patients put an agency at risk of exceeding the annual per patient budget that is now in place for each home health agency, there is actually an incentive not to care for sicker patients. The result—which shouldn't be a surprise—is that home health agencies are actively trying to avoid these sicker patients, either leaving them without care or leaving them to check in to a more expensive health facility such as a nursing home or a hospital.

The Medicare Home Health Equity Act solves this problem by creating a system of "extra" payments for sicker patients—sometimes these are called "outlier" payments. Under this plan, home health agencies would be assured from the start that they could receive extra payments for patients who meet the criteria for "sicker" patients. This way, we can remove the incentive for home health agencies to try to deny care to seniors with complex cases.

The second crucial provision in the bill is something similar to a last-minute pardon from the governor. In addition to all of the problems they have faced in the last couple of years, home health agencies are scheduled to take another huge payment cut—about 15% of the total amount they receive from Medicare—in October of 2000. I fear that this cut would truly be the death-knell for the industry. We cannot allow this radical payment reduction to take place.

In addition to these core provisions, the Collins-Bond bill deals with a variety of payment and regulatory issues, all designed to make sure that Medicare recipients continue to have access to quality home health care and that the home health agencies are permitted to provide that care in an efficient manner.

I would like to commend Senator COLLINS for her leadership on this issue. I am pleased that we were able to develop a joint bill so that we could unite our forces behind one bipartisan legislative vehicle and one bipartisan solution. It is also encouraging to see that all of the national trade associations that represent home health agencies are supporting this bill. Finally, I would like to again thank this bill's cosponsors for supporting this effort and for helping to raise awareness that there is a home health crisis that desperately needs our attention in Congress.

I for one pledge to do my best to maintain seniors access to home health care. We cannot allow home health services within the Medicare program to disappear. It doesn't make sense for the patients, and it doesn't make sense for Medicare.

By Mr. MURKOWSKI:

S. 1311. A bill to direct the Administrator of the Environmental Protection Agency to establish an eleventh region of the Environmental Protection Agency, comprised solely of the State of Alaska; to the Committee on Environment and Public Works.

EPA REGION 11

Mr. MURKOWSKI. Mr. President, I rise today to introduce legislation to create a new regional office for the Environmental Protection Agency to be based in Alaska. I have been concerned for some time about the relationship between the federal government and my constituents. Alaska has always provided unique challenges for federal regulators. Its weather, remoteness, and the special problems caused by them have often resulted in a disconnect between federal regulators and my state. Currently, Alaska is part of Region 10 of the EPA based in Seattle. While it rains a lot in Seattle, the environment of Washington state is much more similar to Oregon and Idaho than Alaska. Alaska comprises 17% of America's total size and faces climactic extremes unheard of in the lower 48.

For example, many people have heard that the unique geography of Los Angeles creates extreme atmospheric inversion conditions that contributes to its air pollution. However, I have been told that my home town of Fairbanks actually has a greater inversion problem than not only Los Angeles, but also anywhere else in the world except for the South Pole.

I also believe that the cost issue is an important one since creation of a regional office would lower the tremendous travel and temporary duty costs faced by lower 48 based EPA staff who must fly back and forth to Alaska. Basing them in Alaska should significantly reduce these travel costs.

I recognize that some may feel that the creation of a new regional office in Alaska is unwise. I would point out that I do not believe that the Seattle office has regularly handled Alaska issues poorly, but I do believe that these issues could be handled better if there was a regional office located in Alaska. Alaska faces wetland challenges like no other state. Our nation has seen a tremendous loss in wetlands in states such as California that has lost over 80% of its original wetlands. In comparison, Alaska has lost less than half of one percent of our nation's wetlands due to development even though we are a large producer of our nation's natural resources. Alaska is a state where wetlands banking is not an appropriate solution to address the loss of wetlands in California. Alaska's wetlands are also very different than those found in California or anywhere else in our nation. Much of Alaska's wetlands are frozen for all but a few months of the year.

Even the Clean Air Act has a different application in Alaska. Low sulfur diesel in the lower 48 for on-road usage is not appropriate for my state where the percentage of diesel used for on-road uses is minuscule compared to that of the off-road uses. This situation is reversed in every other state. Fortunately, the EPA has seen fit to waive the low sulfur diesel requirement until a new lower national standard for both off and on-road diesel is in place during the next decade. However, we need to ensure that all federal regulations put into place reflect the realities of every state in our nation. Creation of a new Alaska based regional office of the EPA would be a firm step forward towards this goal.

In conclusion, Mr. President, I encourage my colleagues to support this bill in order to make the EPA more efficient and responsive to some unique environmental challenges in my state.

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

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

#### SECTION 1. ESTABLISHMENT OF EPA REGION FOR ALASKA.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall establish—

(1) an eleventh region of the Environmental Protection Agency, comprised solely of the State of Alaska; and

(2) a regional office for the region located in the State.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

#### ADDITIONAL COSPONSORS

S. 51

At the request of Mr. BIDEN, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 51, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 85

At the request of Mr. BUNNING, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 85, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on vaccines to 25 cents per dose.

S. 242

At the request of Mr. JOHNSON, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 343

At the request of Mr. BOND, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 386

At the request of Mr. GORTON, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt bond financing of certain electric facilities.

S. 427

At the request of Mr. ABRAHAM, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 427, a bill to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes.

S. 459

At the request of Mr. HATCH, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 472

At the request of Mr. GRASSLEY, the names of the Senator from Minnesota (Mr. WELLSTONE), the Senator from Utah (Mr. BENNETT), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 600

At the request of Mr. WELLSTONE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 600, a bill to combat the crime of international trafficking and to protect the rights of victims.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 642

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 642, a bill to amend the Internal Revenue Code of 1986 to provide for Farm and Ranch Risk Management Accounts, and for other purposes.

S. 761

At the request of Mr. ABRAHAM, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of S. 761, a bill to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes.

S. 775

At the request of Mr. TORRICELLI, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 775, a bill to require the Administrator of the Environmental Protection Agency to conduct a feasibility study for applying airport bubbles as a method of identifying, assessing, and reducing the adverse environmental impacts of airport ground and flight operations and improving the overall quality of the environment, and for other purposes.

S. 796

At the request of Mr. WELLSTONE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 796, a bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses.



S. 800

At the request of Mr. MCCAIN, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 800, a bill to promote and enhance public safety through the use of 9-1-1 as the universal emergency assistance number, further deployment of wireless 9-1-1 service, support of States in upgrading 9-1-1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

S. 821

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

S. 826

At the request of Mr. THOMAS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 826, a bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States.

S. 879

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 879, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements.

S. 881

At the request of Mr. BENNETT, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 881, a bill to ensure confidentiality with respect to medical records and health care-related information, and for other purposes.

S. 965

At the request of Mr. JEFFORDS, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 965, a bill to restore a United States voluntary contribution to the United Nations Population Fund.

S. 1043

At the request of Mr. MCCAIN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1043, a bill to provide freedom from regulation by the Federal Communications Commission for the Internet.

S. 1053

At the request of Mr. BOND, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1053, a bill to amend the Clean Air Act to incorporate certain provisions of the transportation conformity regulations, as in effect on March 1, 1999.

S. 1074

At the request of Mr. TORRICELLI, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1074, a bill to amend the Social Security Act to waive the 24-month waiting period for Medicare coverage of

individuals with amyotrophic lateral sclerosis (ALS), and to provide Medicare coverage of drugs and biologicals used for the treatment of ALS or for the alleviation of symptoms relating to ALS.

S. 1139

At the request of Mr. REID, the names of the Senator from Maine (Ms. SNOWE), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1139, a bill to amend title 49, United States Code, relating to civil penalties for unruly passengers of air carriers and to provide for the protection of employees providing air safety information, and for other purposes.

S. 1155

At the request of Mr. ROBERTS, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1155, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 1197

At the request of Mr. ROTH, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1197, a bill to prohibit the importation of products made with dog or cat fur, to prohibit the sale, manufacture, offer for sale, transportation, and distribution of products made with dog or cat fur in the United States, and for other purposes.

S. 1225

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 1225, a bill to provide for a rural education initiative, and for other purposes.

S. 1277

At the request of Mr. BAUCUS, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1277, a bill to amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-qualified health centers and rural health clinics.

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1277, *supra*.

#### SENATE RESOLUTION 128—DESIGNATING MARCH 2000, AS "ARTS EDUCATION MONTH"

Mr. COCHRAN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 128

Whereas arts literacy is a fundamental purpose of schooling for all students;

Whereas arts education stimulates, develops and refines many cognitive and creative skills, critical thinking and nimbleness in judgment, creativity and imagination, cooperative decisionmaking, leadership, high-level literacy and communication, and the capacity for problem posing and problem-solving;

Whereas arts education contributes significantly to the creation of flexible, adaptable, and knowledgeable workers who will be needed in the 21st century economy;

Whereas arts education improves teaching and learning;

Whereas when parents and families, artists, arts organizations, businesses, local civic and cultural leaders, and institutions are actively engaged in instructional programs, arts education is more successful;

Whereas effective teachers of the arts should be encouraged to continue to learn and grow in mastery of their art form as well as in their teaching competence;

Whereas the 1999 study, entitled "Gaining the Arts Advantage: Lessons from School Districts that Value Arts Education", found that the literacy, education, programs, learning and growth described in the preceding clauses contribute to successful districtwide arts education;

Whereas the 1997 National Assessment of Educational Progress reported that students lack sufficient opportunity for participatory learning in the arts;

Whereas educators, schools, students, and other community members recognize the importance of arts education; and

Whereas arts programs, arts curriculum, and other arts activities in schools across the Nation should be encouraged and publicly recognized: Now, therefore, be it

*Resolved,*

#### SECTION 1. DESIGNATION OF ARTS EDUCATION MONTH.

The Senate—

(1) designates March 2000, as "Arts Education Month"; and

(2) encourages schools, students, educators, parents, and other community members to engage in activities designed to—

(A) celebrate the positive impact and public benefits of the arts;

(B) encourage all schools to integrate the arts into the school curriculum;

(C) spotlight the relationship between the arts and student learning;

(D) demonstrate how community involvement in the creation and implementation of arts policies enriches schools;

(E) recognize school administrators and faculty who provide quality arts education to students;

(F) provide professional development opportunities in the arts for teachers;

(G) create opportunities for students to experience the relationship between participation in the arts and developing the life skills necessary for future personal and professional success;

(H) increase, encourage, and ensure comprehensive, sequential arts learning for all students;

(I) honor individual, class, and student group achievement in the arts; and

(J) increase awareness and accessibility to live performances, and original works of art.

• Mr. COCHRAN. Mr. President, today I am submitting a Senate Resolution to designate March, 2000 as Arts Education Month. This legislation complements S. 1293, the Congressional Recognition for Excellence in Arts Education Act, which I introduced earlier this week.

Instruction in music, visual arts, theater and dance occurs in schools across the nation. There is growing awareness of arts education as a serious academic subject with a list of benefits that include ensuring America's arts traditions, higher I.Q.'s, better SAT scores, better math and language skills, less juvenile delinquency, better chances of

higher education, and increased job opportunities.

The National Assessment of Education Progress, The College Board, The U.S. Department of Justice, The National Endowment for the Arts, and scientific research on the brain have all recently reported evidence of the multiple advantages of arts instruction. For example, the July 5, 1999 issue of Time magazine has a report titled, "Fingers, Brains and Mozart" which highlights recent brain research and the positive effects of music instruction.

It is time for the United States Senate to recognize the achievements and efforts in arts education in all schools. I hope that by designating March, 2000 as Arts Education Month, more schools will engage in activities that showcase celebrate, reward and provide new arts experiences.

I invite all of my colleagues to join me in sponsoring Arts Education Month.

#### SENATE RESOLUTION 129—AUTHORIZING EXPENDITURES FOR YEARS OCTOBER 1, 1999 TO SEPTEMBER 30, 2000 AND OCTOBER 1, 2000 TO FEBRUARY 28, 2001 BY THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, reported the following original resolution; which was referred to the Committee on Rules and Administration:

##### S. RES. 129

*Resolved*, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from October 1, 1999, through September 30, 2000, and October 1, 2000, through February 28, 2001 in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period October 1, 1999, through September 30, 2000, under this resolution shall not exceed \$2,924,935.

(b) For the period October 1, 2000, through February 28, 2001, expenses of the committee under this resolution shall not exceed \$1,248,068.

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 2000, and February 28, 2001, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees

paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from October 1, 1999 through September 30, 2000, and October 1, 2000, through February 28, 2001, to be paid from the Appropriation account for "Expenses of Inquiries and Investigations."

#### SENATE RESOLUTION—EXPRESSING THE SENSE OF THE SENATE THAT HAITI SHOULD CONDUCT FREE, FAIR, TRANSPARENT, AND PEACEFUL ELECTIONS

Mr. GRAHAM (for himself, Mr. DEWINE, Mr. DODD, Mr. BIDEN, and Mr. LUGAR) submitted the following resolution; which was referred to the Committee on Foreign Relations:

##### S. RES. 130

Expressing the sense of the Senate that Haiti should conduct free, fair, transparent, and peaceful elections.

Whereas Rene Preval was elected president of Haiti on December 17, 1995, and inaugurated on February 7, 1996;

Whereas a political impasse between President Preval and the Haitian Parliament over the past 2 years has stalled democratic development and contributed to the Haitian people's political disillusionment;

Whereas Haiti's economic development is stagnant, living conditions are deplorable, and democratic institutions have yet to become effective;

Whereas Haiti's political leaders propose free, fair, and transparent elections for local and national legislative bodies; and

Whereas Haiti's new independent Provisional Electoral Council has scheduled those elections for November and December 1999: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the provisional Electoral Council of Haiti for its decision to hold elections for 19 senate seats, providing for a transparent resolution of the disputed 1997 elections;

(2) urges the Government of Haiti to actively engage in dialogue with all elements of Haitian society to further a self-sustainable democracy;

(3) encourages the Government and all political parties in Haiti to proceed toward conducting free, fair, transparent, and peaceful elections as scheduled, in the presence of domestic and international observers, without pressure or interference;

(4) urges the Clinton Administration and the international community to continue to play a positive role in Haiti's economic and political development;

(5) urges the United Nations to provide appropriate technical support for the elections and to maximize the use of United Nations civilian police monitors of the CIVPOL mission during the election period;

(6) encourages the Clinton Administration and the international community to provide

all appropriate assistance for the coming elections;

(7) encourages the Government of Haiti to adopt adequate security measures in preparation for the proposed elections;

(8) urges all elements of Haitian civil society, including the political leaders of Haiti, to publicly renounce violence and promote a climate of security; and

(9) urges the United States and other members of the international community to continue support toward a lasting and committed transition to democracy in Haiti.

#### SENATE RESOLUTION 131—RELATING TO THE RETIREMENT OF RON KAVULICK

Mr. LOTT (for himself, Mr. DASCHLE, Mr. MOYNIHAN, Mr. AKAKA, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BRYAN, Mr. BYRD, Mr. CLELAND, Mr. CONRAD, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. HOLLINGS, Mr. INOUE, Mr. JOHN-SON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

##### S. RES. 131

Whereas, Ron Kavulick will retire on June 30, 1999, from service to the United States Senate after twenty years as a member of the staff of the Official Reporters of Debates;

Whereas, he has served the United States Senate with honor and distinction since joining the staff of the Official Reporters of Debates on October 22, 1979;

Whereas, his self-determination and hard work as an official reporter resulted in his appointment to the position of Chief Reporter on May 22, 1995;

Whereas, Ron Kavulick, as Chief Reporter of the Congressional Record, has at all times executed the important duties and responsibilities of his office with dedication and excellence; and

Whereas, Ron Kavulick has demonstrated exemplary service to the United States Senate as an institution and leaves a legacy of superior and professional service: Now, therefore, be it

*Resolved*, That the United States Senate expresses its deep appreciation and gratitude to Ron Kavulick for his years of faithful service to his country and to the United States Senate.

SEC. 2. That the Secretary of the Senate shall transmit a copy of this resolution to Ron and Pat Kavulick.

#### AMENDMENTS SUBMITTED

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

##### BROWNBACK AMENDMENT NO. 1118

Mr. BROWNBACK proposed an amendment to the bill (S. 1234) making

appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes; as follows:

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

**SEC. \_\_\_\_ . SILK ROAD STRATEGY ACT OF 1999.**

(a) **SHORT TITLE.**—This section may be cited as the “Silk Road Strategy Act of 1999”.

(b) **AMENDMENT OF THE FOREIGN ASSISTANCE OF 1961.**—Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new chapter:

**“CHAPTER 12—SUPPORT FOR THE ECONOMIC AND POLITICAL INDEPENDENCE OF THE COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA**

**“SEC. 499. UNITED STATES ASSISTANCE TO PROMOTE RECONCILIATION AND RECOVERY FROM REGIONAL CONFLICTS.**

“(a) **PURPOSE OF ASSISTANCE.**—The purposes of assistance under this section include—

“(1) the creation of the basis for reconciliation between belligerents;

“(2) the promotion of economic development in areas of the countries of the South Caucasus and Central Asia impacted by civil conflict and war; and

“(3) the encouragement of broad regional cooperation among countries of the South Caucasus and Central Asia that have been destabilized by internal conflicts.

“(b) **AUTHORIZATION FOR ASSISTANCE.**—

“(1) **IN GENERAL.**—To carry out the purposes of subsection (a), the President is authorized to provide humanitarian assistance and economic reconstruction assistance for the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

“(2) **DEFINITION OF HUMANITARIAN ASSISTANCE.**—In this subsection, the term ‘humanitarian assistance’ means assistance to meet humanitarian needs, including needs for food, medicine, medical supplies and equipment, education, and clothing.

“(c) **ACTIVITIES SUPPORTED.**—Activities that may be supported by assistance under subsection (b) include—

“(1) providing for the humanitarian needs of victims of the conflicts;

“(2) facilitating the return of refugees and internally displaced persons to their homes; and

“(3) assisting in the reconstruction of residential and economic infrastructure destroyed by war.

**“SEC. 499A. ECONOMIC ASSISTANCE.**

“(a) **PURPOSE OF ASSISTANCE.**—The purpose of assistance under this section is to foster economic growth and development, including the conditions necessary for regional economic cooperation, in the South Caucasus and Central Asia.

“(b) **AUTHORIZATION FOR ASSISTANCE.**—To carry out the purpose of subsection (a), the President is authorized to provide assistance for the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

“(c) **ACTIVITIES SUPPORTED.**—In addition to the activities described in section 498, activities supported by assistance under subsection (b) should support the development of the structures and means necessary for the growth of private sector economies based upon market principles.

**“SEC. 499B. DEVELOPMENT OF INFRASTRUCTURE.**

“(a) **PURPOSE OF PROGRAMS.**—The purposes of programs under this section include—

“(1) to develop the physical infrastructure necessary for regional cooperation among

the countries of the South Caucasus and Central Asia; and

“(2) to encourage closer economic relations and to facilitate the removal of impediments to cross-border commerce among those countries and the United States and other developed nations.

“(b) **AUTHORIZATION FOR PROGRAMS.**—To carry out the purposes of subsection (a), the following types of programs for the countries of the South Caucasus and Central Asia may be used to support the activities described in subsection (c):

“(1) Activities by the Export-Import Bank to complete the review process for eligibility for financing under the Export-Import Bank Act of 1945.

“(2) The provision of insurance, reinsurance, financing, or other assistance by the Overseas Private Investment Corporation.

“(3) Assistance under section 661 of this Act (relating to the Trade and Development Agency).

“(c) **ACTIVITIES SUPPORTED.**—Activities that may be supported by programs under subsection (b) include promoting actively the participation of United States companies and investors in the planning, financing, and construction of infrastructure for communications, transportation, including air transportation, and energy and trade including highways, railroads, port facilities, shipping, banking, insurance, telecommunications networks, and gas and oil pipelines.

**“SEC. 499C. BORDER CONTROL ASSISTANCE.**

“(a) **PURPOSE OF ASSISTANCE.**—The purpose of assistance under this section includes the assistance of the countries of the South Caucasus and Central Asia to secure their borders and implement effective controls necessary to prevent the trafficking of illegal narcotics and the proliferation of technology and materials related to weapons of mass destruction (as defined in section 2332a(c)(2) of title 18, United States Code), and to contain and inhibit transnational organized criminal activities.

“(b) **AUTHORIZATION FOR ASSISTANCE.**—To carry out the purpose of subsection (a), the President is authorized to provide assistance to the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

“(c) **ACTIVITIES SUPPORTED.**—Activities that may be supported by assistance under subsection (b) include assisting those countries of the South Caucasus and Central Asia in developing capabilities to maintain national border guards, coast guard, and customs controls.

**“SEC. 499D. STRENGTHENING DEMOCRACY, TOLERANCE, AND THE DEVELOPMENT OF CIVIL SOCIETY.**

“(a) **PURPOSE OF ASSISTANCE.**—The purpose of assistance under this section is to promote institutions of democratic government and to create the conditions for the growth of pluralistic societies, including religious tolerance and respect for internationally recognized human rights.

“(b) **AUTHORIZATION FOR ASSISTANCE.**—To carry out the purpose of subsection (a), the President is authorized to provide the following types of assistance to the countries of the South Caucasus and Central Asia:

“(1) Assistance for democracy building, including programs to strengthen parliamentary institutions and practices.

“(2) Assistance for the development of non-governmental organizations.

“(3) Assistance for development of independent media.

“(4) Assistance for the development of the rule of law, a strong independent judiciary, and transparency in political practice and commercial transactions.

“(5) International exchanges and advanced professional training programs in skill areas central to the development of civil society.

“(6) Assistance to promote increased adherence to civil and political rights under section 116(e) of this Act.

“(c) **ACTIVITIES SUPPORTED.**—Activities that may be supported by assistance under subsection (b) include activities that are designed to advance progress toward the development of democracy.

**“SEC. 499E. ADMINISTRATIVE AUTHORITIES.**

“(a) **ASSISTANCE THROUGH GOVERNMENTS AND NONGOVERNMENTAL ORGANIZATIONS.**—Assistance under this chapter may be provided to governments or through nongovernmental organizations.

“(b) **USE OF ECONOMIC SUPPORT FUNDS.**—Except as otherwise provided, any funds that have been allocated under chapter 4 of part II for assistance for the independent states of the former Soviet Union may be used in accordance with the provisions of this chapter.

“(c) **TERMS AND CONDITIONS.**—Assistance under this chapter shall be provided on such terms and conditions as the President may determine.

“(d) **AVAILABLE AUTHORITIES.**—The authority in this chapter to provide assistance for the countries of the South Caucasus and Central Asia is in addition to the authority to provide such assistance under the FREEDOM Support Act (22 U.S.C. 5801 et seq.) or any other Act, and the authorities applicable to the provision of assistance under chapter 11 may be used to provide assistance under this chapter.

**“SEC. 499F. DEFINITIONS.**

“In this chapter:

“(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

“(2) **COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA.**—The term ‘countries of the South Caucasus and Central Asia’ means Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.”.

(c) **RESTRICTION ON ASSISTANCE FOR GOVERNMENT OF AZERBAIJAN.**—Section 907 of the Freedom Support Act (22 U.S.C. 5812 note) is amended—

(1) by inserting “(a) **RESTRICTION.**—”; and

(2) by adding at the end the following:

“(b) **WAIVER.**—The restriction on assistance in subsection (a) shall not apply if the President determines, and so certifies to Congress, that the application of the restriction would not be in the national interests of the United States.”.

(d) **CONFORMING AMENDMENTS.**—Section 102(a) of the FREEDOM Support Act (Public Law 102-511) is amended in paragraphs (2) and (4) by striking each place it appears “this Act)” and inserting “this Act and chapter 12 of part I of the Foreign Assistance Act of 1961)”.

(e) **ANNUAL REPORT.**—Section 104 of the FREEDOM Support Act (22 U.S.C. 5814) is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) with respect to the countries of the South Caucasus and Central Asia—

“(A) an identification of the progress made by the United States in accomplishing the policy described in section 3 of the Silk Road Strategy Act of 1999;

“(B) an evaluation of the degree to which the assistance authorized by chapter 12 of part I of the Foreign Assistance Act of 1961 has accomplished the purposes identified in that chapter;

“(C) a description of the progress being made by the United States to negotiate a bilateral agreement relating to the protection of United States direct investment in, and other business interests with, each country; and

“(D) recommendations of any additional initiatives that should be undertaken by the United States to implement the policy and purposes contained in the Silk Road Strategy Act of 1999.”.

**MCCONNELL (AND OTHERS)  
AMENDMENT NO. 1119**

Mr. MCCONNELL (for himself, Mr. ABRAHAM, Mr. SARBANES, Mr. TORRICELLI, and Mr. KENNEDY) proposed an amendment to amendment No. 1118 proposed by Mr. BROWNBACk to the bill, S. 1234, supra; as follows:

On page 9, line 3 strike all after “(c) Restriction through line 12 States.”.

**BROWNBACk AMENDMENT NO. 1120**

(Ordered to lie on the table.)

Mr. BROWNBACk submitted an amendment intended to be proposed by him to the bill S. 1234, supra; as follows:

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

**SEC. . HUMANITARIAN ASSISTANCE FOR  
SUDANESE INDIGENOUS GROUPS.**

The President, acting through the appropriate Federal agencies, is authorized to provide humanitarian assistance, including food, directly to the National Democratic Alliance participants and the Sudanese People's Liberation Movement operating outside of the Operation Lifeline Sudan structure.

**THOMAS (AND ENZI) AMENDMENT  
NO. 1121**

(Ordered to lie on the table.)

Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by them to the bill, S. 1234, supra; as follows:

At the appropriate place in the bill, insert the following new section and renumber the remaining sections accordingly:

**“SEC. . PROHIBITION ON THE RETURN OF VET-  
ERANS MEMORIAL OBJECTS TO FOR-  
EIGN NATIONS WITHOUT SPECIFIC  
AUTHORIZATION IN LAW.**

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term “entity controlled by a foreign government” has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term “veterans memorial object” means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from aboard a memorial of combat abroad.”

**ASHCROFT (AND OTHERS)  
AMENDMENT NO. 1122**

(Ordered to lie on the table.)

Mr. ASHCROFT (for himself, Mr. HAGEL, Mr. BAUCUS, Mr. ROBERTS, Mr. KERRY, Mr. DODD, Mr. BROWNBACk, Mr. GRAMS, Mr. WARNER, Mr. LEAHY and Mr. CRAIG) submitted an amendment intended to be proposed by them to the bill, S. 1234, supra; as follows:

At the appropriate place, insert the following:

SEC. . REQUIREMENT OF CONGRESSIONAL APPROVAL OF ANY UNILATERAL AGRICULTURAL OR MEDICAL SANCTION.—(a) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—

(A) IN GENERAL.—The term “agricultural commodity” has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

(B) EXCLUSION.—The term “agricultural commodity” does not include any agricultural commodity that is used to facilitate the development or production of a chemical or biological weapon.

(2) AGRICULTURAL PROGRAM.—The term “agricultural program” means—

(A) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et. seq.);

(B) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) any commercial sale of agricultural commodities, including a commercial sale of an agricultural commodity that is prohibited under a unilateral agricultural sanction that is in effect on the date of enactment of this Act; or

(D) any export financing (including credits or credit guarantees) for agricultural commodities.

(3) JOINT RESOLUTION.—The term “joint resolution” means—

(A) in the case of subsection (b)(1)(B), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under subsection (b)(1)(A) is received by Congress, the matter after the resolving clause of which is as follows: “That Congress approves the report of the President pursuant to section (b)(1)(A) of the \_\_\_\_\_ Act \_\_\_\_\_, transmitted on \_\_\_\_\_,” with the blank completed with the appropriate date; and

(B) in the case of subsection (e)(2), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under subsection (e)(1) is received by Congress, the matter after the resolving clause of which is as follows: “That Congress approves the report of the President pursuant to section (e)(1) of the \_\_\_\_\_ Act \_\_\_\_\_, transmitted on \_\_\_\_\_,” with the blank completed with the appropriate date.

(4) MEDICAL DEVICE.—

(A) IN GENERAL.—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(B) EXCLUSION.—The term “medical device” does not include any device that is used to facilitate the development or production of a chemical or biological weapon.

(5) MEDICINE.—

(A) IN GENERAL.—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(B) EXCLUSION.—The term “medicine” does not include any drug that is used to facilitate the development or production of a chemical or biological weapon.

(6) UNILATERAL AGRICULTURAL SANCTION.—The term “unilateral agricultural sanction” means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(7) UNILATERAL MEDICAL SANCTION.—The term “unilateral medical sanction” means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(b) RESTRICTION.—

(1) NEW SANCTIONS.—Except as provided in subsections (c) and (d) and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity for any fiscal year, unless—

(A) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(i) describes the activity proposed to be prohibited, restricted, or conditioned; and

(ii) describes the actions by the foreign country or foreign entity that justify the sanction; and

(B) Congress enacts a joint resolution stating the approval of Congress for the report submitted under subparagraph (A).

(2) EXISTING SANCTIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), with respect to any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act for any fiscal year, the President shall immediately cease to implement such sanction.

(B) EXEMPTIONS.—Subparagraph (A) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed with respect to an agricultural program or activity described in subparagraph (B) or (D) of subsection (a)(2).

(c) EXCEPTIONS.—The President may impose (or continue to impose) a sanction described in subsection (b) without regard to the procedures required by that subsection—

(1) against a foreign country or foreign entity with respect to which Congress has enacted a declaration of war that is in effect on or after the date of enactment of this Act; or

(2) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity that is controlled on—

(A) the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778); or

(B) any control list established under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.).

