

SENATE—Tuesday, May 17, 1988

(Legislative day of Monday, May 9, 1988)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Honorable J. JAMES EXON, a Senator from the State of Nebraska.

The PRESIDING OFFICER. I am pleased to introduce this morning, for the opening prayer, Rabbi Richard Marcovitz, Congregation B'nai Israel, Pittsburgh, PA.

PRAYER

Rabbi Marcovitz offered the following prayer:

May we pause in prayer:

In but a few days, the Jewish community will observe the festival of Pentecost—the anniversary of the giving of the Law on Mount Sinai. That sublime law as exemplified by the Ten Commandments has endured through the ages, lifting the hearts and minds of humanity. We pray, O Lord, that Your presence will inspire these creators of law in their tasks; that they may aspire to the extraordinary, making the law of the land to guide and protect, to free and instruct. May Your Kingship of peace be established with great speed so that all who are fettered or oppressed will know blessing.

May the work of the minds, hearts, and hands of those who make up this singular body be established working in partnership with You, O Lord, to bring about a world filled with blessing.

And we respond, "Amen."

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 17, 1988.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable J. JAMES EXON, a Senator from the State of Nebraska, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the acting majority leader is recognized for not to exceed 5 minutes.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the time of the majority leader and the time of the minority leader be reserved for their use later today.

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

CONGRESS OVERDUE FOR ACTION ON SECURITIES MARKETS

Mr. PROXMIRE. Mr. President, it is time Congress became serious about the loud and clear message delivered by the stock market crash way back in October last year. In the long months that have followed, Congress has failed to act. Shortly after Black Monday, President Reagan commissioned former Senator Nicholas Brady to report within 60 days on the crash and recommend what, if anything, the Government should do about it. Senator Brady quickly organized a top flight group of experts. The Brady commission made a report including a series of recommendations for action. That report has been highly praised by security market experts.

Senator Brady strongly emphasized the urgency of the situation. He called for prompt action. In fact, he told our committee, "There's a pistol pointed at our head and it's loaded." The Senate Banking Committee began hearings on the Brady report a few days after the report became available last January. The report was preceded by a similar report commissioned by the New York Stock Exchange and directed by former Attorney General Nicholas Katzenbach. The Katzenbach report strongly recommended action very similar to the Brady report proposals. The SEC also weighed in with an extraordinarily detailed and thoughtful report. Again, the recommended action was similar to the Brady recommendations.

A few days after receiving these reports, this Senator, as chairman of the Banking Committee, requested the Chairmen of SEC, the Federal Reserve Board, and the Commodity Futures Trading Commission to give the committee specific and detailed recommendations for legislative enactment by March 4. Since these are independ-

ent agencies, I specifically requested the chairmen of the agencies to report directly to the committee without clearing with the administration. The chairmen assured me that their independent status would not require that they report to the administration, and they would report to the committee. In late February, these regulators asked for more time. In mid-March, the administration requested that the regulators report first to the President. When the regulators did testify before our committee in late March, they made no significant legislative recommendations.

By that time, the committee had the benefit of the Brady Report, the Katzenbach Report, the SEC Report, and 8 days of testimony on action with respect to the securities market from the Federal Reserve Board, the SEC, the CFT, and a series of witnesses representing the country's investors, municipalities, counties, corporations, and others who issue securities. We also heard from spokesmen for the securities industry and other interested parties. On the basis of this testimony, the staff of our committee drafted the Intermarket Coordination Act of 1988. It has been introduced by 10 Senators, 5 Democrats and 5 Republicans. We designed this bill to generally reflect the recommendations of the Brady commission and the other expert commissions that had studied the problem.

This bill recognizes that there is one American security market. It is regulated by three separate and distinct regulatory agencies. The three agencies have applied different and conflicting regulations, sharply different margin requirements, different settlement, and different information systems. At present, there is no mechanism for coordinating or harmonizing these clashing differences. Trading on the New York Stock Exchange and the Security Futures Exchanges in Chicago are profoundly and constantly interrelated.

Mr. President, because of the far lower margin requirements on the security futures market in Chicago and because the security indices available for trading on that market permit traders, especially very big traders, to cheaply buy effective "insurance" by taking offsetting positions in options and futures, and, finally, because a relatively small transaction can move the entire market, our securities markets have become far more volatile than

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

ever before. That volatility has had two extremely unfortunate effects. First, the overwhelming majority of investors, the so-called small or "outside" investors, feel that the game is rigged against them because of the advantage of a few enormous institutional investors. As a consequence, studies have documented the fact that many investors have left the country's securities markets since the October crash.

An even more serious consequence of this volatility has been the spectacular reduction in equity issues by American corporations. First-time issues in the first 4 months after the October crash fell a sickening 80 percent compared with the 4 months before Black Monday. Reissues fell even more sharply, in fact, by more than 90 percent.

Mr. President, at a time when excessive business debt and increasingly thinner equity is a serious national economic problem, this retreat from equity financing by American business is potentially a very serious development. Our corporations are becoming increasingly more fragile. The next recession is likely to have severe consequences on heavily leveraged businesses that can become insolvent in a few months after revenues fall, because their interest burden is so heavy. The stability and market confidence this legislation would restore is especially critical in view of the skyrocketing business debt in this country.

Here's what the bill does: It creates a commission to be chaired by the Chairman of the Federal Reserve Board. The Commission would also include the Chairman of SEC and the Chairman of the Commodity Futures Trading Corporation. The bill directs this coordinating committee to harmonize margin requirements across marketplaces, improve and coordinate clearing and settlement systems. It also calls on the coordinating committee to provide information systems adequate for market surveillance and enforcement, including the time of each trade and the name of the ultimate customer. The bill directs the committee to coordinate planning for market emergencies. It also prohibits intermarket frontrunning. The bill also calls on the committee to initiate discussions with regulators of financial institutions and markets in major financial centers throughout the world.

On May 11, the committee heard testimony from six of the country's outstanding experts on this country's securities markets. The witnesses included Donald Regan, former Secretary of the Treasury and former CEO of Merrill Lynch; George Ball, chairman of the board of Prudential Bache; Charles Schwab, chairman and CEO of Charles Schwab; Brean Murray, CEO of Murray, Foster Securities; Michael Reilly, vice president for investor relations of Reuters; and James

Needham, former SEC commissioner. In general, the testimony enthusiastically favored the proposed intermarket coordination act and called for prompt congressional action.

PLANT CLOSINGS

Mr. SANFORD. Mr. President, the President on Saturday declared that advance notice to working men and women of the closing of their plant, their workplace, their means of livelihood is something that unions, not Government, should arrange. This will not go down well in North Carolina. We have a right to work law, a requirement that a worker does not have to join a union. Now the President declares—don't rely on your Government to require fair play; call on your union. That is not the way we have been doing it in North Carolina.

Plant closings without notice have been most abused by the hostile takeover sharks, who generally also declare union contracts abrogated.

We know that there are certain protections that the worker needs. Minimum wages and maximum hours, hazardous substances in the workplace, unemployment compensation, the prevention of exploitation of child labor, and other similar matters must be handled by public legislation. We do not rely on unions alone to provide fair play for the worker.

The plain fact is that all working men and women are entitled to adequate notice that their place of livelihood is to be abolished. It serves the public interest also, because advance planning reduces unemployment and permits time for our retraining and relocation programs to work.

The trade bill, which the President will veto because of the plant closing notice provision, is a modest proposal. No one with less than 100 employees is covered. A business emergency excuses compliance. The provision, as an amendment to the retraining section of the trade bill, cleared the Senate 60 to 40, so it is not one-sided or partisan.

We need a trade bill. Our unrestrained world competition is eating us up. It is a lame excuse to veto this bill because the President wants to leave to the unions the welfare of North Carolina, and all other, workers.

NATIONAL DEFENSE AUTHORIZATION ACT

The PRESIDING OFFICER. The Senate will now resume consideration of S. 2355, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2355) to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

(1) Helms modified Amendment No. 2085, to provide that no funds shall be obligated or expended for assistance to the Panamanian Defense Force unless and until the President has certified to Congress that no armed forces of the Soviet Union, Cuba, or Nicaragua are present in the Republic of Panama and that Gen. Manuel Noriega has been removed as Commander of the Panamanian Defense Force, barred from all offices and authority, and prohibited from designating or appointing his successor; that nothing shall prohibit the President from obligating or expending any funds necessary for the defense of the Panama Canal or for the maintenance of United States armed forces or interests in Panama; and requiring that the President shall provide a detailed report to Congress regarding the situation.

(2) D'Amato Amendment No. 2070, to provide for the imposition of the death penalty for drug-related killings. (By 27 yeas to 68 nays (Vote No. 142), Senate failed to table the amendment.)

(3) D'Amato Amendment No. 2071 (to Amendment No. 2070), of a perfecting nature, to provide additional protections for law enforcement officials.

(4) Dole Amendment No. 2094, to express the sense of the Congress that the United States should not make any arrangements with Panamanian strongman Noriega which involve dropping of any Federal drug-related indictments against Noriega.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, am I not correct that there is a standing order to have a vote on this bill no later than 10 o'clock? Would the Chair restate that situation in relationship with the D'Amato amendment so all Senators understand?

The PRESIDING OFFICER. The D'Amato amendment will recur at 10 o'clock. If it is disposed of at that time, then immediately thereafter there will be a vote on final passage of the bill. If it is not disposed of at that time, then there will be further debate on the D'Amato amendment at the conclusion of which disposition there will be a final vote on the bill.

Mr. WARNER. I thank the Chair.

As I understand, there is a standing order for a vote to occur at 9:30.

The PRESIDING OFFICER. There is an order for a vote at 9:30 on the Helms amendment.

AMENDMENT NO. 2094

Mr. WARNER. I further inquire of the Chair, what is the status of the pending amendment by the Republican leader?

The PRESIDING OFFICER. The amendment which has been offered by Senator DOLE is the pending question.

Mr. WARNER. I thank the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, if there is no Senator seeking recognition, I would suggest the absence of a quorum, but I would withhold that if

there is anyone seeking recognition for any other purpose.

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

Mr. **WARNER**. Mr. President, I would like to advise all Senators that as soon as the distinguished chairman, Mr. **NUNN**, arrives it is the intention of the managers of the bill to take up an amendment which deals with the relationship between the Armed Services Committee and the Appropriations Committee, and if the Chair will indulge me a minute.

Mr. President, further addressing the proposed amendment that the chairman and I will soon send to the desk, this deals on restriction on obligation of funds appropriated in the Department of Defense Appropriations Act of 1988. It is a matter that the Senator from Louisiana, Mr. **JOHNSTON**, and the Senator from Alaska, Mr. **STEVENS**, are thoroughly familiar with.

I just mention this to alert those Senators and others who may be interested.

Mr. President, I ask unanimous consent at this time to set aside the pending amendment by the distinguished Senator, Mr. **DOLE**.

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

AMENDMENT NO. 2096

(Purpose: To make technical amendments to titles 10 and 37, United States Code, and to the National Defense Authorization Act for Fiscal Years 1988 and 1989)

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

The **PRESIDING OFFICER**. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Virginia (Mr. **WARNER**) proposes an amendment numbered 2096.

Mr. **WARNER**. 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 171, between lines 2 and 3, insert the following new section:

SEC. TECHNICAL AMENDMENTS.

(a) **AMENDMENT TO TITLE 10**.—Section 2343(b) of title 10, United States Code, is amended by striking out "section" before "2306a".

(b) **AMENDMENT TO TITLE 37**.—Section 101(5) of title 37, United States Code, is amended by striking out "secretary" and inserting in lieu thereof "Secretary".

(c) **AMENDMENTS TO PUBLIC LAW 100-180**.—(1) Paragraph (1) of section 802(a) of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 100-180; 101 Stat. 1123) is amended by inserting end quotation marks and a period after "section." at the end of such paragraph.

(2) Section 803(a) of such Act (101 Stat. 1125) is amended by inserting "the first time it appears" after "paragraph (1)."

In the Warner amendment 2043, previously agreed to, strike out "\$376,200,000" and insert in lieu thereof "\$366,200,000".

On page 265, line 7, strike out "title" and insert in lieu thereof "part".

Mr. **WARNER**. Mr. President, this is a simple technical amendment to adjust a figure. The chairman and I are sending it in on behalf of the committee.

Mr. **NUNN**. Mr. President, I urge the approval of the amendment.

The **PRESIDING OFFICER**. Is there further debate?

If not, the question is on agreeing to the amendment of the Senator from Virginia.

The amendment (No. 2096) was agreed to.

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

Mr. **EXON**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The **PRESIDING OFFICER**. The pending business now recurs to the Dole amendment.

Mr. **NUNN**. Mr. President, I ask unanimous consent that the Dole amendment be temporarily set aside.

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

Mr. **NUNN**. Mr. President, we had tried to get all of the parties on the floor last evening relating to the armed services appropriations matter. We are trying to get everyone on the floor now this morning, including the Senator from Mississippi, Senator **STENNIS**; the Senator from Alaska, Senator **STEVENS**; and the Senator from Louisiana, Senator **JOHNSTON**. Understandably they have other meetings going on.

We find ourselves needing to discuss an amendment which we believe we have worked out with them. We would like to have them on the floor. But I am not sure when they are going to arrive.

We are really running out of time on this bill.

Because of that, I am going to go ahead and explain this amendment and ask its approval. Senator **WARNER** and I, of course, have worked with them. I assure the Senate that my understanding is that we have reached an agreement with the appropriations leadership; that is, the former chairman of the committee, Senator **HATFIELD**; the present chairman, Senator **STENNIS**; and the Republican and Democrat in charge of the subcommittee on military matters, Senator **STEVENS** and Senator **JOHNSTON**.

If we have any misunderstanding, we will take time to clear it up. I believe we are speaking on behalf of all of us.

Mr. President, I ask unanimous consent that an amendment to the amendment 2027 adopted earlier be in order. That is a technical change to

the Heinz amendment which was earlier adopted. So I ask unanimous consent that an amendment to the amendment No. 2027 adopted earlier be in order.

The **PRESIDING OFFICER**. Is the Senator offering that amendment to the amendment?

Mr. **NUNN**. I first ask that it be in order.

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

AMENDMENT NO. 2097 TO AMENDMENT NO. 2027

Mr. **NUNN**. Mr. President, I send an amendment to the desk.

The **PRESIDING OFFICER**. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. **NUNN**] for himself, Mr. **WARNER**, Mr. **STENNIS**, Mr. **HATFIELD**, Mr. **JOHNSTON** and Mr. **STEVENS** proposes an amendment numbered 2097.

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

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

The amendment is as follows:

Beginning on line 9 of page 20 of Amendment Number 2027, delete all through line 2 on page 32 and insert in lieu thereof the following new section:

SEC. 903. RESTRICTION ON OBLIGATION OF FUNDS APPROPRIATED IN THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1988.

(a) The following programs and amounts provided in the Department of Defense Appropriations Act, 1988, may not be obligated or expended:

(1) Maxicube Cargo System under research, development, test, and evaluation for the Army, \$10,000,000;

(2) Coastal Defense Augmentation, \$20,000,000;

(3) AN/SQR-17 Acoustic Processors for the Mobile In-Shore Undersea Warfare group under procurement of National Guard and Reserve Equipment, \$10,000,000;

(4) P-3C aircraft under procurement of National Guard and Reserve Equipment, \$193,800,000.

(b)(1) Funds appropriated or otherwise made available for the Army for procurement may not be obligated or expended for the procurement of any air defense system submitted to the Army for evaluation in response to any Army request for proposal for the Forward Area Air Defense Line-of-Sight Forward-Heavy (LOS-F-H) system unless the Secretary of Defense certifies to Congress that the system has met or exceeded full system requirements.

(2) For purposes of this paragraph, the term "full system requirements" means the most stringent system requirements specified by any request for proposal for accuracy, range (detection, tracking, and engagement), reaction time, and operation in the presence of electronic countermeasures.

(c) None of the funds appropriated for the procurement of aircraft for the Navy for fiscal year 1988 or 1989 may be obligated or expended for procurement of any A-6 aircraft configured in the F model configuration (as described in connection with the A-6E/A-6F aircraft program in the Selected Acquisition Report submitted to Congress for the quarter ending December 31, 1986).

(d) Funds appropriated for procurement of weapons and tracked combat vehicles for the Army for modification of M60 tanks in the amount of \$90,000,000 may be used only for procurement or modification of M1 tanks.

(e) **TRANSFER AUTHORITY.**—For purposes of section 1201 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 100-180; 101 Stat. 1153), \$233,800,000 (the sum of the amounts described in section (a) of this section) shall be deemed to have been authorized by such Act in equal amounts to the Army, Navy, and Air Force for operation and maintenance for the exclusive purpose of preventing the furlough and separation of civilian employees and for the purpose of funding other high priority readiness programs.

Mr. NUNN. Mr. President, the problem of unauthorized appropriations has been growing over the years.

In 1982, there were only \$730 million of unauthorized appropriations. Last year there was \$7.25 billion. That is a tenfold increase in unauthorized appropriations.

Last year, in addition, the appropriations conference explicitly reversed several key policy decisions adopted by the authorization conference. I will not go into the examples of that this morning.

We have had a very close relationship with our Appropriations Committee under Senator STENNIS. We have worked very closely together. Our staffs have worked very closely together. We have worked with Senator JOHNSTON. We have worked with Senator STEVENS. We have worked with Senator HATFIELD.

But the problem usually occurs in conference. In conference we have two different committees on authorizations, one from the House and one from the Senate. When we get to the appropriations conference there are two other committees. And we end up having some serious conflicts that have eroded the authorization process.

So, we have a couple of amendments in this bill that deal with the problem, that is, section 903 and section 904.

The Armed Services Committee undertook these modifications as part of our effort to get the overall coordination between authorizations and appropriations in better order. That is to say that we do have a section in this bill that says that appropriations which are not authorized will require subsequent authorization before the moneys can be expended.

We have worked carefully with the Appropriations Committee in trying to avoid a fight on this on the floor because we believe a lot of this problem is beyond our control and their control. They find themselves in conference with the House. The House has many different provisions and sometimes in an effort to compromise toward the end of the session the whole question of what is authorized gets lost in the shuffle.

Because of that we have taken the position, and the Secretary of Defense has adhered to this position, that funds which have not been authorized should not be expended by the Department of Defense, even appropriated, until such time as the authorizing committees agree to those.

We have now agreed to about 98 percent of those that were appropriated last year. We have rejected in this bill about 2 percent of those.

So we have agreed on the substance with the appropriators on most of these items.

But like most authorizing committees, we find ourselves in a position—we have never been in a position as an authorizing committee that we were a floor; that is to say, the appropriators have always been able to cut the authorization. And that is as it should be. They should be able to cut the authorization because they have to make the final money judgment.