(d) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—This section shall not affect the prohibition on providing assistance to the government of any country supporting international terrorism that is established by section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

(e) **TERMINATION OF SANCTIONS.**—Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in subsection (b)(1) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(1) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years and the request of the President for approval by Congress of the recommendation; and

(2) Congress enacts a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

(f) **CONGRESSIONAL PRIORITY PROCEDURES.**—

(1) **REFERRAL OF REPORT.**—A report described in subsection (b)(1)(A) or (e)(1) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(2) **REFERRAL OF JOINT RESOLUTION.**—

(A) **IN GENERAL.**—A joint resolution shall be referred to the committees in each House of Congress with jurisdiction.

(B) **REPORTING DATE.**—A joint resolution referred to in subparagraph (A) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

(3) **DISCHARGE OF COMMITTEE.**—If the committee to which is referred a joint resolution has not reported the joint resolution (or an identical joint resolution) at the end of 30 session days of Congress after the date of introduction of the joint resolution—

(A) the committee shall be discharged from further consideration of the joint resolution; and

(B) the joint resolution shall be placed on the appropriate calendar of the House concerned.

(4) **FLOOR CONSIDERATION.**—

(A) **MOTION TO PROCEED.**—

(i) **IN GENERAL.**—When the committee to which a joint resolution is referred has reported, or when a committee is discharged under paragraph (3) from further consideration of a joint resolution—

(I) it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the House concerned to move to proceed to the consideration of the joint resolution; and

(II) all points of order against the joint resolution (and against consideration of the joint resolution) are waived.

(ii) **PRIVILEGE.**—The motion to proceed to the consideration of the joint resolution—

(I) shall be highly privileged in the House of Representatives and privileged in the Senate; and

(II) not debatable.

(iii) **AMENDMENTS AND MOTIONS NOT IN ORDER.**—The motion to proceed to the consideration of the joint resolution shall not be subject to—

(I) amendment;

(II) a motion to postpone; or

(III) a motion to proceed to the consideration of other business.

(iv) **MOTION TO RECONSIDER NOT IN ORDER.**—A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(v) **BUSINESS UNTIL DISPOSITION.**—If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the House concerned until disposed of.

(B) **LIMITATIONS ON DEBATE.**—

(i) **IN GENERAL.**—Debate on the joint resolution, and on all debatable motions and ap-

peals in connection with the joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution.

(ii) **FURTHER DEBATE LIMITATIONS.**—A motion to limit debate shall be in order and shall not be debatable.

(iii) **AMENDMENTS AND MOTIONS NOT IN ORDER.**—An amendment to, a motion to postpone, a motion to proceed to the consideration of other business, a motion to reconsider the joint resolution, or a motion to reconsider the vote by which the joint resolution is agreed to or disagreed to shall not be in order.

(C) **VOTE ON FINAL PASSAGE.**—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the House concerned, the vote on final passage of the joint resolution shall occur.

(D) **RULINGS OF THE CHAIR ON PROCEDURE.**—An appeal from a decision of the Chair relating to the application of the rules of the Senate or House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(5) **COORDINATION WITH ACTION BY OTHER HOUSE.**—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, the following procedures shall apply:

(A) **NO COMMITTEE REFERRAL.**—The joint resolution of the other House shall not be referred to a committee.

(B) **FLOOR PROCEDURE.**—With respect to a joint resolution of the House receiving the joint resolution—

(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(ii) the vote on final passage shall be on the joint resolution of the other House.

(C) **DISPOSITION OF JOINT RESOLUTIONS OF RECEIVING HOUSE.**—On disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution originated in the receiving House.

(6) **PROCEDURES AFTER ACTION BY BOTH THE HOUSE AND SENATE.**—If a House receives a joint resolution from the other House after the receiving House has disposed of a joint resolution originated in that House, the action of the receiving House with regard to the disposition of the joint resolution originated in that House shall be deemed to be the action of the receiving House with regard to the joint resolution originated in the other House.

(7) **RULEMAKING POWER.**—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such this subsection—

(i) is deemed to be a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution; and

(ii) supersedes other rules only to the extent that this subsection is inconsistent with those rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as the rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(g) **EFFECTIVE DATE.**—This section takes effect 30 days after the date of enactment of this Act.

## WELLSTONE AMENDMENT NO. 1123

Mr. WELLSTONE proposed an amendment to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following new title:

### **TITLE—INTERNATIONAL TRAFFICKING OF WOMEN AND CHILDREN VICTIM PROTECTION**

#### **SEC. 01. SHORT TITLE.**

This title may be cited as the “International Trafficking of Women and Children Victim Protection Act of 1999”.

#### **SEC. 02. FINDINGS.**

Congress makes the following findings:

(1) The worldwide trafficking of persons has a disproportionate impact on women and girls and has been and continues to be condemned by the international community as a violation of fundamental human rights.

(2) The fastest growing international trafficking business is the trade in women, whereby women and girls seeking a better life, a good marriage, or a lucrative job abroad, unexpectedly find themselves in situations of forced prostitution, sweatshop labor, exploitative domestic servitude, or battering and extreme cruelty.

(3) Trafficked women and children, girls and boys, are often subjected to rape and other forms of sexual abuse by their traffickers and often held as virtual prisoners by their exploiters, made to work in slavery-like conditions, in debt bondage without pay and against their will.

(4) The President, the First Lady, the Secretary of State, the President's Interagency Council on Women, and the Agency for International Development have all identified trafficking in women as a significant problem.

(5) The Fourth World Conference on Women (Beijing Conference) called on all governments to take measures, including legislative measures, to provide better protection of the rights of women and girls in trafficking, to address the root factors that put women and girls at risk to traffickers, and to take measures to dismantle the national, regional, and international networks on trafficking.

(6) The United Nations General Assembly, noting its concern about the increasing number of women and girls who are being victimized by traffickers, passed a resolution in 1998 calling upon all governments to criminalize trafficking in women and girls in all its forms and to penalize all those offenders involved, while ensuring that the victims of these practices are not penalized.

(7) Numerous treaties to which the United States is a party address government obligations to combat trafficking, including such treaties as the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, which calls for the complete abolition of debt bondage and servile forms of marriage, and the 1957 Abolition of Forced Labor Convention, which undertakes to suppress and requires signatories not to make use of any forced or compulsory labor.

#### **SEC. 03. PURPOSES.**

The purposes of this title are to condemn and combat the international crime of trafficking in women and children and to assist the victims of this crime by—

(1) setting a standard by which governments are evaluated for their response to trafficking and their treatment of victims;

(2) authorizing and funding an interagency task force to carry out such evaluations and to issue an annual report of its findings to

include the identification of foreign governments that tolerate or participate in trafficking and fail to cooperate with international efforts to prosecute perpetrators;

(3) assisting trafficking victims in the United States by providing humanitarian assistance and by providing them temporary nonimmigrant status in the United States;

(4) assisting trafficking victims abroad by providing humanitarian assistance; and

#### SEC. 04. DEFINITIONS.

In this title:

(1) **TRAFFICKING.**—The term “trafficking” means the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority to recruit, transport within or across borders, purchase, sell, transfer, receive, or harbor a person for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude, or slavery or slavery-like conditions, or in forced, bonded, or coerced labor.

(2) **VICTIM OF TRAFFICKING.**—The term “victim of trafficking” means any person subjected to the treatment described in paragraph (2).

#### SEC. 05. INTER-AGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established within the Department of State in the Office of the Secretary of State an Inter-Agency Task Force to Monitor and Combat Trafficking (in this section referred to as the “Task Force”). The Task Force shall be co-chaired by the Assistant Secretary of State for Democracy, Human Rights, and Labor Affairs and the Senior Coordinator on International Women's Issues, President's Interagency Council on Women.

(2) **APPOINTMENT OF MEMBERS.**—The members of the Task Force shall be appointed by the Secretary of State. The Task Force shall consist of no more than twelve members.

(3) **COMPOSITION.**—The Task Force shall include representatives from the—

(A) Violence Against Women Office, Office of Justice Programs, Department of Justice;

(B) Office of Women in Development, United States Agency for International Development; and

(C) Bureau of International Narcotics and Law Enforcement Affairs, Department of State.

(4) **STAFF.**—The Task Force shall be authorized to retain up to five staff members within the Bureau of Democracy, Human Rights, and Labor Affairs, and the President's Interagency Council on Women to prepare the annual report described in subsection (b) and to carry out additional tasks which the Task Force may require. The Task Force shall regularly hold meetings on its activities with nongovernmental organizations.

(b) **ANNUAL REPORT TO CONGRESS.**—Not later than March 1 of each year, the Secretary of State, with the assistance of the Task Force, shall submit a report to Congress describing the status of international trafficking, including—

(1) a list of foreign states where trafficking originates, passes through, or is a destination; and

(2) an assessment of the efforts by the governments described in paragraph (1) to combat trafficking. Such an assessment shall address—

(A) whether any governmental authorities tolerate or are involved in trafficking activities;

(B) which governmental authorities are involved in anti-trafficking activities;

(C) what steps the government has taken toward ending the participation of its officials in trafficking;

(D) what steps the government has taken to prosecute and investigate those officials found to be involved in trafficking;

(E) what steps the government has taken to prohibit other individuals from participating in trafficking, including the investigation, prosecution, and conviction of individuals involved in trafficking, the criminal and civil penalties for trafficking, and the efficacy of those penalties on reducing or ending trafficking;

(F) what steps the government has taken to assist trafficking victims, including efforts to prevent victims from being further victimized by police, traffickers, or others, grants of stays of deportation, and provision of humanitarian relief, including provision of mental and physical health care and shelter;

(G) whether the government is cooperating with governments of other countries to extradite traffickers when requested;

(H) whether the government is assisting in international investigations of transnational trafficking networks; and

(I) whether the government—

(i) refrains from prosecuting trafficking victims or refrains from other discriminatory treatment towards trafficking victims due to such victims having been trafficked, or the nature of their work, or their having left the country illegally; and

(ii) recognizes the rights of victims and ensures their access to justice.

(c) **REPORTING STANDARDS AND INVESTIGATIONS.**—

(1) **RESPONSIBILITY OF THE SECRETARY OF STATE.**—The Secretary of State shall ensure that United States missions abroad maintain a consistent reporting standard and thoroughly investigate reports of trafficking.

(2) **CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.**—In compiling data and assessing trafficking for the Human Rights Report and the Inter-Agency Task Force to Monitor and Combat Trafficking Annual Report, United States mission personnel shall seek out and maintain contacts with human rights and other nongovernmental organizations, including receiving reports and updates from such organizations, and, when appropriate, investigating such reports.

#### SEC. 06. PROTECTION OF TRAFFICKING VICTIMS.

(a) **NONIMMIGRANT CLASSIFICATION FOR TRAFFICKING VICTIMS.**—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) by striking “or” at the end of subparagraph (R);

(2) by striking the period at the end of subparagraph (S) and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(T) an alien who the Attorney General determines—

“(i) is physically present in the United States, and

“(ii) is or has been a trafficking victim (as defined in section 04 of the International Trafficking of Women and Children Victim Protection Act of 1999),

for a stay of not to exceed 3 months in the United States, except that any such alien who has filed a petition seeking asylum or who is pursuing civil or criminal action against traffickers shall have the alien's status extended until the petition or litigation reaches its conclusion.”

(b) **WAIVER OF GROUNDS FOR INELIGIBILITY FOR ADMISSION.**—Section 212(d) of the Immigration and Nationality Act (8 U.S.C. 1182(d)) is amended—

(1) by inserting “(1)” after “(d)”; and

(2) by adding at the end the following:

“(2) The Attorney General shall, in the Attorney General's discretion, waive the application of subsection (a) (other than para-

graph (3)(E)) in the case of a nonimmigrant described in section 101(a)(15)(T), if the Attorney General considers it to be in the national interest to do so.”

(c) **INVOLUNTARY SERVITUDE.**—Section 1584 of title 18, United States Code, is amended—

(1) inserting “(a)” before “Whoever”;

(2) by striking “or” after “servitude”;

(3) by inserting “transfers, receives or harbors any person into involuntary servitude, or” after “servitude.”; and

(4) by adding at the end the following:

“(b) In this section, the term ‘involuntary servitude’ includes trafficking, slavery-like practices in which persons are forced into labor through non-physical means, such as debt bondage, blackmail, fraud, deceit, isolation, and psychological pressure.”

(d) **TRAFFICKING VICTIM REGULATIONS.**—Not later than 180 days after the date of enactment of this Act, the Attorney General and the Secretary of State shall jointly promulgate regulations for law enforcement personnel, immigration officials, and Foreign Service officers requiring that—

(1) Federal, State and local law enforcement, immigration officials, and Foreign Service officers shall be trained in identifying and responding to trafficking victims;

(2) trafficking victims shall not be jailed, fined, or otherwise penalized due to having been trafficked, or nature of work;

(3) trafficking victims shall have access to legal assistance, information about their rights, and translation services;

(4) trafficking victims shall be provided protection if, after an assessment of security risk, it is determined the trafficking victim is susceptible to further victimization; and

(5) prosecutors shall take into consideration the safety and integrity of trafficked persons in investigating and prosecuting traffickers.

#### SEC. 07. ASSISTANCE TO TRAFFICKING VICTIMS.

(a) **IN THE UNITED STATES.**—The Secretary of Health and Human Services is authorized to provide, through the Office of Refugee Resettlement, assistance to trafficking victims and their children in the United States, including mental and physical health services, and shelter.

(b) **IN OTHER COUNTRIES.**—The President, acting through the Administrator of the United States Agency for International Development, is authorized to provide programs and activities to assist trafficking victims and their children abroad, including provision of mental and physical health services, and shelter. Such assistance should give special priority to programs by nongovernmental organizations which provide direct services and resources for trafficking victims.

#### SEC. 08. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION OF APPROPRIATIONS FOR THE INTER-AGENCY TASK FORCE.**—To carry out the purposes of section 05, there are authorized to be appropriated to the Secretary of State \$2,000,000 for fiscal year 2000 and \$2,000,000 for fiscal year 2001.

(b) **AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF HHS.**—To carry out the purposes of section 08(a), there are authorized to be appropriated to the Secretary of Health and Human Services \$20,000,000 for fiscal year 2000 and \$20,000,000 for fiscal year 2001.

(c) **AUTHORIZATION OF APPROPRIATIONS TO THE PRESIDENT.**—To carry out the purposes of section 08(b), there are authorized to be appropriated to the President \$20,000,000 for fiscal year 2000 and \$20,000,000 for fiscal year 2001.

(d) **PROHIBITION.**—Funds made available to carry out this title shall not be available for the procurement of weapons or ammunition.



## WELLSTONE AMENDMENT NO. 1124

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following:

**TITLE VI—ECONOMIC COOPERATION PROJECTS IN CHINA AND TIBET**

**SEC. 601. STATEMENT OF PRINCIPLES.**

(a) **PURPOSE.**—It is the purpose of this title to establish principles governing the conduct of United States economic cooperation projects in the People's Republic of China and in Tibet.

(b) **PRINCIPLES.**—It is the sense of Congress that any United States economic cooperation project shall, within its facilities and those of its suppliers in the People's Republic of China or Tibet, do the following:

(1) Prohibit the manufacture of goods or products by bonded labor or forced labor, within prison camps or as part of reform-through-labor or reeducation-through-labor programs.

(2) Provide wages that meet workers' basic needs and provide fair and decent working hours, including at a minimum, adhering to the wage and hour guidelines under the national labor laws and policies of the People's Republic of China.

(3) Use production methods that do not negatively affect the occupational safety and health of workers.

(4) Prohibit the use of corporal punishment, as well as any physical, sexual, or verbal abuse or harassment, of workers.

(5) Refrain from seeking police or military intervention to prevent workers from exercising their rights.

(6) Promote the following freedoms among their employees and the employees of their suppliers: freedom of association and assembly (including the right to form unions and to bargain collectively); freedom of expression; and freedom from arbitrary arrest or detention.

(7) Prohibit discrimination in hiring, remuneration, or promotion based on age, gender, marital status, pregnancy, ethnicity, or region of origin.

(8) Prohibit discrimination in hiring, remuneration, or promotion based on labor, political, or religious activity, on involvement in demonstrations, past records of arrests or internal exile for peaceful protest, or on membership in organizations committed to nonviolent social or political change.

(9) Use environmentally responsible methods of production that have minimal adverse impact on land, air, and water quality.

(10) Prohibit child labor, including at a minimum, complying with guidelines on minimum age for employment under the national labor laws of the People's Republic of China.

(c) **PROMOTION OF PRINCIPLES BY OTHER NATIONS.**—The Secretary of State shall forward a copy of the principles set forth in subsection (b) to each member nation of the Organization for Economic Cooperation and Development and encourage such nation to promote principles similar to such principles.

**SEC. 602. REGISTRATION REQUIREMENT.**

(a) **REQUIREMENT.**—

(1) **IN GENERAL.**—Each United States parent company conducting a United States economic cooperation project in the People's Republic of China or Tibet shall register with the Secretary of State and indicate whether such company agrees to implement the principles set forth in section 601(b).

(2) **PROHIBITION ON FEE.**—No fee shall be required for purposes of registration under paragraph (1).

(b) **EFFECTIVE DATE.**—Subsection (a) shall take effect 180 days after the date of the enactment of this Act.

**SEC. 603. REPORTING REQUIREMENTS.**

(a) **REPORTS BY UNITED STATES PARENT COMPANIES.**—

(1) **IN GENERAL.**—Each United States parent company conducting a United States economic cooperation project in the People's Republic of China or Tibet shall submit to the Secretary of State a report describing such company's adherence to the principles set forth in section 601(b) during the one-year period ending on the date of such report.

(2) **FORM.**—The report shall be submitted on a form furnished by the Secretary.

(3) **SUBMITTAL DATES.**—A United States parent company shall submit the report required by paragraph (1) not later than one year after the date on which the company registers under section 602 and annually thereafter.

(b) **REVIEW OF REPORTS.**—

(1) **IN GENERAL.**—The Secretary shall review each report submitted under subsection (a) to determine whether the United States parent company submitting such report is adhering to the principles set forth in section 601(b).

(2) **ADDITIONAL INFORMATION.**—The Secretary may request additional information from a United States parent company for purposes of the review of its report under this subsection, and may use other sources of information to verify the information contained in such report.

(c) **ANNUAL REPORT.**—Not later than two years after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress and to the Secretariat of the Organization for Economic Cooperation and Development a report assessing the adherence of United States parent companies subject to the reporting requirement in subsection (a) to the principles set forth in section 601(b). Each report shall cover the one-year period ending on the date of such report.

**SEC. 604. EXPORT MARKETING SUPPORT.**

(a) **SUPPORT.**—A department or agency of the United States Government may intercede with a foreign government or foreign national regarding export marketing activity in the People's Republic of China or Tibet on behalf of a United States parent company subject to the reporting requirement in section 603(a) only if the United States parent company adheres to the principles set forth in section 601(b).

(b) **EFFECTIVE DATE.**—Subsection (a) shall take effect two years after the date of the enactment of this Act.

**SEC. 605. DEFINITIONS.**

In this title:

(1) **ADHERE.**—The terms "adhere to", "adhering to", and "adherence to", in the case of the principles set forth in section 601(b), mean—

(A) agreeing to implement the principles;

(B) implementing the principles by taking good faith measures with respect to each principle; and

(C) reporting accurately to the Secretary of State on the measures taken to implement the principles.

(2) **INTERCEDE WITH A FOREIGN GOVERNMENT OR FOREIGN NATIONAL.**—

(A) **IN GENERAL.**—The term "intercede with a foreign government or foreign national" includes any contact by an officer or employee of the United States with officials of any foreign government or foreign national involving or contemplating any effort to assist in selling a good, service, or technology in the People's Republic of China or Tibet.

(B) **EXCLUSION.**—The term does not include multilateral or bilateral government-to-gov-

ernment trade negotiations intended to resolve trade issues which may affect United States parent companies which do not adhere to the principles set forth in section 601(b).

(3) **UNITED STATES ECONOMIC COOPERATION PROJECT.**—The term "United States economic cooperation project" means the following:

(A) An equity joint venture, cooperative joint venture, or wholly foreign-owned enterprise established under the laws of the People's Republic of China in which—

(i) a corporation, partnership, wholly-owned subsidiary, or other business association organized under the laws of the United States is an investor; or

(ii) a corporation, partnership, or other business association organized under the laws of a country other than the United States, or under the laws of a territory or possession of a country other than the United States, which is wholly owned by a corporation, partnership, or other business association organized under the laws of the United States, is an investor and which employs more than 50 individuals in the People's Republic of China or Tibet.

(B) A branch office or representative office in the People's Republic of China or Tibet of—

(i) a corporation, partnership, wholly-owned subsidiary, or other business association organized under the laws of the United States; or

(ii) a corporation, partnership, or other business association organized under the laws of a country other than the United States, or under the laws of a territory or possession of a country other than the United States, which is wholly owned by a corporation, partnership, or other business association organized under the laws of the United States, which employs more than 25 individuals in the People's Republic of China or Tibet.

(4) **ORGANIZED UNDER THE LAWS OF THE UNITED STATES.**—The term "organized under the laws of the United States" means organized under the laws of the United States, any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

(5) **UNITED STATES PARENT COMPANY.**—The term "United States parent company" means a corporation, partnership, or other business association organized under the laws of the United States which is—

(A) the direct investor in a United States economic cooperation project as described in paragraph (3)(A)(i), or the sole owner of the investor in a United States economic cooperation project as described in paragraph (3)(A)(ii); or

(B) the registrant in the People's Republic of China of a branch office or representative office as described in paragraph (3)(B)(i), or the sole owner of the registrant of a branch office or representative office in the People's Republic of China or Tibet as described in paragraph (3)(B)(ii).

**SMITH AMENDMENT NO. 1125**

Mr. McCONNELL (for Mr. SMITH of Oregon) proposed an amendment to the bill, S. 1234, supra; as follows:

At the appropriate place in the bill, insert the following new section and renumber any remaining sections accordingly:

**SEC. . SENSE OF THE SENATE ON THE CITIZENS DEMOCRACY CORPS.**

It is the sense of the Senate that—

(1) with regard to promoting economic development and open, democratic countries in

the former Soviet Union and Central Eastern Europe, the Committee commends the work of the Citizens Democracy Corps (CDC), which utilizes senior-level U.S. business volunteers to assist enterprises, institutions, and local governments abroad. Their work demonstrates the significant impact that USAID support of a U.S. non-governmental organization (NGO) program can have on the key U.S. foreign policy priorities of promoting broad-based, stable economic growth and open, market-oriented economies in transitioning economies. By drawing upon the skills and voluntary spirit of U.S. businessmen and women to introduce companies, CDC furthers the goals of the Freedom of Support Act (NIS) and Support for Eastern European Democracy (SEED), forging positive, lasting connections between the U.S. and these countries. The Committee endorses CDC's very cost-effective programs and believes they should be supported and expanded not only in the former Soviet Union and Eastern Europe, but in transitioning and developing economies throughout the world.

#### SEWAGE TREATMENT FACILITY— SISTERS, OREGON

##### SMITH AMENDMENT NO. 1126

(Ordered to lie on the table.)

Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill (S. 416) to direct the Secretary of Agriculture to convey to the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility; as follows:

On page 3, line 12, strike the quotation marks.

On page 3, line 14, strike "the following". At the end, add the following:

"(e) AUTHORITY TO ACQUIRE LAND IN SUBSTITUTION.—Subject to the availability of appropriations, the Secretary shall acquire land within Oregon, and within or in the vicinity of the Deschutes National Forest, of an acreage equivalent to that of the land conveyed under subsection (a). Any lands acquired shall be added to and administered as part of the Deschutes National Forest."

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PRO- GRAMS APPROPRIATIONS ACT, 2000

##### McCONNELL (AND LEAHY) AMENDMENT NO. 1127

Mr. McCONNELL (for himself and Mr. LEAHY) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 11, line 12 strike everything after the word "loans" and through the word "provision" on line 22.

On page 18, line 21, after the colon insert the following:

*Provided further*, That notwithstanding any other provision of law, of the funds appropriated under this heading, \$10,000,000 shall be made available for political, economic, humanitarian, and associated support activities for Iraqi opposition groups designated under the Iraqi Liberation Act (Public Law 105-338): *Provided further*, That not less than 15 days prior to the obligation of these funds, the Secretary shall inform the Committees

on Appropriations of the purpose and amount of the proposed obligation of funds under this provision:

##### McCAIN (AND STEVENS) AMENDMENT NO. 1128

Mr. McCONNELL (for Mr. McCain (for himself and Mr. STEVENS)) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 7, line 3 strike the language beginning with "but shall be" through line 16 "Appropriations."

##### LEAHY (AND McCONNELL) AMENDMENT NO. 1129

Mr. LEAHY (for himself and Mr. McCONNELL) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 7, line 22, after the colon, insert the following:

*Provided further*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the President of the Foundation: *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That this authority applies to interest earned both prior to and following enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations before each time such waiver authority is exercised:

##### COVERDELL (AND STEVENS) AMENDMENT NO. 1130

Mr. McCONNELL (for Mr. COVERDELL (for himself and Mr. STEVENS)) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 8, line 6, after the word "AIDS" insert the following: "and including up to \$5,500,000 which may be made available to establish an International Health Center at Morehouse School of Medicine".

##### McCONNELL (AND LEAHY) AMENDMENT NO. 1131

Mr. McCONNELL (for himself and Mr. LEAHY) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 22, line 5, before the word "Ukraine" insert the words "Government of".

On page 22, line 6, after "1999", insert the following: ", including taking effective measures to end corruption by government officials".

##### LEAHY (AND McCONNELL) AMENDMENT NO. 1132

Mr. LEAHY (for himself and Mr. McCONNELL) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 22, line 15, before the period, insert the following: "*Provided further*, That of the funds made available for Ukraine, \$3,500,000 shall be made available for the destruction of stockpiles of anti-personnel landmines in Ukraine".

##### LEAHY AMENDMENT NO. 1133

Mr. LEAHY proposed an amendment to the bill, S. 1234, supra; as follows:

On page 10, line 10, after the colon, insert the following: "*Provided further*, That the proportion of funds appropriated under this heading that are made available for biodiversity activities should be at least the same as the proportion of funds that were made available for such activities from funds appropriated by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995 (P.L. 103-306) to carry out sections 103 through 106 and chapter 10 of part I of the Foreign Assistance Act of 1961".

##### LEAHY AMENDMENT NO. 1134

Mr. LEAHY proposed an amendment to the bill, S. 1234, supra; as follows:

On page 32, line 12, delete everything beginning with "For" through "expended" on page 33, line 7, and insert in lieu thereof the following:

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct or indirect loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961 (including necessary expenses for the administration of activities carried out under these parts), and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agriculture Trade Development and Assistance Act of 1954 as amended; and concessional loans, guarantees and credit agreements with any country in sub-Saharan Africa, as authorized under section 572 of the Foreign Operations, Export Financing and Related Programs Act, 1989 (Public Law 100-461); \$43,000,000, to remain available until expended; provided that any limitation of subsection (e) of Section 411 of the Agriculture Trade Development and Assistance Act of 1954 to the extent that limitation applies to sub-Saharan African countries shall not apply to funds appropriated hereunder or previously appropriate.

##### ROTH (AND LAUTENBERG) AMENDMENT NO. 1135

Mr. McCONNELL (for Mr. ROTH (for himself and Mr. LAUTENBERG)) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following new section:

##### SENSE OF CONGRESS ON MANAGEMENT OF UNITED STATES INTERESTS IN UKRAINE

SEC. 580. (a) FINDINGS.—Congress makes the following findings:

(1) Ukraine is a major European nation as it has the second largest territory and sixth largest population of all the States of Europe.

(2) Ukraine has important geopolitical and economic roles to play within Central and Eastern Europe.

(3) A strong, stable, and secure Ukraine serves the interests of peace and stability in all of Europe, which are important national security interests of the United States.

(4) Ukraine is a member State of the Council of Europe, the Organization on Security and Cooperation in Europe, the Central European Initiative, and the Euro-Atlantic Partnership Conference, is a participant in the Partnership for Peace program of the North Atlantic Treaty Organization, and has entered into a Partnership and Cooperation Agreement with the European Union.

(5) The Government of Ukraine has clearly articulated its country's aspirations to become fully integrated into European and transatlantic institutions, and, in pursuit of the attainment of that aspiration, the government of Ukraine has requested associate membership in the European Union with the intent of eventually becoming a full member of the European Union.

(6) It is the policy of the United States to support the aspiration of Ukraine to assume its rightful place among the European and transatlantic community of democratic States and in European and transatlantic institutions.

(7) In the United States Government, the responsibility for management of United States interests in Ukraine would be most effectively performed by the officials who perform the responsibility for management of United States interests in Europe, and a designation of those officials to do so would strongly underscore and most effectively support attainment of the United States objective to build a Europe whole and free.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should designate the Assistant Secretary of State for European Affairs to perform, through the Bureau of European Affairs of the Department of State, the responsibilities of the Department of State for the management of United States interests in Ukraine.

#### HELMS (AND MACK) AMENDMENT NO. 1136

Mr. MCCONNELL (for Mr. HELMS (for himself and Mr. MACK)) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 38, line 10, strike "\$785,000,000" and insert "\$776,600,000".

#### HELMS AMENDMENT NO. 1137

Mr. MCCONNELL (for Mr. HELMS) proposed an amendment to the bill, S. 1234, supra; as follows:

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

#### SEC. . CONGRESSIONAL NOTIFICATION WITH RESPECT TO ACQUISITION OF USAID FACILITIES.

(a) Funds appropriated under the heading "Operating Expenses of the Agency for International Development" may be made available for acquisition of office space exceeding \$5,000,000 of the United States Agency for International Development only if the appropriate congressional committees are notified at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1).

(b) As used in this section, the term "acquisition" shall have the same meaning as in the Foreign Service Building Act of 1926.

#### HELMS (AND DEWINE) AMENDMENT NO. 1138

Mr. MCCONNELL (for Mr. HELMS (for himself and Mr. DEWINE)) proposed an amendment to the bill, S. 1234, supra; as follows:

Beginning on page 92 delete section 560 and insert in lieu thereof the following:

#### ASSISTANCE FOR HAITI

SEC. 560. (a) SENSE OF CONGRESS.—It is the sense of Congress that, in providing assistance to Haiti, the President should place a priority on the following areas:

(1) aggressive action to support the institution of the Haitian National Police, including

support for efforts by the leadership and the Inspector General to purge corrupt and politicized elements from the Haitian National Police;

(2) steps to ensure that any elections undertaken in Haiti with United States assistance are full, free, fair, transparent, and democratic;

(3) a program designed to develop the indigenous human rights monitoring capacity;

(4) steps to facilitate the continued privatization of state-owned enterprises; and

(5) a sustained agricultural development program.

(b) REPORT.—Beginning six months after the date of enactment of this Act, and six months thereafter, the president shall submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives with regard to—

(1) the status of each of the governmental institutions envisioned in the 1987 Haitian constitution, including an assessment of whether or not these institutions and officials hold positions on the basis of a regular, constitutional process;

(2) the status of the privatization (or placement under long-term private management or concession) of the major public entities, including a detailed assessment of whether or not the Government of Haiti has completed all required incorporating documents, the transfer of assets, and the eviction of unauthorized occupants of the land or facility;

(3) the status of efforts to re-sign and implement the lapsed bilateral Repatriation Agreement and an assessment of whether or not the Government of Haiti has been cooperating with the United States in halting illegal emigration from Haiti;

(4) the status of the Government of Haiti's efforts to conduct thorough investigations of extrajudicial and political killings and—

(A) an assessment of whether or not substantial progress has been made in bringing to justice the persons responsible for these extrajudicial or political killings in Haiti, and

(B) an assessment of whether or not the Government of Haiti is cooperating with United States authorities and with United States-funded technical advisors to the Haitian National Police in such investigations;

(5) an assessment of whether or not the Government of Haiti has taken action to remove and maintain the separation from the Haitian National Police, national palace and residential guard, ministerial guard, and any other public security entity or unit of Haiti those individuals who are credibly alleged to have engaged in or conspired to conceal gross violations of internationally recognized human rights;

(6) the status of steps being taken to secure the ratification of the maritime counter-narcotics agreements signed in October 1997;

(7) an assessment of the degree to which domestic capacity to conduct free, fair, democratic, and administratively sound elections has been developed in Haiti; and

(8) an assessment of whether or not Haiti's Minister of Justice has demonstrated a commitment to the professionalism of judicial personnel by consistently placing students graduated by the Judicial School in appropriate judicial positions and has made a commitment to share program costs associated with the Judicial School, and is achieving progress in making the judicial branch in Haiti independent from the executive branch.

#### MCCONNELL (AND LEAHY) AMENDMENT NO. 1139

Mr. MCCONNELL (for himself and Mr. LEAHY) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 24, line 18, strike all after "(h)" through the period on page 25, line 2, and insert the following:

Of the funds appropriated under this heading that are allocated for assistance for the Central Government of Russia, 50 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that The Government of Russia has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability.

#### MCCONNELL (AND LEAHY) AMENDMENT NO. 1140

Mr. MCCONNELL proposed an amendment to the bill, S. 1234, supra; as follows:

On page 22, line 24, after the word "Armenia" and before the period insert the following: "": *Provided*, That of the funds made available for Armenia, \$15,000,000 shall be available for earthquake rehabilitation and reconstruction".

#### HELMS AMENDMENT NO. 1141

Mr. MCCONNELL (for Mr. HELMS) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 37, line 11, before the period insert the following: "": *Provided further*, That of the amount appropriated under this heading, \$5,000,000 shall be available only for the Philippines".

#### ABRAHAM AMENDMENT NO. 1142

Mr. MCCONNELL (for Mr. ABRAHAM) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 12 line 6 insert a new section:

#### LEBANON

Of the funds appropriated under the headings "Development Assistance" and "Economic Support Fund," not less than \$15,000,000 shall be made available for Lebanon to be used, among other programs, for scholarships and direct support of the American educational institutions in Lebanon.

#### THOMAS AMENDMENT NO. 1143

Mr. MCCONNELL (for Mr. THOMAS) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 13, line 5, after the word "Appropriations" insert the following words: ", the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House,"; and

On page 98, line 16, after the word "Appropriations", insert the following words: ", the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House,".

#### DORGAN AMENDMENT NO. 1144

Mr. LEAHY (for Mr. DORGAN) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 21, line 22, before the period insert the following: "": *Provided further*, That of the

amount appropriated under this heading, not to exceed \$200,000 shall be available only for the REAP International School Linkage Program”.

CAMPBELL (AND OTHERS)  
AMENDMENT NO. 1145

Mr. MCCONNELL (for Mr. CAMPBELL (for himself, Mr. SANTORUM, and Mr. BYRD) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following new section:

RESTRICTION ON UNITED STATES ASSISTANCE  
FOR CERTAIN RECONSTRUCTION EFFORTS IN  
THE BALKANS REGION.

SEC. . (a) PROHIBITION.—

(1) IN GENERAL.—Except as provided in subsection (b), none of the funds appropriated or otherwise made available by this Act for United States assistance for reconstruction efforts in the Federal Republic of Yugoslavia or any contiguous country may be used for the procurement of, any article produced outside the United States, the recipient country, or least developed countries or any service provided by a foreign person.

(b) EXCEPTION.—Subsection (a) shall not apply if—

(1) the provision of such assistance requires articles of a type that are produced in and services that are available for purchase in the United States, the recipient country, or least developed countries, or if the cost of articles and services produced in or available from the United States and such other countries is significantly more expensive, including the cost of transportation, than the cost from other sources; or

(2) the President determines that the application of subsection (a) will impair the ability of the United States to maximize the use of United States articles and services in such reconstruction efforts of other donor countries, or if the President otherwise determines that subsection (a) will impair United States foreign assistance objectives.

(c) DEFINITIONS.—In this section:

(1) ARTICLE.—The term “article” means any agricultural commodity, steel, communications equipment, farm machinery, or petrochemical refinery equipment.

(2) FEDERAL REPUBLIC OF YUGOSLAVIA.—The term “Federal Republic of Yugoslavia” means the Federal Republic of Yugoslavia (Serbia and Montenegro) and includes Kosovo.

(3) FOREIGN PERSON.—The term “foreign person” means any foreign national exclusive of any national or recipient country or least developed countries including any foreign corporation, partnership, other legal entity, organizations, or association that is beneficially owned by foreign persons or controlled in fact by foreign persons.

(4) PRODUCED.—The term “produced”, with respect to an item, includes any item mined, manufactured, made, assembled, grown, or extracted.

(5) SERVICE.—The term “service” means any engineering, construction or telecommunication.

(6) STEEL.—The term “steel” includes the following categories of steel products: semi-finished, plates, sheets and strips, wire rods, wire and wire products, rail type products, bars, structural shapes and units, pipes and tubes, iron ore, and coke products.

LAUTENBERG AMENDMENT NO.  
1146

Mr. LEAHY (for Mr. LAUTENBERG) proposed an amendment to the bill, S. 1234, supra; as follows:

Beginning on page 100, strike line 11 and all that follows through line 13 on page 107 and insert the following:

RESTRICTIONS ON ASSISTANCE TO COUNTRIES,  
ENTITIES, AND COMMUNITIES IN THE FORMER  
YUGOSLAVIA PROVIDING SANCTUARY TO PUB-  
LICLY INDICTED WAR CRIMINALS

SEC. 567. (a) POLICY.—It shall be the policy of the United States to use bilateral and multilateral assistance to promote peace and respect for internationally recognized human rights by encouraging countries, entities, and communities in the territory of the former Yugoslavia to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia—

(1) by apprehending publicly indicted war criminals and transferring custody of those individuals to the Tribunal to stand trial; and

(2) by assisting the Tribunal in the investigation and prosecution of crimes subject to its jurisdiction.

(b) SANCTIONED COUNTRY, ENTITY, OR COMMUNITY.—

(1) IN GENERAL.—A sanctioned country, entity, or community described in this section is one in which there is present a publicly indicted war criminal or in which the Tribunal has been hindered in efforts to investigate crimes subject to its jurisdiction.

(2) SPECIAL RULE.—Subject to subsection (f), subsections (c) and (d) shall not apply to the provision of assistance to an entity that is not a sanctioned entity within a sanctioned country, or to a community that is not a sanctioned community within a sanctioned country or sanctioned entity, if the Secretary of State determines and so reports to the appropriate congressional committees that providing such assistance would further the policy of subsection (a).

(c) BILATERAL ASSISTANCE.—

(1) PROHIBITION.—None of the funds made available by this or any prior Act making appropriations for foreign operations, export financing and related programs may be provided for any country, entity, or community described in subsection (b).

(2) NOTIFICATION.—Not less than 15 days before any assistance described in this subsection is disbursed to any country, entity, or community described in subsection (b), the Secretary of State, in consultation with the Administrator of the Agency for International Development, shall publish in the Federal Register a written justification for the proposed assistance, including a description of the location of the proposed assistance program or project by municipality, its purpose, and the intended recipient of the assistance, including the names of individuals, companies and their boards of directors, and shareholders with controlling or substantial financial interest in the program or project.

(d) MULTILATERAL ASSISTANCE.—

(1) PROHIBITION.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to work in opposition to, and vote against, any extension by such institutions of any financial or technical assistance or grants of any kind to any country or entity described in subsection (b).

(2) NOTIFICATION.—Not less than 15 days before any vote in an international financial institution regarding the extension of financial or technical assistance or grants to any country or community described in subsection (b), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the appropriate Congressional committees a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by

municipality, its purpose, and its intended beneficiaries, including the names of individuals with a controlling or substantial financial interest in the project.

(e) EXCEPTIONS.—Subject to subsection (f), subsections (c) and (d) shall not apply to the provision of—

(1) humanitarian assistance;

(2) assistance to nongovernmental organizations that promote democracy and respect for human rights; and

(3) assistance for cross border physical infrastructure projects involving activities in both a sanctioned country, entity, or community and a nonsanctioned contiguous country, entity, or community, if the project is primarily located in and primarily benefits the nonsanctioned country, entity, or community and if the portion of the project located in the sanctioned country, entity, or community is necessary only to complete the project.

(f) FURTHER LIMITATIONS.—

(1) PROHIBITION ON DIRECT ASSISTANCE TO PUBLICLY INDICTED WAR CRIMINALS AND OTHER PERSONS.—Notwithstanding subsection (e) or subsection (g), no assistance may be made available by this Act, or any prior Act making appropriations for foreign operations, export financing and related programs, in any country, entity, or community described in subsection (b), for any financial or technical assistance, grant, or loan that would directly benefit a publicly indicted war criminal, any person who aids or abets a publicly indicted war criminal to evade apprehension, or any person who otherwise obstructs the work of the Tribunal.

(2) CERTIFICATION.—At the end of each fiscal year, the President shall certify to the appropriate congressional committees that no assistance described in paragraph (1) directly benefited any person described in that paragraph during the preceding 12-month period.

(g) WAIVER.—The Secretary of State may waive the application of subsection (c) with respect to specified United States projects, or subsection (d) with respect to specified international financial institution programs or projects, in a sanctioned country or entity upon providing a written determination to the appropriate congressional committees that the government of the country or entity is doing everything within its power and authority to apprehend or aid in the apprehension of publicly indicted war criminals and is fully cooperating in the investigation and prosecution of war crimes.

(h) CURRENT RECORD OF WAR CRIMINALS  
AND SANCTIONED COUNTRIES, ENTITIES, AND  
COMMUNITIES.—

(1) IN GENERAL.—The Secretary of State, acting through the Ambassador at Large for War Crimes Issues, and after consultation with the Director of Central Intelligence and the Secretary of Defense, shall establish and maintain a current record of the location, including the community, if known, of publicly indicted war criminals and of sanctioned countries, entities, and communities.

(2) REPORT.—Beginning 30 days after the date of enactment of this Act, and not later than September 1 each year thereafter, the Secretary of State shall submit a report in classified and unclassified form to the appropriate congressional committees on the location, including the community, if known, of publicly indicted war criminals and the identity of countries, entities, and communities that are failing to cooperate fully with the Tribunal.

(3) INFORMATION TO CONGRESS.—Upon the request of the chairman or ranking minority member of any of the appropriate congressional committees, the Secretary of State shall make available to that committee the information recorded under paragraph (1) in

a report submitted to the committee in classified and unclassified form.

(j) DEFINITIONS.—As used in this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

(2) CANTON.—The term “canton” means the administrative units in Bosnia and Herzegovina.

(3) COMMUNITY.—The term “community” means any canton, district, opstina, city, town, or village.

(4) COUNTRY.—The term “country” means Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia (Serbia-Montenegro), the Former Yugoslav Republic of Macedonia, and Slovenia.

(5) DAYTON AGREEMENT.—The term “Dayton Agreement” means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

(6) ENTITY.—The term “entity” refers to the Federation of Bosnia and Herzegovina, the Republika Srpska, Brcko in Bosnia, Serbia, Montenegro, and Kosovo.

(7) INTERNATIONAL FINANCIAL INSTITUTION.—The term “international financial institution” includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(8) PUBLICLY INDICTED WAR CRIMINALS.—The term “publicly indicted war criminals” means persons indicted by the Tribunal for crimes subject to the jurisdiction of the Tribunal.

(9) TRIBUNAL OR INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA.—The term “Tribunal” or the term “International Criminal Tribunal for the Former Yugoslavia” means the International Tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the Territory of the Former Yugoslavia since 1991, as established by United Nations Security Council Resolution 827 of May 25, 1993.

#### BROWNBACK AMENDMENT NO. 1147

Mr. BROWNBACK submitted an amendment to be proposed by him to the bill, S. 1234, supra; as follows:

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

#### SEC. \_\_\_\_ INTERNATIONAL DISASTER ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.

Notwithstanding any other provision of law, of the funds made available under chapter 9 of part I of the Foreign Assistance Act of 1961 (relating to international disaster assistance) for fiscal year 2000, up to \$4,000,000 should be made available for rehabilitation and economic recovery in opposition-controlled areas of Sudan. Such funds are to be used to improve civil society, primary education, agriculture, and other locally-determined priorities. Such funds are to be administered by the United States Agency for International Development, in consultation with the Department of Agriculture.

#### SEC. \_\_\_\_ DEVELOPMENT ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.

(a) INCREASE IN DEVELOPMENT ASSISTANCE.—The President, acting through the

United States Agency for International Development, should increase the amount of development assistance for capacity building, democracy promotion, civil administration, judiciary, and infrastructure support in opposition-controlled areas of Sudan.

(b) REPORT.—Not later than May 1, 2000, the President shall submit a report to the Congress on progress made in carrying out subsection (a).

#### GRASSLEY AMENDMENTS NOS. 1148-1149

Mr. GRASSLEY submitted two amendments intended to be proposed to the bill, S. 1234, supra; as follows:

##### AMENDMENT NO. 1148

On page 128, between lines 13 and 14, insert the following:

SEC. 580. (a) The amount appropriated by title II under the heading “DEPARTMENT OF STATE” under the subheading “INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT” is hereby increased by \$61,000,000.

(b)(1) The amount appropriated by title II under the heading “FUNDS APPROPRIATED TO THE PRESIDENT” under the subheading “AGENCY FOR INTERNATIONAL DEVELOPMENT ASSISTANCE” that is specified as available for agriculture and rural development programs including international agriculture research programs is hereby reduced by \$5,000,000.

(2) The amount appropriated by title II under the heading “FUNDS APPROPRIATED TO THE PRESIDENT” under the subheading “CYPRUS” is hereby reduced by \$3,000,000.

(3) The amount appropriated by title II under the heading “FUNDS APPROPRIATED TO THE PRESIDENT” under the subheading “INDONESIA” is hereby reduced by \$10,000,000.

(4) The amount appropriated by title II under the heading “FUNDS APPROPRIATED TO THE PRESIDENT” under the subheading “INTERNATIONAL DISASTER ASSISTANCE” is hereby reduced by \$5,000,000.

(5) The amount appropriated by title II under the heading “OTHER BILATERAL ECONOMIC ASSISTANCE” under the subheading “ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION” is hereby reduced by \$30,000,000.

(6) The amount appropriated by title II under the heading “DEPARTMENT OF THE TREASURY” under the subheading “DEBT RESTRUCTURING” is hereby reduced by \$3,000,000.

(7) The amount appropriated by title III under the heading “FUNDS APPROPRIATED TO THE PRESIDENT” under the subheading “FOREIGN MILITARY FINANCING PROGRAM” is hereby reduced by \$5,000,000.

##### AMENDMENT NO. 1149

On page 128, between lines 13 and 14, insert the following:

#### TITLE VI—DRUG CERTIFICATION PROCEDURES

##### SEC. 601. SHORT TITLE.

This title may be cited as the “Most Favored Rogue States Act of 1999”.

##### SEC. 602. MODIFICATION OF DEFINITION OF “MAJOR DRUG-TRANSIT COUNTRY”.

Section 481(e)(5) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(5)) is amended by striking “significantly affecting the United States”.

##### SEC. 603. TREATMENT OF CERTAIN COUNTRIES AS MAJOR DRUG-TRANSIT COUNTRIES FOR PURPOSES OF CERTIFICATIONS.

(a) TREATMENT.—Notwithstanding any other provision of law and except as provided under section 604(a), the countries specified in subsection (b) shall be treated as major drug-transit countries for purposes of section

490 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j) for fiscal years after fiscal year 1999.

(b) COVERED COUNTRIES.—The countries specified in this subsection are the following:

- (1) Iran.
- (2) Syria.
- (3) North Korea.
- (4) Cuba.

#### SEC. 604. LIMITATION ON REMOVAL OF COUNTRIES FROM LIST OF MAJOR DRUG-TRANSIT AND MAJOR ILLICIT DRUG PRODUCING COUNTRIES.

(a) LIMITATION.—Notwithstanding any other provision of law, in notifying Congress of the countries determined to be major drug-transit or major illicit drug producing countries for purposes of section 490(h) of the Foreign Assistance Act of 1961 (2291j(h)) in any year after 1999, the President may not exclude from among such countries any country that was determined to be such a country for purposes of that section in 1998, or any country specified in section 603(b) that was not otherwise so determined, unless 30 days before making the notification that so excludes such country the President submits to the Members of Congress specified in subsection (b) a written notice of an intent to so exclude such country.

(b) MEMBERS OF CONGRESS.—The Members of Congress referred to in this subsection are the following:

(1) The Chairman and Ranking Member of the Committee on Foreign Relations of the Senate.

(2) The Chairman and Ranking Member of the Committee on International Relations of the House of Representatives.

#### SEC. 605. REPORT ON NATIONAL INTEREST WAIVER FOR PARAGUAY DURING FISCAL YEAR 1999 CERTIFICATION PROCESS.

Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report setting forth a justification for the decision to submit to Congress a certification under section 490(b)(1)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(b)(1)(B)) with respect to Paraguay for fiscal year 1999.

#### SEC. 606. REPORT ON DRUG TRAFFICKING ACTIVITIES OF KOSOVO LIBERATION ARMY.

Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report on the drug-trafficking activities of the Kosovo Liberation Army (KLA). The report shall be submitted in unclassified form, but may include a classified annex.

#### HELMS (AND VOINOVICH) AMENDMENT NO. 1150

Mr. McCONNELL (for Mr. HELMS (for himself and Mr. VOINOVICH) proposed an amendment to the bill, S. 1234, supra; as follows:

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

#### SEC. . ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN YUGOSLAVIA.

(a) ASSISTANCE.—

(1) PURPOSE OF ASSISTANCE.—The purpose of assistance under this subsection is to promote and strengthen institutions of democratic government and the growth of an independent civil society in Yugoslavia, including ethnic tolerance and respect for internationally recognized human rights.

(2) AUTHORIZATION FOR ASSISTANCE.—The President is authorized to furnish assistance and other support for individuals and independent nongovernmental organizations to carry out the purpose of paragraph (1) through support for the activities described in paragraph (3).

(3) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under paragraph (2) include the following:

- (A) Democracy building.
- (B) The development of nongovernmental organizations.
- (C) The development of independent media.
- (D) The development of the rule of law, a strong, independent judiciary, and transparency in political practices.
- (E) International exchanges and advanced professional training programs in skill areas central to the development of civil society and a market economy.
- (F) The development of all elements of the democratic process, including political parties and the ability to administer free and fair elections.
- (G) The development of local governance.
- (H) The development of a free-market economy.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to the President \$100,000,000 for the period beginning October 1, 1999, and ending September 30, 2001, to carry out this subsection.

(B) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subparagraph (A) are authorized to remain available until expended.

(b) PROHIBITION ON ASSISTANCE TO GOVERNMENT OF SERBIA.—In carrying out subsection (a) the President shall take all necessary steps to ensure that no funds or other assistance is provided to the Government of Yugoslavia or to the Government of Serbia.

(c) ASSISTANCE TO GOVERNMENT OF MONTENEGRO.—In carrying out subsection (a), the President is authorized to provide assistance to the Government of Montenegro, if the President determines, and so reports to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, that the Government of Montenegro is committed to, and is taking steps to promote, democratic principles, the rule of law, and respect for internationally recognized human rights.

**BURNS (AND OTHERS)  
AMENDMENT NO. 1151**

Mr. MCCONNELL (for Mr. BURNS (for himself, Mr. DEWINE, and Mr. COVERDELL)) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 26, line 15, before the period insert the following: "Provided further, That of the funds made available under this heading, not less than \$10,000,000 shall be made available to continue mycoherbicide counter drug research and development".

**ASHCROFT AMENDMENTS NOS.  
1152-1153**

(Ordered to lie on the table.)

Mr. ASHCROFT submitted two amendments intended to be proposed by him to the bill, S. 1234, supra; as follows:

**AMENDMENT NO. 1152**

On page 128, after line 13, insert the following new section:

**SENATE REGARDING UNITED STATES  
CITIZENS KILLED IN TERRORIST ATTACKS**

SEC. 580. (a) FINDINGS.—The Senate makes the following findings:

- (1) The Palestinian Authority, in formal commitments made under the Oslo peace process, repeatedly has pledged to wage a relentless campaign against terrorism.
- (2) At least 12 United States citizens have been killed in terrorist attacks in Israel

since the Oslo process began in 1993, and full cooperation from the Palestinian Authority regarding these cases has not been forthcoming.

(3) At least 280 Israeli citizens have died in terrorist attacks since the Oslo process began, a greater loss of life than in the 15 years prior to 1993.

(4) The Palestinian Authority has released terrorist suspects repeatedly, and suspects implicated in the murder of United States citizens have found shelter in the Palestinian Authority, even serving in the Palestinian police force.

(5) The Palestinian Authority uses official institutions such as the Palestinian Broadcasting Corporation to train Palestinian children to hate the Jewish people.

(6) Terrorist violence likely will undermine a genuine peace settlement and jeopardize the security of Israel and United States citizens in that country as long as incitement against the Jewish people and the State of Israel continues.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) it is the solemn duty of the United States and every Administration to bring to justice those suspected of murdering United States citizens in acts of terrorism;

(2) the Palestinian Authority has not taken adequate steps to undermine and eradicate terrorism and has not cooperated fully in detaining and prosecuting suspects implicated in the murder of United States citizens;

(3) Yasser Arafat and senior Palestinian leadership continue to create an environment conducive to terrorism by releasing terrorist suspects and inciting violence against Israel and the United States; and

(4) United States assistance to the Palestinian Authority should be conditioned on full cooperation in combating terrorist violence and full cooperation in investigating and prosecuting terrorist suspects involved in the murder of United States citizens.

**AMENDMENT NO. 1153**

**SEC. \_\_\_\_ REPORT ON TERRORIST ACTIVITY IN  
WHICH UNITED STATES CITIZENS  
WERE KILLED AND RELATED MATTERS.**

(a) IN GENERAL.—Not later than six months after the date of enactment of this Act, and every 6 months thereafter, the Secretary of State shall prepare and submit a report, with a classified annex as necessary, to the appropriate congressional committees regarding terrorist attacks in Israel, in territory administered by Israel, and in territory administered by the Palestinian Authority. The report shall contain the following information:

(1) A list of formal commitments the Palestinian Authority has made to combat terrorism.

(2) A list of terrorist attacks, occurring between September 13, 1993 and the date of the report, against United States citizens in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority, including—

(A) a list of all citizens of the United States killed or injured in such attacks;

(B) the date of each attack and the total number of people killed or injured in each attack;

(C) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

(D) a list of suspects implicated in each attack and the nationality of each suspect, including information on—

(i) which suspects are in the custody of the Palestinian Authority and which suspects are in the custody of Israel;

(ii) which suspects are still at large in areas controlled by the Palestinian Authority or Israel; and

(iii) the whereabouts (or suspected whereabouts) of suspects implicated in each attack.

(3) Of the suspects implicated in the attacks described in paragraph (2) and detained by Palestinian or Israeli authorities, information on—

(A) the date each suspect was incarcerated;

(B) whether any suspects have been released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism; and

(C) the status of each case pending against a suspect, including information on whether the suspect has been indicted, prosecuted, or convicted by the Palestinian Authority or Israel.

(4) The policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any information on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.

(5) A list of each request by the United States for assistance in investigating terrorist attacks listed in the report, a list of each request by the United States for the transfer of terrorist suspects from the Palestinian Authority and Israel since September 13, 1993, and the response to each request from the Palestinian Authority and Israel.

(6) A description of efforts made by United States officials since September 13, 1993 to bring to justice perpetrators of terrorist acts against United States citizens as listed in the report.

(7) A list of any terrorist suspects in these cases who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body.

(8) A list of all United States citizens killed or injured in terrorist attacks in Israel or in territory administered by Israel between 1950 and September 13, 1993, including in each case, where such information is available, any stated claim of responsibility and the resolution or disposition of each case, including information as to the whereabouts of the perpetrators of the acts. The list required by this paragraph shall be submitted only once with the initial report required under this section, unless additional relevant information on these cases becomes available.

(9) The amount of compensation the United States has requested for United States citizens, or their families, injured or killed in attacks by terrorists in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority since September 13, 1993, and, if no compensation has been requested, an explanation of why such requests have not been made.

(b) CONSULTATION WITH OTHER DEPARTMENTS.—The Secretary of State shall, in preparing the report required by this section, consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.

(c) INITIAL REPORT.—Except as provided in subsection (a)(8), the initial report filed under this section shall cover the period between September 13, 1993 and the date of the report.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the Committees on Foreign Relations



of the Senate and the Committee on International Relations of the House of Representatives.

#### CRAIG AMENDMENT NO. 1154

(Ordered to lie on the table.)

Mr. CRAIG submitted an amendment intended to be proposed by him to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following new section:

##### REDUCTION OF AMOUNT FOR PAYMENT OF ARREARS TO MULTILATERAL INSTITUTIONS

SEC. 580. The total amount appropriated under this Act for payment of amounts owed in arrears by the United States to multilateral international institutions is reduced by the total amount paid by the United States for the costs incurred by the United States during fiscal years 1995 through 1999 for peacekeeping operations in Bosnia, Kosovo, and elsewhere in the Balkans.

#### BIDEN AMENDMENTS NOS. 1155–1156

(Ordered to lie on the table.)

Mr. BIDEN submitted two amendments intended to be proposed by him to the bill, S. 1234, supra; as follows:

##### AMENDMENT NO. 1155

On page 128, between lines 13 and 14, insert the following:

##### SEC. \_\_\_\_ . ALLOCATION OF FUNDS FOR THE IRAQ FOUNDATION.

Of the funds made available by this Act for activities of Iraqi opposition groups designated under the Iraqi Liberation Act (Public Law 105–338), not less than \$250,000 shall be made available for the Iraq Foundation.

##### AMENDMENT NO. 1156

On page 128, between lines 13 and 14, insert the following:

##### SEC. \_\_\_\_ . AVAILABILITY OF FUNDS FOR THE IRAQ FOUNDATION.

Of the funds made available by this Act for activities of Iraqi opposition groups designated under the Iraqi Liberation Act (Public Law 105–338), funds shall also be available for the Iraq Foundation.

#### DODD (AND LEAHY) AMENDMENT NO. 1157

Mr. DODD (for himself and Mr. LEAHY) proposed an amendment to the bill, S. 1234, supra; as follows:

At the appropriate place in the bill at the following new section:

##### SEC. \_\_\_\_ . TERMINATION OF PROHIBITIONS AND RESTRICTIONS ON TRAVEL TO CUBA.

(a) TRAVEL TO CUBA.—

(1) FREEDOM OF TRAVEL FOR UNITED STATES CITIZENS AND LEGAL RESIDENTS.—Subject to subsection (b), the President shall not regulate or prohibit, directly or indirectly, travel to or from Cuba by United States citizens or legal residents, or any of the transactions incident to such travel that are set forth in paragraph (2).