But now, if we are not a ceiling either—in other words, if they cannot only go under our authorization, if they can also go over it, you are not a ceiling and you are not a floor. If you are not either one, you have to ask yourselves as an authorizing committee what are you, and that is the question we are asking when we put in sections 903 and 904 that made explicit what has been a practice, and that is that unauthorized appropriations should not be expended until authorized.

Now, the appropriators have objected to these two sections, and we have worked very carefully with them to change those sections. We are deleting one section by this amendment, but we have a written agreement worked out between the authorizers and the appropriators that basically continues the accommodation we have had for the last 2 years; that is to say, the chairman of the committee and the ranking subcommittee chairman and ranking member of the Subcommittee on Defense will be able to attend our meetings, will be able to suggest, on behalf of a majority of their committee, any amendments. And we will have a reciprocal right before the appropriating committee.

In addition to that, we have an agreement which says that the Appropriations Committee agrees not to appropriate more than is authorized unless the amount so appropriated is explicitly made subject to authorization. In other words, rather than doing this by law, the appropriators are agreeing to put that kind of provision in their bill. We are not rigid about this. We know that there are differences between line items and accounts. We know there are a lot of adjustments that have to be made toward the end of the year on financing matters.

We for our part, are going to try to give more flexibility in our bill to the appropriators and we hope for their part they will respect the authorization except where absolutely necessary to make changes due to financing changes in matters that we could not have anticipated. In other words, we feel the authorizing committees make the policy decision, by and large, and the appropriators make an awful lot of the financial decisions and financial adjustments as far as the military is concerned.

Mr. STENNIS. Will the Senator yield?

Mr. NUNN. I am glad to yield to the Senator.

Mr. STENNIS. Mr. President, I have been present here and heard the Senator's statement. On the whole, I agree with the purposes of his statement as well as the content, even though there may be a few points we may disagree on. I reserve, as chairman, whatever power or right it takes to take that position, if necessary.

But, the general purpose, we are together on it and it is something that must be done. Something along this line must be done. It is already serving a very good purpose indeed.

I endorse the position of the Senator and his coworkers wholeheartedly, reserving only the right to argue things out on the merits.

I thank the Senator.

Mr. NUNN. I thank the chairman and my good friend from Mississippi. I believe he stated it exactly correct. We have worked this out in good faith. The only other element of this agreement that I think we ought to make clear is that so many times if we have a staff representative in the conference toward the end of the session, it would be of great help. We hope that we will be able to, and we believe we have an agreement now to, have a staff representative of our committee aware of what is going in the appropriations conference. And we will certainly reciprocate by having a staff member or whatever number members you would like in our conference.

Mr. President, I can say that maybe we are making real progress here for one reason. First, the substance, and second because I understand the House Appropriations Committee and the House Armed Services Committee have agreed on almost identical language now, and that is the key. Because it does not do a lot of good, in the final analysis, for the two Senate committees to be in agreement, which we largely have been, and the House committees to be out of sync and then that affects both of the conference outcomes.

Mr. President, I know the Senator from Virginia would like to be heard on this point.

I ask unanimous consent, before I yield the floor, that the agreement between the Armed Services Committee and the Appropriations Committee, represented by the letter and a signed agreement, be printed in the RECORD.

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

COMPROMISE BETWEEN ARMED SERVICES COMMITTEE AND APPROPRIATIONS SUBCOMMITTEE

1. The Armed Services Committee agrees to modify Section 903.

2. The Armed Services Committee agrees to drop Section 904.

3. The Appropriations Committee agrees not to appropriate more than is authorized unless the amount so appropriated is explicitly made subject to authorization.

4. Both Committees pledge to try to avoid reversing the policy directions of the other committee.

5. The attached Memorandum of Agreement between the Armed Services Committee and the Appropriations Committee shall be extended through the 101st Congress. (The leadership of each committee shall be considered *ex officio* members on the respective committee, etc.)

6. The staffs of the Armed Services Committee and the Defense Appropriations Committee shall jointly develop alternatives for removing duplication in the existing authorization-appropriation process and limiting areas of controversy.

May 13, 1988.

Armed Services Committee:

SAM NUNN,
Chairman.
JOHN WARNER,
Ranking Member.

Appropriations Committee:

JOHN STENNIS,
Chairman.
MARK HATFIELD,
Ranking Member.
TED STEVENS,
Subcommittee Ranking Member.

BASIS OF AGREEMENT

To improve the working relationship between the Appropriations Committee and the Armed Services Committee:

The Armed Services Committee and the Defense Appropriations Subcommittee shall meet jointly prior to markup of an annual or supplemental authorization bill or appropriations bill for defense. Staff shall make all markup materials available to the members of both committees prior to such joint meetings.

The Chairman and Ranking Member of each full Committee shall be considered *ex officio* members of the other full Committee. The Chairman and Ranking member of the Senate Armed Services Committee shall also be considered *ex officio* members of the Defense Subcommittee and the Chairman and Ranking Member of the Defense Subcommittee may be designated on behalf of the Appropriations Committee to be *ex officio* members of the Armed Services Committee.

Ex officio members may participate in all meetings, hearings and markups of the respective committees and subcommittees throughout the legislative process, but may not vote.

Amendments on behalf of the respective committees may be offered by *ex officio* members if such amendments have been au-

thorized by a majority vote of the members of the respective committee.

The Appropriations Committee will resist proposals which have the effect of reversing or materially modifying policy matters already agreed to or rejected during the defense authorization process.

The Committee on Appropriations agrees to avoid the incorporation of legislative provisions in annual Defense Appropriations Bills whether such initiatives are offered during the Committee markups, the Senate floor or during the House-Senate Conference of such bills, and the Armed Services Committee shall join in such resistance.

The Armed Services Committee recognizes the authority of the Appropriations Committee to make program financing adjustments as necessary to ensure authorized programs are properly funded. (For example, if 840 M-1 tanks are authorized, but funding for only 720 tanks was provided in an Authorization Act, the Appropriations Committee may propose such appropriations as are necessary to procure the authorized quantity of tanks). Such financing adjustments shall not require the approval of the Armed Services Committee.

The Armed Services Committee will resist statutory proposals that restrict the flexibility of the Appropriations Committee in making financing adjustments using prior year funds. However, nothing contained herein shall restrict the Armed Services Committee or any member thereof from opposing the appropriation of funding at a level above account levels or for unauthorized programs, projects or activities.

Prior to March 1, 1987, the Committees agree to meet jointly for the purpose of considering and deciding whether a single Department of Defense Authorization and Appropriations Act for Fiscal Year 1988 and/or whether a two-year authorization and appropriation should be reported by the Committees to the Senate. Nothing contained herein shall require that the Committees agree to either of the proposals.

That all of the aforementioned agreements in the Appropriations Committee and the Armed Services Committee shall remain in effect for purposes of completing the defense authorization and appropriations of the fiscal year 1987 or 1988.

With regard to the FY 1986 supplemental authorization and appropriations issue:

The Urgent Supplemental Appropriations bill shall incorporate a provision to transfer funds made available in fiscal year 1986 for the Mariner Fund and Navy land based tankers and make such funds available for the Complementary Expendable Launch Vehicle (CELV) program and readiness initiatives. In all, \$953 million shall be transferred from these two programs.

The date established for completion of the air defense competition shall be changed from July 1 to November 1, 1986, and statutory language requiring expenditure of \$200 million for such competition in FY 1986 shall be repealed.

The Armed Services Committee shall amend S. 2459 to incorporate these adjustments and make all other funds appropriated in FY 1986 available for obligation.

This does not foreclose the right of either Committee to consider additional proposals other than those described, such as a provision providing for the repeal of section 8099 of the Department of Defense Appropriations Act, 1986, pertaining to alcoholic beverage sales and the amendment of section 8089 of such Act, pertaining to studies of functions considered for contracting out.

However, nothing contained herein restricts the rights of members of the Committee on Appropriations to oppose such provisions.

The objective is to minimize the differences between the two Committees. However, nothing contained herein shall be construed to restrict the rights and prerogatives of any member of either Committee.

MARK HATFIELD.
TED STEVENS.
JOHN STENNIS.
BARRY GOLDWATER.
SAM NUNN.

Mr. WARNER. Mr. President, first, I ask unanimous consent on amendment 2096, which the Senate just acted upon, that it be stated that it was in order and proper for the Senate to act.

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

Mr. WARNER. Mr. President, the distinguished chairman has adequately stated the case. For the past several years, this Senator, the Senator from Alaska, and, indeed, Senator Tower and Senator Goldwater and others, have made this process work primarily because of the good faith and trust amongst us. I think it is time now that we try and reduce it more and more to writing the essential nature and the relevance of the two committees, the Armed Services Committee in its authorization capacity and the Appropriations Committee in its capacity. I do hope in the years to come we will see less problem in this area and I think this agreement is a step forward.

Mr. NUNN. Mr. President, I see the Senator from Louisiana on the floor. We do not have but about 2 minutes before the rollcall vote that has been ordered, but the Senator from Louisiana would be, I am sure, interested in knowing that we have an amendment at the desk—it has not been approved yet—to change section 903 and to delete section 904 pursuant to our agreement.

I just put into the RECORD the written agreement that we have entered between the appropriations and authorizing committees and expressed the hope that we can continue to make progress to coordinate our activities, particularly in light of the fact that the House committees have now gotten the same kind of agreement, and that may put us much more in sync with the House side.

The PRESIDING OFFICER. Is there further debate?

Mr. WARNER. Mr. President, I have just received from the Senator from Alaska that he is in agreement with this.

The PRESIDING OFFICER. Is there further debate?

Mr. JOHNSTON. Mr. President, I am very pleased that this agreement has been filed, even though, in written form, it does not dot every "i" and cross every "t." And, indeed, it cannot do so, because, in the final analysis, the proper relationship between the

Appropriations Committee and the Armed Services Committee—indeed, between the Appropriations Committee and any authorizing committee—rests upon the good faith and trust between the numbers. Because there will always be situations in which, for example, the Armed Services Committee bill is not in final form, although its policy is expressed, if that situation might not be covered by the exact words of the written agreement.

But I think what they have agreed to here is not only the text, the written word, but the spirit of cooperation. I think the problem has never really been as much between the Senate Armed Services Committee and the Appropriations Committee as perhaps between the Senate Armed Services Committee and the House Appropriations Committee.

We will certainly also try to play a role to avoid conflicts, not only within the Senate, but to seek to clear the way so that they will not arise with the House, either.

I really do not anticipate any major differences. The Armed Services Committee, I do not think, is going to try to hold the Senate to individual line items with micromanagement. And, indeed, the written agreement does not appear, at least to me, to cover those line items, but certainly it does on the broad policy implication. And, with respect to those categories, I think we will have no difficulty at all in marching together on a common policy direction as set by the Armed Services Committee.

(Mr. SHELBY assumed the chair.)

Mr. NUNN. Mr. President, I thank my friend from Louisiana. He has stated, I think, the agreement very well, I would say, with one slight caveat. It is true that we do not try to control the line items unless the line item is something we really focused on with a great deal of policy deliberation and, in that case, we put it in the bill.

Now that, I think, is easy to read. It is not a matter of controlling all of them, but there are some of them that become very important as policy matters. But normally what we would have in terms of relationship is the account level is what we would normally be dealing with. And when we do focus on a policy matter at a line item level—for instance, the cancellation of an aircraft. If the committee spends 3 months looking at aircraft and we finally decide to cancel one, and we put it in the line item, then that becomes a very serious policy matter. And I would hope the Appropriations Committee understands that.

So we do have to work in general agreement here. We cannot cross every "t" and dot every "i." The Senator is right about that.

Mr. JOHNSTON. Mr. President, I appreciate that comment. We could not go so far, for example, as to have

this whole bill a line item, because then you would have the anomalous situation of the Appropriations Committee not being able to reduce appropriations because of the budget summit, not being able to increase them because of the ceiling set on every line item, and then having only the option of saying yes. We could not even say no.

Mr. NUNN. The Senator is correct. We certainly do not intend to deal with every line item, nor would we advocate that as the policy. It would only be those that we felt are enormously important policy decisions.

Mr. President, I hope we can now adopt the amendment.

Mr. WARNER. I at some point reserve the right to propose one more amendment. It is on the list.

Mr. NUNN. You have the right. Let us see if we can get this one adopted here.

Mr. WILSON. Mr. President, we have adopted an amendment that sought to reconcile appropriated but unauthorized items having to do with our military spending. The amendment we adopted omitted to include an item for continued P-3C production.

In my judgment, that omission is in error, I think a serious error, but I am not going to take the time now either to offer an amendment, because it is clear that it would not be successful, nor am I going to rehash the arguments.

However, I will ask unanimous consent to have printed in the RECORD a letter addressed to Senator NUNN, with copies to all of us, from the International Association of Machinists and Aerospace Workers, which I think makes compelling arguments for the inclusion of P-3C procurement in this authorization bill. I wish we had taken that action. I think that at some time in the future, we will find ourselves compelled to do so.

The so-called LRAACA, the advanced aircraft the Navy is seeking, is a luxury I do not think we can afford, but the arguments are well stated in this letter.

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

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

INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS,

Washington, DC, May 16, 1988.

HON. SAM NUNN,
U.S. Senate,
Washington, DC.

DEAR SENATOR: I and my delegates from the International Association of Machinists have urgently sought to meet with you since last Thursday to voice our concern over the termination of the P-3C production line. We have been advised by everybody that your Committee, the Committee on Armed Services, has recommended to deny obligation authority for the six P-3C aircraft that

were approved by both the House and Senate in the FY 1988 Appropriations Continuing Resolution.

Staff people have talked to us and told us that this action was taken because the Navy had not requested P-3C aircraft in FY 1988 and FY 1989 due to the pending start of the future Long Range Air ASW Capable Aircraft (LRAACA), and that potential foreign sales will keep the line open.

Senator Nunn, all those people told us and I now feel that the Committee may not have considered some very new and very recent information concerning the P-3C program and the new LRAACA program which you should now consider.

(1) The Navy did not request P-3C procurement in FY 1988 because when the FY 1988/FY 1989 budget was being developed by the Navy they had a plan to have industry compete for a P-3D program which would result in the initial production of 125 aircraft in FY 1989 and therefore no aircraft were requested in FY 1988.

(2) The P-3D (P-3G) competition was dropped by the Navy when no other Aerospace company indicated that they would compete against Lockheed. The Navy expanded the competition to include commercial transports and delayed the start of initial production for LRAACA to FY 1990.

(3) The Navy, as a result of current budget pressures, has had to slip initial LRAACA production now to FY 1992 and if all goes well, the first production place could not be delivered before 1994.

So you see Senator, we have a very serious problem right now as a result of the slip of the LRAACA program. The six FY 1988 aircraft were to be the production base for a joint effort between Lockheed, Navy and the office of the Secretary of Defense to secure foreign sales to bridge the "production gap" between P-3C and LRAACA production, if Lockheed is selected as the winner of the competition. The prospects for foreign sales are good, but they are not likely to materialize quickly enough or in sufficient quantities, to avoid stoppage of the production line if the FY 1988 aircraft are not authorized.

If we close the line, hundreds of skilled ASW aerospace workers will lose their jobs immediately, with the number growing into the thousands across the U.S.

We are not asking for more P-3 aircraft in FY 1989; we just have to have those that have been funded for FY 1988 to keep from having the "free world's" only (excluding the JAPANESE P-3C program) FIXED WING ASW line close costing ultimately thousands of skilled aerospace workers their jobs. I do not even wish to think that in an emergency, the only place our Navy might get ASW aircraft or parts would be from JAPAN.

Senator Nunn, I urge you to recommend the authorization of these six P-3C aircraft, in fact I feel this action is supported by the Secretary of Defense and in his amended FY 1988/FY 1989 Biennial Budget Report, when he argued that the P-3C production should be continued as a hedge against the delays in the LRAACA. The report stated:

"(2) MARITIME PATROL AIRCRAFT

We have made some changes in the P-3 program due to a lack of competition for the "G" model of the aircraft described in last year's report. The Long Range Air ASW Capability Aircraft (LRAACA) is now planned to succeed the P-3C as the Navy's airborne land-based ASW system. In developing this new aircraft, the Navy will con-

sider derivatives of commercial airframes, as well as modified versions of the P-3. The LRAACA will be designed to carry larger payloads than those of the existing P-3C and the competition calls for a desired increase in the plane's radius of action to 1,600 nautical miles. In evaluating the alternative designs, we will stress overall cost-effectiveness in performing future maritime patrol missions.

The additional P-3 procurement funds voted by the Congress in FY 1988 will enable P-3 production to be sustained as a hedge against any delays in LRAACA's development."

These delays have now happened, and there is no hope of getting the first LRAACA aircraft delivered until 1994 at the earliest.

Senator Nunn, as President and Directing Business Representative for District Lodge 727 of the International Association of Machinists and Aerospace Workers and President of the California Conference of Machinists, representing all 80,000 IAM members in the state of California, I solicit your support and endorsement for the authorization of the FY 1988 P-3C aircraft and thereby avoiding the pain and suffering that accompanies the loss of employment on our union brothers and sisters and their families and the economic impact on the community.

BRYAN E. CARVER,

President, District Lodge 727.

BURBANK, CA.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment of the Senator from Georgia.

The amendment (No. 2097) was agreed to.

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

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 2085

The PRESIDING OFFICER. Under the previous order, the hour of 9:30 a.m. having arrived, the Senate will now vote on the Helms amendment No. 2085. The question is on agreeing to the amendment of the Senator from North Carolina, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The Republican leader.

Mr. DOLE. Mr. President, I wonder if I might address a question to the majority leader. I ask unanimous consent to proceed for 1 minute.

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

Mr. DOLE. Mr. President, I have an amendment pending. There has now been a request for the yeas and nays on that amendment. I do not know what has been the disposition, but if we could have back-to-back votes, maybe that would accommodate some Senators. But if they want to debate it, then we will debate it.

Mr. NUNN. I do not know if the Senator wants a rollcall. We had to wait last night to hear from the Foreign Relations Committee. Senator PELL is

here. Perhaps we do not need a rollcall.

Mr. DOLE. We have had a request for a rollcall now.

Mr. NUNN. On your amendment? Whatever.

Mr. DOLE. I am just trying to accommodate other Senators, if we could have back-to-back votes.

Mr. BYRD. Mr. President, I do not believe we can have back-to-back votes. I know of two Senators, one on each side, who are going to the White House and they are going to make this vote. They would not be able to make the next one if they were back-to-back, and one Senator is right behind the Republican leader. The other one is Senator BOREN.

Mr. DOLE. So we would delay the other vote then?

Mr. BYRD. I think we have to.

Mr. NUNN. Would the majority leader consider 10-minute rollcalls followed by final passage, which would stretch longer than that?

Mr. BYRD. I think that is all right a little later, but there will not be any back-to-back votes at this point. If we could wait.

Mr. NUNN. Could the majority leader tell us approximately what time we would have final passage? Because we were hoping to get this.

Mr. BYRD. Final passage? I think we will have to wait until Senators who have an appointment with the President get back.