(2) TRANSACTIONS INCIDENT TO TRAVEL.—The transactions referred paragraph (1) are—

(A) any transaction ordinarily incident to travel to or from Cuba, including the importation into Cuba or the United States of accompanied baggage for personal use only;

(B) any transaction ordinarily incident to travel or maintenance within Cuba, including the payment of living expenses and the acquisition of goods or services for personal use;

(C) any transaction ordinarily incident to the arrangement, promotion, or facilitation of travel to, from, or within Cuba;

(D) any transaction incident to non-scheduled air, sea, or land voyages, except that this subparagraph does not authorize the carriage of articles into Cuba or the United States except accompanied baggage; and

(E) any normal banking transaction incident to any activity described in any of the preceding subparagraphs, including the issuance, clearing, processing, or payment of checks, drafts, travelers checks, credit or debit card instruments, or similar instruments; except that this paragraph does not authorize the importation into the United States of any goods for personal consumption acquired in Cuba.

(b) EXCEPTIONS.—The restrictions on authority contained in subsection (a)(1) do not apply in a case in which—

(1) the United States is at war with Cuba; or

(2) armed hostilities between the two countries are in progress.

(c) APPLICABILITY.—This section applies to actions taken by the President before the date of the enactment of this Act which are in effect on such date, and to actions taken on or after such date.

(d) SUPERSEDES OTHER PROVISIONS.—This section supersedes any other provision of law, including section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996.

#### DODD AMENDMENT NO. 1158

Mr. LEAHY (for Mr. DODD) proposed an amendment to the bill, S. 1234, supra; as follows:

At the appropriate place in the bill at the following new section:

##### SEC. \_\_\_\_ . FOREIGN MILITARY TRAINING REPORT.

(a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by January 31, 2000 a report on all military training provided to foreign military personnel (excluding sales) administered by the Department of Defense and the Department of State during fiscal years 1999 and 2000, including those proposed for fiscal year 2000. This report shall include, for each such military training activity, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign students trained and their units of operation, and the location of the training. In addition, this report shall also include, with respect to United States personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall be deemed to mean a report to the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and International Relations Committees of the House of Representatives.

#### LANDRIEU (AND HELMS) AMENDMENT NO. 1159

Mr. LEAHY (for Ms. LANDRIEU (for herself and Mr. HELMS)) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 21, line 22, before the period insert the following: “: Provided further, That of the amount appropriated under this heading, not to exceed \$2,000,000 shall be available for grants to nongovernmental organizations that work with orphans who are transitioning out of institutions to teach life skills and job skills”.

#### BYRD AMENDMENT NO. 1160

(Ordered to lie on the table.)

Mr. BYRD submitted an amendment intended to be proposed by him to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following new section:

##### SEC. \_\_\_\_ . SENSE OF THE SENATE REGARDING REDRESSING UNFAIRNESS IN THE DISBURSEMENT OF ASSISTANCE UNDER THE CAMP DAVID ACCORDS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Egypt and Israel together negotiated the Camp David Accords, an historic breakthrough in beginning the process of bringing peace to the Middle East.

(2) As part of the Camp David Accords, a concept was reached regarding the ratio of United States foreign assistance between Egypt and Israel, a formula which has been followed since the signing of the Accords.

(3) The United States is proportionally reducing both military and economic assistance to Egypt and Israel, with the agreement of those nations.

(4) The United States is committed to maintaining parity between Egypt and Israel in United States foreign assistance programs within the context of the overall reduction in assistance.

(5) Egypt has consistently fulfilled an historic role of peacemaker in the context of the Arab-Israeli disputes.

(6) The recent elections in Israel offer fresh hope of resolving the remaining issues of dispute in the region.

(7) The mechanism by which United States foreign assistance has been provided to Egypt and Israel has resulted in an imbalance in that program in that Israel has the unique advantage of having immediate access to an interest bearing account while Egypt has not been accorded the same treatment, a procedure which can be interpreted as a departure from the standard of fairness that is central to United States assistance under the Camp David Accords;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should correct the imbalance caused by the difference in treatment of disbursements of United States foreign assistance to Israel and Egypt by providing Egypt access to an interest bearing account as a part of the United States foreign assistance program pursuant to the principles of fairness and parity which underlie the Camp David Accords.

#### LEAHY (AND OTHERS) AMENDMENT NO. 1161

Mr. LEAHY (for himself, Mr. FEINGOLD, Mr. REED, Mrs. FEINSTEIN, Mr. WELLSTONE, Mr. KENNEDY, Mr. SCHUMER, Mr. HARKIN, and Mrs. BOXER) submitted an amendment intended to be proposed by them to the bill S. 1234, supra; as follows:

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

##### SELF-DETERMINATION IN EAST TIMOR

SEC. \_\_\_\_ . (a) The President, Secretary of State, Secretary of Defense, and the Secretary of the Treasury (acting through United States executive directors to international financial institutions) should immediately intensify their efforts to prevail upon the Indonesian Government and military to—

(1) disarm and disband anti-independence militias in East Timor;

(2) grant full access to East Timor by international human rights monitors, humanitarian organizations, and the press;

(3) allow Timorese who have been living in exile to return to East Timor to campaign for and participate in the ballot; and

(4) release all political prisoners.

(b) The President shall submit a report to Congress not later than 15 days after passage of this Act, containing a description of the Administration's efforts and his assessment of efforts made by the Indonesian Government and military to fulfill the steps described in paragraph (a).

(c) The Secretary of the Treasury shall direct the United States executive directors to international financial institutions to take into account the extent of efforts made by the Indonesian Government and military to fulfill the steps described in paragraph (a), in determining their vote on any loan or financial assistance to Indonesia.

#### BOXER (AND LEAHY) AMENDMENT NO. 1162

Mr. LEAHY (for Mrs. BOXER (for herself and Mr. LEAHY)) proposed an amendment to the bill, S. 1234, *supra*; as follows:

At the end, add the following:

SEC. 5 . (a) FINDINGS.—The Congress finds that—

(1) Since the development of antibiotics in the 1950s, tuberculosis has been largely controlled in the United States and the Western World.

(2) Due to societal factors, including growing urban decay, inadequate health care systems, persistent poverty, overcrowding, and malnutrition, as well as medical factors, including the HIV/AIDS epidemic and the emergence of multi-drug resistant strains of tuberculosis, tuberculosis has again become a leading and growing cause of adult deaths in the developing world.

(3) According to the World Health Organization

(A) in 1998, about 1,860,000 people worldwide died of tuberculosis-related illnesses;

(B) one-third of the world's total population is infected with tuberculosis; and

(C) tuberculosis is the world's leading killer of women between 15 and 44 years old and is a leading cause of children becoming orphans.

(4) Because of the ease of transmission of tuberculosis, its international persistence and growth pose a direct public health threat to those nations that had previously largely controlled the disease. This is complicated in the United States by the growth of the homeless population, the rate of incarceration, international travel, immigration, and HIV/AIDS.

(5) With nearly 40 percent of the tuberculosis cases in the United States attributable to foreign-born persons, tuberculosis will never be eliminated in the United States until it is controlled abroad.

(6) The means exist to control tuberculosis through screening, diagnosis, treatment, patient compliance, monitoring, and ongoing review of outcomes.

(7) Efforts to control tuberculosis are complicated by several barriers, including—

(A) the labor intensive and lengthy process involved in screening, detecting, and treating the disease;

(B) a lack of funding, trained personnel, and medicine in virtually every nation with a high rate of the disease; and

(C) the unique circumstances in each country, which requires the development and implementation of country-specific programs.

(8) Eliminating the barriers to the international control of tuberculosis through a well-structured, comprehensive, and coordinated worldwide effort would be a significant step in dealing with the increasing public health problem posed by the disease.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that if the total allocation for this Act is higher than the level passed by the Senate, a top priority for the additional funds should be to increase the funding to combat infectious diseases, especially tuberculosis.

#### CLELAND AMENDMENT NO. 1163

Mr. LEAHY (for Mr. CLELAND) proposed as amendment to the bill, S. 1234, *supra*; as follows:

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

#### SEC. \_\_\_\_ . SENSE OF THE SENATE REGARDING AN INTERNATIONAL CONFERENCE ON THE BALKANS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States and its allies in the North Atlantic Treaty Organization (NATO) conducted large-scale military operations against the Federal Republic of Yugoslavia.

(2) At the conclusion of 78 days of these hostilities, the United States and its NATO allies suspended military operations against the Federal Republic of Yugoslavia based upon credible assurances by the latter that it would fulfill the following conditions as laid down by the so called Group of Eight (G-8):

(A) An immediate and verifiable end of violence and repression in Kosovo.

(B) Staged withdrawal of all Yugoslav military, police, and paramilitary forces from Kosovo.

(C) Deployment in Kosovo of effective international and security presences, endorsed and adopted by the United Nations Security Council, and capable of guaranteeing the achievement of the agreed objectives.

(D) Establishment of an interim administration for Kosovo, to be decided by the United Nations Security Council which will seek to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo.

(E) Provision for the safe and free return of all refugees and displaced persons from Kosovo and an unimpeded access to Kosovo by humanitarian aid organizations.

(3) These objectives appear to have been fulfilled, or to be in the process of being fulfilled, which has led the United States and its NATO allies to terminate military operations against the Federal Republic of Yugoslavia.

(4) The G-8 also called for a comprehensive approach to the economic development and stabilization of the crisis region, and the European Union has announced plans for \$1,500,000,000 over the next 3 years for the reconstruction of Kosovo, for the convening in July of an international donors' conference for Kosovo aid, and for subsequent provision of reconstruction aid to the other countries in the region affected by the recent hostilities followed by reconstruction aid directed at the Balkans region as a whole.

(5) The United States and some of its NATO allies oppose the provision of any aid, other than limited humanitarian assistance, to Serbia until Yugoslav President Slobodan Milosevic is out of office.

(6) The policy of providing reconstruction aid to Kosovo and other countries in the region affected by the recent hostilities while withholding such aid for Serbia presents a number of practical problems, including the absence in Kosovo of financial and other institutions independent of Yugoslavia, the difficulty in drawing clear and enforceable distinctions between humanitarian and reconstruction assistance, and the difficulty in reconstructing Montenegro in the absence of similar efforts in Serbia.

(7) In any case, the achievement of effective and durable economic reconstruction and revitalization in the countries of the Balkans is unlikely until a political settlement is reached as to the final status of Kosovo and Yugoslavia.

(8) The G-8 proposed a political process towards the establishment of an interim political framework agreement for a substantial self-government for Kosovo, taking into full account the final Interim Agreement for Peace and Self-Government in Kosovo, also known as the Rambouillet Accords, and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the UCK (Kosovo Liberation Army).

(9) The G-8 proposal contains no guidance as to a final political settlement for Kosovo and Yugoslavia, while the original position of the United States and the other participants in the so-called Contact Group on this matter, as reflected in the Rambouillet Accords, called for the convening of an international conference, after 3 years, to determine a mechanism for a final settlement of Kosovo status based on the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of the agreement and the provisions of the Helsinki Final Act.

(10) The current position of the United States and its NATO allies as to the final status of Kosovo and Yugoslavia calls for an autonomous, multiethnic, democratic Kosovo which would remain as part of Serbia, and such an outcome is not supported by any of the Parties directly involved, including the governments of Yugoslavia and Serbia, representatives of the Kosovar Albanians, and the people of Yugoslavia, Serbia and Kosovo.

(11) There has been no final political settlement in Bosnia-Herzegovina, where the Armed Forces of the United States, its NATO allies, and other non-Balkan nations have been enforcing an uneasy peace since 1996, at a cost to the United States alone of over \$10,000,000,000, with no clear end in sight to such enforcement.

(12) The trend throughout the Balkans since 1990 has been in the direction of ethnically based particularism, as exemplified by the 1991 declarations of independence from Yugoslavia by Slovenia and Croatia, and the country in the Balkans which currently comes the closest to the goal of a democratic government which respects the human rights of its citizens is the nation of Slovenia, which was the first portion of the former Federal Republic of Yugoslavia to secede and is also the nation in the region with the greatest ethnic homogeneity, with a population which is 91 percent Slovene.

(13) The boundaries of the various national and sub-national divisions in the Balkans have been altered repeatedly throughout history, and international conferences have frequently played the decisive role in fixing such boundaries in the modern era, including the Berlin Congress of 1878, the London Conference of 1913, and the Paris Peace Conference of 1919.

(14) The development of an effective exit strategy for the withdrawal from the Balkans of foreign military forces, including the armed forces of the United States, its NATO allies, Russia, and any other nation from outside the Balkans which has such forces in the Balkans is in the best interests of all such nations.

(15) The ultimate withdrawal of foreign military forces, accompanied by the establishment of durable and peaceful relations among all of the nations and peoples of the Balkans is in the best interests of those nations and peoples.

(16) An effective exit strategy for the withdrawal from the Balkans of foreign military forces is contingent upon the achievement of a lasting political settlement for the region, and that only such a settlement, acceptable to all parties involved, can ensure the fundamental goals of the United States of peace, stability, and human rights in the Balkans;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should call immediately for the convening of an international conference on the Balkans, under the auspices of the United Nations, and based upon the principles of the Rambouillet Accords for a final settlement of Kosovo status, namely that such a settlement should be based on the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of the agreement and the provisions of the Helsinki Final Act;

(2) the international conference on the Balkans should also be empowered to seek a final settlement for Bosnia-Herzegovina based on the same principles as specified for Kosovo in the Rambouillet Accords; and

(3) in order to produce a lasting political settlement in the Balkans acceptable to all parties, which can lead to the departure from the Balkans in timely fashion of all foreign military forces, including those of the United States, the international conference should have the authority to consider any and all of the following: political boundaries; humanitarian and reconstruction assistance for all nations in the Balkans; stationing of United Nations peacekeeping forces along international boundaries; security arrangements and guarantees for all of the nations of the Balkans; and tangible, enforceable and verifiable human rights guarantees for the individuals and peoples of the Balkans.

#### CLELAND AMENDMENT NO. 1164

(Ordered to lie on the table)

Mr. CLELAND submitted an amendment intended to be proposed by him to the bill, S. 1234, supra; as follows:

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

#### SEC. \_\_\_\_ . PRESIDENTIAL APPROVAL AND REPORTING OF CERTAIN MILITARY OPERATIONS.

(a) The President may not authorize the deployment of forces of the Armed Forces of the United States into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, or into a contingency operation as defined under section 101(a) of title 10, United States Code, and may not authorize or commit to such a deployment to any multilateral organization, unless and until the President makes a finding under subsection (b) and reports such finding to Congress under subsection (c).

(b) The Presidential finding required by subsection (a) shall—

(1) specify the vital national interests at stake which require the deployment of forces of the Armed Forces of the United States, the likely consequences of such a deployment on those and any other relevant vital national interests, and the adverse consequences to those interests likely to occur in the absence of such deployment;

(2) specify why diplomatic and other means are unable to secure those interests;

(3) identify concrete policy objectives which are to be achieved by such deployment, the specific military missions which are designed to achieve each policy objective, and the anticipated date, or the set of conditions, that defines the endpoint of the deployment; and

(4) specify the authorities for the deployment under constitutional and international law.

(c) The President shall ensure that any finding approved pursuant to subsection (b) shall be reported to the Senate and House Committees on Armed Services, the Senate Committee on Foreign Relations and the House Committee on International Relations as soon as possible after such approval and before the initiation of the deployment authorized by the finding.

(d) In the case of a national emergency caused by an attack on the United States, its territories or possessions, or Armed Forces, the finding required by subsection (b) and the reporting required by subsection (c) shall not be required prior to the initiation of the deployment of the Armed Forces of the United States, but such finding and reporting shall take place as soon as possible after such deployment.

(e) No funds appropriated for, or otherwise available to, any department, agency, or entity of the United States Government under this or any other Act may be expended, or may be directed to be expended, for any deployment of the Armed Forces of the United States described in this section, unless and until a Presidential finding described in subsection (b) has been signed and reported in accordance with this section.

#### BINGAMAN (AND OTHERS) AMENDMENT NO. 1165

Mr. BINGAMAN (for himself, Mr. ROBERTS, Mr. SMITH of New Hampshire, Mr. CLELAND Mr. HARKIN, and Mr. WARNER) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following new section:

#### SEC. \_\_\_\_ . SENSE OF THE SENATE REGARDING ASSISTANCE PROVIDED TO LITHUANIA, LATVIA, AND ESTONIA.

It is the sense of the Senate that nothing in this Act, or Senate Report No. 106-81, relating to assistance provided to Lithuania, Latvia, and Estonia under the Foreign Military Financing Program, should be interpreted as expressing the will of the Senate to accelerate membership of those nations into the North Atlantic Treaty Organization (NATO).

#### NICKLES AMENDMENT NO. 1166

(Ordered to lie on the table)

Mr. NICKLES submitted an amendment intended to be proposed by him to the bill, S. 1234, supra; as follows:

Strike section 577, and insert in lieu thereof the following:

#### SEC. 557. RESTRICTIONS ON UNITED STATES ASSISTANCE FOR THE PALESTINIAN AUTHORITY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term "congressional leadership" means the Speaker of the House of Representatives and the Majority and Minority Leaders of the House of Representatives and the Majority and Minority Leaders of the Senate.

(3) HEBRON PROTOCOL.—The term "Hebron Protocol" means the Protocol Concerning Redeployment In Hebron, signed January 17, 1997.

(4) OSLO II ACCORD.—The term "Oslo II Accord" means the Israel-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed September 28, 1995.

(5) WYE RIVER MEMORANDUM.—The term "Wye River Memorandum" means the agreement between Israel and the Palestine Liberation Organization, done at Washington, D.C. on October 23, 1998.

(b) REQUIREMENTS.—None of the funds appropriated or otherwise made available by law (including funds appropriated for fiscal year 1999 and prior fiscal years) may be available for assistance to the Palestinian Authority, or to any third party performing work under contract of the Palestinian Authority, in fiscal year 2000 or any fiscal year thereafter unless the following requirements have been satisfied:

(1) PRESIDENTIAL CERTIFICATIONS.—The President has certified to Congress the following:

(A) No unilateral declaration of Palestinian statehood has been made.

(B) The Palestinian Authority has brought to justice (or transferred to Israel or the United States for legal action) those Palestinians responsible for killing United States citizens, as determined by the President, including the following United States citizens:

(i) David Berger, killed at the 1972 Munich Olympics.

(ii) Ambassador Cleo A. Noel, Jr., the United States Ambassador to the Sudan, who was murdered in March of 1973.

(iii) George Curtis Moore, who was killed with Ambassador Noel.

(iv) Gail Rubin, the niece of former Senator Abraham Ribicoff, who was murdered in 1978.

(v) Leon Klinghoffer, who was murdered aboard the ship Achille Lauro in 1985.

(vi) Navy diver Robert Stethem, who was murdered when TWA flight 847 was hijacked to Beirut in June of 1985.

(vii) Nachshon Wachsmann, who was kidnapped on October 9, 1994 and murdered.

(viii) Alisa Flatow, who was killed in a bus bombing in April of 1995.

(ix) Joan Davenney, who was killed in a Jerusalem bus bombing in August of 1995.

(x) Sara Duker, Matthew Bisenfeld, and Ira Weinstein, who were killed while riding a bus in Jerusalem in February of 1996.

(xi) David Boim, who was murdered by a gunman in May of 1996.

(xii) Yaron Unger, who was killed in a drive-by shooting attack in June of 1996.

(xiii) Leah Stern, who was killed in the July 1997 market bombing in Jerusalem.

(xiv) Yael Botwin, who was killed in the September 1997 bombing on Ben Yehuda street in Jerusalem.

(xv) Dov Dribben, who was murdered in April of 1998.

(C) The Palestinian authority is cooperating fully with the United States and Israel in their efforts to locate and secure the return of Zachary Baumel, a United States citizen, and his colleagues, Yehuda Katz and Zvi Feldman.

(D) The Palestinian Authority has agreed that, in each case in which the Palestinian Authority brought someone to justice for killing a United States citizen, the Palestinian Authority has notified the President of the person it has brought to justice.

(E) The Palestinian Authority has cooperated fully with the General Accounting Office (GAO), including cooperation with GAO investigators, to provide a full accounting of all funds previously provided by the United States to the Palestinian Authority or to any third party that was under contract to perform work for the Palestinian Authority.

(F) The size of the Palestinian Authority police force is in conformity with obligations

of the Palestinian Authority as outlined under the Oslo II Accord.

(G) Based on information available to the President from the Director of Central Intelligence, the Palestinian Authority is confiscating illegal weapons as outlined in the Wye River Memorandum and the Oslo II Accord.

(H) The Palestinian Authority (or any entity controlled by the Palestinian Authority) is abiding by its commitments under the Wye River Memorandum, the Oslo II Accord, and the Hebron Protocol, not to incite violence.

(I) The Palestinian Authority has made a good faith effort to eliminate from its publications, textbooks, broadcasts, and other public and official information of the Palestinian Authority inflammatory statements, drawings, or pictures that could be used to incite violence.

(2) AMENDED PALESTINIAN CHARTER.—The Palestinian Authority has transmitted a certified and signed copy of the amended Palestinian Charter to the President, and the President has further transmitted that document to the appropriate congressional committees and congressional leadership.

(3) GAO CERTIFICATION.—Not more than 30 days prior to the obligation or expenditure of funds, the Comptroller General of the United States has certified that the Palestinian Authority—

(A) has adopted and implemented generally accepted accounting principles or an equivalent accounting system for tracking and documenting all financial transactions and affairs of the Palestinian Authority;

(B) has adopted and implemented a set of guidelines that ensures transparency in all financial activities of the Palestinian Authority; and

(C) has cooperated fully with the Comptroller General in the certification process under this paragraph.

(c) REPORTS.—

(1) STATE DEPARTMENT REPORTS.—Beginning 3 months after the date of enactment of this Act, and every 3 months thereafter, the Department of State shall prepare and the President shall submit to the appropriate congressional committees and the congressional leadership a report on the disposition of the cases described in subsection (b)(1)(B). If an individual is convicted in a case described in subsection (b)(1)(B), the President shall track that individual until the individual's sentence has been fully carried out.

(2) CIA REPORTS.—The Director of Central Intelligence shall submit a report in classified and unclassified forms to the appropriate congressional committees and the congressional leadership every 6 months on the progress made by the Palestinian Authority with respect to confiscating illegal weapons and the quantity and types of illegal weapons remaining to be confiscated.

(3) GAO REPORTS.—Beginning 1 year after the date of enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit the following reports to the congressional committees and the congressional leadership:

(A) A report on the protection of human rights by the Palestinian Authority in the West Bank and Gaza during the preceding year.

(B) A report on the economic condition of the areas under the control of the Palestinian Authority during the preceding year, including a description of areas of improvement and shortcomings of the economies of these regions and what steps should be taken to remedy such shortcomings and foster economic growth.

(d) TERMINATION OF ASSISTANCE.—

(1) IN GENERAL.—All United States assistance to the Palestinian Authority shall terminate if, at any time, the Palestinian Authority—

(A) makes a unilateral declaration of Palestinian statehood; or

(B) does not cooperate with the activities of the Comptroller General of the United States under paragraph (2).

(2) GAO AUDITS.—

(A) AUTHORITY.—Beginning 6 months after the date of enactment of this Act, and every 6 months thereafter, the Comptroller General of the United States shall conduct an audit of the Palestinian Authority's financial records to ensure that the Palestinian Authority is implementing generally accepted accounting principles (or an equivalent accounting system) in tracking and documenting the financial transactions and affairs of the Palestinian Authority, and the Palestinian Authority has adequately implemented a set of guidelines that ensures transparency in all financial activities of the Palestinian Authority.

(B) TERMINATION OF ASSISTANCE.—If the Comptroller General of the United States finds that the Palestinian Authority's financial records are not being kept in accordance with generally accepted accounting principles (or an equivalent accounting system), or there is a lack of transparency in the Palestinian Authority recordkeeping, then United States assistance to the Palestinian Authority or any third party performing work under contract for the Palestinian Authority shall be terminated until the Comptroller General certifies to Congress that the Palestinian Authority has complied with the actions described in subparagraph (A).

(3) GAO INITIAL REVIEWS.—Beginning one year after the date of enactment of this Act, and annually thereafter, the Comptroller General of the United States shall conduct a review of the following:

(A) The confiscation of illegal arms by the Palestinian Authority.

(B) The size of the police force of the Palestinian Authority.

(C) A review of publications, textbooks, broadcasts, and other types of public and official information of the Palestinian Authority to ensure it is free from inflammatory statements, drawings, or pictures that could be used to incite violence.

(4) GAO FOLLOWUP REVIEWS.—If the Comptroller General finds that the Palestinian Authority is not in compliance with its obligations under the Wye River Memorandum, the Oslo II Accord, or the Hebron Protocol, the Comptroller General shall conduct a review in the succeeding 6 months. If the Comptroller General finds in the second review that the Palestinian Authority is not in compliance with its obligations under the Wye River Memorandum, the Oslo II Accord, or the Hebron Protocol, then all United States assistance to the Palestinian Authority or any third party performing work under contract for the Palestinian Authority shall be terminated until the Comptroller General certifies that the Palestinian Authority is in compliance with the Wye River Memorandum, the Oslo II Accord, and the Hebron Protocol.

(e) REIMBURSEMENTS.—Funds available to the Palestinian Authority shall be used to reimburse the applicable appropriations accounts of the Central Intelligence Agency and the General Accounting Office for expenses incurred by those agencies as a result of investigations, certifications, and reports required to be conducted by those agencies under this Act.

#### KERRY AMENDMENT NO. 1167

Mr. LEAHY (for Mr. KERRY) proposed an amendment to the bill, S. 1234, supra; as follows:

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

SEC. . (a) The President shall continue and expand efforts through the United Nations and other international fora, including the Wassenaar Arrangement, to limit arms transfers worldwide. The President shall take the necessary steps to begin multilateral negotiations within 180 days after the date of the enactment of this Act, for the purpose of establishing a permanent multilateral regime to govern the transfer of conventional arms, particularly transfers to countries:

(1) that engage in persistent violations of human rights, engage in acts of armed aggression in violation of international law, and do not fully participate in the United Nations Register of Conventional Arms; and

(2) in regions in which arms transfers would exacerbate regional arms races or international tensions that present a danger to international peace and stability.

(b) REPORT TO CONGRESS.—(1) Not later than 6 months after the commencement of the negotiations under subsection (a), and not later than the end of every 6-month period thereafter until an agreement described in subsection (a) is concluded, the President shall report to the appropriate committees of the Congress on the progress made during these negotiations.

#### KERRY (AND MCCAIN) AMENDMENT NO. 1168

Mr. LEAHY (for Mr. KERRY (for himself and Mr. MCCAIN) proposed an amendment to the bill, S. 1234, supra; and follows:

On page 13, strike lines 2 through the colon on line 14 and insert in lieu thereof the following:

“None of the funds appropriated by this Act may be made available for activities or programs for the Central Government of Cambodia until the Secretary of State determines and reports to the Committee on Appropriations and the Committee on Foreign Relations that the Government of Cambodia has established a tribunal consistent with the requirements of international law and justice and including the participation of international jurists and prosecutors for the trial of those who committed genocide or crimes against humanity and that the Government of Cambodia is making significant progress in establishing an independent and accountable judicial system, a professional military subordinate to civilian control, and a neutral and accountable police force.”

#### KERRY AMENDMENT NO. 1169

(Ordered to lie on the table)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, S. 1234, supra; as follows:

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

SEC. . (a) Except as provided in subsection (b), United States assistance as defined in subsection (c) may be provided to a foreign government during the fiscal year beginning October 1, 1999, only if the President determines and reports to Congress that:

(1) such government is not engaged in persistent violations of human rights, is not engaged in acts of armed aggression in violation of international law, and is fully participating in the United Nations Register of Conventional Arms; and

(2) arms sales will not exacerbate regional arms races or international tensions that present a danger to international peace and stability.

(b) The limitation in subsection (a) shall not apply with respect to a foreign government for the fiscal year beginning October 1, 1999, if—

(1) the President determines that it is in the national security interest of the United States to provide assistance and submits a report to the appropriate congressional committees containing the justification for such determination. No assistance may be provided until 15 days after the submission of such a report; or

(2) the President determines and reports that a national security emergency exists requiring the United States to provide immediate assistance to such government and submits a report to the appropriate congressional committees containing the justification for such determinations.

(c) For purposes of this section the term "assistance" means the transfer of defense articles, defense service and training pursuant to this Act and the Arms Export Control Act, but does not include transfers of such assistance to countries that are specifically identified in law and approved for such assistance, or assistance provided pursuant to the Expanded International Military Education and Training program.

#### BROWNBACK (AND HELMS) AMENDMENT NO. 1170

Mr. BROWNBACK (for himself and Mr. HELMS) proposed an amendment to the bill S. 1234, supra; as follows:

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

#### SEC. \_\_\_\_ INTERNATIONAL DISASTER ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.

Notwithstanding any other provision of law, of the funds made available under chapter 9 of part I of the Foreign Assistance Act of 1961 (relating to international disaster assistance) for fiscal year 2000, up to \$4,000,000 should be made available for rehabilitation and economic recovery in opposition-controlled areas of Sudan. Such funds are to be used to improve economic governance, primary education, agriculture, and other locally-determined priorities. Such funds are to be programmed and implemented jointly by the United States Agency for International Development and the Department of Agriculture, and may be utilized for activities which can be implemented for a period of up to two years.

#### SEC. \_\_\_\_ HUMANITARIAN ASSISTANCE FOR SUDANESE INDIGENOUS GROUPS.

The President, acting through the appropriate Federal agencies, is authorized to provide humanitarian assistance, including food, directly to the National Democratic Alliance participants and the Sudanese People's Liberation Movement operating outside of the Operation Lifeline Sudan structure.

#### SEC. \_\_\_\_ DEVELOPMENT ASSISTANCE FOR OPPOSITION-CONTROLLED AREAS OF SUDAN.

(a) INCREASE IN DEVELOPMENT ASSISTANCE.—The President, acting through the United States Agency for International Development, is authorized to increase substantially the amount of development assistance for capacity building, democracy promotion, civil administration, judiciary, and infrastructure support in opposition-controlled areas of Sudan.

(b) QUARTERLY REPORT.—The President shall submit a report on a quarterly basis to the Congress on progress made in carrying out subsection (a).

#### DEWINE (AND COVERDELL) AMENDMENT NO. 1171

Mr. McCONNELL (for Mr. DEWINE for himself and Mr. COVERDELL) pro-

posed an amendment to the bill, S. 1234, supra; as follows:

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

#### SEC. . SENSE OF THE SENATE REGARDING COLOMBIA.

(a) FINDINGS.—Congress makes the following findings:

(1) Colombia is a democratic country fighting multiple wars:

(A) a war against the Colombian Revolutionary Armed Forces (FARC);

(B) a war against the National Liberation Army (ELN);

(C) a war against paramilitary organizations; and

(D) a war against drug lords who traffic in deadly cocaine and heroin.

(3) Colombia is the world's third most dangerous country in terms of political violence with 34 percent of world terrorist acts committed there.

(4) Colombia is the world's kidnapping capital of the world with 2,609 kidnappings reported in 1998 and 513 reported in the first three months of 1999.

(5) In 1998 alone, 308,000 Colombians were internally displaced in Colombia. Over the last decade, 35,000 Colombians have been killed.

(6) The FARC and ELN are the two main guerilla groups which have waged the longest-running anti-government insurgency in Latin America.

(7) The Colombian rebels have a combined strength of 10,000 to 20,000 full-time guerillas; they have initiated armed action in nearly 700 of the country's 1073 municipalities, and control or influence roughly 60 percent of rural Colombia including a demilitarized zone using their armed stranglehold to abuse Colombian citizens.

(8) Although the Colombian Army has 122,000 soldiers, there are roughly only 20,000 soldiers available for offensive combat operations.

(9) Colombia faces the threat of the armed paramilitaries, 5,000 strong, who are constantly driving a wedge in the peace process by their insistence in participating in the peace talks.

(10) More than 75 percent of the world's cocaine HCL and 75 percent of the heroin seized in the northeast United States is of Colombian origin.

(11) The conflicts in Colombia are creating spillovers to the border countries of Venezuela, Panama and Ecuador: Venezuela has sent 30,000 troops to its border and Ecuador is sending 10,000 troops to its border.

(12) Venezuela is our number one supplier of oil.

(13) By the end of 1999, all U.S. military troops will have departed from Panama, leaving the Panama Canal unprotected.

(14) In 1998, two-way trade between the United States and Colombia was more than \$11 billion, making the United States Colombia's number one trading partner and Colombia the fifth largest market for U.S. exports in the region.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should recognize the crisis in Colombia and play a more pro-active role in its resolution;

(2) the United States should mobilize the international community to pro-actively engage in resolving Colombian wars; and

(3) pledge our political support to help Colombia with the peace process.

#### REID AMENDMENT NO. 1172

Mr. LEAHY (for Mr. REID) proposed an amendment to the bill, S. 1234, supra; as follows:

At the appropriate place, add the following:

It is the sense of the Senate that the President and the Secretary of State should—

(1) raise the need for accountability of Saddam Hussein and several key members of his regime at the International Criminal Court Preparatory Commission, which will meet in New York on July 26, 1999, through August 13, 1999;

(2) continue to push for the creation of a commission under the auspices of the United Nations to establish an international record of the criminal culpability of Saddam Hussein and other Iraqi officials;

(3) continue to push for the United Nations to form an international criminal tribunal for the purpose of indicting, prosecuting, and imprisoning Saddam Hussein and any other Iraqi officials who may be found responsible for crimes against humanity, genocide, and other violations of international humanitarian law; and

(4) upon the creation of a commission and international criminal tribunal, take steps necessary, including the reprogramming of funds, to ensure United States support for efforts to bring Saddam Hussein and other Iraqi officials to justice.

#### BIDEN AMENDMENT NO. 1173

Mr. LEAHY (for Mr. BIDEN) proposed an amendment to the bill, S. 1234, supra; as follows:

At the appropriate place, insert the following section:

#### SEC. . EXPANDED THREAT REDUCTION INITIATIVE.

It is the sense of the Senate that the programs contained in the Expanded Threat Reduction Initiative are vital to the national security of the United States and that funding for those programs should be restored in conference to the levels requested in the President's budget.

#### LEVIN AMENDMENT NO. 1174

Mr. LEAHY (for Mr. LEVIN) proposed an amendment to the bill, S. 1234, supra; as follows:

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

#### SEC. . SENSE OF THE SENATE REGARDING U.S. COMMITMENTS UNDER THE U.S.-NORTH KOREAN AGREED FRAMEWORK.

It is the sense of the Senate that, as long as North Korea meets its obligations under the U.S.-North Korean nuclear Agreed Framework of 1994, the U.S. should meet its commitments under the Agreed Framework, including required deliveries of heavy fuel oil to North Korea and support of the Korean Peninsula Energy Development Organization (KEDO).

#### DOMENICI (AND HUTCHISON) AMENDMENT NO. 1175

Mr. McCONNELL (for Mr. DOMENICI for himself and Mrs. HUTCHISON) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 17, line 10, before the period insert the following: "That of the amounts appropriated under this heading, \$1.5 million shall be made available to Habitat for Humanity International for the purchase of 14 acres of land on behalf of Tibetan refugees living in northern India, and the construction of a multi-unit development."

#### COCHRAN (AND LOTT) AMENDMENT NO. 1176

Mr. McCONNELL (for Mr. COCHRAN for himself and Mr. LOTT) proposed an

amendment to the bill, S. 1234, supra; as follows:

On page 33, line 6, before the colon, insert the following: “, of which no less than \$1,000,000 shall be available for the Defense Institute of International Studies to enhance its mission, functioning and performance by providing for its fixed costs of operation”.

#### SCHUMER AMENDMENT NO. 1177

Mr. LEAHY (for Mr. SCHUMER) proposed an amendment to the bill, S. 1234, supra; as follows:

At the appropriate place, insert:

It is the sense of the Senate that:

The Senate finds that:

The proposed programs under the Expanded Threat Reduction Initiative (ETRI) are critical and essential to preserving US national security.

The Department of State programs under the ETRI be funded at or near the full request of \$250 million in the Foreign Operations Appropriations Bill for Fiscal year 2000 prior to final passage.

#### COVERDELL AMENDMENT NO. 1178

(Ordered to lie on the table)

Mr. COVERDELL submitted an amendment intended to be proposed by him to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following:

#### SEC. . FUNDING FOR COLOMBIAN NATIONAL POLICE.

Of the funds made available pursuant to this Act, not less than \$20 million shall be made available to the Colombian National Police to combat narcotics trafficking activities.

#### LEAHY (AND OTHERS) AMENDMENT NO. 1179

Mr. LEAHY (for himself, Mr. FEINGOLD, Mr. REED, Mrs. FEINSTEIN, Mr. WELLSTONE, Mr. KENNEDY, Mr. SCHUMER, Mr. HARKIN, and Mrs. BOXER) proposed an amendment to the bill S. 1234, supra; as follows:

At the appropriate place in the bill, add the following new section: self-determination in east timor

SEC. . (a) The President, Secretary of State, Secretary of Defense, and the Secretary of the Treasury (acting through United States executive directors to international financial institutions) should immediately intensify their efforts to prevail upon the Indonesian Government and military to—

(1) disarm and disband anti-independence militias in East Timor;

(2) grant full access to East Timor by international human rights monitors, humanitarian organizations, and the press;

(3) allow Timorese who have been living in exile to return to East Timor to campaign for and participate in the ballot; and

(4) release all political prisoners.

(b) The President shall submit a report to Congress not later than 15 days after passage of this Act, containing a description of the Administration's efforts and his assessment of efforts made by the Indonesian Government and military to fulfill the steps described in paragraph (a).

(c) The Secretary of the Treasury shall direct the United States executive directors to international financial institutions to take into account the extent of efforts made by the Indonesian Government and military to

fulfill the steps described in paragraph (a), in determining their vote on any loan or financial assistance to Indonesia.

#### VOINOVICH AMENDMENT NO. 1180

Mr. MCCONNELL (for Mr. VAINOVICH) proposed an amendment to the bill, S. 1234, supra; as follows:

To Sec. 525—Designation of Serbia as a Terrorist State add:

(C) This section would become null and void should the Federal Republic of Yugoslavia (other than Montenegro and Kosovo) complete a democratic reform process that brings about a newly elected government that respects the rights of ethnic minorities, is committed to the rule of law and respects the sovereignty of its neighbor states.

#### BIDEN AMENDMENT NO. 1181

(Ordered to lie on the table)

Mr. LEAHY (for Mr. BIDEN) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following:

#### SEC. . ALLOCATION OF FUNDS FOR THE IRAQ FOUNDATION.

Of the funds made available by this Act for activities of Iraqi opposition groups designated under the Iraqi Liberation Act (Public Law 105-338), \$250,000 shall be made available for the Iraq Foundation.

#### LEAHY AMENDMENT NO. 1182

Mr. LEAHY proposed an amendment to amendment No. 1157 proposed by Mr. DODD to the bill, S. 1234, supra; as follows:

Strike everything after “SEC. \_\_\_\_,” and insert in lieu thereof the following:

#### RELAXATION OF RESTRICTIONS ON TRAVEL BY AMERICAN CITIZENS TO CUBA.

(a) TRAVEL TO CUBA.—

(1) FREEDOM OF TRAVEL FOR UNITED STATES CITIZENS AND LEGAL RESIDENTS.—Subject to subsection (b), the President shall not regulate or prohibit, directly or indirectly, travel to or from Cuba by United States citizens or legal residents, or any of the transactions incident to such travel that are set forth in paragraph (2).

(2) TRANSACTIONS INCIDENT TO TRAVEL.—The transactions referred to in paragraph (1) are—

(A) any transaction ordinarily incident to travel to or from Cuba, including the importation into Cuba or the United States of accompanied baggage for personal use only;

(B) any transaction ordinarily incident to travel or maintenance within Cuba, including the payment of living expenses and the acquisition of goods or services for personal use;

(C) any transaction ordinarily incident to the arrangement, promotion, or facilitation of travel to, from, or within Cuba;

(D) any transaction incident to non-scheduled air, sea, or land voyages, except that this subparagraph does not authorize the carriage of articles into Cuba or the United States except accompanied baggage; and

(E) any normal banking transaction incident to any activity described in any of the preceding subparagraphs, including the issuance, clearing, processing, or payment of checks, drafts, travelers checks, credit or debit card instruments, or similar instruments;

except that this paragraph does not authorize the importation into the United States of any goods for personal consumption acquired in Cuba.

(b) EXCEPTIONS.—The restrictions on authority contained in subsection (a)(1) do not apply in a case in which—

(1) the United States is at war with Cuba;

(2) armed hostilities between the two countries are in progress; or

(3) there is imminent danger to the public health or the physical safety of United States travelers.

(c) APPLICABILITY.—This section applies to actions taken by the President before the date of the enactment of this Act which are in effect on such date, and to actions taken on or after such date.

(d) SUPERSEDES OTHER PROVISIONS.—This section supersedes any other provision of law, including section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996.

#### LOTT AMENDMENT NO. 1183

Mr. MCCONNELL (for Mr. LOTT) proposed an amendment to the bill, S. 1234, supra; as follows:

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

#### SEC. . CONSULTATIONS ON ARMS SALES TO TAIWAN.

Consistent with the intent of Congress expressed in the enactment of section (3)(b) of the Taiwan Relations Act, the Secretary of State shall consult with the appropriate committees and leadership of Congress to devise a mechanism to provide for Congressional input prior to making any determination on the nature or quantity of defense articles and services to be made available to Taiwan.

#### BYRD AMENDMENT NO. 1184

Mr. MCCONNELL (for Mr. BYRD) proposed an amendment to the bill, S. 1234, supra; as follows:

On page 128, between lines 13 and 14, insert the following new section:

#### SEC. . SENSE OF THE SENATE REGARDING ASSISTANCE UNDER THE CAMP DAVID ACCORDS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Egypt and Israel together negotiated the Camp David Accords, an historic breakthrough in beginning the process of bringing peace to the Middle East.

(2) As part of the Camp David Accords, a concept was reached regarding the ratio of United States foreign assistance between Egypt and Israel, a formula which has been followed since the signing of the Accords.

(3) The United States is reducing economic assistance to Egypt and Israel, with the agreement of those nations.

(4) The United States is committed to maintaining proportionality between Egypt and Israel in United States foreign assistance programs.

(5) Egypt has consistently fulfilled an historic role of peacemaker in the context of the Arab-Israeli disputes.

(6) The recent elections in Israel offer fresh hope of resolving the remaining issues of dispute in the region.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should provide Egypt access to an interest bearing account as part of the United States foreign assistance program pursuant to the principles of proportionality which underlie the Camp David Accords.

#### NICKLES AMENDMENT NO. 1185

Mr. MCCONNELL (for Mr. NICKLES) proposed an amendment to the bill, S. 1234, supra; as follows:



Strike section 577, and insert in lieu thereof the following:

**SEC. 577. UNITED STATES ASSISTANCE TO THE PALESTINIAN AUTHORITY.**

(1) GAO CERTIFICATION.—Not more than 30 days prior to the obligation of funds made available by the Act for assistance for the Palestinian Authority the Comptroller General of the United States shall certify that the Palestinian Authority—

(A) has adopted an acceptable accounting system to ensure that such funds will be used for their intended assistance purposes; and

(B) has cooperated with the Comptroller General in the certification process under this paragraph.

(2) GAO AUDITS.—

(A) AUTHORITY.—Six months after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit to determine the extent to which the Palestinian Authority is implementing and acceptable accounting system that is to check the use of funds now available by the act for assistance for the Palestinian Authority.

**LEAHY AMENDMENT NOS. 1186–1188**

Mr. LEAHY proposed three amendments to the bill, S. 1234, supra; as follows:

**AMENDMENT No. 1186**

At the appropriate place, insert:

**AUTHORIZATIONS**

SEC. . The Secretary of the Treasury may, to fulfill commitments of the United States, (1) effect the United States participation in the fifth general capital increase of the African Development Bank, the first general capital increase of the Multilateral Investment Guarantee Agency, and the first general capital increase of the Inter-American Investment Corporation; (2) contribute on behalf of the United States to the eighth replenishment of the resources of the African Development Fund, the twelfth replenishment of the International Development Association. The following amounts are authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: \$40,847,011 for paid-in capital, and \$639,932,485 for callable capital, of the African Development Bank; \$29,870,087 for paid-in capital, and \$139,365,533 for callable capital, of the Multilateral Investment Guarantee Agency; \$125,180,000 for paid-in capital of the Inter-American Investment Corporation; \$300,000,000 for the African Development Fund; \$2,410,000,000 for the International Development Association; and \$50,000,000 for the International Bank for Reconstruction and Development's HIPC Trust Fund.

**AMENDMENT No. 1187**

At the appropriate place in the bill insert the following:

**WORKING CAPITAL FUND**

SEC. . Section 635 of the Foreign Assistance Act 1961 (22 U.S.C. 2395) is amended by adding a new subsection (1) as follows:

“(1)(1) There is hereby established a working capital fund for the United States Agency for International Development which shall be available without fiscal year limitation for the expenses of personal and non-personal services, equipment and supplies for: (A) International Cooperative Administrative Support Services; (B) central information technology, library, audiovisual and administrative support services; (C) medical and health care of participants and others; and (D) such other functions which the Administrator of such agency, with the approval of the Office of Management and

budget, determines may be provided more advantageously and economically as central services.

“(2) The capital of the fund shall consist of the fair and reasonable value of such supplies, equipment and other assets pertaining to the functions of the fund as the Administrator determines and any appropriations made available for the purpose of providing capital, less related liabilities.

“(3) The fund shall be reimbursed or credited with advance payments for services, equipment or supplies provided from the fund from applicable appropriations and funds of the agency, other federal agencies and other sources authorized by section 607 or this Act at rates that will recover total expenses of operation, including accrual of annual leave and depreciation. Receipts from the disposal of, or payments for the loss or damage to, property held in the fund, rebates, reimbursements, refunds and other credits applicable to the operation of the fund may be deposited in the fund.

“(4) The agency shall transfer to the Treasury as miscellaneous receipts as of the close of the fiscal year such amounts which the Administrator determines to be in excess of the needs of the fund.

“(5) The fund may be charged with the current value of supplies and equipment returned to the working capital of the fund by a post, activity or agency and the proceeds shall be credited to current applicable appropriations.”

**AMENDMENT No. 1188**

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

**DEVELOPMENT CREDIT AUTHORITY PROGRAM ACCOUNT**

For the cost of direct loans and loan guarantees, up to \$7,500,000 to be derived by transfer from funds appropriated by this Act to carry out Part I of the Foreign Assistance Act of 1961, as amended, and funds appropriated by this Act under the heading, “Assistance for Eastern Europe and the Baltic States”, to remain available until expended, as authorized by section 635 of the Foreign Assistance Act of 1961: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That for administrative expenses to carry out the direct and guaranteed loan programs, up to \$500,000 of this amount may be transferred to and merged with the appropriation for “Operating Expenses of the Agency for International Development”: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading.

**TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000**

**MOYNIHAN AMENDMENT NO. 1189**

Mr. DORGAN (for Mr. MOYNIHAN) proposed an amendment to the bill (S. 1282) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 56, line 3, after “and”, insert the following: “\$4,300,000 shall be available for demolition of the United States Mission to the United Nations at 755 United Nations Plaza (First Avenue and 45th Street), New York, New York, and”.

**MOYNIHAN (AND SCHUMER)  
AMENDMENT NOS. 1190–1191**

Mr. DORGAN (for Mr. MOYNIHAN (for himself and Mr. SCHUMER) proposed two amendments to the bill, S. 1282, supra; as follows:

**AMENDMENT No. 1190**

Beginning on page 52, line 25, strike the colon and all that follows through “rescinded” on page 53, line 2.

**AMENDMENT No. 1191**

On page 56, line 6, after “;”, insert the following: “\$5,870,000 shall be made available for the repairs and alterations of the Federal Courthouse at 40 Centre Street, New York, New York;”.

**CAMPBELL (AND DORGAN)  
AMENDMENT NO. 1192**

Mr. CAMPBELL (for himself and Mr. DORGAN) proposed an amendment to the bill, S. 1282, supra; as follows:

On page 51, line 15 and page 57, line 14 strike “\$5,140,000,000” and insert in lieu thereof “\$5,261,478,000”.

On page 53 line 2 after “are rescinded” insert “and shall remain in the Fund”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, June 30, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

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

**COMMITTEE ON FINANCE**

Mr. MCCONNELL. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Wednesday, June 30, 1999 beginning at 10 a.m. in room 215 Dirksen.

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

**COMMITTEE ON FOREIGN RELATIONS**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 30, 1999 at 10:30 a.m. to hold a business meeting.

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

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor,

and Pensions be authorized to meet for a hearing on "ESEA: Facilities" during the session of the Senate on Wednesday, June 30, 1999, at 9:30 a.m.

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

#### COMMITTEE ON INDIAN AFFAIRS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, June 30, 1999 at 9:30 a.m. to conduct a hearing on S. 438, to settle the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation; to be followed by a business meeting on pending committee business. The hearing/meeting will be held in room 485 of the Russell Senate Office Building.

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

#### COMMITTEE ON RULES AND ADMINISTRATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, June 30, 1999 at 9:30 a.m. to receive testimony on the operations of the Architect of the Capitol.

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

#### SPECIAL COMMITTEE ON AGING

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Special Committee on Aging be permitted to meet on June 30, 1999 from 10 a.m.—1 p.m. in Hart 216 for the purpose of conducting a hearing.

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

#### SUBCOMMITTEE ON FOREST & PUBLIC LAND MANAGEMENT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Forests & Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, June 30, for purposes of conducting a hearing which is scheduled to begin at 2 p.m. The purpose of this oversight hearing is to conduct general oversight of the U.S. Forest Service Economic Action Programs.

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

#### SUBCOMMITTEE ON OCEANS AND FISHERIES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Oceans and Fisheries Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, June 30, 1999, at 2:30 p.m. on coral reef and marine sanctuaries.

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

### ADDITIONAL STATEMENTS

#### REFLECTIONS FROM RABBI ISRAEL ZOBERMAN

• Mr. WARNER. Mr. President, in light of recent events in Kosovo and the con-

tinuing struggles of the many still displaced families, I would like to offer an excerpt from a piece written by a very well-respected spiritual leader from the Commonwealth of Virginia, Rabbi Israel Zoberman.

He writes:

We take pride in our American servicemen and women—many from our own Hampton Roads—representing the world's sole superpower, who leading the NATO alliance are braving the dangers of war, determined to restore civilized life to all of a continent poised to reverse its long history of conflict and bloodshed through the promise of unity. The presence of the State of Israel among the nations offering critical humanitarian support to a sea of refugees displaying so much dignity, and extending its home to some of them, is inspiring testimony to its acting upon the Jewish people's vast legacy of suffering.

I thank Rabbi Zoberman for these somber yet hopeful words and am once again reminded that the tragedy of Kosovo touches the lives of many and in many different ways. Rabbi Zoberman was born to Polish Holocaust survivors and spent his early childhood in a Displaced Persons Camp in Frankfurt, Germany. Rabbi Zoberman, shalom and thank you.●

### EISENHOWER LEADERSHIP AWARD

Mr. INOUE. Mr. President, on the evening of Tuesday, May 18, 1999, the distinguished Chairman of the Senate Appropriations Committee and my good friend, Senator TED STEVENS of Alaska, received the Eisenhower World Affairs Institute's annual Leadership Award in recognition of his outstanding lifetime accomplishments. This is indeed an honor TED richly deserves. TED has dedicated his life to public service, and embodies the values, commitment and integrity that were the hallmark of former President Dwight D. Eisenhower. It is an honor to work with such an able legislator, particularly on the Senate Appropriations Committee, where TED's leadership has earned him the respect of his Senate colleagues. TED is a great American and serves this institution well. I was delighted to be part of the evening's festivities. I would like to share with my Senate colleagues and all Americans, Senator TED STEVENS' remarks upon the acceptance of the Eisenhower Leadership Award. I ask that the full text of Senator STEVENS' remarks be printed in the CONGRESSIONAL RECORD.

The remarks follow.

SENATOR TED STEVENS' REMARKS AT THE EISENHOWER WORLD AFFAIRS DINNER UPON RECEIVING THE EISENHOWER LEADERSHIP PRIZE, MAY 18, 1999

This is a very unexpected honor. Thanks to Rocco Siciliano and to my departed friend, Al McDermott, who served as Assistant to Ike's Secretary of Labor—a special friend who would be pleased that his wife, Krieks, is here. Al, under Ike's command, drove his LCT to Omaha Beach in Normandy on D-Day.

Alaska's small population seems to be here—the effort all Alaskans made to come

so far to share this night means a lot to me. Catherine and I are especially pleased that Lily, soon to be on the Farm at Stanford, is here, together with Catherine's sister, Judi.

This evening overwhelms me. Friends are here from almost every phase of my life.

Russ Green and I met in California when we were 14. We traveled far to be with each other for brief periods during WWII. Russ still lives in California—he was our best man in 1952 when Ann and I were married.

George Rey craft has been a companion since 1947, when we started law school. Catherine, Lily and I have spent Thanksgiving with George since 1980. Roemer McPhee and Burton Wood were with us at law school.

Bill Ewald served in the Interior Department before going to the White House to become Ike's biographer. Donna DeVarona and I were on President Ford's Commission on Amateur Sports—she encouraged me and assisted me when Congress enacted my Amateur Sports Act. Sandra Day and John O'Connor are Arizonans from a ranching family like Catherine's mother, Ellie. Tony Motley and Judy—Tony and I survived a Lear Jet crash in 1978—that's a bond that is never broken.

My constant companions in Alaska—and anywhere the fishing is good—are my brother-in-law Bill Bittner, Chuck Robinson, Bill Allen and my long-time friend and traveling companion, Marshall Coyne. General Joe Ralston and Dede have been close friends since he commanded our 11th Air Force in Alaska—they too are Alaska residents. Throughout this room are members of the Senate staff with whom I have worked. I thank each of you for coming.

And, I thank Senators Bennett, Inouye, Specter and Warner—and Elizabeth Letchworth, Secretary to the Majority, who made certain there were no votes tonight.

I am filled with awe and trepidation when the list of past recipients of this award is read. I was a foot soldier in Ike's battle to "Wage Peace." To follow President Bush, Colin Powell, Bob Dole, Lloyd Bentsen, and Brent Scowcroft is an honor that takes my breath away.

Those previous recipients spoke much about Ike. George Bush said:

"I think every person in my generation, certainly every product of WWII, who witnessed his dedication to duty and the devotion with which he undertook his many weighty responsibilities, feels exactly the same way I do. In a sense, Eisenhower was like a guardian to us. Certainly, he was a hero figure before he became President of the United States."

Bob Dole remembered that of "the four federal balanced budgets in the last half of this century, Ike gave us three of them".

Colin Powell told us of the Eisenhower Corridor in the Pentagon where, among the President's treasures, is his portrait and as Colin said the "simple, but oh so eloquent, final words Ike spoke before his death, 'I've always loved my wife. I've always loved my children. I've always loved my grandchildren. I've always loved my country.'"

I have made many statements on the Senate Floor about President Eisenhower. After Ike died in 1969, my comments as a freshman Senator reminded Americans the President held a special place in the hearts of Alaskans. To our 34th President, statehood for Alaska was a matter of simple justice. And, when he listed the accomplishments of his administration, statehood for Alaska and Hawaii appeared first. Alaska first sought statehood in 1913. Two world wars interrupted our quest. After WWII, Hawaii joined the fight. Congress considered Hawaii's bill first, but proponents of Alaska amended their bill and added Alaska, resulting in the defeat of both.

Democrats in Congress were certain Alaska would be a solid state for them; Republicans knew Hawaii was certain to be solidly for them. Neither state has followed such predictions.

In 1950, General Eisenhower said, "... quick admission of Alaska and Hawaii to statehood would show the world that America practices what it preaches."

However, in "Eisenhower the President," Bill Ewald reported, "One day in Ike's first term, Orme Lewis, Assistant Secretary of the Interior, cautiously entered the Oval Office with Secretary Douglas McKay. 'What do you want to talk to me about?' The President asked. 'Statehood for Alaska,' McKay replied. 'Well, it better be goddamn good,' the President shot back."

Ike was under Department of Defense pressure to oppose Alaska statehood. Explaining that his 1950 statement endorsing Alaska statehood was made before he had Presidential responsibility, in his first term Ike urged that Hawaii be admitted, but not Alaska.

This was at the height of the Cold War. Many WWII veterans went north to find a new life, including my wife Ann and me. Only 206,000 people, including military, lived in our Territory. Anyone could enter Alaska without a passport, but when we went to the "South 48," our own Immigration Service demanded a passport from everyone, or at least a birth certificate and we, like Americans before us, found taxation without representation downright un-American! It was demeaning to those of us who had fought WWII. We wanted Congress to listen to Ike and show America does practice what it preaches.

Alaskans called a Constitutional Convention; we adopted a Constitution for a new state and we also adopted the "Tennessee Plan." Tennessee, when it sought statehood, elected two Senators and a Congressman, then sent them to Washington, D.C. to demand statehood.

In mid-1956, I arrived back in Washington, D.C. to become Legislative Counsel at the Interior Department. President Eisenhower had just appointed as Secretary of the Interior Fred Seaton, Publisher of the Hastings Tribune, who had served briefly as one of Nebraska's Senators.

Alaska's newspaper publishers, particularly my friends Bill Snedden of the Fairbanks News-Miner and Bob Atwood of the Anchorage Times, knew Fred well and urged me to accept the appointment.

In many ways, statehood for Alaska and Hawaii was a triumph for newspaper publishers. Snedden and Atwood visited almost every news entity in the United States from Bill Hearst to Henry R. Luce of Time, Inc. From hundreds of daily, weekly and monthly newspapers and magazines, editorial and even financial support poured in. Seaton's own Western Farm Life, plus his papers, radio and television stations in Wyoming, Colorado and Nebraska, were all active in this endeavor.

Alaskans found their national champion for statehood in Fred Seaton. His maiden speech on the Senate Floor was an impassioned plea for immediate action on the Alaska bill. (I've always believed it was ghostwritten by Bill Snedden.)

At Interior, I joined friends with whom I had worked here in D.C. as a volunteer in Ike's 1952 campaign, preparing position papers on natural resource and western issues. Later, at the 1956 Republican Convention, working behind the scenes with Fred Seaton, Alaskans and Hawaiians obtained a provision in our Platform pledging action on both statehood bills.