Mr. NUNN. We are going to have a time gap of probably an hour or so, then.

Mr. DOLE. Plus we have the D'Amato amendment.

Mr. BYRD. The D'Amato amendment. I do not know what will be the outcome on that one. That amendment is debatable at 10 o'clock.

Mr. WARNER. Mr. President, I also have an amendment that could easily require a little debate, if the time is available.

Mr. PELL. Mr. President, the amendment as now offered underlines our resolve to keep pressure on General Noriega and to support those in Panama working for a peaceful transition to democracy.

It also underlines the strong feeling in the Senate, that the political situation in Panama will not be permitted to affect our commitments to the Panama Canal treaties.

The amendment as now offered removes any references to the Panama Canal treaties which might be interpreted as a weakening of U.S. resolve to abide by our treaty commitments.

Mr. DODD. Regarding the Helms amendment, let me ask the distinguished chairman of the Armed Services Committee—nothing in this amendment is in derogation of our commitments under the Panama Canal Treaty? Is my interpretation correct in this regard?

Mr. NUNN. The Senator is correct.

Mr. BYRD. Mr. President, I think we had better get on with the regular order.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

I also announce that the Senator from Delaware [Mr. BIDEN] is absent because of illness.

Mr. SIMPSON. I announce that the Senator from Vermont [Mr. STAFFORD], the Senator from Wyoming [Mr. WALLOP], and the Senator from New Mexico [Mr. DOMENICI] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. WALLOP] would vote "yea."

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 143 Leg.]

YEAS—95

Adams	Glenn	Mitchell
Armstrong	Gore	Moynihan
Baucus	Graham	Murkowski
Bentsen	Gramm	Nickles
Bingaman	Grassley	Nunn
Bond	Harkin	Packwood
Boren	Hatch	Pell
Boschwitz	Hatfield	Pressler
Bradley	Hecht	Proxmire
Breaux	Heflin	Pryor
Bumpers	Heinz	Quayle
Burdick	Helms	Reid
Byrd	Hollings	Riegle
Chafee	Humphrey	Roth
Chiles	Inouye	Rudman
Cochran	Johnston	Sanford
Cohen	Karnes	Sarbanes
Conrad	Kassebaum	Sasser
Cranston	Kasten	Shelby
D'Amato	Kennedy	Simon
Danforth	Kerry	Simpson
Daschle	Lautenberg	Specter
DeConcini	Leahy	Stennis
Dixon	Levin	Stevens
Dodd	Lugar	Symms
Dole	Matsunaga	Thurmond
Durenberger	McCain	Trible
Evans	McClure	Warner
Exon	McConnell	Welcker
Ford	Melcher	Wilson
Fowler	Metzenbaum	Wirth
Garn	Mikulski	

NAYS—0

NOT VOTING—5

Biden	Rockefeller	Wallop
Domenici	Stafford	

So the amendment (No. 2085), as modified, was agreed to.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. What is the pending business?

The PRESIDING OFFICER. There is no pending business.

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

AMENDMENT NO. 2094

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, if the Senator will suspend a minute, I was under the impression the Dole amendment was the pending business.

The PRESIDING OFFICER. The Senator from Georgia is correct.

Mr. WARNER. Then it is my understanding the Chair was mistaken.

The PRESIDING OFFICER. The Chair was mistaken.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. The hour of 10 o'clock is only about 4 or 5 minutes away, and under the agreement the Senate was to vote on final passage at 10 a.m. today with the proviso that Senators who have amendments on the list, who wished to call up such amendments, of course, may do so even at the hour of 10 o'clock or after as long as the operation keeps going.

It was also a part of the agreement that the amendment by Mr. D'AMATO would come back before the Senate at 10 o'clock if it had not been tabled prior thereto. So when we come to the hour of 10 o'clock, we have a number of options, one being that other amendments may be called up without debate, two being that the amendment by Mr. D'AMATO comes up at the hour of 10 o'clock or at the close of action on other amendments, and the other being that we vote on final passage at 10 o'clock, but all of these other matters have to be somehow disposed of.

And so, first of all, I suppose we ought to begin by asking if there are any Senators who have amendments on this list that appears on the inside of the Calendar of Business, page 2 and page 3, if any Senators named thereon wish to call up their amendments, if they would let the joint leadership know so that we will know that we are going to have a vote on that amendment. Otherwise, when we get to the hour of 10 o'clock, I am going to ask unanimous consent that if no Senator who has an amendment listed indicates to the joint leadership that he wishes to call up that amendment, the list be closed and that no other amendments then be in order than the amendment by Mr. DOLE, the amendment by Mr. WARNER, the amendment by Mr. D'AMATO, and technical amendments by the managers.

I will wait a couple of minutes to ask, and I will yield in the meantime to the distinguished Republican leaders.

Mr. DOLE. I know of no other amendments on this side except the amendment by the manager on our side, Senator WARNER, and my amendment, which is pending, and then the D'Amato amendment, which we hope to be able to deal with when the other amendments have been disposed of. As far as I know, there are no other

amendments on this side. I just say, as the majority leader has indicated, if anybody else intends to offer an amendment, they should let me know in the next 2 minutes.

Mr. BYRD. I would ask our cloakroom to contact Senators and find out whether or not any Senator wishes to call up an amendment on the list. Otherwise, they will be closed out.

Mr. NUNN. Mr. President, if the cloakrooms could ask without urging, it would be appreciated by the managers.

Mr. DOLE. We are not going to ask.

Mr. NUNN. If the Senator will yield briefly, let me suggest this procedure because I know we do not want another rollcall right now because we have some Members at the White House on both sides of the aisle. We have the Dole amendment. I see the Senator from Rhode Island, Senator PELL, is here. If we could go ahead—I do not think it would take long—and have a brief debate on that amendment, I know the Senator from Rhode Island has another meeting he needs to attend. Then if we could debate the Warner amendment, which we are not able to agree with, then at least if there is going to be a rollcall on that, we will have concluded the debate. We could do that while we are waiting and conclude those two. If there are no other amendments, we will be prepared to vote on the Dole amendment and, if necessary, the Warner amendment. Then that would leave us in a situation to deal only with the D'Amato amendment after those rollcalls.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the debate on the Dole amendment, and then the debate on the amendment by Mr. WARNER; that the votes on those two amendments be delayed until debate has been completed on both amendments; that any further debate on the D'Amato amendment be delayed until action on those two amendments has occurred; and that no other amendments that are on the list that appears on the Calendar of Business be in order after the disposal of the Dole amendment and the Warner amendment.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Other than the technical amendments by the managers.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

Mr. BYRD. That, of course, excluded the D'Amato amendment. His amendment would be still in order.

AMENDMENT NO. 2094

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, we took time last night. So I want to give time to the distinguished Senator from

Rhode Island, the chairman of the Foreign Relations Committee.

I would just say very briefly there is nothing very sensational about this amendment. It is a sense-of-the-Senate amendment. It simply puts us on record one way or the other as far as dismissing the indictments that are now pending in the State of Florida against General Noriega.

My view is that we should not dismiss the indictments. I am not certain what the administration's view is. I know it is a very difficult negotiation they are involved in. But it seems to me with all we have been talking about the last few days, the last few months, the polls reveal concern about drugs, international drug trafficking; that we now have brought the Army into it, the Air Force, the Navy; that symbolically we are making a mistake if in fact the indictments against Noriega are dismissed.

Those who brought the indictments did so after careful study, and a lot of work. Maybe he will never be brought to trial. But it seems to me that the indictments should stand. I would hope that by passing this amendment we would send a clear signal, a positive signal, to the administration that as far as the Senate is concerned we do not believe that is appropriate action to take in view of the drug problem we face in America today. That is all it does. It does not bind anybody. It is a sense of the Senate. Some may agree, and some may disagree.

I know that. Negotiations are difficult. I know other things have, such as economic sanctions, been tried. I know other things have been tried that have not worked. Noriega is still there.

But I would hope that we can at least let the American people know, the real people, that this body does not believe we ought to dismiss criminal proceedings against a man who has been trafficking in drugs, making millions and millions of dollars, spreading misery across America to our children and our grandchildren. That is the only purpose of the amendment. I must say the White House is opposed to it.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, as I indicated last evening, I strongly support and am pleased to be a cosponsor of Senator DOLE's resolution.

Mr. President, one thing I am sure of is that Ronald Reagan has and always does listen to the voice of the people of America. I hope they take this opportunity to call the White House. Let the President know what they think about this deal that is being concocted that has not been accepted yet by Noriega, which has been called by some, plea-bargaining. I

choose and have characterized it as our pleading and Noriega's bargaining.

Senator DOLE rightfully characterized it as a legal golden parachute for Noriega, and to anyone who suggests that it is good that we drop these indictments because Noriega is leaving power, I would suggest to you that is totally inaccurate. It is wrong. It is a misstatement of the facts. He may be leaving, and only temporarily, but the power that he has will continue as it relates to the PDF, the Panama Defense Forces. He picks his successor. He will continue to rule. He is allowed to continue the President of his choice in office until new elections.

If anyone really thinks that those elections are going to be any fairer than any of the other elections that they have had in Panama, they are mistaken.

Mr. President, this concoction that comes because there are those in the administration, particularly in the Defense Department, who are coming to set policy as opposed to carrying out policy, and who have opposed strong measures that have been urged in the past by the State Department. This sends a terrible message, the wrong message at a time when we are attempting to say we are serious as it relates to dealing with the international drug traffickers. What do we say as it relates to the defendants who are charged with drug crimes here in this country? There would not be one of them who would not be eager to have such an incredible deal.

No, Mr. President, it is important that we send a message clearly to the administration. Let the American people call the White House, and let them know because what they would be saying is we are opposed to a deal that does everything but give Manuel Noriega a testimonial. That is the only thing we have not suggested yet, a testimonial dinner as drug dealer of the decade. That is all we have dropped out because that is exactly what this proposal which has been banded about would be conferring on him.

The Latin American dictators and drug dealers can sit back and bask in glory and laugh at the United States at our ineptitude, and at our incompetence. It is inconceivable that we would want to loan even the indicia of support to this agreement. I hope we will support this resolution overwhelmingly.

Mr. WILSON and Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I realize the appeal of this amendment. My concern is that it narrows the options available to the administration by intervening in the negotiations at this time. That is always a questionable point. By saying we cannot use one of the inducements, the dropping of the

indictments only strengthens the hand of those in the administration who are advocating other methods of persuasion, including conceivably the use of force. So there is a very good reason to be concerned about the amendment and narrowing the options.

However, recognizing the fact the Senate is not enthusiastic about the way the administration is conducting negotiations with Noriega, and that there is no assurance that Noriega will be giving up power in exchange for the dropping of the indictment; recognizing that it is a sense-of-the-Senate resolution; and recognizing that some sort of message should be sent along these lines, I know that speaking from my viewpoint from the Foreign Relations Committee I will support the amendment.

The PRESIDING OFFICER. The Senator from California.

Mr. WILSON. Thank you, Mr. President.

Mr. President, that is an example of, I think, being a little too clever by half. Our British friends use that phrase often when they are commenting on someone who has made an effort to do something in a fashion so sophisticated that in fact he loses sight of the basic fundamental.

In this case, there is a principle. The principle is that indictments seek to bring people to justice after not a careless or casual, but after a concerted and fair effort to determine whether or not they should stand trial. All the evidence in this instance indicates that the man that we are speaking of not only deserves to stand trial, but that he is perhaps escaping the kind of scrutiny for past misdeeds for which he is a legend throughout this hemisphere.

For us to now publicly engage in a deal whereby he is relieved of any apprehension that he might come to justice for what he has done sends a very clear and a very wrong message to all the world who are watching. It says that we will be selective in our outrage, that when we take to task drug producing nations and in fact vote to disapprove their certification as being in full cooperation under the Anti-Drug Abuse Act of 1986, that they still have hope if they are big enough, well-placed enough, if they are clever enough, to hold out for a very good bargain that in fact they may escape justice.

Mr. President, that is a very dangerous signal to send. The American people will not be mystified by it. To the contrary, they will be disgusted by it, and they have every right to be.

In a time when we are seeking to change the attitudes of our own people, young people in particular, in this Nation, and to make it clear that we, as a society, cannot be ambivalent in our view of drug use, for whatever reasons, relating to national strategy,

to the maintenance of international facilities like the canal—and I do not demean the fullness in consideration of those factors—but a deal that would allow this man to escape justice is a deal that stinks and one that the United States should not pursue.

There comes a time when you simply have to say certain things cannot be winked at, certain things cannot be swept under the rug.

If our interests require it, we will find other means to protect our interests, but we will not make a deal with the Devil. We will not simply ignore the abundance of evidence that cries out for legal process of the kind that has resulted here in criminal indictments against this dictator. This is not simply another tinhorn dictator. Yes, we have seen several go scurrying off to asylum, and no one has cared very much. This is more than an tinhorn dictator. If the indictments against him prove true, he will have been guilty of massive harm against the people of the United States.

Mr. President, I commend the Senator from Kansas. I think we are indebted to the Senator from New York for the eloquent and impassioned comment he has made. They are both right. The Senator from Kansas is right in bringing this to our attention. The Senate will be right in voting with him to send a clear and a right message to the American people and to all others who are watching.

Mr. WARNER. Mr. President, will the Chair kindly advise Senators as to the manner in which Senators address the two amendments—namely, the amendment of the Republican leader, Mr. DOLE, and the amendment of the Senator from Virginia, which are both subject now to the unanimous-consent request?

The PRESIDING OFFICER. The Dole amendment is pending at the present time. The amendment of the Senator from Virginia has not been offered as yet.

AMENDMENT NO. 2098

Mr. WARNER. I ask unanimous consent that, without prejudicing the rights of the distinguished Republican leader, the Dole amendment be temporarily set aside and that the Warner amendment, which has been sent to the desk, be the subject of reading by the clerk.

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

The amendment will be stated. The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 2098.

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

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

The amendment is as follows:

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

"Sec. . (a) FINDINGS.—(1) Notwithstanding the critical need for conventional force improvements, the security of the NATO Alliance will rely on modern and credible nuclear weapons, with a goal of raising the nuclear threshold.

(2) The modernization of NATO's theater nuclear capabilities is a continuing process, stemming from NATO's 1983 Montebello decision to reduce the European nuclear stockpile while taking steps to insure that the remaining nuclear weapons are responsive, survivable and effective.

(3) Theater nuclear modernization programs, which enjoyed a high priority for NATO before the INF Treaty, are no less important for the post-INF period.

(4) NATO Ministers, meeting most recently at the Nuclear Planning Group (NPG), reaffirmed their endorsement of U.S. development of a Follow-on to Lance (FOTL) with a view toward an eventual decision on deployment.

(b) Therefore it is the Sense of the Senate that:

(1) Modernization of NATO's theater nuclear capabilities following ratification of the INF Treaty is essential to the deterrence strategy of the Alliance

(2) Continued U.S. modernization of its theater nuclear capabilities should be undertaken in close consultation with our NATO Allies.

(3) The United States should proceed with ongoing activities for satisfying the identified Alliance requirement for a Follow-on to Lance. Existing legislation pertaining to the use of the Army Tactical Missile System (ATACMS) for the Follow-on to LANCE should not be interpreted so as to exclude the ATACMS from the missile selection process should the Multiple Launch Rocket System (MLRS) be among the delivery systems selected in the Army Cost and Operational Effectiveness Analysis (COEA).

Mr. WARNER. Mr. President, I should like to state this Senator's understanding of the procedure leading up to this moment and the content of the amendment.

As to procedure: Last night, it was this Senator's understanding that the amendment had been cleared at the staff level. At some point—and that was perfectly within the rights of all Senators—there was an objection lodged. Consequently, it was incumbent upon the Senator from Virginia to bring up the amendment and ask for appropriate debate this morning, and then the resolution of the amendment by rollcall vote, which I now seek Mr. President. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. WARNER. I beg the Chair's pardon?

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WARNER. Mr. President, as to the amendment itself: The first three paragraphs of the amendment, which I will shortly read, are drawn verbatim from the Senate Armed Services Com-

mittee INF report. The first paragraph:

(1) Notwithstanding the critical need for conventional force improvements, the security of the NATO Alliance will rely on modern and credible nuclear weapons, with a goal of raising the nuclear threshold.

(2) The modernization of NATO's theater nuclear capabilities is a continuing process, stemming from NATO's 1983 Montebello decision to reduce the European nuclear stockpile while taking steps to insure that the remaining nuclear weapons are responsive, survivable and effective.

(3) Theater nuclear modernization programs, which enjoyed a high priority for NATO before the INF Treaty, are no less important for the post-INF period.

All those statements were made by the Senate Armed Services Committee in conjunction with its report on the INF. As a matter of fact, throughout the hearing held by the Armed Services Committee on the INF, time and time again these three points were made, almost without exception, by all the witnesses.

The fourth statement is a statement of fact, and I read it:

(4) NATO Ministers, meeting most recently at the Nuclear Planning Group (NPG), reaffirmed their endorsement of U.S. development of a follow-on to Lance (FOTL) with a view toward an eventual decision on deployment.

The purpose of this amendment is to send a clear message that we should not give allies the impression that Congress is not supporting this theater nuclear force modernization.

The next sentence says, "Therefore, it is the sense of the Senate that," and then the following paragraph, again, is taken directly from the Armed Services Committee INF report:

Therefore it is the sense of the Senate that:

(1) Modernization of NATO's theater nuclear capabilities following ratification of the INF Treaty is essential to the deterrence strategy of the Alliance.

(2) Continued U.S. modernization of its theater nuclear capabilities should be undertaken in close consultation with our NATO Allies.

Again, two proposals testified to by almost every witness who came before our committee, and then incorporated in our report.

Now the third and last paragraph of the amendment reads as follows:

The United States should proceed with ongoing activities for satisfying the identified Alliance requirement for a follow-on to Lance. Existing legislation pertaining to the use of the Army Tactical Missile System (ATACMS) for the follow-on to Lance should not be interpreted so as to exclude the ATACMS from the missile selection process should the Multiple Launch Rocket System (MLRS) be among the delivery systems selected in the Army Cost and Operational Effectiveness Analysis (COEA).

The amendment has been carefully drawn so that it does not, and I repeat, not in any way undermine the existing legislation that limits the develop-

ment, testing, and production of ATACMS as a follow-on to Lance.

I will now refer to the existing legislation.

In the authorization bill last year:

SEC. 258. STUDIES OF NUCLEAR WARHEAD FOR ARMY TACTICAL MISSILE SYSTEM.

(a) Funds available to the Department of Defense or to the Department of Energy may be obligated or expended for studies and analyses of the military utility and cost of a nuclear warhead option for the Army Tactical System (ATACMS).