During the campaign, on September 11, 1956, the President said:

"Now, Alaska is a very great area, there are few people in it, and they are confined almost exclusively in the southeast corner.

"Could there be a way worked out where the areas necessary for defense requirements could be retained under Federal control in the great outlying regions and a State made out of that portion in which the population is concentrated, it would seem to be a good solution to the problem.

"But, the great and vast area is completely dependent upon the United States for protection, and it is necessary to us in our defense arrangements."

That statement led Secretary Seaton and me to meet in 1957 in Fred's hospital room with General Nate Twining, Chairman of the Joint Chiefs of Staff, one of Ike's favorite military advisors. With Twining was Jack Stempler, then in charge of legislation for DoD. Jack told me just this past week, "Legislation is spawned in many places in D.C., but I wonder how many legislative solutions came from a hospital room?"

Secretary Seaton was in traction because of a bad back. We showed him and General Twining the map upon which Ike had drawn a rough line, North and West of which Ike believed there were special defense problems. Twining, who had commanded in Alaska, explained the military reasons for Eisenhower's reservations, particularly the need for unfettered access along the Northern and Western shores of Alaska, obviously defense strategy for opposing the Soviets.

The General pointed out Ike remembered that part of Alaska's Aleutian Islands were occupied by the Japanese in World War II and that Alaska's Little Diomed Island in the North Pacific was just two miles from the Soviet's Big Diomed Island.

We developed a concept to meet Ike's military concerns, while at the same time admitting the whole territory as a state, drafting a provision to give the President power to make defense withdrawals, in essence creating martial law, taking over all aspects of government in the area North or West of Ike's line. No such power exists in any other state.

The Tennessee Plan members—Bill Egan, Ernest Gruening, and Ralph Rivers—later agreed, and Bob Bartlett presented the concept in the House. This was not an easy decision. House Rules Chairman Howard Smith was a dedicated opponent of Alaska. Alaska's statehood bill bypassed his Rules Committee under an old, seldom-used House Rule, which allowed statehood bills to be taken directly to the House Floor. The strategy worked. Alaska's bill passed the House despite repeated attacks from Republicans and Southern Democrats.

Senate strategy was to avoid amendments. Had an amendment been adopted, the bill would be returned to the House where Chairman Smith would bury it.

In the Senate debate, our provision, known as Section 10, was the principal target of statehood opponents. Senator Eastland, Chairman of the Judiciary Committee, led the charge saying:

"I submit that the reservation contained in section 10 is such a condition imposed upon the new State of Alaska as a price for admission in of the Union of States that it does violence to the equal footing doctrine, whereby all the preceding states entering into this Union all entered on equal footing.

"The President of the United States is authorized without a declaration of martial law, to withdraw sovereignty from over half of the area of the State of Alaska."

Senators Thurmond and Russell spoke at length, leaving Majority Leader Mansfield to wonder out loud if there was a filibuster going on.

Senator Thurmond objected to any unanimous consent agreement. I remember loud

sighs then from Alaskans in the Senate gallery, knowing as we did Strom's capability for long debate. And Strom did speak extremely long and eloquently. Senators Monroney, Fulbright, and Stennis each made motions; all failed. Then Senator Russell, an absolute powerhouse in the Senate, joined Stennis in seeking to refer the bill to the Armed Services Committee. This also failed. Thurmond moved to eliminate a portion of the land in Alaska subject to section 10. That failed by a vote of 16-67. That vote showed enough votes to cut off debate. Soon thereafter, our bill passed, unamended, by a vote of 64-20.

I later served in the Senate with those Senators who opposed Alaska vigorously. Each was not only a good friend, but worked hard to help me and our new state.

Bill Ewald, when commenting on the passage of the Alaska bill in "Eisenhower the President," rightfully concluded Seaton was a zealot on the subject—and I was a fanatic.

Bill also said:

"... in the end ... the greatest glory must go to Eisenhower. He chose his lieutenants, gave them the freedom to think and to innovate, backed them to the hilt despite his qualms, and thus produced an outcome that, in retrospect, remains a triumph of his administration.

"They worked in his name; and history will, and should, honor him for what they did."

The privilege of being near Ike in those days is hard to describe. It wasn't just a battle for Alaska—ten years after Ike approved our Statehood Act, oil was discovered in Alaska. Now 25 percent of all oil produced in the U.S. comes from our North Slope and Cook Inlet. Over 50 percent of all fish landed in the U.S. comes from waters off our shores. Alaska has the highest educated population in this nation. Air Force pilots train above our vast tundra, and our joint Army/Air Force exercises give our defense forces the finest training in the world.

Bryce Harlow, the President's assistant for legislative affairs, held weekly meetings every Saturday for the liaison assistants from every Department, reviewing the past week, and planning strategy for the week ahead. Ed McCabe and Roemer McPhee attended some of those meetings. General Jerry Pearson joined us once in a while. Ike often stopped by Harlow's meetings; he'd joke a little, take time to clearly and simply explain what his priorities were, and would always end with a plea to get our work done and go home to our families. Once he told us, "If you are ever at a dinner here in Washington that lasts beyond ten p.m., go to your hostess and tell her the President needs to see you!" Ike firmly believed in "early to bed and early to rise."

I'm sure you join me in saying how happy we are to be with members of the Eisenhower family again—David and Julie, Mary Jean and Susan. Ike's legacy of family love is obviously a code for each of them.

In 1982, on the Senate Floor, I discussed Bill Ewald's speech to the Eisenhower Old Guard dinner that year. Bill commented about Ike's calm as the President discussed his decision to send troops into Lebanon just eight days after he signed the Alaska Statehood Bill.

Ike told Bill, "Look, when you appeal to the force, there's just one thing you must never do—that's lose. There's no such thing as a little force. When you use it, you use it overwhelmingly."

Bill closed that speech with a comment with which we all agree:

"Not often in the story of mankind does a man arrive on earth of steel and velvet. Peace unspeakable and perfect.

"Something like that resided in the mind and heart and soul of Dwight Eisenhower. In

the midst of many threatening clouds it brought us a beautiful golden season of Eisenhower weather.

"For what he did, and above all for what he was, we thank God from the bottom of our hearts tonight."

President Eisenhower's Covenant for Total Peace is known to many of you. It was read by Charlton Heston on the anniversary of D-Day, June 6th 1998, in Philadelphia. Americans who didn't know Ike personally should read it—and know what he did for us, and for the world.

I enlisted in General Eisenhower's crusade 50 years ago. And as a member of the Eisenhower Administration, I joined the President in the battle for Alaska statehood. His admonition that "there is one thing you must never do—lose" is a principle which continues to guide my public life.

Ike will always be my Supreme Commander. His devotion to duty, country, honor have shaped my nearly 50 years of public service. I view the world and my responsibility to it through his prism. Whether it's continuing the battle to ensure the promises of statehood are kept or working side by side with my partner, Dan Inouye, to maintain the strong national defense that Ike helped build, I am honored to continue as a foot soldier in his battle to "wage peace."

The Crusade I want to join is obvious: In my mind Dwight David Eisenhower must be named the Person of the Twentieth Century. My question is: where do I enlist?●

#### NED HOMFELD WINS ENTREPRENEUR OF THE YEAR AWARD

● Mr. ABRAHAM. Mr. President, I rise today to acknowledge Ned Homfeld, who has been named Entrepreneur of the Year for 1999, by Ernst & Young. Mr. Homfeld was selected as the most outstanding company owner-manager from among 500 other exemplary nominees.

Ned Homfeld, the president of Spirit Airlines, is the driving force behind the young company and its remarkable success in the highly competitive airline business. Spirit Airlines, a small air carrier, offers low cost jet service to some of America's most popular business and leisure destinations as well as underserved areas in need of air travel service.

Before his involvement with Spirit Airlines, Mr. Homfeld was involved in numerous other operations including Ground Air Transfers, which delivered critically needed parts to automotive plants, and Charter One, a company that offered public charter day trips. Mr. Homfeld's drive for continued improvements in the airline industry is a testament to his hard work and devotion to the American public.

Mr. Homfeld's continued dedication has not only served Spirit Airlines, but has greatly benefited the greater community as well. Spirit Airlines, providing safe, quality air travel at affordable prices, has been a welcome contributor to Detroit's and other cities across the United States, economic successes during the past decade. His creativity, perseverance and entrepreneurial spirit is an example to us all.●

#### IN RECOGNITION OF THE ANTI-CRUELTY SOCIETY ON THEIR 100TH ANNIVERSARY

● Mr. DURBIN. Mr. President, it is with pride and pleasure that I take a moment today to recognize the Anti-Cruelty Society of Chicago on the occasion of their 100th anniversary. The society's centennial celebration is entitled "1999—The Anti-Cruelty Society Centennial: A Legacy of Caring, A Vision of Hope for the 21st Century," and is truly an appropriate description of the organization's valuable impact on the lives and treatment of the nation's animals.

One hundreds years ago, the society's founders, led by Illinois resident Mrs. Theodore Thomas, were concerned with inhumane butchery in slaughterhouses, the treatment of old sick workhorses, and hundreds of thousands of malnourished homeless dogs and cats. In their efforts to eliminate cruelty to animals, to educate the public on the humane treatment of animals, and to create a refuge for stray animals until they could be placed in good homes, the society achieved impressive accomplishments in Illinois and across the nation. In fact, the group gave rise to an organization so dynamic that it has impacted and continues to impact public policy and set the standard of humane treatment for animals worldwide.

Once again, I congratulate the Anti-Cruelty Society in Chicago on their remarkable first 100 years of service, and wish them the best of luck as they continue to make a positive impact upon the lives of animals and humans in the many years to come.●

#### MISS MISSOURI 1999

● Mr. BOND. Mr. President, I rise today to recognize the winner of the 1999 Miss Missouri Pageant, Miss Patryce CoRae King. On June 12th, in my home town of Mexico, MO, Miss King won the State pageant and will go on to represent Missouri in the Miss America Pageant. Miss King is an accomplished pianist and won the talent competition of the pageant with a rendition of Gershwin's "Rhapsody in Blue." I wish Miss King the best of luck and know that she will represent Missouri well at the Miss America Pageant in September.●

#### RETIREMENT OF JAMES R. SASSER AS AMBASSADOR TO CHINA

● Mrs. FEINSTEIN. Mr. President, I rise today to express my thanks and appreciation to Ambassador James Sasser for the excellent job he has done as United States ambassador to China. After more than three years of dedicated service, Ambassador Sasser will be stepping down from his position.

Ambassador Sasser served during an interesting, often strenuous, period of U.S.-China relations. Drawing on his experiences as a distinguished three term United States Senator and mem-

ber of the Foreign Relations Committee, he worked tirelessly to ensure that the United States remained engaged with China to promote stability, openness, and prosperity in that country. Even Henry Kissinger, who initially expressed misgivings about Ambassador Sasser's appointment, recently remarked, "I have known no American ambassador who has done a better or more passionate job on Sino-U.S. relations than Ambassador Sasser."

Even during the bad times, when relations soured, Ambassador Sasser has maintained a high level of communication with Chinese leaders and provided a calm and steady influence. He recognized that no single issue can make or break U.S.-China relations and that open and frank dialogue is essential to promoting American values, especially those in the area of human rights.

Though he served with distinction for more than three years, perhaps Ambassador Sasser's finest hour came only a few weeks ago. After the accidental bombing of the Chinese embassy in Belgrade, tens of thousands of angry protesters gathered in front of the American embassy in Beijing and hurled bricks and rocks at the building. The situation was dangerously close to spinning out of control and the lives of those inside the embassy were potentially in danger. Rather than seek cover in a safer place, Ambassador Sasser stayed.

Near the end of his service, he provided us with a lasting image of poise, strength, and courage. His actions were indeed inspiring to those that were with him in Beijing and also to those of us who were watching as the events unfolded on television. He represented the finest of Americans who serve their country in embassies and consulates around the world—he was a diplomat who would not give up his post.

Again, I congratulate Ambassador Sasser for a job well done and wish him the best for his future endeavors.●

#### KICKOFF OF THE WOMEN'S WORLD CUP

● Mrs. BOXER. Mr. President, last week marked the beginning of the 1999 Women's World Cup, a competition that includes the best soccer teams from throughout the world. Held every four years since 1991, the women's World Cup brings together the finest women athletes and allows them to compete at the highest level. It is so wonderful that young women throughout the world have these role models to look up to—role models such as our very own charismatic Julie Foudy, working mother Joy Fawcett, teenage sensation Tiffany Roberts, and veteran superstar Michelle Akers.

The United States team, which is among the favorites to win the tournament, is led by the best women's soccer player of all time: Mia Hamm. Mia Hamm has scored more international goals than any person—man or

woman—in the history of the game. It was perfectly fitting that she scored the first goal of the tournament by half-volleying a Brandi Chastain pass into the roof of the net.

It is also fitting that Mia Hamm was born in 1972, the same year that President Nixon signed into law Title IX of the Education Amendments Act. This law ensures that federally funded schools provide equal athletic opportunity for members of both sexes. Twenty-five years later, the U.S. National Team is one clear sign that this law is a success.

According to the Women's Sports Foundation, the number of girls who participate in high school sports since the enactment of Title IX has risen from 300 thousand to 2.37 million. Women are now 37 percent of college athletes and were 39 percent of the 1996 United States Olympic Team members.

The record-breaking crowds this weekend in San Jose and Pasadena reveal that the enthusiasm for women's soccer is not restricted to players only, but is shared by the public. Over 78,000 loyal fans packed the seats of Giants Stadium to watch the US-Denmark match, and the weekend ticket sales total of over 134,000 surpassed the 112,000 for the entire 1995 Women's World Cup in Sweden. Ticket sales for the Cup to date have passed 500,000 and are rapidly growing—potentially shattering the 600,000 world record for a sporting event held for women.

The stellar start for the World Cup speaks volumes for the future of women's soccer. Female soccer players may not have to wait much longer to play professionally in the United States. The successful weekend attests to the wonderful athletic stars and enthusiastic fans ready, willing and eager to support a women's professional soccer league in major markets such as Los Angeles, San Francisco, New York and Chicago. Citizens both domestic and worldwide are watching the Women's World Cup with pride that our teams are pioneering the path to put women's sports on parity with men's.

The impact of gender equality in sports goes far beyond the soccer field and ticket sales. Female student athletes are more likely to graduate from college than students who do not participate in sports, women who are active in sports and recreational activities as girls feel greater confidence, self-esteem and pride in their physical and social selves; and 80 percent of women identified as key leaders in Fortune 500 companies participated in sports during their childhood.

The Women's World Cup is also an important way to bring together diverse nations of the world. From North Korea to Canada, from Ghana to Sweden, everyone shares in the joys of competition and love of the game. Television viewers throughout the world have been introduced to many countries and its players. During the first week of play, we saw the flamboyant Nigerian goalkeeper Ann Chiejei con-

fidently lead the "Super Falcons" to the second round. The Brazilian on-name wonders of Sissi and Preinha brought to mind visions of Pele and Romario in scoring the first hat tricks of the tournament. And Norway, which has played in the previous two World Cup title games, opened its title defense with three impressive victories.

So, Mr. President, I will make two predictions. My first prediction is that the United States will reclaim their title as women's World Cup Champions on July 10, in Pasadena, California. And more importantly, my second prediction is that generations of women and girls for years to come will continue to thrive because of Title IX.●

#### HIGHMORE RESEARCH STATION

● Mr. JOHNSON. Mr. President, I rise today to express my warmest congratulations to the South Dakota State University Central Research Station in Highmore, SD.

Today the experiment station is celebrating one hundred years of dedicated service to the agriculture industry in the Northern Plains. It is an outstanding example of the continued application of technological advancements by our farmers and ranchers in an ever-changing competitive environment.

The Highmore Research Farm, also known as the Central Crops and Soils Research Station, was the first research farm created in the north-central United States. It was created in 1899 at the request of livestock producers who desired drought-resistant forage plants on the prairie. It was determined that a substation was to be established between the James and Missouri Rivers and a location was eventually secured near Highmore. Initially the work at the experiment station was centered around testing drought-resisting forage and devising ways and means for livestock producers to obtain winter forage as well. Later, crop production and rotation became an integral part of the research station.

Affiliated with South Dakota State University in Brookings, this experiment station has been a leader in providing and conducting state-of-the-art agriculture research. In Highmore and at the various other South Dakota Agricultural Experiment Stations across the state, researchers cover a variety of aspects of agriculture, ranging from crop to livestock production. Over 150 different projects demand the time and effort by these dedicated researchers at this time. Through sound science and a problem solving attitude these researchers expand the knowledge base for all of agriculture and those affected by it on a daily basis.

In this critical time in production agriculture while depressed crop and livestock prices are driving agriculture producers from their operations, it is all the more essential that we encourage the research taking place at the ex-

periment stations. As we enter a new millennium we must develop ways for producers to afford and adapt to the technological advancements that can make United States agriculture more competitive. This is crucial in order for South Dakota to compete in the ever-changing global market.

The research and knowledge gained from these experiment stations benefit not only agriculture producers, but also consumers living in rural towns and urban cities. Learning from the past and building towards the future is a daily mission at the Highmore Experiment Station. I applaud the efforts of each researcher and all of those who dedicated their time and effort to this farm in the last 100 years. I extend my best wishes to the Central Research Station in Highmore for another 100 years of successful research and service to South Dakota agriculture.●

#### THE HISTORIC CONTRIBUTION OF THE 5TH BOMB WING, MINOT, NORTH DAKOTA, TO OPERATION ALLIED FORCE

● Mr. DORGAN. Mr. President, the Secretary of Defense has described our military action in Kosovo as the most accurate application of Air Power in history. The men and women of the 5th Bomb Wing, Minot, North Dakota, were critical to that effort, and the citizens of this state and our entire country are justifiably proud of their efforts.

The B-52 bombing raids on Yugoslavian positions on June 7, 1999, undoubtedly hastened the decision by Yugoslavia to sign the NATO peace agreement ending the conflict. As the Washington Post reported on the significance of the strike, "Two days later, Yugoslav generals formally agreed to withdraw all forces from Kosovo." The Washington Post Article entitled, "NATO's Most Lethal Air-strike Ended a Battle, Perhaps a War," reported that the B-52 attack on Mount Pashtrik was the turning point in the Kosovo conflict.

Like the "Linebacker" operations in Vietnam, the unmatched striking power of the B-52 bomber convinced the enemy that negotiation was preferable to suffering the business end of over 70,000 pounds of munitions. The crews of the B-52 bombers that carried out their missions in Kosovo proved the anecdote again, "That bomber pilots make history."

In recognizing the efforts of the crews and support personnel of the 5th Bomb Wing, we cannot forget the sacrifices made by the families and loved ones left behind. Today's professional All-Volunteer Air Force is a different organization than the one that preceded it. More times than not, when an Air Force member deploys, he or she leaves behind a spouse and small children who depend on them, who miss them, and who pray for their safe return. We in the Senate owe a debt of gratitude to those brave families who

lovingly support the men and women of our Armed Forces.

Mr. President, in every conflict following the Korean War, the B-52 bomber has delivered the most debilitating blows to our enemies. As demonstrated in Yugoslavia, the B-52 is still capable of delivering the initial strikes in a conflict with stand-off weapons, and then executing decisive strikes on fielded forces with a range of munitions.

The United States Air Force's plan to fly the B-52 bomber well into the next century is a tribute both to the aircraft and the innovative crews that continue to demonstrate the decisive capabilities of the aircraft. Most importantly, as long as the Air Force has men and women like those who serve in the 5th Bomb Wing, this nation sleeps well protected.●

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. DEWINE. Mr. President, I would like to now, on behalf of the leadership, the majority leader, Senator LOTT, ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar:

Nos. 109 through 130, and all nominations on the Secretary's desk in the Air Force, the Army, the Coast Guard, the Marine Corps, and the Navy.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, and that any statements relating to the nominations be printed in the RECORD, that the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations were considered and confirmed as follows:

#### IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 1552 and 12203:

#### *To be brigadier general*

Col. Edward W. Rosenbaum (Retired), 0000

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

#### *To be major general*

John A. Bradley, 0000  
Gerald P. Fitzgerald, 0000  
Edward J. Mechenbier, 0000  
Allan R. Poulin, 0000  
Larry L. Twitchell, 0000

#### *To be brigadier general*

Thomas L. Carter, 0000  
Richard C. Collins, 0000  
John M. Fabry, 0000  
Hugh H. Forsythe, 0000  
Michael F. Gjede, 0000  
Leon A. Johnson, 0000  
Howard A. McMahan, 0000  
Douglas S. Metcalf, 0000  
Jose M. Portela, 0000

Peter K. Sullivan, 0000  
David H. Webb, 0000

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Archie J. Berberian II, 0000  
Verna D. Fairchild, 0000  
Daniel J. Gibson, 0000

#### *To be brigadier general*

George C. Allen II, 0000  
Roger E. Combs, 0000  
Michael A. Cushman, 0000  
Thomas N. Edmonds, 0000  
Jared P. Kennish, 0000  
Paul S. Kimmel, 0000  
Virgil W. Lloyd, 0000  
Alexander T. Mahon, 0000  
Marvin S. Mayes, 0000  
David E. McCutchin, 0000  
Calvin L. Moreland, 0000  
Mark R. Musick, 0000  
John D. Rice, 0000  
Robert O. Seifert, 0000  
Lawrence A. Sittig, 0000  
James M. Skiff, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. William J. Begert, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Charles R. Holland, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. Maxwell C. Bailey, 0000

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C. section 624:

#### *To be major general*

Brig. Gen. Alan D. Johnson, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C. section 601:

#### *To be major general*

Maj. Gen. Donald L. Kerrick, 0000

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brig. Gen. James M. Collins, Jr., 0000  
Brig. Gen. Robert W. Smith, III, 0000

#### *To be brigadier general*

Col. Dennis J. Laich, 0000  
Col. Robert B. Ostenberg, 0000  
Col. Ronald D. Silverman, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Robert E. Armbruster, Jr., 0000  
Joseph L. Bergantz, 0000  
William L. Bond, 0000  
Colby M. Broadwater, III, 0000

Richard A. Cody, 0000  
John M. Curran, 0000  
Dell L. Dailey, 0000  
John J. Deyermund, 0000  
Larry J. Dodgen, 0000  
James M. Dubik, 0000  
Richard A. Hack, 0000  
Russel L. Honore, 0000  
Roderick J. Isler, 0000  
Terry E. Juskowiak, 0000  
Geoffrey C. Lambert, 0000  
James J. Lovelace, Jr., 0000  
Wade H. McManus, Jr., 0000  
William H. Russ, 0000  
Walter L. Sharp, 0000  
Toney Stricklin, 0000  
John R. Vines, 0000  
Robert W. Wagner, 0000  
Craig B. Wheldon, 0000  
R. Steven Whitcomb, 0000  
Robert Wilson, 0000  
Joseph L. Yakovac, Jr., 0000

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general, Chaplain Corps*

Col. David H. Hicks, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. Thomas N. Burnette, Jr., 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Billy K. Solomon, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Harry B. Axson, Jr., 0000  
Col. Guy M. Bourn, 0000  
Col. Ronald L. Burgess, Jr., 0000  
Col. Remo Butler, 0000  
Col. William B. Caldwell, IV, 0000  
Col. Randal R. Catro, 0000  
Col. Stephen J. Curry, 0000  
Col. Robert L. Decker, 0000  
Col. Ann E. Dunwoody, 0000  
Col. William C. Feyk, 0000  
Col. Leslie L. Fuller, 0000  
Col. David F. Gross, 0000  
Col. Edward M. Harrington, 0000  
Col. Keith M. Huber, 0000  
Col. Galen B. Jackman, 0000  
Col. Jerome Johnson, 0000  
Col. Ronald L. Johnson, 0000  
Col. John F. Kimmons, 0000  
Col. William M. Lenaers, 0000  
Col. Timothy D. Livsey, 0000  
Col. James A. Marks, 0000  
Col. Michael R. Mazzucchi, 0000  
Col. Stanley A. McChrystal, 0000  
Col. David F. Melcher, 0000  
Col. Dennis C. Moran, 0000  
Col. Roger Nadeau, 0000  
Col. Craig A. Peterson, 0000  
Col. James H. Pillsbury, 0000  
Col. Gregory J. Premo, 0000  
Col. Kenneth J. Quinlan, Jr., 0000  
Col. Fred D. Robinson, Jr., 0000  
Col. James E. Simmons, 0000  
Col. Stephen M. Speakes, 0000  
Col. Edgar E. Stanton, III, 0000  
Col. Randal M. Tieszen, 0000  
Col. Bennie E. Williams, 0000  
Col. John A. Yingling, 0000

#### IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to



the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Carlton W. Fulford, Jr., 0000  
IN THE NAVY

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. David J. Antanitus, 0000  
Capt. Dale E. Baugh, 0000  
Capt. Richard E. Brooks, 0000  
Capt. Evan M. Chanik, Jr., 0000  
Capt. Barry M. Costello, 0000  
Capt. Kirkland H. Donald, 0000  
Capt. Dennis M. Dwyer, 0000  
Capt. Mark J. Edwards, 0000  
Capt. Bruce B. Engelhardt, 0000  
Capt. Tom S. Fellin, 0000  
Capt. James B. Godwin, III, 0000  
Capt. Charles H. Johnston, Jr., 0000  
Capt. John M. Kelly, 0000  
Capt. Steven A. Kunkle, 0000  
Capt. Willie C. Marsh, 0000  
Capt. George E. Mayer, 0000  
Capt. John G. Morgan, Jr., 0000  
Capt. Dennis G. Morral, 0000  
Capt. Eric T. Olson, 0000  
Capt. James J. Quinn, 0000  
Capt. Ann E. Rondeau, 0000  
Capt. Frederick R. Ruehe, 0000  
Capt. Lindell G. Rutherford, 0000  
Capt. John D. Stuffbeem, 0000  
Capt. William D. Sullivan, 0000  
Capt. Gerald L. Talbot, Jr., 0000  
Capt. Hamlin B. Tallent, 0000  
Capt. Richard P. Terpstra, 0000  
Capt. Thomas J. Wilson, III, 0000  
Capt. James M. Zortman, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral*

Rear Adm. (lh) Raymond A. Archer, III, 0000  
Rear Adm. (lh) Justin D. McCarthy, 0000

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

*To be rear admiral (lower half)*

Capt. Darold F. Bigger, 0000  
Capt. Fenton F. Priest, III, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Donald C. Arthur, Jr., 0000  
Capt. Linda J. Bird, 0000  
Capt. Michael K. Loose, 0000  
Capt. Richard A. Mayo, 0000  
Capt. Joseph P. Vanlandingham, Jr., 0000

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

*To be rear admiral (lower half)*

Capt. Robert M. Clark, 0000  
Capt. Mark M. Hazara, 0000  
Capt. John R. Hines, Jr., 0000  
Capt. James Manzelmann, Jr., 0000  
Capt. Noel G. Preston, 0000  
Capt. Howard K. Unruh, Jr., 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be admiral*

Vice Adm. Vernon E. Clark, 0000

The following named officer for appointment in the United States Navy to the grade

indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be admiral*

Vice Adm. Thomas B. Fargo, 0000

NOMINATIONS PLACED ON THE SECRETARY'S  
DESK

IN THE AIR FORCE, ARMY, COAST GUARD,  
MARINE CORPS, NAVY

Air Force nominations beginning \*Raam R. Aalgaard, and ending Steven R. Zwicker, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 26, 1999.

Army nominations beginning with Michael R. Collyer, and ending Renee M. Ponce, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 19, 1999.

Army nomination of Michael L. McGinnis, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of June 7, 1999.

Coast Guard nomination of James W. Seeman, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of May 12, 1999.

Marine Corps nomination of Loston E. Carter, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of June 7, 1999.

Marine Corps nomination of Jack A. Maberry, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of June 7, 1999.

Navy nominations beginning Sylvester P. Abramowicz, Jr., and ending Shelley W.S. Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 21, 1999.

Navy nominations beginning Bruce A. Abbott, and ending Bertrand L. Zeller, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 21, 1999.

Navy nominations beginning Thomas Abernathy, and ending Paul M. Ziegler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 21, 1999.

Navy nominations beginning Sevak Adamian, and ending John E. Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 12, 1999.

Navy nomination of Theodore H. Brown, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of May 19, 1999.

Navy nominations beginning Richard W. Bauer, and ending Derek K. Webster, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 26, 1999.

Navy nominations beginning Robert A. Yourek, and ending Lorenzo D. Brown, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 26, 1999.

Navy nominations beginning Douglas G. Maccree, and ending Mladen K. Vranjican, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 26, 1999.

Navy nomination of James N. Frame, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of June 7, 1999.

Navy nominations beginning Nils S. Erikson, and ending Edward C. Ziegler, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 7, 1999.

Navy nominations beginning Thor D. Aakre, and ending Mary M. Zurowski, which nominations were received by the Senate and

appeared in the CONGRESSIONAL RECORD of June 7, 1999.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDER FOR BILL TO BE  
PRINTED—S. 886

Mr. DEWINE. Mr. President, also on behalf of the majority leader, I ask unanimous consent that S. 886, the State Department authorization bill, be printed as passed by the Senate.

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

THE RETIREMENT OF RON  
KAVULICK

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 131 submitted earlier by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 131) relating to the retirement of Ron Kavulick.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, today, Ron Kavulick, who has faithfully served the United States Senate for 20 years, will officially retire from the Senate family.