(b) No funds may be obligated or expended for the purpose of developing, testing, producing, or integrating nuclear warheads for the Army Tactical Missile System (ATACMS) unless—

(1) The Secretary of Defense certifies to the Committees on Armed Services of the Senate and the House of Representatives that the Army Tactical Missile System has achieved an initial operational capability with United States Army units permanently stationed in the Federal Republic of Germany;

(2) such development, testing, production, or integration has been specifically authorized by legislation enacted after the date of the enactment of this Act; and

(3) The Secretary of Defense has submitted to the Committees on Armed Services and Appropriations of the Senate and House of Representatives the comprehensive analysis required by section 1001 of the options available to the United States to preserve an adequate theater nuclear capability in Europe if a treaty with respect to intermediate-range nuclear forces (INF) is concluded between the United States and the Soviet Union.

I repeat the amendment as drawn does not undermine in any way, in the judgment of this Senator, that piece of legislation. The amendment does put the Senate on record as we should be on record as supporting necessary modification of theater nuclear systems in close consultation with our allies.

The amendment makes it clear it is not the intent of the legislation to exclude consideration of the ATACMS as a candidate missile for a follow-on to Lance.

Now, Mr. President, that is as succinct and as clear as I can state the purpose of this amendment. I urge its adoption. I anticipate that others will be addressing this issue momentarily.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

The PRESIDING OFFICER. The pending question is the Warner amendment.

Mr. NUNN. Mr. President, I have been advised by the Defense Department that the Army has determined that the existing legislation prohibit-

ing a nuclear ATACMS would preclude including the ATACMS as a candidate for consideration during the missile selection process for the multiple launch rocket system known as the MLRS should the MLRS be among the delivery systems selected for evaluation as a candidate for the nuclear follow-on to the Lance Program.

The distinguished ranking member of the committee, Senator WARNER, had hoped to clear an amendment that would have stated or would state—and that is what we have here before us now—the sense of the Senate that the ATACMS could be considered notwithstanding the existing legislative prohibition.

This amendment would not, however, repeal the legislative restriction on ATACMS nor will it constitute an authority to enter into any development, testing or production of a nuclear ATACMS, as I understand it.

I must advise my colleague that I have not been able to clear this amendment on our side, and I hope, therefore, that perhaps the Senator would consider not insisting on a vote but, of course, that is his right.

We are now in a late stage of the debate. This is a very important issue. I am sure that Senator KENNEDY for one and probably others will want to be heard on this.

In addition, there are still questions in my mind both as to the validity of the Army's reading of the law—I am not sure they are reading it correctly, although it is probably a close call—and the larger policy question of whether we would want to encourage the ATACMS to be considered during the missile selection process if we have no intent of lifting the restrictions later on. In other words, what does it do to the process if we say in the sense of the Senate go ahead, fellows, and they go ahead and put it in competition? We still have the prohibition on the record. It then is selected. What does it do to the other candidates in terms of obscuring the process? That is one question.

What I would like to suggest to my colleagues is that we have the committee look into these questions and have a hearing on the question, and we could do that at an early date. I do not mind scheduling that hearing soon. We have a number of other small bills that will be going through. I would like very much, if we do decide to make a change in this, to probably do it in the law rather than in the sense of the Senate, and I will explain that in a moment. We also would have a chance for the committee to be heard. I think we would have a much better chance of taking corrective action.

Let me make one other point. So, really, question No. 1 is, What is the status of the competition? If they go forward with this system, we still keep the preclusion in law relating to its nu-

clear use but encourage them to go forward and make it a candidate. And if then it wins, what does it do to the other candidates for competition? That is one question.

The other question I would have on the Senator's amendment would declare existing legislation pertaining to the use of the Army tactical missiles system for the follow-on Lance should not be interpreted so as to exclude the ATACMS from the missile selection process should the MLRS be among the delivery systems selected in the Army's cost and operational effectiveness analysis?

Mr. President, the other point I would make is that I have not studied this in great detail. I have a hard time seeing how a sense-of-the-Senate resolution could change the legislative history of a piece of legislation that has already passed. In other words, we are here on the floor, the two of us. We are talking about a sense of the Senate and even if the Senate passes this sense of the Senate does that really affect the legislative history of a provision that has been in law for 3 years? This has been in the law for 3 or 4 years. We made an adjustment last year.

So, I am afraid we are going to have a vote on this. The Senator may prevail. I do not know how the vote will come out. I just do not see how a sense-of-the-Senate resolution can affect the legislative intent of a law on the books where the House of Representatives is not a part of this and with the law already on the books.

Maybe the Senator could explain that to me. In other words, I am afraid we are going to end up getting a vote here that is going to show a very divided question on this question of the nuclear role for ATACMS, and then we will not have solved anything even if it prevails.

Those are my two essential questions.

Finally, I would say that I would assure the Senator that whether this amendment is agreed to or not I will cooperate with him in every way in seeing that we have an early hearing on this question. This is a substantive issue. It is not a question of being against or for the ATACMS. I am very much in favor of ATACMS but the ATACMS was a program that was sold to the Congress on the basis of developing the accuracy with our short-range missile systems that would begin to substitute those systems for the short-range nuclear systems that we all know in too many cases would hit on the soil we are sworn to defend.

So the idea was to develop a conventional program to focus the attention on the conventional program to make it very accurate and to begin to give us the capability of moving away from this early use of weapons that have extremely short range and largely

would have to hit the NATO theater. It is very hard to convince the Europeans that you are defending them if your basing systems cannot kill beyond their border.

It would be like stationing, basically, several missiles in Virginia designed to protect against an invasion from the north, but none of the weapons can get outside of Virginia. I imagine the Senator from Virginia would have a hard time explaining how you can defend Virginia by exploding nuclear weapons on Virginia's soil. That is what we are facing in NATO and that is what we are going to be debating some in the INF Treaty.

That is why we wanted an ATACMS system that would be conventional, not nuclear. That is why, at the very best, I think this question is premature now. I am just not sure that the Senator's motive, which is a good motive in solving this, is something to be fulfilled even if it passes.

So I raise those objections.

Mr. WARNER. Mr. President, in replying to my distinguished friend—and I am wondering if he might remain wired up so we can have a little colloquy.

Mr. NUNN. Yes.

Mr. WARNER. We had the privilege, and indeed the pleasure of accompanying the majority leader—indeed, the chairman of the Foreign Relations Committee, the chairman of the Intelligence Committee, yourself, and I—through a trip to Europe in which we visited with the heads of state of the governments of five nations. At those meetings, it was my impression that the Senator from Georgia was a supporter of theater nuclear modernization, which is the basic thrust of this particular amendment; in favor of it in such a manner that it would be coordinated, recognizing certain politically fragile situations in Europe without mentioning a country specifically.

So I wonder if the Senator might address his views on the need to go forward with the theater nuclear modernization in the post-INF period.

Mr. NUNN. I would agree with the Senator on that. I do think we have to have a follow-on to Lance. I do not want to leave any misimpression on that. I think we have to have a follow-on to Lance, and the ATACMS is a good candidate for that.

But before I voted for this, I would want to know what is going to happen to the conventional program. Because ATACMS was not designed to replace a nuclear system. ATACMS was sold, and we funded it and everything about it has been designed to replace some of the short-range systems, not the long-range systems that we are now so heavily dependent on, by having a conventional munition and a conventional role.

Now, if we are going to convert it into a dual use, what I want to know before we go forward—and only a hearing could tell us this—is what is the continuing commitment of the Department of Defense to the conventional role. Are we going to end up, if we convert ATACMS, are we going to end up not having a priority with the conventional role, and are we going to be right back in this sort of spinning situation where we do not have the conventional forces to really provide an effective deterrent? We then go to nuclear systems, we become more dependent on those, then we go to early use of nuclear systems, short-range nuclear systems, and in the process we weaken our conventional defense, because it always assumes a second priority.

So that is the question. It may very well be I can be persuaded that we ought to have a dual role for ATACMS. And I certainly agree we need to have a nuclear follow-on for the Lance. But this system has been designed for a conventional role and I would have to be assured, and I have not yet been assured, that that priority would remain a very high priority if we are going to make this a candidate for a nuclear role.

Mr. SYMMS. Mr. President, who has the floor.

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

Mr. NUNN. I yield the floor.

Mr. SYMMS. Mr. President, I rise to compliment the Senator from Virginia for this amendment. If I could have the Senator's attention to ask him some questions and maybe the distinguished chairman might also help me out.

I recall that every single witness that we had before the committee, in reference to the INF, what it does directly affects this, every administration witness—I think there might have been one German politician who countered this—but every other witness said that we should improve our flexible response if, in fact, the INF is going to be ratified and put into compliance.

I note in this amendment that you talk about the Atacms, but there is no mention of artillery, AFAP's. Is that the Senator's intention? I believe we should have that included, also. Every witness said that also.

Mr. WARNER. Mr. President, it was not the intention of the Senator from Virginia to put in a full range of the specifics. The purport of the amendment is to basically take certain sections from the Senate Armed Services Committee INF report, which is paragraphs 1, 2, and 3, and then in the findings of the Senate, the sense of the Senate, paragraphs 1 and 2. So it is a restatement of the committee report.

Essentially, the purpose is to get reaffirmation of the Congress to going forward with the theater nuclear modernization, which, I understand, the distinguished chairman basically has just done. So, in a major way, he satisfied the purposes of the amendment.

Mr. SYMMS. Mr. President, I thank the Senator very much.

I would just say, Mr. President, that I think the point I would like to make here is I think the Senator from Virginia is right on target with this amendment. But, in context with the next debate that is going to take place in the Senate with respect to the INF, I think Senators that are planning to vote for the INF should also be planning, first, to be prepared to spend a lot of money for verification and, second, to spend a lot of money to re-modernize NATO to replace what will be lost from our flexible response.

That is why I think the modernization of the artillery weapons is so critical. It is not mentioned here and it is not in the amendment. But I would like to see this amendment go one step further is what I was saying to the Senator from Virginia. I think he is on target with the amendment and it is an important amendment.

I hope we will have a vote on it so that Senators can start becoming aware of what it is that is going to happen and what we are going to lose in Europe and what we have to do to replace that capability and that deterrence.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. WARNER. 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. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. 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. 2099

Mr. WARNER. Mr. President, I send an amendment to the desk and on behalf of myself and the distinguished Senator from Georgia, Mr. NUNN, I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] for himself and Mr. NUNN, proposes an amendment numbered 2099 to amendment No. 2098.

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

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

The amendment is as follows:

At the appropriate place in the bill, add the following new Section:

"Sec. (a) FINDINGS. (1) Notwithstanding the critical need for conventional force improvements, the security of the NATO Alliance will rely on modern and credible nuclear weapons, with a goal of raising the nuclear threshold.

"(2) The modernization of NATO's theater nuclear capabilities is a continuing process, stemming from NATO's 1983 Montebello decision to reduce the European nuclear stockpile while taking steps to insure that the remaining nuclear weapons are responsive, survivable and effective.

"(3) Theater nuclear modernization programs, which enjoyed a high priority for NATO before the INF Treaty, are no less important for the post-INF period.

"(4) NATO Ministers, meeting most recently at the Nuclear Planning Group (NPG), reaffirmed their endorsement of U.S. development of a Follow-on to Lance (FOTL) with a view toward an eventual decision on deployment.

"(b) Therefore it is the Sense of the Senate that:

"(1) Modernization of NATO's theater nuclear capabilities following ratification of the INF Treaty is essential to the deterrence strategy of the Alliance.

"(2) Continued U.S. modernization of its theater nuclear capabilities should be undertaken in close consultation with our NATO Allies.

"(3) The United States should proceed with ongoing activities for satisfying the identified Alliance requirement for a Follow-on to Lance."

Mr. WARNER. Mr. President, the amendment now pending at the desk on behalf of myself and the distinguished Senator from Georgia is identical in every respect to the amendment sent up by the Senator from Virginia with the exception that the last sentence in the last paragraph of the sense of the Senate has now been deleted. So, therefore, the purpose of my amendment will have been met in every respect, with the exception of a possible clarification of the existing law with respect to what the Army may or may not do as it continues its test and evaluation research. I understand the chairman's position on this and I think he gives me the assurances we will have hearings on that point.

Therefore, the amended amendment would meet the goals of the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, I thank the Senator from Virginia and I assure him that I will schedule hearings with his cooperation and his coordination on this subject. I have talked to the Senator from Massachusetts and he will be pleased to participate in those hearings. We will hear from the Department of Defense and they can make their case about why this system should compete. And, in doing so, the most important factor to me is they have to make a case as to what is going to happen to the Atacms as far

as their original role, the original purpose, which was why we spent the money and which will keep NATO going down a hopeful path, long term, on being less dependent on the early use of short-range nuclear systems.

Mr. President, I would urge the adoption of the amendment.

Mr. WARNER. Mr. President, there is no need to have the yeas and nays on this.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will just take a moment. I appreciate the adjustment, the change that the Senator from Virginia has made in this proposal. The issue here is a provision that Senator NUNN and I sponsored in last year's defense authorization bill, which bars development of a nuclear warhead for the Army tactical missile system [Atacms] until after a conventional version is deployed with U.S. forces in Europe. I am in favor of modernization of nuclear systems in the NATO forces. But, the issue of whether that modernization should include a nuclear Atacms is not clear. Given Atacms crucial role as a conventional system, developing a nuclear version of Atacms may potentially lower the nuclear threshold. Accordingly, I believe that the procedure which has been outlined by the chairman of the committee involving a hearing on Atacms would help the Armed Services Committee, and hopefully the Senate, to make a prudent and reasoned judgment.

There is \$15 million in the current budget for a study of a nuclear version of the Atacms. I understand the DOD does have some questions about the particular language. I would welcome the opportunity to cooperate with the chairman and the ranking minority member to ensure that we get a clarification.

What has been worked out here, I think, is entirely satisfactory and I would hope that the Senate would accept the amendment as it has been modified.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I first ask unanimous consent that the yeas and nays on the underlying amendment be vitiated.

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

Mr. WARNER. Second, I wish to ask a question of the Chair. The amendment sent forward on behalf of myself and the Senator from Georgia should read in every respect like the underlying amendment with the exception of the last sentence in paragraph 3 having been deleted, which means the first sentence in paragraph 3 remains.

I ask the Chair, is that the present amendment that is before the Senate?

The PRESIDING OFFICER. That is correct.

Mr. THURMOND addressed the Chair.

Mr. WARNER. Mr. President, forgive the Senator from Virginia. I knew the Senator from North Carolina was prepared to speak.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, the first week in May I had the opportunity to go to Germany and confer with the top military commanders in that country representing our Nation. I conferred with General Kirk, the top Air Force commander in Europe; with General Otis, the top Army commander in Europe; and with General Richards, the deputy European commander.

I also conferred with General Croley, the chief of staff of the 5th Corps, and with General Reynard, the commander of the artillery of the 5th Corps.

Mr. President, in conferring with all of these military commanders, without exception they strongly recommended modernization of theater forces. The Soviets have doubled their short-range ballistic missiles since 1981 and they quadrupled artillery-launched atomic projectiles. It is absolutely essential that we take steps, upon entering into this INF Treaty, to modernize nuclear forces, theater nuclear forces.

As I understand it, in talking with the commanders, they feel this should be done without question. It should be done promptly in order to protect our interests and that of the free world.

All of this modernization would include nuclear weapons. It would be a follow-on to the Lance, the tactical air-to-surface missile, and to modernizing nuclear artillery.

Mr. President, if we are going to do away with Pershing nuclear weapons, intermediate range, over there, if we are going to do away with the cruise intermediate-range nuclear weapons, we must take steps to substitute power in their place.

We have no evidence yet that the Soviets have changed their goal of world domination, of spreading their aggression throughout the world. Therefore, we must be ready to protect ourselves and the free world.

I would urge the adoption of this amendment. I further urge that we hold hearings and take steps to accomplish what these generals, the top commanders of our Nation, recommend.

I feel this important. It should not be delayed. I do hope the chairman and ranking member of the Armed Services Committee will hold these hearings without delay.

Mr. WARNER. Mr. President, I thank the distinguished senior Senator from South Carolina. Indeed, he made a trip which was directly related to the subject matter of this amendment and his report, which has been

made available to all Senators, is a very valuable contribution. I think that the comments made by our colleague are directly on point.

If there are no further Senators who desire to address this issue—

Mr. THURMOND. Will the Senator yield?

Mr. WARNER. Yes, of course.

Mr. THURMOND. Mr. President, I wish to thank the Senator for his kind words. I ask him to add me as a cosponsor.

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

The Senator from Virginia.

Mr. WARNER. Mr. President, seeing no Senators wishing to address this amendment and the yeas and nays having been vitiated on the pending amendment, I suggest the Chair now put the question to the Senate.

The PRESIDING OFFICER. Is there any further debate on this amendment? If not, the question is on agreeing to the second-degree amendment offered by the Senator from Virginia.

The amendment (No. 2099) was agreed to.

The PRESIDING OFFICER. The question now occurs on the amendment by the Senator from Virginia as amended.

The amendment (No. 2098) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote by which the amendment, as amended, was agreed to.

Mr. NUNN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 2094

Mrs. KASSEBAUM. Mr. President, the question pending now is the Dole resolution; is that correct?

The PRESIDING OFFICER. The Senator from Kansas is correct.

Mrs. KASSEBAUM. Mr. President, I rise in strong support of the Republican leader's resolution. I think Senator DOLE has addressed this in a timely and important manner. I do not believe that we should be dropping the drug indictments against General Noriega at this point.

I also argue that the issue is larger than just whether these drug indictments should be dropped against Noriega at this time. The issue is how we have handled the crisis in Panama over the past several months.

Our present efforts are not merely ineffectual. Rather, I think they work against the return of democracy in Panama, against respect for our own judicial system, and against hemispheric harmony.

The publicity with which our efforts have been attended has made it diffi-

cult for Panama's neighboring governments to bring their own leverage to bear. I firmly believe those governments share our outrage over Noriega, but their popular sense of sovereignty has historically put priority on resisting the appearance of U.S. intervention. Our visibility has come to inhibit the potentially more effective pressures of Noriega's neighbors.

Ironically, our awkward recent attempts at negotiating have leached the moral strength of our position. They have done nothing to relieve the appearance of heavyhanded intervention. The result not only weakens our international image, but inhibits the efforts of others with an interest in a democratic Panama.

More important than even this, perhaps, is the damage done domestically to our own sense of justice. When negotiations include tampering with the integrity of our own criminal justice system, we are wounding ourselves in ways we may never fully appreciate.

Mr. President, our efforts, well-intentioned as they are, have been ineffectual. Now they threaten to become self-defeating and worse.

I urge we consider a policy that offers Noriega's opposition every rhetorical, diplomatic, and economic support they may request. We should consider a policy without negotiations, without concessions.

I suggest several things: Stop intervention in our judicial process, leave the indictments in place, and look forward to a day when they can be enforced. We should reassure Central Americans that the United States seeks no improper intervention in their determinations. Offer any assistance neighboring governments might ask in implementing a regionally conceived policy toward the crisis in Panama.