It took Ron Kavulick a while to get to the Senate. He worked first as an official court reporter for the office of The Judge Advocate General, United States Air Force, and later, as an official reporter in the White House—serving Presidents Nixon and Johnson. When he finally got to us, as an Official Reporter of Senate Debates, he advanced quickly, ultimately serving as Chief Reporter.

As Chief Reporter, Ron oversaw the preparation and editing of the proceedings of the Senate for publication in the Congressional Record. His greatest challenge, perhaps, was the impeachment trial of the President, where Ron's institutional memory and experience were called upon throughout the lengthy proceedings. It's all too easy for us to assume that capable and dedicated Senate employees, like Ron, will always be here providing abiding support and quiet efficiency.

Thomas Carlyle argued that history is the sum of the work of outstanding individuals. If so, then Ron Kavulick has contributed much to our Senate history. His support to me and my staff will always be remembered. I commend Ron for his dedicated service, and wish him and his wife, Pat, many years of health and happiness in retirement.

Mr. BYRD. Mr. President, today we honor 20 years of service to the Senate by its Chief Reporter, Ron Kavulick. For 16 years, beginning in 1979, Ron

worked on the Senate floor as a reporter of debates, where he distinguished himself as a friend to everyone and as one who labored mightily to accurately report Senators' statements for publication in the CONGRESSIONAL RECORD. He was a stickler for detail and bent over backwards to make sure every aspect of his work was correct, as he strove to preserve Senate history to its fullest.

As a result of his tenacity and dedication, Ron was promoted to Chief Reporter in 1995. In that position, Ron was invaluable to the Senate in his dedication to the accuracy of the CONGRESSIONAL RECORD. He gave of himself unselfishly to be a fair and considerate supervisor.

Ron now retires to be with his wife, Pat, and their two married children, Jeff and Susan, and granddaughter Alison.

The Senate today says thank you to Ron and his family for his exemplary service to the Senate and its family. He truly is our friend.

Mr. MOYNIHAN. Mr. President, I rise today to thank and applaud Ron Kavulick, the Chief Reporter of Debates, for the tremendous work that he did for the U.S. Senate. Being in charge of the CONGRESSIONAL RECORD is a very demanding and important responsibility. For it is the historical document of the Senate—the bills we introduce, the statements that we make, and all of our debates are printed in the RECORD. I am often amazed how the RECORD is compiled and printed in such a short amount of time.

Ron was to have ended his Senate career at the close of the 105th Congress, but remained in his position as the Senate conducted the impeachment trial of the President. His experience was greatly appreciated throughout this historical proceeding.

Ron's reporting background is both extensive and impressive. He became an Official Reporter of the RECORD of Senate Debates in 1979 and served in that capacity until he was elevated to the position of Chief Reporter in 1995. Before that, he was an official court reporter in the Air Force's Judge Advocate General Corp. and while employed with Alderson Reporting Company, Ron had the opportunity to work at the White House. He traveled extensively both with President Johnson and President Nixon.

My staff and I personally cannot thank Ron enough for his service. He was always available, day or night, for any help that my staff or I needed. I once wrote that the single most exciting thing you encounter in government is competence, because it's so rare. In that case, Ron Kavulick is a rarity in government, and we are blessed to have had him in the Senate.

Mr. DEWINE. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and, finally, that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 131) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 131

Whereas, Ron Kavulick will retire on June 30, 1999, from service to the United States Senate after twenty years as a member of the staff of the Official Reporters of Debates;

Whereas, he has served the United States Senate with honor and distinction since joining the staff of the Official Reporters of Debates on October 22, 1979;

Whereas, his self-determination and hard work as an official reporter resulted in his appointment to the position of Chief Reporter on May 22, 1995;

Whereas, Ron Kavulick, as Chief Reporter of the Congressional Record, has at all times executed the important duties and responsibilities of his office with dedication and excellence; and

Whereas, Ron Kavulick has demonstrated exemplary service to the United States Senate as an institution and leaves a legacy of superior and professional service: Now, therefore, be it

*Resolved*, That the United States Senate expresses its deep appreciation and gratitude to Ron Kavulick for his years of faithful service to his country and to the United States Senate.

Sec. 2. That the Secretary of the Senate shall transmit a copy of this resolution to Ron and Pat Kavulick.

#### VETERANS OF FOREIGN WARS OF THE UNITED STATES DAY

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 145, S. Res. 21.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 21) to designate September 29, 1999, as "Veterans of Foreign Wars of the United States Day."

There being no objection, the Senate proceeded to consider the joint resolution.

Ms. SNOWE. Mr. President, I rise today to express my sincere appreciation to my colleagues for joining me in honoring the more than two million veterans of the Veterans of Foreign Wars, VFW, of the United States as we pass legislation I introduced earlier this year, S.J. Res. 21, to designate September 29, 1999, as Veterans of Foreign Wars of the United States Day.

September 29, 1999 marks the centennial of the VFW. As veterans of the Spanish American War and the Philippine Insurrection of 1899 and the China Relief Expedition of 1900 returned home, they drew together in order to preserve the ties of comradeship forged in service to their country.

They began by forming local groups to secure rights and benefits for the service they rendered to our country. In Columbus, OH, veterans founded the American Veterans of Foreign Service. In Denver, Colorado, veterans started the Colorado Society of the Army of the Philippines. In 1901, the Philippine

War Veterans organization was started by the Philippine Veterans in Altoona and Pittsburgh, Pennsylvania. In 1913, these varied organizations with a common mission joined forces as the Veterans of Foreign Wars of the United States. I am honored to salute this proud organization.

Mr. President, when many of us think about war veterans, we think about the tremendous sacrifices these defenders of freedom made to safeguard the democracy we cherish, especially those who made the ultimate sacrifice. S.J. Res. 21 recognizes those contributions and sacrifices. It also recognizes the contributions that VFW members continue to make day-in and day-out in our communities—the youth activities and scholarships programs, the Special Olympics, homeless assistance initiatives, efforts to reach out to fellow veterans in need, and national leadership on issues of importance to veterans and all Americans. Over the last 100 years, members of the VFW have contributed greatly to our nation both in and out of uniform in ways too numerous to enumerate.

I have nothing but the utmost respect for those who have served their country. With this legislation, we honor the men and women and their families who have served this country with courage, honor and distinction. They answered the call to duty when their country needed them, and this is but a small token of our appreciation.

The centennial of the founding of the VFW will present all Americans with an opportunity to honor and pay tribute to the more than two million active members of the VFW and to all veterans, as well as to the ideals for which many made the ultimate sacrifice. I thank my colleagues for joining me in a strong show of support and an expression of thanks to the VFW and all veterans.

Mr. President, I yield the floor.

Mr. DEWINE. Mr. President, I ask unanimous consent that the joint resolution be read a third time and passed, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this resolution be printed in the RECORD.

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

The Joint Resolution (S.J. Res. 21) was read the third time and passed.

The preamble was agreed to.

The joint resolution, with its preamble reads as follows:

#### S.J. RES. 21

Whereas the Veterans of Foreign Wars of the United States was founded on September 29, 1899;

Whereas the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States will occur on September 29, 1999;

Whereas for the past 100 years, the Veterans of Foreign Wars of the United States has made valuable contributions to the well-being of veterans of the Armed Forces and to the States and their communities, and has exhibited national leadership on issues of

importance to all veterans of the Armed Forces; and

Whereas the centennial anniversary of the founding of the Veterans of Foreign Wars of the United States presents an opportunity to recognize, honor, and pay tribute to the more than 2,000,000 veterans of the Armed Forces represented by that organization, and to all the individuals who have served in the Armed Forces: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That September 29, 1999, is designated as "Veterans of Foreign Wars of the United States Day", and the President of the United States is authorized and requested to issue a proclamation calling upon all Government agencies and the people of the United States to observe the day with appropriate ceremonies, programs, and activities.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican Leader, pursuant to the provisions of S. Res. 208 of the 105th Congress, appoints the Senator from Indiana (Mr. LUGAR) to the Special Committee on the Year 2000 Technology Problem, vice the Senator from Maine (Ms. COLLINS).

#### UNANIMOUS CONSENT AGREEMENT—SOCIAL SECURITY LOCKBOX

Mr. DEWINE. Mr. President, on behalf of the majority leader, Senator LOTT, I ask unanimous consent that following the cloture vote on Thursday relative to the Social Security lockbox issue, if invoked, the Senate immediately proceed to the bill, and following the offering of the cloture motion on the pending amendment, the bill be laid aside until Friday, July 16.

I further ask unanimous consent that 9:30 a.m. on Friday there be 1 hour for debate to be equally divided in the usual form, and that the cloture vote occur at 10:30 a.m. on Friday, July 16, and the mandatory quorum under rule XXII be waived.

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

#### UNANIMOUS CONSENT AGREEMENT—Y2K CONFERENCE REPORT

Mr. DEWINE. I ask unanimous consent that when the Senate proceeds to the conference report to accompany H.R. 775, the Y2K liability bill, the reading be waived and it be limited to the following debate time: Senator MCCAIN, 20 minutes; Senator DODD, 15 minutes; Senator WYDEN, 15 minutes; Senator LEAHY, 10 minutes; and Senator HOLLINGS, 50 minutes.

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

Mr. DEWINE. I ask consent that immediately following that debate, the Senate proceed to a vote on adoption of the conference report with no other intervening action or debate.

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

#### ORDERS FOR THURSDAY JULY 1, 1999

Mr. DEWINE. Mr. President, I ask unanimous consent when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Thursday, July 1. I further ask that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day.

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

Mr. DEWINE. Mr. President, I further ask that the Senate then begin 1 hour of debate prior to the cloture motion to proceed to the Social Security lockbox issue, with time to be equally divided between the two leaders, or their designees, and that the live quorum be waived. I also ask that following the vote, notwithstanding rule XXII, Senator SPECTER then be recognized up to 30 minutes, as if in morning business.

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

#### PROGRAM

Mr. DEWINE. Mr. President, on behalf of the Majority Leader LOTT, for the information of all Senators, tomorrow the Senate will convene at 9:30 a.m. and will debate cloture on the motion to proceed to the Social Security lockbox legislation for 1 hour, to be followed by a cloture vote at 10:30 a.m. If cloture is invoked, the leader will then file a cloture motion on the pending amendment, which is the Social Security lockbox issue. That cloture vote will occur at 10:30 a.m. on Friday, July 16, as under a previous order.

Following that action, Senator SPECTER will be recognized as in morning business for up to 30 minutes. Upon completion of Senator SPECTER's remarks, the Senate will resume consideration of the Treasury-Postal appropriations bill with the hope of completing that bill during Thursday's session of the Senate.

Under a previous consent, all amendments must be offered by 11:30 a.m. on Thursday. It may also be the intention of the leader to debate and vote on the Y2K conference report and to begin consideration of any other appropriations bills cleared for action on Thursday.

Therefore, Senators can expect votes throughout the day.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DEWINE. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 9:02 p.m., adjourned until Thursday, July 1, 1999.

#### NOMINATIONS

Executive nominations received by the Senate June 30, 1999:

##### DEPARTMENT OF DEFENSE

CHARLES A. BLANCHARD, OF ARIZONA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY, VICE WILLIAM T. COLEMAN III.  
CAROL DIBATTISTE, OF FLORIDA, TO BE UNDER SECRETARY OF THE AIR FORCE, VICE F. WHITTEN PETERS.

##### DEPARTMENT OF STATE

BARBRO A. OWENS-KIRKPATRICK, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

LT. GEN. ROBERT H. FOGLESONG, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

LT. GEN. CHARLES R. HEFLEBOWER, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

LT. GEN. LANSFORD E. TRAPP, JR., 0000.

##### IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### To be colonel

LARITA A. ARAGON, 0000	KERMIT L. LEMON II, 0000
FRANCES M. AUCLAIR, 0000	BRIAN E. LOETUS, 0000
HENRY E. BELLION, 0000	BENJAMIN F. LUCAS II, 0000
JAMES D. BAZEY, 0000	WILLIAM MAIORANO, 0000
THOMAS H. BOGUN, 0000	SCOTT B. MCEVOY, 0000
JOHNNY E. BONNER, 0000	DANIEL E. MELL, 0000
MARK L. BOOTS, 0000	DANIEL G. MORRIS, 0000
MICHAEL G. BRANDT, 0000	HENRY C. MORROW, 0000
HUGH T. BROOMALL, 0000	DANIEL ST. J. MORTAG, 0000
ALAN C. BUNTING, 0000	JOHN F. NICHOLS, 0000
NORMAN L. BURSON, 0000	MICHAEL J. NUGENT, 0000
GEORGE N. CLARK, JR., 0000	SYLVIA J. NYE, 0000
NEIL A. CURRIE, 0000	DANIEL B. OHLLAREN, 0000
JOHN B. CYRILACKS, 0000	PATRICK J. PAULLI, 0000
PAUL E. DAVENPORT, 0000	GARY L. PETERS, 0000
THORNE A. DAVIS, 0000	RICHARD J. PROSEK, 0000
JOHN E. DENT, JR., 0000	WILLIAM A. PROSISE, JR., 0000
VAUGHN A. DUNHAM, 0000	DONALD P. ROBERTS, 0000
DONALD N. EDMANDS, JR., 0000	JOE A. ROSE, JR., 0000
SHEREE M. ETTTER, 0000	JOSEPH R. ROSS, JR., 0000
JUSTIN W. FISHER, 0000	DANIEL R. ROTA, 0000
WAYNE A. GALLO, 0000	TIMOTHY R. RUSH, 0000
TERRY A. GRAYBEAL, 0000	WILLIAM G. SCHAEZTLE, 0000
RONALD A. HALE, JR., 0000	FREDERICK SCHMIDT, 0000
R. ANTHONY HAYNES, 0000	RICHARD E. SELTZER, 0000
MARK C. HOOPER, 0000	JOHN G. SHEEDY, 0000
HOWARD F. HUNT III, 0000	RONALD L. SCHULTZ, 0000
THOMAS F. HUTCHINGS, 0000	ROBERT C. STCLAIR, 0000
CONSTANCE E. ILLING, 0000	RICHARD M. STEDDING, JR., 0000
ROBERT D. IRETON, 0000	MICHAEL J. STINSON, 0000
KENNETH A. IRELAND, 0000	RICHARD J. UTECHT, 0000
CORA M. JACKSON, 0000	ROBERT L. VAUGHN, 0000
RICHARD Y. JACOBSON, 0000	EDWARD J. WAITTE, 0000
EARL G. JAKES, JR., 0000	WILLIAM H. WEATHERS, 0000
MURRAY O. KING, JR., 0000	VERGEL L. LATTIMORE, 0000
GARY D. LANHAM, 0000	JAMES J. WHITE, 0000
EMIL LASSEN III, 0000	

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS IN THE UNITED STATES MARINE CORPS FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTION 531:

##### To be lieutenant colonel

CHARLES E. HEADDEN, 0000  
MICHAEL W. VIERS, 0000

*To be major*

ANTHONY R. ANDEREGG, 0000  
 FREDERICK J. BEATA, 0000  
 THOMAS H. BELL, 0000  
 MICHAEL W. BINNEY, 0000  
 RAFAEL D. CHEATHAM, 0000  
 STEVEN K. COKER, 0000  
 DANIEL H. DUBBS, 0000  
 MATTHEW H. GREEN, 0000  
 SCOTT W. HARRIS, 0000  
 STEVEN J. LAND, 0000  
 DAVID A. LAPAN, 0000  
 JOHN F. LICARI, 0000

ANDREW R. MELLON, 0000  
 JEFF A. NAGEL, 0000  
 CHRISTIAN D. NELSON, 0000  
 ROBERT A. ODAY, 0000  
 DOUGLAS W. PASNIK, 0000  
 MARK PRICE, 0000  
 TIMOTHY B. SEAMON, 0000  
 RONALD A. SPEARS, 0000  
 BLAYNE H. SPRATLIN, 0000  
 JEFFREY S. STIMPSON, 0000  
 SHAWN B. STITH, 0000  
 PATRICK J. TOWEY, 0000  
 THOMAS W. WHITE, 0000

*To be captain*

BAMIDELE J. ABOGUNRIN, 0000  
 JOHN K. ADAMS, 0000  
 MICHAEL AKSELRUD, 0000  
 OSCAR M. ALVAREZ II, 0000  
 STEVEN L. AMENT, 0000  
 ERIC S. ANDERSON, 0000  
 ROBERT L. ANDERSON III, 0000  
 PHILIP M. ANDRESS III, 0000  
 VIRGILIO G. ARCEGA, JR., 0000  
 KENNETH L. ASBRIDGE III, 0000  
 RHESA J. ASHBACHER, 0000  
 SEAN T. AUTH, 0000  
 TODD W. BACKHUS, 0000  
 DANIEL J. BAKER, 0000  
 WESLEY T. BANE, 0000  
 HERNAN BARRERO, 0000  
 CRAIG E. BARTON, 0000  
 ROBERT L. BATES, JR., 0000  
 TODD A. BECKMAN, 0000  
 GREGORY M. BEISBIER, 0000  
 MICHAEL C. BELCHER, 0000  
 ROBERT H. BELKNAP II, 0000  
 JAMES M. BELL, JR., 0000  
 EDWARD J. BENJAMIN, 0000  
 WADE J. BIEBERDORF, 0000  
 NICHOLAS C. BLACK, 0000  
 THOMAS J. BLACKWELL, 0000  
 DAVID H. BOHN, 0000  
 ANGELL C. BOLDEN-GREEN, 0000  
 BRET A. BOLDING, 0000  
 RAPHAEL E. BONITA, 0000  
 JAY D. BORELLA, 0000  
 DARREN S. BOYD, 0000  
 ROBERT J. BRAATZ, JR., 0000  
 WILLIAM C. BRADLEY, 0000  
 PHILLIP M. BRAGG, 0000  
 IAN D. BRASURE, 0000  
 SCOTT A. BRINK, 0000  
 RODNEY S. BRINTON, 0000  
 PATRICK S. BRODERICK, 0000  
 NGAIO I. BROWN, 0000  
 GARY B. BROWNING, 0000  
 BART A. BUCKEL, 0000  
 MICHAEL R. BUNTING, 0000  
 DARREN C. BURCH, 0000  
 HAROLD E. BURKE, 0000  
 STEVEN P. BURNETT, 0000  
 STEVE A. BUTLER, 0000  
 JOSHUA B. BYER, 0000  
 RANDY E. CADIEUX, 0000  
 ALBERT S. CALAMUG, 0000  
 CHARLES D. CAMPBELL, 0000  
 EDWARD T. CARD, JR., 0000  
 GLEN M. CARLSON, 0000  
 JOHN D. CARROLL, 0000  
 ERIC R. CASEY, 0000  
 ROBERT T. CASTRO, 0000  
 HENRY CENTENO, JR., 0000  
 WALTER D. CERKAN, 0000  
 BERNARD C. CERNOSEK, 0000  
 CLARK D. CHASE, 0000  
 JASON K. CHRISTIANSEN, 0000  
 MILTON J. CLAUSEN, JR., 0000  
 JOSEPH E. CLEARY, 0000  
 BRIAN CLEMENS, 0000  
 NATHAN P. CLYNCKE, 0000  
 THADDEUS COAKLEY, 0000  
 LAWRENCE A. COLBY, 0000  
 WILLIAM D. COLLIER, 0000  
 BRIAN C. COLLINS, 0000  
 WILLIAM J. COLLINS, JR., 0000

CHARLOTTE M. COMISKY, 0000  
 TIMOTHY R. CONNELL, 0000  
 CHRISTOPHER J. CONNELLY, 0000  
 HUGH K. CONNOLLY, 0000  
 BRIAN H. CONRAD, 0000  
 JESSE C. CONSTANCE, 0000  
 FRANK P. CONWAY, 0000  
 JAMES B. COOKSEY, 0000  
 JAMES R. COPPERSMITH, 0000  
 MARC D. COSTAIN, 0000  
 PAUL T. COURTAWAY, JR., 0000  
 ELIZABETH F. CRAIL, 0000  
 DAVID C. CROSS, 0000  
 ALAN F. CROUCH, 0000  
 CHRISTOPHER C. CROWE, 0000  
 JOHN W. CURRIE IV, 0000  
 KARLA E. DANE, 0000  
 ROMIN DASMALCHI, 0000  
 GEORGE J. DAVID, JR., 0000  
 SARAH M. DEAL, 0000  
 JOHN E. DEATON, 0000  
 EDWARD J. DEBISH, 0000  
 JOSEPH K. DECAPITE, 0000  
 SEAN P. DEHLINGER, 0000  
 JOHN E. DELLINGER, 0000  
 DENNIS C. DERIENZO, 0000  
 CHRISTOPHER P. DEVER, 0000  
 RICHARD A. DICKEY, 0000  
 DANIEL J. DIMICCO, 0000  
 LEONARD V. DORRIAN, JR., 0000  
 ERIC R. DROWN, 0000  
 ALFREDO DUBOIS, 0000  
 JOHN G. DUCOTE, 0000  
 SEAN T. DUGAN, 0000  
 DANIEL E. DUGGAN, 0000  
 PETER C. DUNNING, 0000  
 JOHN R. DUPREE, 0000  
 MATTHEW S. DUTKIEWICZ, 0000  
 ROBERT M. DWYER, 0000  
 NORMAN D. EADIE, 0000  
 HAROLD B. EGGERS, 0000  
 JAY M. EGLOFF, 0000  
 DANIEL P. ERICKSON, 0000  
 GREGORY J. ESTVANDER, 0000  
 GABRIEL J. FABBRI, 0000  
 DANIEL D. FERNANDES, 0000  
 JOHN M. FIELD, 0000  
 DANNY R. FIELDS, 0000  
 SEAN B. FILSON, 0000  
 SHAUN T. FITZPATRICK, 0000  
 TIMOTHY S. FITZPATRICK, 0000  
 MICHAEL D. FOLGATE, 0000  
 CRAIG A. FORRESTER, 0000  
 BRYAN C. FORTE, 0000  
 DUANE M. FOSTER, 0000  
 PHILIP H. FRAZETTA, 0000  
 JAMES H. FULLER, 0000  
 TIMOTHY R. GABRIEL, 0000  
 THOMAS W. GAGNON, JR., 0000  
 FRANCIS G. GALA, 0000  
 WILLIAM A. GALLARDO, 0000  
 THOMAS J. GALVIN, 0000  
 RAYMUNDO R. GAMBOL, 0000  
 CHARLES L. GANT III, 0000  
 ERIC GARCIA, 0000  
 THOMAS A. GARCIA, 0000  
 PETER W. GARDNER, 0000  
 WENDY S. GARRITY, 0000  
 MICHAEL E. GATHERCOLE, 0000  
 LEWIS W. GEIL, 0000  
 JASON S. GERIN, 0000  
 DAVID S. GIBBS, 0000

ALLEN L. GILBERT, 0000  
 MARK W. GILDAY, 0000  
 DEREK E. GILLETTE, 0000  
 TIMOTHY C. GOLDEN, 0000  
 JOSE A. GOMEZ, 0000  
 ADRIAN C. GOSS, 0000  
 RONALD S. GOUKER, 0000  
 RYAN G. GOULETTE, 0000  
 WILLIAM C. GRAY, 0000  
 ROBERT M. GREEN, 0000  
 KIRK A. GREINER, 0000  
 CHRISTEON C. GRIFFIN, 0000  
 MICHAEL R. GRISCHKOWSKY, 0000  
 BRADLEY G. GROSVENOR, 0000  
 DAVID S. GRUHN, 0000  
 THOMAS A. GRUNDHERR, 0000  
 CHRIS T. GUARNIERI, 0000  
 JOSEPH L. GUGINO, 0000  
 PATRICK M. GUINEE, 0000  
 CHRISTOPHER R. HAASE, 0000  
 EDWARD J. HAGGERTY, 0000  
 DOUGLAS P. HALE II, 0000  
 CHRISTOPHER W. HAMPTON, 0000  
 JARED J. HANSBROUGH, 0000  
 DOUGLAS HARDY, 0000  
 THOMAS O. HARPER, JR., 0000  
 ANDREAS S. HAU, 0000  
 HENRY C. HEIM, 0000  
 DAVID S. HEINO, 0000  
 ANDREW H. HESTERMAN, 0000  
 ALEXANDER G. HETHERINGTON, 0000  
 DAVID S. HILL, 0000  
 LARRY D. HILLIARD, 0000  
 BRIAN M. HILYER, 0000  
 GARRETT R. HOFFMAN, 0000  
 TIMOTHY H. HOGAN, 0000  
 JASON T. HOLDEN, 0000  
 ERIC A. HOLDT, 0000  
 SEANAN R. HOLLAND, 0000  
 STANLEY D. HOLLAND, 0000  
 PIERRE G. HOLLIS, 0000  
 SHANNON V. HOLLOWAY, 0000  
 PATRICK S. HOULAHAN, 0000  
 RICHARD N. HUNTE, 0000  
 NATHAN E. HUNTINGTON, 0000  
 JAMES J. HURD, 0000  
 DARYL S. HURST, 0000  
 KEVIN H. HUTCHISON, 0000  
 PHILLIP G. JACKSON, 0000  
 TIMOTHY J. JAMES, 0000  
 JAN M. JANUARY, 0000  
 EDWARD L. JEEP, 0000  
 BETHANY D. JENKINS, 0000  
 KARL E. JOHNSON, 0000  
 THEODORE S. JOHNSON, 0000  
 WILLIAM W. JOHNSON, 0000  
 JOHN S. JOLLEY, 0000  
 RONALD A. JONES, 0000  
 HENRY JUNE, JR., 0000  
 DAVID A. KALINSKE, 0000  
 BRIAN J. KAMBUROFF, 0000  
 BRIAN H. KANE, 0000  
 THOMAS D. KEATING, 0000  
 HUNTER R. KELLOGG, 0000  
 ALBERT K. KIM, 0000  
 KYLE T. KIMBALL, 0000  
 JOHN M. KITCHAR, 0000  
 TODD F. KLIMPEL, 0000  
 CRAIG A. KOPEL, 0000  
 MICHAEL R. KROHMER, 0000  
 RAYMOND C. LABBE, 0000  
 LARRY E. LASATER, JR., 0000  
 BRUCE W. LAUGHLIN, 0000  
 BRENT A. LAWNICZAK, 0000  
 MICHAEL G. LEBEAU, 0000  
 EDWARD Y. LEE, 0000  
 JEFFREY D. LEE, 0000  
 KENNETH G. LEE, 0000  
 Kyuwon Lee, 0000  
 CRAIG C. LEFLORE, 0000  
 JOSEPH P. LENTIVECH III, 0000  
 LORI K. LETZRING, 0000  
 GLEN A. LEWIS, 0000  
 ERIC S. LIVINGSTON, 0000  
 FERDINAND F. LLANTERO, 0000  
 ERIK A. LLUFRIO, 0000  
 CHRISTOPHER J. LOHMANN, 0000

MICHAEL W. LOWES, 0000  
 DOUGLAS G. LUCIO, 0000  
 CHRISTOPHER C. LYNCH, 0000  
 JOHN W. LYNCH III, 0000  
 WILLIAM R. LYNCH, 0000  
 ERIC M. LYON, 0000  
 CHRISTOPHER G. MADELINE, 0000  
 FRANK A. MAKOSKI, JR., 0000  
 RUSSELL W. MANTZEL, 0000  
 WENDY L. MAROTTA, 0000  
 MARIA A. MARTE, 0000  
 THEODORE E. MARTIN, 0000  
 NICHOLAS R. MARTINSON, 0000  
 CLYDE D. MAYS, 0000  
 PETER C. MCCONNELL, 0000  
 JAMES S. MCDERMOTT, 0000  
 DANIEL M. McDONALD, 0000  
 GARY D. MCGEE, 0000  
 RONALD H. MCCLAUGHLIN, 0000  
 CHRISTOPHER L. MEDLIN, 0000  
 ANDREW O. METCALF, 0000  
 PETER M. MEYER, 0000  
 CHRISTOPHER J. MICHEL, 0000  
 PHILIP A. MIDDLETON, JR., 0000  
 ALEXANDER H. MILLER, 0000  
 CRAIG A. MILLER, 0000  
 DUNCAN W. MILLER, 0000  
 MATTHEW B. MIXA, 0000  
 MICHAEL C. MONTI, 0000  
 DEREK T. MONTROY, 0000  
 SEAN P. MOONEY, 0000  
 ALONZO B. MOORE, 0000  
 JOHN E. MOORE, 0000  
 PAUL M. MORENO, 0000  
 MICHAEL D. MORI, 0000  
 MATTHEW T. MOWERY, 0000  
 JOHN R. MUNDAY, 0000  
 NEIL F. MURPHY, JR., 0000  
 MICHAEL D. MURRAY, 0000  
 DOUGLAS B. NELSON, 0000  
 MARCUS J. NELSON, 0000  
 NICHOLAS M. NICHOLSON, 0000  
 ANDREW M. NIEBEL, 0000  
 MICHAEL A. NIERMEIER, 0000  
 KEVIN P. NOONAN, 0000  
 RICHARD E. NUTT, 0000  
 JONATHAN P. OGLE, 0000  
 CARLOS L. OLIVO, 0000  
 DEREK J. OLOUGHLIN, 0000  
 MICHAEL J. O'NEIL, 0000  
 BRIAN T. O'NEILL, 0000  
 ANTHONY C. ORLANDO, 0000  
 KEVIN T. OROURKE, 0000  
 TRAVIS F. OSELMO, 0000  
 PATRICK R. OWENS, 0000  
 MATTHEW J. PALMA, 0000  
 DAVID J. PARK, 0000  
 LARRY D. PARKER, JR., 0000  
 CLARKE A. PAULUS, 0000  
 THOMAS A. PECINA, 0000  
 PHILLIP E. PETERS II, 0000  
 BRIAN R. PETERSON, 0000  
 DAVID H. PETERSON, JR., 0000  
 DAVID S. PETERSON, 0000  
 LLOYD G. PHILLIPS, JR., 0000  
 KATHERINE I. POLEVITZKY, 0000  
 ANTHONY G. PORTER, 0000  
 STEVEN M. PRATHER, 0000  
 THEODORE W. PRESS, 0000  
 DONALD J. PRESTO, 0000  
 JOHN J. PRIFF, 0000  
 MICHAEL B. PROSSER, 0000  
 JOHN A. PRYCE, 0000  
 JOHN A. RAHE, JR., 0000  
 DAVID V. RAIMO, 0000  
 ANDREW W. RALSTON, 0000  
 KELLY C. RAMSHUR, 0000  
 DAVID A. RATZEL, 0000  
 JEFFREY A. RAY, 0000  
 MATTHEW D. RAZVILLAS, 0000  
 BRIAN A. REED, 0000  
 JON A. REISTROFFER, 0000  
 BARRON E. RENDEL, 0000  
 JAMES V. RENQUIST, 0000  
 SCOTT A. RICE, 0000  
 CHRISTIAN D. RICHARDSON, 0000