It is of paramount interest not only to our Latin American allies, particularly our Central American neighbors, but to ourselves.

However, I think a point has been reached when we simply must not continue to appear to be ineffectual and weak in these efforts.

I urge, Mr. President, the strong support in a bipartisan fashion by the U.S. Senate for the resolution put forward by Senator DOLE.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NUNN. 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. NUNN. Mr. President, I believe we are about to vote on the Dole amendment. I plan to vote for the

amendment. I must say, though, we still are going to have a difficult situation in dealing with the Noriega problem.

As I view it, the administration has painted themselves and, indeed, our Nation on this matter into a corner. So we have painted ourselves into a corner on the Noriega matter.

I believe that there is a strong suspicion by the Senator from Kansas, Senator DOLE, and many others, that the administration is about to hand the paintbrush to Noriega. As I view this amendment, it basically says the Senate should not permit that to happen, and the Senate should take away the paintbrush.

When we get through passing this amendment, as I see it, we will have expressed the Senate's sentiment that the paintbrush be taken away, but we are still going to be in the corner.

So I do not see that we are proposing or solving the problem that we have painted ourselves into. But, nevertheless, I plan to vote for the amendment.

Mr. DURENBERGER. Mr. President, H.L. Mencken once said that for every problem there is a solution that is simple, understandable and wrong. That's clearly the case with the Senate vote today. It seems simple, understandable—and politically correct—to declare that we will not stand for dropping drug charges against a corrupt political leader.

And so it is—short term. And politically correct short-term solutions are often easy—but wrong long term. Of course I'm horrified by the open drug-trafficking of this despot. Of course I want to send a message world-wide that we as a nation will not tolerate such action.

Mr. President, last year I authored Senate Resolution 239, approved by this body 84 to 2, which called for the ouster of General Noriega. My vote today is not pro dropping of the Noriega indictments, but rather it is anti throwing away our only bargaining chip in the high-stakes negotiation to remove Noriega from power and from Panama.

To further the goal of democracy in Panama, the first thing we must do is to get rid of Noriega. Every other goal is, of necessity, secondary to that objective. And the central issue is what we would get in return for dropping the charges. That must include an end to his despotic rule and conditions that allow Panamanians the freedom to choose their own government.

If the alleged deal to drop the indictment covers the political future of Panama, it is wrong, because the political future of the country must be determined by the Panamanians. But if we can help rid the country of this tyrant, we will have enabled them to make that determination.

Therefore, I will vote with what I assume will be a small minority against this amendment. The Republican leader's proposal may be good politics in a political year, but it's not good policy. I would encourage my colleagues to take a minute to think about the consequences of this action here today, and consider the costs of this kind of instant gratification amendment.

Foreign policy, by its very nature, presents many of the kind of solutions to which Mencken referred. I hope this body will pay attention to our well-established long term interests, rather than the temporary passions of the moment.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. Mr. President, I have sought recognition only to remind all Senators this will be a 15-minute roll-call vote, and the call for the regular order will be automatic at the conclusion of the vote, and I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

I also announce that the Senator from Delaware [Mr. BIDEN] is absent because of illness.

Mr. SIMPSON. I announce that the Senator from Vermont [Mr. STAFFORD] and the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

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

The result was announced—yeas 86, nays 10, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—86

Adams	Ford	Matsunaga
Baucus	Fowler	McCain
Bentsen	Garn	McClure
Bingaman	Glenn	McConnell
Bond	Gore	Melcher
Boren	Graham	Metzenbaum
Bradley	Gramm	Mikulski
Breaux	Grassley	Mitchell
Bumpers	Harkin	Moynihan
Burdick	Hatch	Murkowski
Byrd	Hatfield	Nickles
Chafee	Hecht	Nunn
Chiles	Heflin	Packwood
Cochran	Heinz	Pell
Cohen	Helms	Pressler
Conrad	Inouye	Proxmire
Cranston	Johnston	Pryor
D'Amato	Karnes	Reid
Danforth	Kassebaum	Riegle
Daschle	Kasten	Roth
DeConcini	Kennedy	Rudman
Dixon	Kerry	Sanford
Dole	Lautenberg	Sarbanes
Domenici	Leahy	Sasser
Exon	Levin	Shelby

Simpson	Symms	Weicker
Specter	Thurmond	Wilson
Stennis	Trible	Wirth
Stevens	Warner	

NAYS—10

Armstrong	Evans	Quayle
Boschwitz	Hollings	Simon
Dodd	Humphrey	
Durenberger	Lugar	

NOT VOTING—4

Biden	Stafford
Rockefeller	Wallop

So the amendment (No. 2094) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senate is not yet in order.

Mr. BYRD. I thank the Chair.

ORDER OF PROCEDURE

Mr. President, no amendments are in order now other than the amendment by Mr. D'AMATO, and the technical amendments that will be offered by the managers. If we might have some understanding as to whether or not we are going to debate the D'Amato amendment further and, if so, how long, I have indicated publicly and in response to inquiries by Senators, and the press that I intend to go to the INF Treaty today. I have not set a particular hour. But that is my commitment. And I will do everything I can to carry out that commitment.

But there should be resolution of the amendment by Mr. D'AMATO, one way or another, and I would be interested in hearing what Senators have to say.

For that purpose I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DOLE. Mr. President, I have been discussing what might follow on with a number of Senators, some very briefly. Obviously, we want to get on to the INF Treaty, No. 1; No. 2, it is not our desire nor Senator D'AMATO's desire to hold up the defense authorization bill. It has been done remarkably well by the chairman and by the ranking member. It has been an outstanding job, and in a very short period of time. We do not want to be the fly in the ointment.

So what we would like to do while Senator D'AMATO is maybe debating this, maybe just discuss with the majority leader or others an idea or two that we might have in an effort to end it on this side. I am certain there are many on the other side who share the same view as Senator D'AMATO.

If somehow we could put together an agreement whereby when the INF

Treaty has been disposed of that we could return to the D'Amato amendment as a freestanding bill as the first order of business, then I think we would be in the position, at least I could recommend to the Senator from New York, that he maybe withdraw his amendment from this bill.

I would be happy to discuss that privately with the majority leader, or with others. The majority leader and I are on the same side of this issue. Maybe I should discuss it with others first.

Mr. BYRD. I am sorry. I was engaged in a conversation.

Will the distinguished leader repeat what he said with respect to a freestanding measure?

Mr. DOLE. In my view, it would be satisfactory to the Senator from New York, the prime mover of this amendment, if we could reach some agreement that after disposition of the INF agreement, some time after disposition, that we could take up the D'Amato amendment as a separate, freestanding measure, and try to dispose of it. We would like to have a time agreement. If not, at least we would like it not be subject to a motion to proceed because we are not subject to that now. Then maybe we could file a cloture petition, have a vote on cloture, and see what happens.

I know, knowing the schedule and knowing what the leader has in front of him, the leader does not want to eat up a lot of time. But if I could, I would be very pleased to discuss it with some of the Members on the other side, and then maybe come to the majority leader and indicate what we have been able to work out if that would be helpful.

Mr. BYRD. Mr. President, following the vote on the treaty, whenever that comes, or perhaps even at some point during the debate on the treaty, we may have to deal with the matter of a Presidential veto of the trade bill which is exceedingly important in the eyes of a good many Americans, if not most Americans. And it is important, as is the INF Treaty. So if we are able to avoid in some way discussion of the override during the debate on the treaty, then certainly immediately after the treaty is approved, we would be back to the override.

I will do everything I can in working with the Republican leader and working with the Senator from Georgia and the Senator from Virginia, Mr. WARNER, in completing action on the DOD authorization bill today.

Perhaps something can be worked out. We must recognize the fact that the Senator from New York is within his rights to debate this amendment as long as he can stand on his feet, and not give up the floor.

I hope we can work something out whereby we could, because I intend to go to this treaty today.

I have never made a commitment yet that I have broken, I do not think, in the Senate.

So I intend to go to the treaty today. But it would seem to me that we should work out an arrangement whereby there would be a time agreement on a freestanding resolution, because just saying that, yes, we will call up a freestanding resolution, I do not know how difficult that is going to be, in light of the mountain of work that we face in this Senate.

There are only 74 days, including today, and including Saturdays, with the exception of one Saturday, October 8, until hopefully, we can adjourn sine die no later than October 8, and I would like to see us be able to adjourn sooner. But if we are going to adjourn October 8 and not have to come back after the election, I think we will have done very well.

In the meantime, we have 13 appropriations bills, and let us not forget that we have the United States-Canadian free trade area agreement, and we ought to know where we are going on the trade bill before we get to that agreement.

I would like to see welfare reform, and there are other numerous measures, most of which probably are not as important as those I have mentioned.

What I have said is that we have a very busy 74 days ahead, considering the fact that we have two conventions.

So, just to set this aside on the promise that we will have a freestanding measure, I think we should face up to this measure and quit running from it.

I happen to be on the same side on this matter as the Senator from New York [Mr. D'AMATO]; but if we are going to beg off on this bill and not have a vote, there are good reasons why we need to make some other arrangements at this point. We cannot just continue to put off and beg off on this question.

It is obvious that there are a great number of Senators here who want to have a decision on it.

So if the distinguished minority leader and others, myself included, can help work out an agreement whereby we can proceed to that freestanding amendment, without debate, and have a time limit on it, with a vote up or down, it would seem to me that it would be a good way to get on with our business.

Mr. DOLE. I thank the majority leader. We are going to work on that right now. Perhaps I could visit with those who have a primary interest and get back to the majority leader within the next 20 or 30 minutes.

Mr. D'AMATO. Mr. President, let me say again, for the benefit of my colleagues and for the benefit of the RECORD, that this Senator has no in-

tion of needlessly—I say needlessly—delaying the important work of this body, and it is important work.

By the same token, I think it is fair for us to underscore—and I say “for us,” because there are a substantial number of my colleagues who have joined me in this effort to bring up the matter of whether or not there should be a death penalty bill broader than that which exists already, as it relates to covering certain kinds of activities, premeditated killing as it relates to the criminal enterprise of the drug organization, the kind of reckless indifference to human life as characterized by this headline of last Thursday: “Drug War’s Terror Toll; Sleeping Woman Shot In Fusillade.”

The fact is that in both cases and in the case where there was premeditated, intentional killing, law enforcement officers and others, I think it is the overwhelming belief of this body, not just this Senator, that the appropriate deterrent should be the death penalty.

The fact remains that for a long time now, going back to at least 1984, we have been unable to get a vote on this because there has been the threat of filibuster. By the way, that is reasonable. That is part of the process of this body: that the minority, if they feel strongly upon a subject, can do all they wish as it relates to deterring the majority from moving forward. I do not condemn anybody for that. By the same token, I think we have to recognize that at some point in time, the majority has a right, particularly when it is more than 60 Senators, to have their voice heard.

So, while I respect the rights of the minority, or those who feel strongly in opposition to the death penalty—and they have a right to employ their rights, the procedures necessary to protect their interests and their points of view—I also think it is important that we now set forth here that that right should not be taken away from the majority. You can criticize that in any way, shape, or form.

If we can come to a suitable agreement, lay aside this amendment, to bring it up as a freestanding bill, with a time certain, so that we can have a legitimate debate and vote and resolve, that is something this Senator believes would accommodate not just the Senator alone but the majority, and get a determination from this body, not one person, and recognize that this is a matter that has been debated, and debated, and debated. The will of the majority, I believe, has been thwarted quite effectively until now.

This Senator does not intend to yield to the kind of pressure that would continue the will of the majority or the majority’s point of view being thwarted. I say that quite candidly. There are others who may want to express their opinion here. I certainly have no objection to that. But,

again, I will say that when it comes to this kind of terror killing—“Drug War’s Terror Toll; Sleeping Woman Shot”—they just scraped the building, shot into the building indiscriminately. If that is not reckless indifference to human life, and it is proven, it seems to me that the person who killed this person should be subject to the death penalty.

When it comes to the case of Eddie Byrne, a police officer who was deliberately, premeditatedly assassinated, if you get the person who pulled that gun, who gave that order, it is this Senator’s viewpoint that that person should pay with their life, with no mitigating circumstances, and if there are, let the jury decide. We should not decide here. I think certainly a jury should decide whether or not the death penalty would be applicable in those cases.

Mr. President, I want to serve notice that this Senator is determined that we will get a vote on our bill, the death penalty bill, as it relates to those who are dealing in drugs. If we do not get it today, if we do not get it tomorrow, I hope we can agree to a time certain, so that we can get on to other important business.

Let there be no mistake that this Senator is determined not to yield until we resolve this issue.

AMENDMENT NO. 2071 TO AMENDMENT NO. 2070

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 Chair assumed that the Senator has received a sufficient second for the yeas and nay on the second-degree amendment.

Mr. DOLE. The yeas and nays have been ordered?

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. The yeas and nays have been ordered?

The PRESIDING OFFICER. On the second degree amendment, the yeas and nays have been ordered.

AMENDMENT NO. 2070

Mr. DOLE. Mr. President, I ask for the yeas and nays on the first-degree amendment.

The PRESIDING OFFICER. Is there objection that the yeas and nays be ordered on the first-degree amendment?

Without objection, it is so ordered.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Republican leader.

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

The PRESIDING OFFICER. The clerk will call the role.

The legislative clerk proceeded to call the roll.

Mr. NUNN. 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. NUNN. Mr. President, I realize we are not through with this bill. I am, I guess, on the optimistic side that perhaps we are going to be able to finish it today. I would just like to give the Members some idea of what we have done thus far, since we are down to one amendment. If we can work out that amendment in some fashion, schedule it later or have it withdrawn in some some fashion, then we will be able to vote on final passage on this bill today.

Mr. President, as the Senate concludes the debate on the fiscal year 1989 defense authorization bill, I particularly want to thank Senator WARNER and all of our colleagues on the Armed Services Committee for an extraordinary amount of hard work this year, both in the committee, subcommittee, and on the floor.

Since January the Armed Services Committee has held 32 hearings on NATO defense and the INF Treaty. Many of those hearings lasted 4, 5, 6, some of them 7 or 8 hours.

We conducted seven markups on the report that the committee made to the Senate on the treaty. So we have had a tremendous load on the INF Treaty and, of course, the Foreign Relations Committee has also had a tremendous load, as has the Intelligence Committee.

In addition to that, we held a total of 45 full committee and subcommittee hearings on the amended fiscal year 1989 defense budget. We spent a week and a half in April marking up the bill in subcommittee, as well as the full committee, and we reported the bill to the Senate on May 4.

The Senate began debating this bill on Monday, May 9. We have debated this bill for 7 days and, of course, into the evening on several occasions. We have handled more amendments in less time than ever before.

Senators might be interested to know that we have disposed of 93 amendments on this bill. There have been an additional 53 amendments that have been listed that we have had to deal with and prepare for that have not been taken up. So we have dealt with, in one fashion or another, 146 amendments. Ninety-three of the amendments have either been acted on or withdrawn or disposed of. Sixty-two amendments passed by voice vote, 5 passed by rollcall vote, 14 have been tabled by rollcall vote, 2 have been ruled out of order, 6 were withdrawn, 2 failed to be tabled by rollcall vote, and 2 second-degree amendments fell

when the first-degree amendments were tabled.

We have had, I would say, about as equitable a sharing here as we could in terms of who sponsored the amendments. We have had 48 amendments offered by Democrats and 45 offered by Republicans.

I would say the Republicans won that one. I think the side that offers the least amendments, as far as the floor manager is concerned, wins. So I praise the Senator from Virginia for exercising more restraint on his side than we were able to muster on this side.

I think Senators will also be interested to know that May 17 is the third earliest date the annual defense authorization bill will have passed, if we pass it today, in the last 20 years. In my view, one of the main reasons the Senate has been able to act promptly on the bill this year is the fact that last year Congress approved, for the first time, a 2-year Defense Authorization Act for fiscal years 1988-89.

The budget request by the Defense Department submitted this year was a revision or an amendment to the second year of last year's 2-year budget request. Our committee's review of the amended fiscal year 1989 budget request was carried out more promptly and efficiently because of our work last year.

I would also say a major reason that we were able to move this quickly this year was the 2-year budget agreement that was entered into between the White House and the congressional leadership on both sides. Had that agreement not been entered into, we would not have had a budget resolution, we would not have had an overall defense number, we would not have had an outlay number, and our bill, even if we had it before the Senate, would not contain an outlay total that would comply with the budget resolution.

I do not know how many people really know—the staff on both sides understands this—how difficult it is to figure outlays—that is, how much is going to be spent in this fiscal year—and actual dollars spent on a defense authorization bill, which authorizes budget authority for the Department of Defense to go out and contract expenditures for programs and procurements that may last anywhere from 3 years to 7 years. In other words, not only is this bill, which I hope will pass today, within the budget authority totals by the budget summit last year, it is also within the outlay targets, which means the actual dollars we will spend on defense this year from the Department of Defense.

Last fall's deficit reduction agreement provides further proof of benefits of a 2-year budget cycle. If we were able to have an executive-congressional kind of overall framework

agreement on a 2-year budget at the beginning of a cycle with the domestic and defense totals at least being laid out, it would make an enormous difference in how effectively and efficiently we are able to handle that on the floor of the Senate and the House for the next 2 years and, in turn, that will make an enormous difference in the way the Defense Department is able to plan and program.

So if anyone wants to say that procedures are not important, let them look at the procedures here. Procedures turn into hard, cold dollars saved for the taxpayers. Procedures that are effective and efficient turn into more military capability for our men and women defending this Nation. And when procedures are inefficient, we have just the opposite. We have money wasted and we have an awful lot of military effectiveness that is dissipated because we are not able to act in front of a problem rather than have the problem run over us.

Last fall's deficit reduction agreement was very important in that respect. Because of that agreement, we started this year with a consensus on the overall level of national defense spending for fiscal year 1989. This consensus is allowing the authorization and appropriations processes for defense programs to proceed in a much more orderly and timely manner this year—so far. I have been here long enough to know that you can always get a hitch. We may have a hitch yet on this bill. But I hope we will continue on the path we are on.

As I indicated in my opening remarks on this bill, Secretary Carlucci has stated that he intends to submit another 2-year budget for the Defense Department next year.

I also wish to pay tribute, in this respect, to former Secretary of Defense Weinberger, who started this 2-year budget process in the Department of Defense in response to congressional initiatives but, nevertheless, did it very enthusiastically. He started the process at a time when it did not appear that there was a great deal of support for it. I believe former Secretary of Defense Weinberger is due a vote of thanks in this respect by all of us.

Our committee remains committed to making further progress in implementing a 2-year budget for the Defense Department. We will continue to work to convince others in the Congress, both in the authorization committee on the House side—and they have been very cooperative thus far—and in the Appropriations Committee, that that is the way we ought to be going for as much of our expenditures as we can; not all of it, perhaps, but as much as possible.

I also think there is a lesson here for other committees. I believe the whole Federal budget process would work

much better if we approached it 2 years at a time.

I wish to thank the ranking member of the committee, Senator WARNER, my good friend, who has been my partner in managing this bill on the floor. Without Senator WARNER's leadership and assistance, we truly would not have been able to get the bill out of committee in the fashion it came out, let alone handle it as effectively as we have on the floor. So I thank the Senator and his very capable staff for their splendid cooperation.

I also want to thank the chairman and ranking members of the subcommittees for their work in the committee and on the floor in moving this bill along. I particularly want to thank Senator EXON, Senator DIXON, Senator SHELBY, and Senator QUAYLE for the many hours they spent in the floor manager's seat over the past 7 days.

Senator DIXON and Senator QUAYLE undertook the mission of helping us arrange the timeframe for these amendments, and it has greatly expedited the process.

When you are a floor manager here, you are dealing with the substance of not just one amendment but usually about 10 or 15 amendments at one time. You are trying to hold a conference with various people. You are trying to get the essence of their arguments for their amendments. You are trying to make a judgment about whether to recommend its passage.

While you are doing that, it is virtually impossible to be very effective in lining up the next amendment. So the result of that, usually, is the floor managers have a difficult time keeping the business moving. Senator DIXON on our side, I think, did a remarkable job. He spent many hours on the telephone, telling Senators what the status was and giving them an opportunity to come to the floor, urging them to come to the floor. And Senator QUAYLE did a lot of that very important work on the Republican side.

Mr. WARNER. Mr. President, would the distinguished chairman add Senator McCAIN? He spent many hours, too.

Mr. NUNN. I certainly will. I think Senator McCAIN did a wonderful job here and I am delighted the Senator from Virginia called my attention to that because he was very, very helpful.

In particular I want to thank the majority leader, Senator BYRD, for his help and assistance getting this bill completed. When we brought this bill up a week ago Monday we did not expect to be at this stage on the following Tuesday morning. As I mentioned, we are not through yet. We have another possible hitch but I think we have at least an opportunity to finish today and none of us would have thought we would have been able

to have completed this before the INF Treaty, understanding the INF Treaty was and still is the priority, when it has become ripe. And it now has become ripe for Senate consideration.

I am very grateful to the majority leader not only for scheduling it but for his tremendous leadership in helping us move this bill. Without his help there would simply be no way to do it.

I think too many people do not understand the tough job that being majority leader is. When they are out here on this floor and have to manage a bill, as I know the Senator from Mississippi has done for years and years and years, he has managed bills on this floor, they then begin to understand the tough job, sometimes the thankless job of being majority leader.

It is very difficult to perform that job. I think we are all, in the future, no matter who the next majority leader may be, whether it is a Democrat or Republican—that will depend on the makeup of the Senate of course—but no matter who it is we are going to look back and we are going to say: This majority leader did a marvelous job for the U.S. Senate and for the Nation.

I realize that. I realized it for some time but I realize it more having managed this bill for several years, than I ever realized it before.

Mr. Leader, I say thank you for the splendid job you do for this institution and, indeed, for the Nation. No one is more attentive to our national security than the Senator from West Virginia. He not only helps us procedurally but he helps us substantively and we are very grateful for that.

We face a difficult conference with the House.

Mr. STENNIS. Would the Senator yield me 1 minute's time?

Mr. NUNN. I would be delighted to yield.

Mr. STENNIS. Mr. President, I want to use that time in warmly thanking these gentlemen here who have done this fine job with this bill, thanking them for the other 98, the rest of the membership.

I have some vague idea of the enormous amount of work and responsibility they carried, day and night, and looked to the future with courage and met some conditions that needed that modification. The country will profit from those conditions being remedied and changed, for many years to come.

I feel happy for the body. This is appreciated by the membership. It is realized and appreciated by the entire membership. It is really a great body, and I am delighted to have a chance to see what was accomplished. In years to come, we will all see the good that it did, the truth that it brought. I congratulate them and their staffs for what they have done.

Thank you very much.

Mr. NUNN. I thank the Senator from Mississippi. No one knows better than the Senator from Mississippi the importance of this bill and the difficulty of moving it all the way through the legislative process.

The Senator from Mississippi has handled this legislation and been in this spot more hours and days and nights than anybody in the history of the Armed Services Committee. So he has done a remarkable job over the years and has been dedicated to our national security. He still is. He still occupies that very, very important role of being chairman of the Appropriations Committee. And we are delighted and honored to work with him on a daily basis so I thank him for his comments.

Mr. STENNIS. If the Senator from Georgia would yield to me for just a half-minute I want to warmly thank him for the remarks that he has made. One of the marvels that I have seen in the years that I have been here is his development, here, and achievements. He is still in motion going the right way. I want to name for identification, here, the Senator from Georgia, and also the Senator from Virginia, as being the ones that I referred to a few minutes ago, the head of the staff seniors, that put over this marvelous job over a year, legislative year. So they were the ones that I have been referring to, by name, and I repeat those sentiments.

Thank you very much.

Mr. WARNER. Mr. President, if the Senator from Georgia would yield, it is a very special privilege for us both to be here on the floor with the mentor that taught us what we know and taught us how to guide the Senate in the consideration of the importance of the Armed Services Committee bill. We learned at his elbow.

Mr. NUNN. One correction I would make. He taught us the good things we know. I would not want to attribute anything other than the good things to him because he set a very fine example.

While we have Senator STENNIS and Senator THURMOND on the floor, both of them having been champions of our national security for many, many years, I think the Members might be interested to know what happened back in 1969. This year Senator WARNER and I have spent 7 days on the floor; last year we were 15 days on the floor. When we get through we are worn out, we feel like we deserve a little break.

Senator STENNIS managed this bill on the floor in 1969 and Senator THURMOND was right there, at that time, for 37 days. Thirty-seven days this bill was on the floor.

The next year, in 1970, there was debate on this bill for 28 days on the floor. Of course that was during the Vietnam war period with an awful lot

of emotions. But I have some appreciation, having spent 7 days on the floor this year and more time in previous years, but nothing like that, what a terrific job and responsibility that was during that very difficult period.

So, I thank, personally, the Senator from Mississippi as well as the Senator from South Carolina, while they are on the floor, for that tremendous leadership they have given our Nation on behalf of the men and women in our military services, and those who have served in the past.

Mr. THURMOND. Mr. President, would the Senator yield?

Mr. NUNN. I would be glad to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I have been on the Armed Services Committee now for over 30 years, and I have never seen a bill handled more expeditiously than it was handled this time.

I want to commend the able Senator, the chairman of the committee, Senator NUNN, of Georgia, and the ranking member, Senator WARNER, from Virginia, for their good work.

I also want to say that no man in the Senate has served more faithfully and capably in armed services matters than the distinguished Senator from Mississippi. I worked with him all these years. He was a member of the Armed Services Committee when I went on there and, as I say, I have been on the Armed Services about 32 years. It has been a pleasure to work with him and assist him in every way I could.

Again, I want to compliment the distinguished chairman and ranking member here, and I also would like to express my appreciation to the able majority leader. He has always been courteous, he has been helpful; and that is a thankless job.

Just as you said, it is a tough job. It is the toughest job in the Senate. The able Senator from West Virginia, the majority leader, has done this and done it in a very fine, respectful, and able manner.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, we thank very much our distinguished colleague, the senior Senator from South Carolina. Indeed, we learned at his elbow through the years and will continue for many more to have the privilege and the benefits of his wisdom, he having served in World War II with distinction and having risen to the rank of major general in the Reserve Forces of the U.S. Army.

So he is a man who brings to the Senate not only the wisdom of the people of his State but the benefit of his experience, having worn the uniform of the United States for many years.

We thank our distinguished colleague from Mississippi. Things seemed to be a little simpler when I came to the Senate and he presided over the Armed Services Committee. I suppose we are the ones at fault for making it more complicated now.

Many times have the chairman and I gone back into the offices of the majority leader at points during the course of the consideration of this bill and other bills when it seemed almost impossible to move but somehow he and the distinguished Republican leader always find the means by which to keep major pieces of legislation such as this one on track and moving forward. We owe him a great debt.

And to my dear friend and distinguished chairman, he is too modest to praise himself so on behalf of all members of the committee, staff, and indeed the Senate as a whole, we pay our respects to him.

Mr. NUNN. I thank the distinguished Senator.

Mr. THURMOND. Mr. President, I wish to thank the distinguished Senator for his kind remarks.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. BYRD. Will the Senator yield?

Mr. NUNN. I will be glad to yield.

Mr. BYRD. Mr. President, I will not take much time, but having been around this great institution for 30 years, I have had the opportunity to see some great chairmen of this Armed Services Committee. I sat on the Armed Services Committee when Richard Russell was chairman of that committee. I took the seat of Lyndon B. Johnson when he left that committee and became Vice President of the United States. I think most every Senator in this body knows of my reverence for the late Senator Richard Brevard Russell from Georgia.

I also possess a great reverence for the Senator from Mississippi, Senator STENNIS. He made an impression on me the first day I walked into this Senate. It was a good impression, and it was well placed. He has always epitomized integrity at its best.

When I first came to the Senate, Senator THURMOND was on this side of the aisle. I once heard Senator RUSSELL say of Senator THURMOND, "He is absolutely fearless." Fearless. I have found him to be such. I have also found him to be fair to all, and a great patriot. We hear the word "patriot" a good bit these days. Senator THURMOND fulfills the definition of the word very well.

I have seen good ranking members of committees. Senator WARNER is a ranking member who is never arbitrary, who is always patient, willing to listen to the other person. He is reasonable. He is a good man with whom to work. He helps a chairman in his important capacity as ranking

member. He is the top man on the other side of the aisle on the Armed Services Committee, and these two make a good team. Without his cooperation and teamwork, we would not make progress on this bill.

I do not suppose anybody watches this Senate and watches Senators like I do and like I have for 30 years, at least 22 out of those 30 years when I have been in the leadership one way or the other. I have to say, in all modesty, that I have been the majority leader, so far as floor battles are concerned, for 22 years. The distinguished predecessor of mine, Mr. Mansfield, was in fact the majority leader, but he had no love for the rigorous floor work dealing with rules and precedents, so I have been on the floor for 22 years, 10 years sitting at his elbow, and I have seen Senators come and go. I have seen Senators who did not know how to manage a bill. I have seen Senators whom I had to prop up. They were the managers of bills. I had to prop them up to keep them going, pushing them.

A few Senators are not like that. I could name more than one, but I am only going to name one today. That one is the Senator from Georgia, Mr. NUNN. In my judgment, he is a Senator who, from the day he walked into this Senate, marked himself in the eyes of the rest of us as a man to watch, a man to listen to. It was not very long until we knew that, indeed, he was a man to watch, and it was not long until I decided that he was a man to whom I should listen on matters concerning national defense.

The Apostle Paul said, "Walk in wisdom toward them that are without. * * * Let your speech be always with grace, seasoned with salt."

This chairman follows the creed that is laid down in that great scriptural passage—walk in wisdom toward them that are without.

He is wise because he does his homework. On any matter concerning our national defense, I am going to go to Senator SAM NUNN and see what his opinion is. When he speaks on this floor, I am going to turn my chair around and listen to what he says. If there is only one other Senator found around here—and there will be others—when SAM speaks on national defense, it will be ROBERT BYRD, unless there is a constituent from West Virginia calling me to come off the floor.

But Senator NUNN demonstrates that he knows his subject, he knows what he is talking about, and it is not by a process of ossification that one is able to demonstrate that kind of knowledge. He speaks always with grace. He is reasonable. He is fair. He may not agree with me or another Senator, but he always has the courtliness to listen and to accord the other individual the right of his viewpoint. He displays that kind of intellectual integrity that excites admiration. And

then he speaks always with salt. One knows that underneath that courtly approach there is a firm hand on the controls; there is a steady hand there; there is a strength there; and there are convictions.

I take great pleasure in commending him and the ranking member because they are entitled to commendations and thanks from all of us. To have so skillfully managed a bill of this kind for 7 days, to have disposed of 93 amendments and to have handled 53 other amendments, a total of 146 amendments, one way or another, and to be at the point now of voting for final passage with the exception of one pending problem which will, I am hopeful, go away for another day during this day, they have demonstrated again the necessity for and the value of teamwork.

There is no more important bill than this bill.

I have often said I did not want to give SAM NUNN up to be Vice President of the United States, but I think everybody can readily see that I could make a fairly good nominating speech, certainly one within my limitations.

But I again compliment Mr. NUNN and Mr. WARNER, and I think the Senate and the nation are fortunate to have men like Senators Russell, STENNIS, THURMOND, WARNER, and NUNN to help guide us in these momentous days and the eventful days ahead. But I have always believed that as long as God is the Lord of a nation, that such nation would be blessed. We are told that. I hope and believe that this Nation will continue to be blessed in the days and years ahead, if we but place our faith first, last, foremost, and solidly in the rock of the Great Mathematician, the Great Physician, the Great Ruler of all the universes that have been, still exist, and are to come. If we trust in Him, He will raise up leaders who will guide this Nation and it will continue to be blessed in the years ahead.

I yield the floor.

Mr. NUNN. I thank the Senator from West Virginia for those remarks which I will always treasure.

Mr. WARNER. Mr. President, I likewise thank the distinguished majority leader for his remarks, and I shall likewise treasure them.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, the Senator from Virginia and I would like to rest a little bit but we cannot do that because if and when we pass this bill today, and I hope we will pass it today, I am told that we have 300 to 400 languages differences with the House bill.

We have 400 to 500 funding differences with the House bill. Everyone knows that when we make laws, we have to have a conference report, a

conference report has to be agreed on by the House and Senate, and it has to be identical. So we have about 700 matters to take up in conference.

The sooner we get this bill passed, the sooner we can start that conference. We will probably take several weeks in the conference. I have talked only briefly with Congressman ASPIN. I know they have been working very diligently on the House side, Congressman ASPIN, Congressman DICKINSON, and others, and we will be hopefully meeting them in conference some time next week.

So, Mr. President, I would just close by saying that I am very grateful to the staff. We have, I think, the finest staff in the Armed Services Committee that I have ever served with. In some instances, the staff has come from previous chairmen. We have operated the staff for a long number of years to the maximum extent possible on a bipartisan basis. We now have Arnold Punaro, our staff director on the majority side, and Arnold and his whole team have done a tremendous job this year. They were able, as I mentioned a few minutes ago, to devise a software computer program which I will not explain because I cannot. That program was developed by Mike McCord of the committee staff. It basically allowed the staff to immediately tell us the outlay implications for every budget authority item. So if we were voting on an amendment that would add two aircraft carriers, or a destroyer, immediately they could tell us not only the budget authority over the years but the implications to the dollar for the outlays for this year.

We have never had that challenge before, as I mentioned, because we have not had the budget resolution out front before. This bill is in tune with outlays. We have been able to get the outlay implications immediately for every amendment introduced on the floor. That enabled us to stay within the ceilings and to make sure that the Senators understood the fiscal and budgetary implications of what they were doing with the amendments.

So the staff has done a tremendous job. I thank Arnold Punaro, David Lyles, Jeff Smith, John Hamre, Andy Affron, and others who have been here on the floor and behind the scenes helping us in every way possible.

I also want to pay tribute to Carl Smith, Pat Tucker, and the minority staff.

Mr. WARNER. Bob Bott and others.
Mr. NUNN. Bob Bott. I agree with the Senator. They worked together—

Mr. WARNER. As a team.
Mr. NUNN. As a team.

Mr. President, with that, having made this speech, I think it is essential that we pass the bill now. If we do not

pass the bill, all of these words have been wasted, and I do not want to put any pressure on anyone but I would hope just as soon as possible we can resolve the D'Amato amendment, and delay argument on that for another day, and move on to pass this legislation which, hopefully, will go along with the speeches to the House of Representatives so we will be prepared for conference.

Mr. WARNER. Mr. President, the only mild disagreement I have with the distinguished chairman is I do not think the words would be wasted. They just have to be repeated. So we are about to, I think, learn from our colleagues about the current situation with respect to the amendment of the Senator from New York, Mr. D'AMATO.

Mr. BYRD and Mr. FOWLER addressed the Chair.

Mr. BYRD. I would ask when Senators have completed on this bill, and there is a gap, that we have just a little morning business. And I would like to make another speech on another subject.

I yield to the Senator.

The PRESIDING OFFICER (Mr. KERRY). The Senator from Georgia.

Mr. FOWLER. I did not understand the majority leader. I was going to speak as if in morning business. But I yield to my leader if he wanted to make a statement.

Mr. BYRD. Mr. President, I thank my good friend, Senator FOWLER.

I will be brief.

Mr. BYRD. Mr. President, has the Pastore rule run its course?

The PRESIDING OFFICER. The chair is advised that the Pastore rule expired at 10 minutes after 12.

Mr. BYRD. I thank the Chair.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that there now be a brief period for the transaction of morning business with Senators permitted to speak therein.

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

IN LIKE A LAMB

Mr. BYRD. Mr. President, this morning the Commerce Department released the figures on the March trade deficit. The March deficit joins a river of red ink that flows through the whole of this administration. The glimmer of silver in this cloud, Mr. President, is that the deficit dropped just over \$4 billion from February's \$13.8 billion to March's \$9.75 billion. Fifteen years ago that would have roughly matched our trade deficit for an entire year—\$9.75 billion for the entire year.

Turning that into good news is like making a mountain out of a molehill, or a silk purse out of a sow's ear.

A close look at the details of trade is no cause for comfort. The broad increase in exports is genuinely good news. But about 20 percent of the increase stemmed from gold sales. That is the kind of rose that does not make for a financial summer. What is most disturbing is the actual rise in overall imports despite a drop in the price of oil and a \$600 million fall in oil imports. Manufactured imports also rose by more than a billion and a half dollars. In one category of machinery after another the United States continues to experience large deficits. Machine tool imports now command a substantial share of the American market. When we talk about machine tool imports commanding a substantial share of the American market, we are talking about the national security of this country because without machine tools, we do not have ships, submarines, tanks, guns, planes, and missiles. When we are put at the mercy of other countries for our machine tools, we are putting our national security interests in other hands.

Where there once was strength, there is a growing dependence, and it is about time we woke up as we say because we are not going to be waking up to good morning in America if this trend continues. It is already late.

The \$9.75 billion deficit adds another hill to our mountain of external debt. At the end of last year, Mr. President, our net external debt had passed the \$400 billion mark—\$400 billion mark. That is \$400 for every minute since Jesus Christ was born—\$400 billion. \$400 for every minute.

It was not long ago that this country was the world's largest creditor, and today this country is the world's largest debtor. We are in hock to the other countries of the world, and it is about time we began associating our trade deficits with our national security.

The debate is no longer protectionism versus free trade. That is not the debate any more. The debate should be on our national security, because we must learn that national security is infinitely tied with economic security and that trade policy is the foundation stone of that economic security. We are failing the American people when we fail to see that and when we fail to act to do something about it.