RODNEY A. RICHARDSON, 0000  
 MICHAEL M. RICHMAN, 0000  
 RALPH J. RIZZO, JR., 0000  
 MICHAEL C. ROBERTS, 0000  
 BENJAMIN A. ROBERTSON, 0000  
 SCOTT A. ROBINSON, 0000  
 STEVEN ROBINSON, 0000  
 WAYNE E. ROLLINGS, JR., 0000  
 JAMES K. ROUDEBUSH, 0000  
 ROBERT V. RUBIO, 0000  
 JOSEPH E. RUPP, 0000  
 RANDAL L. RUSSELL, 0000  
 GREGORY A. RYAN, 0000  
 SEAN M. SADLER, 0000  
 RUSSELL M. SAGE, 0000  
 KENNETH M. SANDLER, 0000  
 MATTHEW R. SASSE, 0000  
 MORGAN N. SAVAGE, 0000  
 MICHAEL E. SAYEGH, 0000  
 PIETRO P. SCARSELLI, 0000  
 BRYNN H. SCHREINER, 0000  
 MARK R. SCHROEDER, 0000  
 KENNETH J. SCHWANTNER, 0000  
 CRAIG R. SCHWETJE, 0000  
 DANIEL D. SEIBEL, 0000  
 GLENN R. SEIFFERT, 0000  
 DHARMESH M. SHAH, 0000  
 TIMOTHY A. SHEYDA, 0000  
 JAMES E. SHORES, 0000  
 JOHN R. SIARY, 0000  
 DAVID J. SIKORA, 0000  
 MARK T. SILCOX, 0000  
 BRYAN W. SIMMONS, 0000  
 BRIAN D. SIMON, 0000  
 DAVID P. SLACK, 0000  
 WILLIAM M. SLOAN, 0000  
 WINFRED J. SMEDLEY, JR., 0000  
 JASON E. SMITH, 0000  
 MARY M. SMITH, 0000  
 THOMAS C. SMITH, 0000  
 TROY E. SMITH, 0000  
 MATTHEW R. SNYDER, 0000  
 JAMES M. SOBEN, 0000  
 JOHN M. STAFFORD, 0000  
 SEAN R. STALLARD, 0000  
 SEAN E. STEPHENS, 0000  
 MARK T. STEWART, 0000  
 STEPHEN R. STEWART, 0000  
 KYLE M. STODARD, 0000  
 KURT A. STRANGE, 0000  
 SCOTT P. SUCKOW, 0000  
 MICHAEL J. SUTHERLAND, 0000  
 DAVID S. SWIATKOWSKI, 0000  
 JONATHAN S. SWOPE, 0000  
 PATRICK J. TANSLEY, 0000

WILLIAM P. TEICHGRAEBER, 0000  
 DENNIS C. TEITZEL, 0000  
 MATTHEW L. THOMAS, 0000  
 JOHN D. THURMAN, 0000  
 STEPHEN S. TIELEMANS, 0000  
 JONATHAN A. TONEY, 0000  
 TERRY L. TROGDON, 0000  
 SCOTT E. UKELLEY, 0000  
 WILLIAM A. ULLMARK, JR., 0000  
 ALEXANDER UMANSKY, 0000  
 STEWART T. UPTON, 0000  
 MICHAEL A. URENA, 0000  
 CARLOS A. VALLEJO, 0000  
 MATTHEW W. VANDERLOO, 0000  
 MICHAEL K. VANNEST, 0000  
 MARCO P. VANVLIET, 0000  
 NICHOLAS P. VAVICH, 0000  
 SALVATORE VISCUSO III, 0000  
 RHETT J. VRANISH, 0000  
 TODD S. WALDRON, 0000  
 ROBERT Q. WARD, 0000  
 SCOTT C. WARD, 0000  
 GILBERT A. WARNER, 0000  
 DAVID E. WATKINS II, 0000  
 ERIC R. WATSON, 0000  
 CARL A. WATT, 0000  
 MARC E. WEINTRAUB, 0000  
 MARGARET M. WEITZEL, 0000  
 ROBERT S. WHITE, 0000  
 JAMES S. WHITEKER, 0000  
 BYRON T. WIEDEMAN, 0000  
 JOHN J. WIENER, 0000  
 RAYSHAW L. WILLIAMS, 0000  
 VINCENT H. WILLIAMS, 0000  
 STANLEY E. WILLIAMSON, 0000  
 MICHAEL F. WILONSKY, 0000  
 COREY M. WILSON, 0000  
 DARYL M. WILSON, 0000  
 ROBERT L. WISER, 0000  
 THOMAS J. WITCZAK, 0000  
 DANIEL J. WITTNAM, 0000  
 ROGER M. WOOD, 0000  
 KEVIN S. WOODARD, 0000  
 MELVIN T. WOODING, JR., 0000  
 ARTHUR J. WOODS, 0000  
 JOSEPH B. WOODS, 0000  
 ERIK G. WOODSON, 0000  
 GREGORY T. WRIGHT, 0000  
 MICHAEL S. YAROSCHUK, 0000  
 RANDALL S. YEARWOOD, 0000  
 DAVID J. YOST, 0000  
 MATTHEW T. YOUNG, 0000

*To be first lieutenant*

BRAD J. AIELLO, 0000  
 AMY B. ALGER, 0000  
 JUSTIN J. ANSEL, JR., 0000  
 BRYAN J. APPLETON, 0000  
 VICTOR A. ARANA II, 0000  
 MITCHELL S. BALL, 0000  
 ERIK J. BARTELT, 0000  
 PETER D. BARTLE, 0000  
 JOHN M. BASEEL, 0000  
 THEODORE W. BATZEL, JR., 0000  
 THOMAS M. BEDELL, 0000  
 SHAWN B. BELTRAN, 0000  
 MARK E. BENSON, 0000  
 ERICH B. BERGIEL, 0000  
 CHAD J. BERNHOLTZ, 0000  
 MICHAEL J. BIBLE, 0000  
 THOMAS BILLUPS, JR., 0000  
 GARY W. BILYEU, 0000  
 SUSAN BIRD, 0000  
 TODD W. BIRNEY, 0000  
 ANDREW M. BISHOP, 0000  
 HENRY L. BLACKSHEAR, JR., 0000  
 WILLIAM E. BLANCHARD, 0000  
 GREGORY M. BLANTON, 0000  
 SPENCER S. BLODGETT, 0000  
 TODD M. BOEDING, 0000  
 DANIEL J. BOERSMA, 0000  
 JEFFREY M. BOLDUC, 0000  
 VINCENT BOSQUE, 0000  
 JAMES E. BOTTRELL, 0000  
 JAMES Y. BOUNDS II, 0000  
 ERIC A. BOWEN, 0000  
 MICHAEL A. BOWERS, 0000

BONNIE L. BOYETTE, 0000  
 JONATHAN L. BRADLEY, 0000  
 ROBB R. BREEDEN, 0000  
 HENRY J. BREZILLAC, 0000  
 CLIFFORD N. BROWN, JR., 0000  
 VINCENT R. BRYAN, 0000  
 ADAM W. BRYSON, 0000  
 ANDREA S. BURNS, 0000  
 MICHAEL K. CAGLE, 0000  
 RICHARD D. CALLAHAN, 0000  
 RYAN B. CANTOR, 0000  
 SAMUEL H. CARRASCO, 0000  
 GEORGE T. CARROLL, 0000  
 ROMAN K. CASON, 0000  
 CHARLES R. CASSIDY, 0000  
 MICHAEL S. CASTELLANO, 0000  
 PAMELA J. CASTELLANO, 0000  
 THOMAS H. CHALKLEY, 0000  
 JAMES F. CHERRY, JR., 0000  
 LESLEY W. CHIU, 0000  
 WILLIAM H. CHRONISTER, 0000  
 MATTHEW CIANCARELLI, 0000  
 SALVATORE A. CINCOTTA, 0000  
 RUTH E. CISNEROS, 0000  
 THEODORE A. CISOWSKI, 0000  
 BRETT A. CLARK, 0000  
 KEVIN E. CLARK, 0000  
 TREVOR B. CLARK, 0000

JOSHUA S. CLOVER, 0000  
MICHAEL P. CODY, 0000  
RONALD D. COLLETT, 0000  
ANNETTE CONFORTI, 0000  
TERENCE M. CONNELLY, 0000  
JAMES B. CONWAY, 0000  
SUSANNA R. COOPER, 0000  
JOSEPH R. CORNELL, 0000  
ROBERT E. CRANSTON, 0000  
PHILIP D. CUSHMAN, 0000  
JOHN C. DANKS II, 0000  
JASON K. DARLEY, 0000  
BRADLEY T. DAVIN, 0000  
NELSON I. DELGADO, JR., 0000  
ARMANDO R. DELSI, 0000  
ROBERT H. DENCKHOFF III, 0000  
JOHN J. DEPINTO, JR., 0000  
ENRIQUE DIAZ, 0000  
MICHAEL F. DDD, 0000  
STEVEN R. DOUGLAS, 0000  
DOUGLAS D. DOWNEY, 0000  
MATTHEW A. DUMENIGO, 0000  
ALEXANDER J. ECHEVERRIA, 0000  
MICHAEL N. ETTES, 0000  
GEORGE F. ETMON, 0000  
DAVID R. EVERLY, 0000  
RYAN M. EYER, 0000  
HOWARD C. EYTH III, 0000  
STEPHEN V. FISCUS, 0000  
DANIEL J. FLANNERY, 0000  
JOHN D. FLEMING, 0000  
JOHN P. FLYNN, 0000  
ANDREW J. FOREMAN, 0000  
PETER T. FORSYTHE, 0000  
MARCUS C. FOWLER, 0000  
ALFREDO E. FRANCO, 0000  
SHAWN T. FREEMAN, 0000  
CALVIN M. GAIDSEN, 0000  
TRAVIS T. GAINES, 0000  
JORGE L. GALLEGOS, 0000  
FRED C. GALVIN, 0000  
ERIC J. GANSER, 0000  
THOMAS H. GARNETT, IV, 0000  
JOSH B. GARRISON, 0000  
CHRISTOPHER T. GIBSON, 0000  
MARCUS A. GILKESON, 0000  
CLIFFORD W. GILMORE, 0000  
MITCHELL L. GOLD, 0000  
JOHN F. GOODMAN II, 0000  
CAMERON L. GRAMS, 0000  
NATHAN A. GRAY, 0000  
TIMOTHY E. GREBOIS, 0000  
JAMES E. GRIFFIN, JR., 0000  
TAYLOR L. GRIMES, 0000  
ERIC J. GRIMM, 0000  
WILLIAM H. GRUBE, 0000  
THOMAS D. GUALANDI, 0000  
GALO F. GUERRERO, 0000  
JASON A. HAMILTON, 0000  
MYLE E. HAMMOND, 0000  
JEFFREY D. HANSON, 0000  
BRENDON G. HARPER, 0000  
TIFFANY N. HARRINGTON, 0000  
JOHN E. HARRIS, 0000  
KELLY K. HASTINGS, 0000  
BRENDON J. HEATHERMAN, 0000  
BRIAN G. HEATHERMAN, 0000  
MONROE H. HENDERSON, 0000  
BERNARD HESS, 0000  
TWAYNE R. HICKMAN, 0000  
THOMAS S. HINKLE, JR., 0000  
TIMOTHY A. HITZELBERGER, 0000  
CHAD E. HOARE, 0000  
CHRISTOPHER M. HOBSON, 0000  
JOEL M. HOFFMAN, 0000  
CHARLOTTE J. HOLDEN, 0000  
STEPHEN R. HORAN, JR., 0000  
BRADLEY W. HORTON, 0000  
DAVID T. HUDAK, 0000  
DAVID E. JAMIESON, 0000  
SCOT C. JAWORSKI, 0000  
TIMOTHY J. JENT, 0000  
CHRISTIAN F. JOHNSON, 0000  
SHANNON L. JOHNSON, 0000  
DARREN B. JONES, 0000  
MICHAEL C. KAMIN, 0000  
MICHELE I. KANE, 0000  
KEVIN J. KEATING, 0000  
JOHN K. KELLEY, 0000  
ASLAM G. KHAN, 0000  
STEPHEN N. KLOTH, JR., 0000  
JANA S. KOFMAN, 0000  
HOLLY N. KORZILIUS, 0000  
MATTHEW H. KRESS, 0000  
GREGORY L. KUNL, 0000  
MICHAEL R. KWOKA, 0000  
SAMUEL LABOY, 0000  
LUIS F. LARA, 0000  
VELVETH S. LEE, 0000

JEFFREY D. LEROM, 0000  
BRENT E. LILLY, 0000  
MARK R. LISTON, 0000  
JAMES W. LIVELY, 0000  
JONATHAN P. LONEY, 0000  
JOSE M. LOPEZ II, 0000  
NARCISO LOPEZ III, 0000  
TODD J. LUCHT, 0000  
HENRY K. LYLES, 0000  
SEAN J. LYNCH, 0000  
ERIC C. MALINOWSKI, 0000  
JOHN A. MARCINEK, 0000  
GABRIELLE MARGULASCHAPIN, 0000  
CORY J. MARTIN, 0000  
KURT P. MARTIN, 0000  
KRISTIN L. MCCANN, 0000  
PATRICK W. MCCUEN, 0000  
SCOTT D. McDONALD, 0000  
SCOTT S. MCCELLIOTT, 0000  
DAVID S. MCFADDEN, 0000  
ROBERT T. MEADE, 0000  
JEFFREY J. MEISENGER, 0000  
RAMON J. MENDOZA, JR., 0000  
PAUL C. MERIDA, 0000  
DOUGLAS W. MEYER, 0000  
GUY J. MILLER, 0000  
ODELL MILLER III, 0000  
DARON M. MIZELL, 0000  
MICHAEL J. MONROE, 0000  
ANDREA A. MONTECCHI, 0000  
PERCY T. MOORE, 0000  
RICHARD K. MORRIS, 0000  
JEFFREY V. MUNOZ, 0000  
KENNETH C. MUSIAL, 0000  
MATTHEW R. NATION, 0000  
LUCAS J. NOYES, 0000  
PAUL D. O'CONNELL, 0000  
CHRISTOPHER P. O'CONNOR, 0000  
MICHAEL F. OLNESS, 0000  
DOUGLAS A. OLSON, 0000  
JEFFREY M. OSBITOS, 0000  
MATTHEW W. OSBORNE, 0000  
ED K. OTA III, 0000  
KENNETH C. OWENS, 0000  
JOSEPH M. PARKER, 0000  
JOBY D. PATTERSON, 0000  
WADE A. PATTON, 0000  
EDWARD J. PAVELKA, 0000  
BRADLEY S. PENNELLA, 0000  
JOHN M. PICUDELLA, 0000  
JOSEPH M. PLENZLER, 0000  
AMY A. POLAK, 0000  
JOHN D. QUINTANA, 0000  
HEATH M. REED, 0000  
ARTHUR J. REGO, 0000  
ERIC A. REID, 0000  
MATTHEW A. REILEY, 0000  
RYAN W. REILLY, 0000  
MARK A. RETZ, 0000  
ROBERT F. REVOIR, 0000  
JERSEY Y. REYES, 0000  
STEPHEN C. RIFFER, 0000  
BENJAMIN S. RINGVELSKI, 0000  
MARK C. ROBINSON, 0000  
BRENDAN M. RODDEN, 0000  
ERIKA D. RODRIGUEZ, 0000  
THOMAS M. ROSS, 0000  
WILLIAM A. SABLAN, 0000  
GEOFFREY D. SATTERFIELD, 0000  
JOEL F. SCHMIDT, 0000  
SABRE S. SCHNITZER, 0000  
JAMES T. SCOTT, 0000  
JEFFREY L. SEAVY, 0000  
BRIAN P. SHARP, 0000  
CHAD W. SIMMONDS, 0000  
AMY R. SMITH, 0000  
PHILLIP J. SMITH, 0000  
MARTIN V. STARTA, 0000  
ERICH I. STEFANYSHYN, 0000  
JARROD W. STOUTENBOROUGH, 0000  
TERRI M. SUMNER, 0000  
JAMES G. SWEENEY, 0000  
BRYAN G. SWENIN, 0000  
MATTHEW SWINDLE, 0000  
JAMES R. THIES, JR., 0000  
KELSEY R. THOMSON, 0000  
WINSTON S. TIERNEY, 0000  
JAVIER A. TORRES, 0000  
KEVIN M. TROY, 0000  
DUANE P. VILA, 0000  
JASON C. VOSE, 0000  
BRIAN R. VOSS, 0000  
DANIEL C. WAGNER, 0000  
WILLIAM F. WAHLE, 0000  
ERIC G. WALTERS, 0000  
TERRANCE D. WARDINSKY, JR., 0000  
GEOFFREY F. WARLOCK, 0000  
ANDREW B. WARREN, 0000  
DALE O. WARREN, 0000  
BRENDA L. WASSER, 0000  
JOHN M. WASSMER, JR., 0000  
ANITA L. WEISSFLACH, 0000

SIDNEY R. WELCH, 0000  
ROGER R. WILKINS, 0000  
CHARLES P. WINCHESTER, 0000  
DAVID K. WINNACKER, 0000  
SHAWN P. WONDERLICH, 0000

#### To be second lieutenant

CHRISTIAN J. BROADSTON, 0000  
SAMUEL G. BRYCE, 0000  
ANDREW CHRISTIAN, 0000  
CHAD W. DARNELL, 0000  
BRIAN P. DENNIS, 0000  
ADRIENNE R. DEWEY, 0000  
JEFFREY L. DYAL, 0000  
BRIAN J. GILBERTSON, 0000  
PERRY E. HARALSON, 0000  
DAVID J. HART, 0000  
BRYAN C. HATFIELD, 0000  
SEAN E. HYNES, 0000  
LANCE J. LANGFELDT, 0000  
RAYMOND W. MAGNESS, 0000  
RANDALL M. MAULDIN, 0000  
ELVINO M. MENDONCA, JR., 0000  
CLINTON L. ROBINS, 0000  
MICHAEL D. SKAGGS, 0000  
MICHAEL J. TAYLOR, 0000  
MICHAEL P. WARD, 0000  
JOHN F. WARREN, 0000  
ROBERT L. WILLIAMS, 0000

### CONFIRMATIONS

#### Executive nominations confirmed by the Senate June 30, 1999:

##### THE JUDICIARY

KEITH P. ELLISON, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.  
GARY ALLEN FEESS, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.  
STEPAN R. UNDERHILL, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT.  
W. ALLEN PEPPER, JR., OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI.  
KAREN E. SCHREIER, OF SOUTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH DAKOTA.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 1552 AND 12203:

#### To be brigadier general

COL. EDWARD W. ROSENBAUM (RETIRED), 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

BRIG. GEN. JOHN A. BRADLEY, 0000.  
BRIG. GEN. GERALD P. FITZGERALD, 0000.  
BRIG. GEN. EDWARD J. MECHENBRIER, 0000.  
BRIG. GEN. ALLAN R. POULIN, 0000.  
BRIG. GEN. LARRY L. TWITCHELL, 0000.

#### To be brigadier general

COL. THOMAS L. CARTER, 0000.  
COL. RICHARD C. COLLINS, 0000.  
COL. JOHN M. FABRY, 0000.  
COL. HUGH H. FORSYTHE, 0000.  
COL. MICHAEL F. GJEDE, 0000.  
COL. LEON A. JOHNSON, 0000.  
COL. HOWARD A. MCMAHAN, 0000.  
COL. DOUGLAS S. METCALF, 0000.  
COL. JOSE M. PORTELA, 0000.  
COL. PETER K. SULLIVAN, 0000.  
COL. DAVID H. WEBB, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

ARCHIE J. BERBERIAN, II, 0000  
VERNA D. FAIRCHILD, 0000  
DANIEL J. GIBSON, 0000

#### To be brigadier general

GEORGE C. ALLEN II, 0000  
ROGER E. COMBS, 0000  
MICHAEL A. CUSHMAN, 0000  
THOMAS N. EDMONDS, 0000  
JARED P. KENNISH, 0000  
PAUL S. KIMMEL, 0000  
VIRGIL W. LLOYD, 0000  
ALEXANDER T. MAHON, 0000  
MARVIN S. MAYES, 0000  
DAVID E. MCCUTCHIN, 0000  
CALVIN L. MORELAND, 0000  
MARK R. MUSICK, 0000  
JOHN D. RICE, 0000  
ROBERT O. SEIFERT, 0000  
LAWRENCE A. SITTING, 0000  
JAMES M. SKIFF, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. WILLIAM J. BEGERT, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. CHARLES R. HOLLAND, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. MAXWELL C. BAILEY, 0000.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major general

BRIG. GEN. ALAN D. JOHNSON, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. DONALD L. KERRICK, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

BRIG. GEN. JAMES M. COLLINS, JR., 0000.  
BRIG. GEN. ROBERT W. SMITH III, 0000.

#### To be Brigadier General

COL. DENNIS J. LAICH, 0000.  
COL. ROBERT B. OSTENBERG, 0000.  
COL. RONALD D. SILVERMAN, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major general

ROBERT E. ARMBRUSTER, JR., 0000  
JOSEPH L. BERGANTZ, 0000  
WILLIAM L. BOND, 0000  
COLBY M. BROADWATER III, 0000  
RICHARD A. CODY, 0000  
JOHN M. CURRAN, 0000  
DELL L. DAILEY, 0000  
JOHN J. DEYERMOND, 0000  
LARRY J. DODGEN, 0000  
JAMES M. DUBIK, 0000  
RICHARD A. HACK, 0000  
RUSSEL L. HONORE, 0000  
RODERICK J. ISLER, 0000  
TERRY E. JUSKOWIAK, 0000  
Geoffrey C. Lambert, 0000  
James J. Lovelace, Jr., 0000  
Wade H. McManus, Jr., 0000  
William H. Russ, 0000  
Walter L. Sharp, 0000  
Toney Stricklin, 0000  
John R. Vines, 0000  
Robert W. Wagner, 0000  
Craig B. Wheldon, 0000  
R. Steven Whitcomb, 0000  
Robert Wilson, 0000  
JOSEPH L. YAKOVAC, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be brigadier general, Chaplain Corps

COL. DAVID H. HICKS, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. THOMAS N. BURNETTE, JR., 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. BILLY K. SOLOMON, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be brigadier general

HARRY B. AXSON, JR., 0000  
GUY M. BOURN, 0000  
Ronald L. Burgess, Jr., 0000  
Remo Butler, 0000  
William B. Caldwell, IV, 0000  
Randal R. Castro, 0000  
Stephen J. Curry, 0000  
Robert L. Decker, 0000  
ANN E. DUNWOODY, 0000  
WILLIAM C. FEYK, 0000  
LESLIE L. FULLER, 0000  
DAVID F. GROSS, 0000  
Edward M. Harrington, 0000  
Keith M. Huber, 0000  
Galen B. Jackman, 0000  
Jerome Johnson, 0000  
Ronald L. Johnson, 0000  
John F. Kimmons, 0000  
William M. Lenaers, 0000  
Timothy D. Livsey, 0000  
James A. Marks, 0000  
Michael R. Mazzocchi, 0000  
Stanley A. McChrystal, 0000  
David F. Melcher, 0000  
Dennis C. Moran, 0000  
Roger Nadeau, 0000  
Craig A. Peterson, 0000  
James H. Pillsbury, 0000  
Gregory J. Premo, 0000  
Kenneth J. Quinlan, Jr., 0000  
Fred D. Robinson, Jr., 0000  
James E. Simmons, 0000  
Stephen M. Speakes, 0000  
Edgar E. Stanton III, 0000  
Randal M. Tieszen, 0000  
Bennie E. Williams, 0000  
JOHN A. YINGLING, 0000

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

L.T. GEN. CARLTON W. FULFORD, JR., 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

DAVID J. ANTANITUS, 0000	George E. Mayer, 0000
DALE E. BAUGH, 0000	John G. Morgan, Jr., 0000
RICHARD E. BROOKS, 0000	Dennis G. Morral, 0000
EVAN M. CHANIK, JR., 0000	Eric T. Olson, 0000
BARRY M. COSTELLO, 0000	James J. Quinn, 0000
KIRKLAND H. DONALD, 0000	Ann E. Rondeau, 0000
DENNIS M. DWYER, 0000	Frederick R. Ruehe, 0000
MARK J. EDWARDS, 0000	Lindell G. Rutherford, 0000
Bruce B. Engelhardt, 0000	John D. Stufflebeem, 0000
Tom S. Fellin, 0000	William D. Sullivan, 0000
James B. Godwin III, 0000	Gerald L. Talbot, Jr., 0000
Charles H. Johnston, Jr., 0000	Hamlin B. Tallent, 0000
John M. Kelly, 0000	Richard P. Terpstra, 0000
Steven A. Kunkle, 0000	Thomas J. Wilson III, 0000
Willie C. Marsh, 0000	JAMES M. ZORTMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) RAYMOND A. ARCHER III, 0000.  
REAR ADM. (LH) JUSTIN D. MCCARTHY, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. DAROLD F. BIGGER, 0000.  
CAPT. FENTON F. PRIEST III, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. DONALD C. ARTHUR, JR., 0000.  
CAPT. LINDA J. BIRD, 0000.  
CAPT. MICHAEL K. LOOSE, 0000.  
CAPT. RICHARD A. MAYO, 0000.  
CAPT. JOSEPH P. VANLANDINGHAM, JR., 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. ROBERT M. CLARK, 0000.  
CAPT. MARK M. HAZARA, 0000.  
CAPT. JOHN R. HINES, JR., 0000.

CAPT. JAMES MANZELMANN, JR., 0000.  
CAPT. NOEL G. PRESTON, 0000.  
CAPT. HOWARD K. UNRUH, JR., 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be admiral*

VICE ADM. VERNON E. CLARK, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be admiral*

VICE ADM. THOMAS B. FARGO, 0000.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING \*RAAN R. AALGAARD, AND ENDING STEVEN R. ZWICKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 1999.

IN THE ARMY

ARMY NOMINATIONS BEGINNING MICHAEL R. COLLYER, AND ENDING RENEE M. PONCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 19, 1999.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS A PERMANENT PROFESSOR OF THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4333(B):

*To be lieutenant colonel*

MICHAEL L. MCGINNIS, 0000.

IN THE COAST GUARD

THE FOLLOWING INDIVIDUAL FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

*To be lieutenant*

JAMES W. SEEMAN, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

LOSTON E. CARTER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

JACK A. MABERRY, 0000

IN THE NAVY

NAVY NOMINATIONS BEGINNING SYLVESTER P. ABRAMOWICZ, JR., AND ENDING SHELLEY W. S. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 1999.

NAVY NOMINATIONS BEGINNING BRUCE A. ABBOTT, AND ENDING BERTRAND L. ZELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 1999.

NAVY NOMINATIONS BEGINNING THOMAS ABERNETHY, AND ENDING PAUL M. ZIEGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 1999.

NAVY NOMINATIONS BEGINNING SEVAK ADAMIAN, AND ENDING JOHN E. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 12, 1999.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be captain*

THEODORE H. BROWN, 0000

NAVY NOMINATIONS BEGINNING RICHARD W. BAUER, AND ENDING DEREK K. WEBSTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 1999.

NAVY NOMINATIONS BEGINNING ROBERT A. YOUREK, AND ENDING LORENZO D. BROWN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 1999.

NAVY NOMINATIONS BEGINNING DOUGLAS G. MACCREA, AND ENDING MLADEN K. VRANJICAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 1999.

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

JAMES N. FRAME, 0000

NAVY NOMINATIONS BEGINNING NILS S. ERIKSON, AND ENDING EDWARD C. ZEIGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 7, 1999.

NAVY NOMINATIONS BEGINNING THOR D. AAKRE, AND ENDING MARY M. ZUROWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 7, 1999.

NAVY NOMINATIONS BEGINNING SHEILA A. R. ROBBINS, AND ENDING DANIEL E. WILBURN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 1999.