This trade deficit means more than just dollars in terms of exports versus imports. It adds up to economic security and to national security, and the American people are going to catch on to the fact one day that economic security is the backbone of military security and that we are in hock to the other countries of the world. The great United States of America, Uncle Sam, in hock to foreign investors, foreign countries buying up assets of this country. How much longer will we be in control of our own house? That is

what this is about. When are we going to get control of our own house? When are we going to put our own house in order?

We are on a defense authorization bill. We have been talking about the national defense. But who is talking about trade? Who is talking about foreign countries, foreign governments, foreign investors gaining the upper hand? They are buying up American assets. They are buying up American real estate. They are buying our bonds. They are buying our financial paper, and they are getting the upper hand.

The machine tools industry may not employ very many people. But if we ever get into a war and have to depend upon Japan for our machine tools, then what we are doing is putting our lifeline in the hands of somebody else, putting it into the hands of another country—machine tools that are so vitally needed to build the precision instruments, to build the instruments that are necessary for this Nation's defense.

Month by month, year by year, we are forging a chain of debt that we will have to drag into the future. Our financial markets keep a nervous eye on the intentions of foreign investors. When the Germans or the British or the Japanese are not buying our bonds, interest rates turn up and the financial markets are poised for a fall.

In a very real sense, Mr. President, we are forcing our Treasury to do the tincup two-step in one financial capital after another, running from one capital to another with a tincup in our hands.

It is time we got off this financial roller coaster where trade figures go from bad to worse and back to bad again. The President can take a long step in the right direction by signing the Omnibus Trade and Competitiveness Act. The trade bill will help open new markets for American exports. It builds long-term competitiveness with investments in individuals and innovation.

It would help to educate the young people of this country so that they can compete in tomorrow's markets. It enhances and emphasizes the education of our people. It emphasizes engineering and math and science and foreign languages. It faces the fact of economic change. Instead of clinging to the forms of the past, the trade bill promises workers new opportunities through education, training, and decent notice of a plant closing or mass layoff before the wolf is at the door.

Not only does it promise the employee who is about to receive the pink slip, but also, it promises and gives notice, fair notice, decent notice, to the communities—to the communities that are about to be injured by a plant closedown.

Times have changed, Mr. President. We are in a time when fighting foreign protectionism is the best way of fighting protectionism at home. It is an era when our ability to lead the free world is linked to our ability to compete in free markets.

Congress has worked for years to craft the Omnibus Trade and Competitiveness Act. Time and again, we have walked an extra mile to strike a compromise with the administration. The administration has not wanted a trade bill. The administration had 6 years in which they were in full control of the Senate. They did not want a trade bill. They could have had one. But we, who were in the minority then, wanted trade legislation. We could not get it. We could not get it to the floor. Who is to believe that the administration really wants a workable, effective trade bill now?

Now, at the 11th hour, our President wants to turn back the clock by denying workers a little warning that they are about to lose their jobs. I would hope that the President, who has been known to change his position at the 11th hour, will change it again. I hope that he will see that the long-term national interests require that he sign this bill, that he sign the bill that has been sent down to him. If he wants a trade bill, he can have it.

There are those who are talking about another trade bill already. Mr. President, this bill is alive and it is well, and the President can either be the undertaker or he can be the physician who gives it the stamp of approval. Its pulse is normal and its breathing is normal. Its blood pressure is normal. Its temperature is good. It is alive and very, very well and kicking.

It is like the boys who thought they would tantalize the old philosopher. They approached him and said, "Let's fool him. Let's take this bird in our hands, and we will ask the old man if the bird is dead or alive. If he says it is alive, we will crush it. If he says it is dead, we will open our hands, and it will fly away."

The President has it in his hands. It is alive. He can crush it or he can let it live.

Today, the Senate will turn its attention to the INF Treaty. As I said yesterday, I feel it is a good treaty. It is much better than it was when it was first sent to the Hill, and that is a tribute to both the Senate and the administration, the administration negotiators who went back, put their hands back on the plow, and the Senate insisted through its committees that there were loose ends that needed to be tightened.

I hope that the treaty will be approved for ratification. And it is not beyond the limitations of reason to feel that it is possible to approve the ratification before the President leaves for the summit. I have always

said from the beginning that should not be our main goal. But that is still possible, consistent with thoroughness and with adequate debate on substantive matters. I think the Senate ought to take whatever time is needed. But beyond that, any delay for the sake of delay is certainly not one of the approaches I would embrace.

By the Senate's approval of ratifying of the treaty and the President's signing of the trade bill, the President could depart for Moscow with two triumphs in his hands, two packages in his pockets, both sides bulging, one with the treaty with a blue ribbon on it, the other the trade bill.

It would show the Congress and the executive working together for peace and prosperity. What would make a better impression upon Mr. Gorbachev and the Soviets than that, a Nation in which the Congress and the executive work together in the interest of peace and arms control, prosperity and jobs, and national security for this country. That is what the arms control treaty is all about, as a matter of fact. We are trying to advance the cause of peace.

So, Mr. President, I say to Mr. Reagan most respectfully—sign the bill. Sign the bill.

THE PRESIDING OFFICER. The Senator from Georgia.

Mr. FOWLER. Mr. President, I commend the majority leader on his eloquent testimony to the national interest. We sometimes forget, as he pointed out, that in our deliberations over the Department of Defense authorization bill, as important as the military security of our country is, that the national strength of our country is made up not only of our military might, as important as that is, but it is the ability of our Nation to feed itself, our agriculture policy, to clothe itself, our textile and apparel, trade policy, and the ability of our country in world markets to compete, not as a debtor nation, but harnessing all of the resources of this great Nation on behalf of the American people. That is what leads to security.

We are thankful for the majority leader's eloquence, which comes after his leadership, in making the case for why the President of the United States, to enhance all of our security in all of its dimensions and increase the national strength of our country for the least of these, our brethren, should sign that bill and have those two accomplishments in hand, the ratification of this treaty, if it is the Senate's will under our constitutional obligation, and the trade bill in hand.

And I would like very much to associate myself with the majority leader's complete remarks.

Mr. BYRD. Mr. President, I wish to thank the distinguished Senator from Georgia for his generous and very charitable remarks.

Mr. FOWLER. I thank the leader.

SOVIET ADM. SERGEI GORSHKOV

Mr. WARNER. Mr. President, I rise to include in the RECORD of proceedings today a copy of an obituary of Soviet Adm. Sergei Gorshkov. I do so not in any way to praise him or to eulogize him but I think it is important to record for history the record of this most unusual individual.

In 1970, at the time I was Under Secretary of the Navy, I was designated by the President and the Secretary of Defense, the chief negotiator of the Incidents at Sea Agreement which was to be at that time an executive agreement between the United States and the Soviet Union governing the operations of our naval surface and air units on the high seas throughout the world in the proximity with elements of the Soviet naval surface and air.

Those negotiations took place over a period of some several years. My principal counterparts in the negotiations were Admiral Gorshkov and his deputy Admiral Kuznetsov.

During the course of several trips to the Soviet Union, indeed the last trip being in May 1972, when I accompanied President Richard Nixon to Moscow for the purpose of the signing of SALT I and the ABM Treaty accords, I had extensive visits with Admiral Gorshkov.

This obituary, I think, captures his contribution to history. I quote part of it:

One Western expert characterized him as the father of the modern Soviet navy, and another as having done more for the navy than anyone since it was founded by Peter the Great. His vision and energetic lobbying were the driving force behind the Kremlin's decision to build up its fleet.

When Adm. Gorshkov took command of the navy it was little more than a collection of small coastal craft and river vessels that rarely strayed far from base. Its responsibilities were to protect the homeland from amphibious invasion and to aid the Soviet Army in its operations.

Today as we all know full well the Soviet Navy sails the world's oceans from Baltic, Barents and Black Sea and Pacific Ocean bases and from installations in allied states such as Cuba and Vietnam, and maintains a powerful surface presence in the Mediterranean. Its nuclear missile submarines form the second most important strategic arm of the Soviet armed forces.

This is the man that is credited for creating the modern Soviet Navy. He was their chief for over a quarter of a century and even after his retirement it is reported in here that he came to his office in naval headquarters almost on a daily basis.

In a 1975 interview with the Washington Post, retired Elmo R. Zumwalt, former chief of naval operations—

Who was chief when I later became Secretary of the Navy—

was asked who he believed was the most effective naval leader of modern times, Zumwalt replied "Sergei G. Gorshkov."

Zumwalt said Adm. Gorshkov transformed the Soviet navy from a bunch of pitiful coastal boats under the army's control to a first-class fighting force, challenging American Navy supremacy throughout the world.

During the course of the 2 years that I worked with Admiral Gorshkov on the Incidents at Sea Agreement, he did display at that time, in those days, a remarkable talent, and he was a visionary in terms of naval history.

And this biography in more detail than I recited reflects those achievements.

In May 1972, when the President was there, the day before SALT I was signed, Admiral Gorshkov and I signed on behalf of our respective nations the Incidents at Sea Agreement which agreement has worked and worked extremely well to protect our navies from accidental intrusion on the high seas and in the air spaces above the oceans of the world.

I think it is important that the RECORD reflect the passing of this naval person and that scholars have the opportunity to read about his accomplishments.

Mr. President, I ask unanimous consent to have Adm. Sergei Gorshkov's obituary printed in the RECORD.

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

[Washington Post, May 15, 1988]

SOVIET ADM. SERGEI GORSHKOV, BUILDER OF MODERN FLEET, DIES

(By Richard Pearson)

Sergei Gorshkov, 78, admiral of the fleet of the Soviet Union who as navy commander-in-chief from 1956 to 1985 directed its growth from a small coastal force to one of the two most powerful naval forces in the world, has died.

Tass, the official Soviet news agency, announced yesterday that the admiral had died Friday. Tass did not report the cause or place of his death.

Kremlin authorities saluted him in an official obituary as a talented organizer who displayed "courage, will and fortitude" in combat. His obituary was signed by the Central Committee of the Communist Party, the Presidium of the Supreme Soviet and the Soviet Council of Ministers.

Adm. Gorshkov continued to work in a post of responsibility at the ministry until his death, Tass said.

One Western expert characterized him as the father of the modern Soviet navy, and another as having done more for the navy than anyone since it was founded by Peter the Great. His vision and energetic lobbying were the driving force behind the Kremlin's decision to build up its fleet.

When Adm. Gorshkov took command of the navy it was little more than a collection of small coastal craft and river vessels that rarely strayed far from base. Its responsibilities were to protect the homeland from amphibious invasion and to aid the Soviet Army in its operations.

Today the Soviet navy sails the world's oceans from Baltic, Barents and Black Sea and Pacific Ocean bases and from installations in allied states such as Cuba and Vietnam, and maintains a powerful surface presence in the Mediterranean. Its nuclear missile submarines form the second most important strategic arm of the Soviet armed forces.

While Adm. Gorshkov is believed to have had broad support for upgrading coastal crafts, landing crafts and submarines, the Kremlin leadership was not easily persuaded that the Soviet Union needed a large surface fleet. Soviet leader Nikita Khrushchev was quoted as saying the only thing cruisers were good for was carrying admirals. Soviet thinking changed radically in 1962 when large U.S. surface forces prevented Soviet supply ships from reaching Cuba during the missile crisis.

In a 1975 interview with the Washington Post, retired Adm. Elmo R. Zumwalt, former chief of naval operations, was asked who he believed was the most effective naval leader of modern times. Zumwalt replied "Sergei G. Gorshkov."

Zumwalt said Adm. Gorshkov transformed the Soviet navy from a bunch of pitiful coastal boats under the army's control to a first-class fighting force, challenging American Navy supremacy throughout the world.

The Soviet navy had progressed so far, Zumwalt said, that if the U.S. Navy he deployed during the Yom Kippur war of 1973 had battled the Soviet navy in the Mediterranean, "the odds are very high that they would have won and we would have lost."

Adm. Gorshkov was the author of numerous journals and books, including "Sea Power of the State." He seemed as widely read by navy officers of this country as his own. In one article he wrote, "Every time the ruling circles of Russia failed to emphasize properly the development of the navy and its maintenance at a level made necessary by contemporary demands, the country either lost battles or wars, or its peacetime policy failed to achieve the intended objectives."

Sergei Georgievich Gorshkov was born to Russian parents in the Ukraine. He entered the Frunze Naval Academy in Leningrad in 1927, graduating four years later. After that, he served aboard destroyers in the Black Sea and the Pacific Ocean. When war broke out with Germany in 1941, he was finishing the high command advanced training course at the Voroshilov Higher Military Academy.

He joined the Black Sea Fleet as a cruiser brigade commander, and in September 1941 was promoted to rear admiral. He took part in heavy engagements off the Crimea, as well as transporting Army troops and naval infantry (marines). He participated in the defense of Odessa and the Caucasus, and commanded the Azov flotilla until the Azov Sea was taken by the Germans, then continued his war on land, a temporary commander of the 47th Army.

In 1943 he again became a flotilla commander. The year 1944 found him a vice admiral and commander of the Danube Squadron. He held that post until 1948, when he was promoted to staff chief of the Black Sea Fleet. He was named commander of that fleet in 1951, and promoted to full admiral in 1953. Two years later, he was named first deputy commander-in-chief of the navy.

In 1956, he became a deputy defense minister, and also succeeded Fleet Adm. N.G. Kuznetsov as navy commander in chief. In 1962, he became an admiral of the fleet, and

was promoted to admiral of the fleet of the Soviet Union in 1967.

His decorations included Hero of the Soviet Union, five awards of the Order of Lenin, and four awards of the Order of the Red Banner. He became a candidate member of the Party Central Committee in 1956 and a full member in 1961.

SOVIET HUMAN RIGHTS RECORD

Mr. FOWLER. Mr. President, as a member of the Congressional Commission on Security and Cooperation in Europe, I, like the distinguished occupant of the chair, the Senator from Massachusetts [Mr. KERRY], and many others, am daily concerned with the implementation of the human rights aspects of the Helsinki accords. I became even more concerned in the last few days when newspaper headlines on President Reagan's speech in Chicago read:

"President Softens Harsh Tone, Lauds Soviets on Rights" in the Miami Herald;

"Reagan Credits Gorbachev on Human Rights; Cites U.S. Failings" in the New York Times;

"Reagan Applauds Gorbachev Gains on Human Rights" in the Baltimore Sun; and

"Reagan Applauds Soviet Headway on Human Rights" in my hometown paper, the Atlanta Journal.

I could go on and on and on.

To say the least, this is a departure from the normal Presidential rhetoric on human rights as it pertains to the Soviet Union. While I think that some of President Reagan's past remarks—references to the "evil empire" and the like have been extreme and even counterproductive—I cannot help thinking Wednesday's speech in Chicago was both unwise and more importantly inaccurate.

I was particularly struck by newspaper reports that Mr. Reagan had praised the Soviets for "significantly higher" emigration last year, and that it was "fine" with him for the Soviets to recognize human rights for reasons of their own in order to gain economic benefits or better relations with the United States of America.

For the President to praise the Soviets for last year's emigration increases simply misrepresents the total picture. For instance, in 1979, approximately 51,000 Jewish emigrants were allowed to leave the Soviet Union and reunify with their families. Last year the figure was approximately 8,000. This is not progress, unless you give the Soviets credit for moving up from the 900 figure of 1986.

The facts are that the Soviet Union cut off Jewish emigration after the Afghanistan invasion at the end of 1979, and they kept it cut off for 7 years. During those sad and difficult years, it was my privilege to serve as the co-chairman of the Congressional Coali-

tion for Soviet Jewry, and I remember the suffering of those who were separated from their parents, their children, their husbands and wives, and their brothers and sisters, and not allowed to emigrate.

In effect, Moscow was holding almost 300,000 Soviet Jews as virtual hostages to the improvement in relations with the West, and the restoration of the economic benefits from the United States and the West in the form of trade, technology, and credits that we have been discussing today. To hold human lives as bargaining chips in East-West relations is an appalling practice that ought to be condemned, never applauded.

We know, of course, that the Soviet Union is not going to turn into a Western-style democracy in the foreseeable future.

When I served in the House of Representatives, I served on the Foreign Affairs Committee and 8 years on the Intelligence Committee of the House. I know from personal experience that we have to be realistic and practical. The Helsinki Final Act and its follow-up process, a meeting which has been ongoing in Vienna since 1986, is an appropriate forum for the United States to press other signatory countries, including the Soviets, to live up to their human rights promises.

Last year, as the Vienna meeting moved into the negotiating stage, the Congressional Commission on Security and Cooperation in Europe, was informed that the United States would remain resolute in our determination to insist on performance rather than promises. Our firmness and patience on this point throughout the Helsinki process has paid off in our success at holding all signatories accountable for their records.

Specifically, with regard to the Soviet Union, the United States took the position that we seek the release of all political prisoners; that we want an end to the jamming of our radio transmissions; that we seek a significant increase in immigration figures; and that all bilateral family reunification and binational marriage cases should be resolved.

These positions, I hope and trust, still are the positions of the American delegation in Vienna. I sincerely hope that the President's speech last week does not represent a retreat from the principles Americans have stood for with their prayers and their blood for more than two centuries.

I was disturbed even more when I received an account this morning from the leading independent daily in Switzerland, *Neve Zurcher Zeitung*, which is the name of the newspaper.

It is a long article that I ask unanimous consent, Mr. President, to have printed in the RECORD.

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

(On May 6, the independent Swiss daily "*Neue Zurcher Zeitung*" published the following, fully translated page three article on Vienna's CSCE:)

DANGER OF IMBALANCE AT CSCE NEGLIGENCE OF "HUMAN DIMENSION"?

The delegations of the neutral and non-aligned states at Vienna's CSCE follow-up meeting are preparing a draft final document for an N+N Foreign Minister conference to be held late next week. They are under pressure as mediators, because the Conference on Security and Cooperation in Europe has been blocked for months. There is some danger that the CSCE results will be dominated by security aspects at the expense of human rights.

RIGID SOVIET POSITION

Overshadowed by negotiations on a disarmament mandate at Vienna's CSCE follow-up meeting, the working groups on basket two—economic cooperation—and basket three—humanitarian contacts, cultural and information exchange—have made only sluggish progress. "Conventional disarmament" and "confidence-building measures" are the dominant topics that have pushed all other issues into the background; as is known, the first of these two topics has become an independent negotiating issue between the member states of NATO and the Warsaw Pact.

This poses a threat to the CSCE principle of inner balance of the baskets, and Brezhnev's attempts of the 1970s to make CSCE one-sided could become reality. According to the motto of "No peace without liberty and human rights," the West had been able to push through CSCE documents for the strengthening of the "human dimension" of the Helsinki Final Act up to the end of the Madrid follow-up meeting in September 1983. On the other hand, however, there was the lack of compliance with CSCE decisions on the part of the Eastern states, which caused unrelenting criticism of the West and the neutral states.

CHANGE REFLECTING WORLD POLITICS

A slow change, somewhat like a reflection of world politics, made its appearance after the successful end of the Stockholm conference on confidence-building and disarmament in September 1986, after the sobering experiences of the meetings on human rights in Ottawa in 1985, and on cross-border human contacts in Berne in 1986. Parallel to superpower talks, general interest started to focus on security issues. On the other hand, the Soviet Union hardened its position regarding human rights at Vienna's follow-up meeting. This position is glossed over by the release of individual dissidents and an increase in the number of travel permits. But there have been no fundamental changes of the Soviet human rights policies despite new legal provisions. The willingness for detente in the arms area has found no parallel regarding the "human dimension."

The superpowers' proven willingness for disarmament led to an increasingly lukewarm attitude toward human rights concerns also on the part of Western and neutral delegations. A change of CSCE strategy became particularly apparent in the case of the American position. At the Berne meeting in late May 1986, the Americans still harshly vetoed a final document that would

have provided marginally small progress for family reunions and other human contacts; and at the opening of the follow-up meeting in Vienna in November of the same year, Secretary of State Shultz emphatically said that more security and cooperation between nations could only be reached through the consolidation of fundamental human rights and liberties of the individual.

TOO MUCH AMERICAN "GOODWILL"

The American delegation has, of course, never departed from this commitment; but since last summer, its leader has hardly tried to conceal a favorable attitude toward a human rights conference in Moscow—to the surprise of some Europeans—if only certain conditions are fulfilled. Under pressure from Congressional groups who want to add conventional arms control to the INF accord as soon as possible (but also because of the lobbying of the German Foreign Minister), Washington seems prepared to make concessions to the Soviet Union in the human rights area, while Moscow has for several months followed an obstructionist policy in the Vienna working groups dealing with this matter.

There was general surprise—and protests from some Western European governments—when the American delegation immediately accepted a compromise proposal for basket three which the working group submitted in February, although this proposal was only intended as a starting point for further negotiations. The reason given for this gesture by the Americans was that they wanted to demonstrate "goodwill" and take the role of "icebreaker" in the negotiations which had reached an impasse. The Soviet delegation, which had already come back from Christmas recess with hardened positions, took its time and waited several weeks before saying that some points of the mediation paper were "worth discussing"; it was obvious that Moscow exploited the American conciliatory move. They probably did so on the assumption—also held among Western delegations—that basket three was not a top priority of Washington at the moment. There was remarkable frustration among many Western delegations, because America seemed to give up its role as spearhead in the human rights struggle.

A MEAGER "PROVISIONAL CONSENSUS PAPER"

This development led to the drafting of an extremely meager text containing a few passages of a "preliminary consensus for a final document" on human contacts, information, education and culture in the so-called notebook of the competent working group at the Vienna meeting in late March. After one and a half years duration of the conference, demands of a quasi Stone Age level were laid down in a text of embarrassing simplicity: citizens wanting to emigrate should have "easy access to the necessary application forms" and the legal provisions pertaining to the matter should be made public no later than one year after the end of Vienna's follow-up meeting. Besides, the paper mentions youth and sports contacts, which the Eastern states have already preferred to maintain until now. Further elementary formulations that are unfitting for the text of a CSCE final document, concern, for example, technical improvements in train and telephone services. Conference participants on all sides are untiringly calling the lamentable paper a provisional starting point, which, "of course," needs elaboration.

If one compares the scope and content of this text to the Austrian-Swiss proposal on cooperation in the humanitarian and cultur-

al areas dating from July 30, 1987, and to the "Non Paper" of the Swedish coordinator of December 18, 1987, which dealt with the same issues, one realizes that there is a wide gulf between these two drafts and the "consensus paper" of March 22, 1988. Particularly the Austrian-Swiss proposal was boldly phrased and included new substance; it spoke of the "continuing grave shortcomings in the implementation of the CSCE provisions." And the paper goes on to say that this situation has to be overcome through intensified efforts to "promote confidence and humanitarian cooperation among the participating states." The text calls for a right to emigrate, swift proceedings in all pending cases, measures for a significant facilitation of family reunions, and unbureaucratic dealing with the applications of sons and daughters to reunite with their parents, as well as for visits of relatives in cases of death and family celebrations.

The "Non Paper" of the Swedish coordinator took over the substance of all these requests and thus provided a good starting point for the final negotiations. But the development since late winter described above destroyed the strategy of the neutral delegations. Nevertheless, it is to be hoped that their ideas and proposals will again be included in the draft final document being prepared.

OBLIGATION OF THE SMALL STATES

What is required are the untiring efforts, particularly of the small states, to work for freedom and justice in all of Europe. It is in their own interest to defend these precious goods internationally. The instrument and the forum for it has been provided by the Conference on Security and Cooperation in Europe since 1975.

After the N+N "club" had reached agreement on a draft final document following long debates about basket one (see "Neue Zürcher Zeitung number 71), the old ambition seemed to have come alive to produce balanced papers in situations where CSCE has reached an impasse so as to "give the conference something to chew on in the other baskets as well," as one leading diplomat phrases it.

This is why expectations run high with respect to the efforts of the N+N states. There are, however, also attempts to exert pressure on them. Since the individual members of the N+N "club" often have their own, diverging interests, and act on the basis of different political situations, there is some danger that the substance of their draft final document expected next week will not be quite satisfying. Whether in this case Switzerland and Austria ought not to fight for real improvements in the "human dimension" right to the end of Vienna's follow-up meeting, is at least a question that has to be asked; the competent ministers will have to clarify it on the "home front." In the international context, however, it should be taken into account that, under the pressure for consensus, individual small states cannot get through with proposals in excess of what the other participating states are willing to agree to.

Mr. FOWLER. Mr. President, I quote from the article:

The Soviet Union hardened its position regarding human rights at Vienna's follow-up meeting. This position is glossed over by the release of individual dissidents and an increase in the number of travel permits. But there have been no fundamental changes of the Soviet human rights policies despite

new legal provisions. The willingness of détente in the arms area has found no parallel regarding the "human dimension"

It goes on to say—and the entire article is now in the RECORD—what is even more startling:

There was remarkable frustration among many Western delegations, because America seemed to give up its role as spearhead in the human rights struggle.

The President's speech raises more questions than it answers. It concerns those of us, both in Congress and among the American public, who have fought in the long and necessary struggle for human rights.

Like the rest of my colleagues, I welcome the preliminary signs of glasnost, and Gorbachev's embattled efforts to bring a new openness to Soviet society—along with a limited tolerance for dissent. But we also have to recognize that the Soviets still have a long way to go before they can be commended for their human rights record.

For our part, we cannot allow words spoken from the highest office in our land to lose their meaning. That is why I think it is important to put these developments in the Soviet Union in their proper perspective. I yield the floor.

IN RECOGNITION OF THE DRUG FREE SCHOOL AWARD TO THE TIOGUE SCHOOL

Mr. PELL. Mr. President, today I would like to honor the tremendous efforts of the Tiogue School, which is one of 30 elementary, and secondary high schools across the country to be recognized as a "Drug Free School." This elementary school has been honored by the Department of Education as a national leader in the field of drug prevention and education. But the real tribute goes to its principal, John Ruzanski, and the program's founder, Jane Viti, for their drive both to establish this program and to make it a success. Both have given generously of their time and talent to maintain a drug free attitude and environment in their school.

This school was the first in Rhode Island to create a "Just Say No" club. The club is comprised of sixth graders who meet twice a month to learn about the hazards of drugs and learn that there are many healthy and responsible ways to have fun. These sixth graders serve as role models for the younger children in the school. The Tiogue School rightly provides antidrug instruction to its sixth graders. It is extremely important that this instruction begins in the very early years. Such instruction in the sixth grade helps to ensure that these students will enter junior and senior high school with the commitment and strength to avoid drugs.

This year, the "Just Say No Club" at the Tiogue School wrote and performed a 1-hour play for the whole school filled with skits and cheers to convey the antidrug message. This show was so successful that they were invited by another school to perform the play for their student body.

The antidrug message is a central focus of the school. For example, every day the "Just Say No" flag is raised. The club has marched for the past 2 years in the Pawtucket Valley St. Patrick's Day Parade, carrying banners and posters which the student wrote and designed. And, the club was subsequently invited to lead the statewide, "Just Say No" march in Providence.

This impressive program is the product of the involvement of the PTA, business and other community organizations. The innovative projects and community involvement show clearly why Tiogue Elementary was awarded this national recognition.

As we escalate our efforts to control the pernicious threat of drug abuse and addiction by cracking down on supply routes, we need to emphasize the central importance of eliminating the demand as well. One of the best ways to my mind of achieving this goal is through educational efforts such as the program at the Tiogue School. Their program demonstrates what a committed staff and an involved community can do to help shape the attitudes and actions of our young people. It is these efforts which will ultimately reduce the serious drug abuse problem facing our country.

We in Rhode Island are very proud of the Tiogue School for being recognized as 1 of 30 schools nationwide. I would again like to congratulate John Ruzanski, principal of the Tiogue Elementary School, and Jane Viti, the founder of the school's "Just Say No" program, for their fine work in this regard.

ABE STOLAR—PART VII

Mr. SIMON. Mr. President, yesterday, I said that I would be examining the basis for Julia Stolar's visa denial by the Soviet authorities. Today, I will focus on why it is inappropriate that the Soviets are denying her on the basis of need for financial support for her mother.

As stated previously, article 77 of the family and marriage laws states that adult children must support disabled parents who have been decreed in need by the courts. Julia's mother is a language professor at the university, so her current financial situation is sound. Upon retirement, her pension will guarantee her a good living. Quite frankly, Julia's mother will receive more on her pension than Julia would be able to provide for her. Furthermore, Soviet law further states that no

more than a maximum of 25 percent of one's earnings go for financial support of parents in need.

It seems clear to me that application of this law in Julia's case is both groundless and disingenuous. Her mother does not need Julia's support now, nor will she need her support in the future. I also believe it is important to mention that the two have not spoken for the past 8 years.

Tomorrow I will further examine the baseless grounds for denial.

PRINEVILLE, OR

Mr. HATFIELD. Mr. President, few people outside of Oregon have probably heard of the small town of Prineville, located in Crook County in the central part of my State. A small city of 13,500 citizens, Prineville serves as the county seat and as the only incorporated city in the county. Crook County has an economy based primarily on livestock, agriculture and wood products.

Few people may be able to find Crook County, but you can bet that political pollsters have it marked on their maps. Since the founding of Crook County in 1882, its citizens have selected the winner of every Presidential race. Every one, Mr. President. Today, the county has the unique distinction of being the last remaining bellwether county in the United States.

Mr. President, today voters throughout Oregon will go to the polls to vote in the State's primary election. Anyone who wants a little insight into the results next November will want to take a look at the results from Crook County, the place the Washington Post called "a barometer of the national mood".

I ask unanimous consent that an article from the Washington Post be printed in the RECORD.

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

[From the Washington Post, May 3, 1988]

LITTLE OREGON COUNTY LONG A BAROMETER OF THE NATIONAL MOOD

(By Jay Mathews)

PRINEVILLE, ORE.—Here among the junipers and sagebrush lies the political soul of a nation.

Nobody thought this dry, rocky area southwest of the Ochoco Mountains of central Oregon would ever amount to much, even when settlers began trickling over from the Willamette Valley during the 1860s gold rush and named it Crook County, after Indian-fighting Gen. George Crook. Over the years, timber, cattle and farming provided a good living for some, but this county seat remains strictly rural, with only a few cars rumbling slowly down Third Street.

Perhaps 13,500 people are scattered over Crook County's 2,991 square miles of high desert and Ponderosa pine. Politics are so remote that the state Democratic Party headquarters still has County Commissioner

Frances Burgess on its list of prominent Democrats, even though she switched to the GOP a year ago. The county is so secluded that it hasn't seen a bona fide presidential candidate since 1960, when John F. Kennedy visited the Lord's Acre Auction in Powell Butte.

But the 6,941 registered voters of this county—an assortment of Republican ranchers and businessmen and Democratic mill workers, loggers and descendants of Oklahoma and Arkansas settlers—have set what is now an unequalled record in American politics.

Since Crook County was established in 1882, its citizens have selected the winner of the national popular vote in every presidential election, often in defiance of their Oregon neighbors and their majority-Democratic registration.

How a community so removed from modern, urban, multiethnic America could so consistently reflect the national mood remains a mystery to many here.

"People tend to vote for whom they think is the best person for the job, and they don't pay much attention to party," said Judge Dick Hoppes, a nonlawyer who serves as both elected head of the county's governing board and juvenile court judge.

James O. Smith, publisher of the area's twice-weekly newspaper, The Central Oregonian, has pondered the county's bellwether status for 20 years. He thinks the key is Crook's large proportion of conservative Democrats and independents—often the swing vote in national elections—and its lack of splinter groups.

"This is basically a homogeneous blue-collar county," he said. "There are no single-issue groups that might take us off on a tangent, like gay rights or abortion rights."

Twelve years ago, at least three other U.S. counties shared bellwether status with Crook. But in 1976, Strafford County, N.H., picked the loser, President Gerald R. Ford, by a heart-breaking three votes, and Laramie County, Wyo., committed the same sin by 2,021 votes. Crook's last competitor, Palo Alto County, Iowa, proved too fond of Minnesota neighbor Walter F. Mondale in 1984 and took itself off the list by rejecting President Reagan, 4,041 to 2,471.

In 1976, Crook gave Jimmy Carter 53.3 percent of its vote, then four years later handed an almost identical percentage, 53.2, to Ronald Reagan.

In 1984, according to the records meticulously maintained by County Clerk Della M. Harrison, Reagan's vote jumped to 62.3 percent, 3,773 votes. Mondale received only 37.4 percent, 2,268 votes, despite the county's 50.2 percent Democratic registration. There were eight write-in votes for Gary Hart, two for Jesse L. Jackson and one each for George Washington, Jimmy Stewart and Bugs Bunny.

The only small blemish on Crook's otherwise perfect record came in 1888, when President Grover Cleveland (D) edged out Benjamin Harrison (R), 522 to 436. Although Harrison won a 233-to-168 victory in the electoral college and moved into the White House, Crook still could claim to have mirrored the popular will, for Cleveland won the national popular balloting by 100,000 votes, the last time a presidential election loser did that.

The county's current registration figures—51.4 percent, Democratic; 38.7 percent, Republican, and 9.9 percent, other—nearly match the national party breakdown measured in a 1987 Gallup Poll. Democratic

registration has increased slightly here since 1984, but voters seem happy with Reagan, the revival of the timber industry and an unemployment rate that has dropped from 25 percent to 6 percent in five years.

Moreover, Democrats here are often not what they seem. The party has a lock on local politics, and most of the action is in the Democratic primary. "I'm really a Republican at heart," said County Assessor Tom Green, "but I had to register as a Democrat to get appointed to this job."

"This is really a red-neck, white-sock county," said Geri Elich, a school librarian who is Republican county leader. Many voters come from families that migrated from Oklahoma and Arkansas and share the ticket-splitting habits of Democrats there. The new county chairman for Vice President Bush's presidential campaign, Elich noted, is a well-known Democrat.

Hoppes senses little enthusiasm here for the remaining presidential candidates. "If a Jack Kennedy type would jump up," he said, "it might be different." But he thinks the basically conservative community is leaning toward Bush.

That was not the impression left by a highly unscientific Washington Post telephone and hang-around-the-post-office survey of 100 registered voters here. Fifty-two said they were leaning toward Massachusetts Gov. Michael S. Dukakis, 31 said Bush, five said Jackson, and 12 said they were undecided.

Dukakis may have had an advantage in a week in which he won headlines for his Pennsylvania primary victory and made the cover of Time, but many Crook County residents appeared impressed with his background. "Dukakis seems to know what he's doing, and a lot of these other guys don't," said Jason Parrow, a student at Central Oregon Community College.

County Commissioner Ted Comini, a former forest fire control officer, said he leaned toward Bush because "Dukakis would get us back into trouble with his spending." Mill worker Patti Ashcraft said she liked Jackson's antidrug campaign.

Kathleen Bush, a rancher and mill worker, said she was for Jackson. John Jackson, a forester, said he was for Bush. Some voters, who were not counted in the survey, politely told the self-appointed pollster to mind his own business, an understandable reaction after decades of being so closely watched at election time.

Smith's newspaper does not endorse presidential candidates. "It would be pretty arrogant for me," he said, "to tell the people of this particular county how to vote."

BICENTENNIAL MINUTE

MAY 16, 1881: DRAMATIC SENATE RESIGNATIONS

Mr. DOLE. Mr. President, 107 years ago this week, on May 16, 1881, the Nation witnessed the dramatic resignations of both U.S. Senators from New York in a showdown with the President of the United States.

Two months earlier, James Garfield had been inaugurated President. Immediately afterward relations between the Republican President and perhaps the most prominent Republican Senator, Roscoe Conkling, began deteriorating. Conkling represented the stalwart wing of the party that staunchly defended the patronage system. Gar-

field tended more toward civil service reform. When Garfield appointed an antistalwart man as collector of the Port of New York—a patronage-rich position—Conkling took the action as a personal offense.

As the Senate prepared for a major confirmation battle, Conkling made a bold decision and a risky gamble. He and his Senate colleague, Thomas C. Platt, both submitted their resignations from the Senate. They would return to Albany to be reelected by the State legislature, as was the practice before the 17th amendment to the Constitution. Their reelection would signal New York's support for its Senators in their confrontation with the President.

However, fate intervened. In July, while Conkling and Platt were campaigning in Albany, a deranged office seeker who identified with Conkling, shot President Garfield at a Washington train station. The President lingered for another 2 months before his death, becoming a national martyr for civil service reform. In that atmosphere, the New York Legislature declined to reelect either Conkling or Platt, and the Senate confirmed Garfield's candidate for collector of the Port of New York. In tribute to Garfield, President Chester Arthur supported enactment of the first civil service act.

Although years later Platt returned to the Senate, Roscoe Conkling's political career ended when his dramatic gamble failed.

NATIONAL DEFENSE AUTHORIZATION ACT

The Senate resumed consideration of the bill.

Mr. D'AMATO. Mr. President, I just had the opportunity to consult with a number of my colleagues. Those consultations have been going on at the suggestion of the majority leader and minority leader in relationship to attempting to work out a manner by which we can dispose of the D'Amato amendment which would impose the death penalty under a number of circumstances.

Mr. President, let me recall that just yesterday this body voted overwhelmingly against tabling that amendment. There were 68 votes against the tabling. This has been an issue that has been before this body for a long period of time.

There are some who say we have to study the issue. Well, I think that is nothing more than a rather hollow excuse. Let it be clearly understood that this Senator is ready and willing to go to a vote on this issue right now. As a matter of fact, I would be willing to propound the unanimous-consent request that would permit a vote on this in 5 or 10 minutes.

Why do I raise this? Because I think it is extremely unfair and it is wrong for those who would say, "You, Senator D'AMATO, or those who support your amendment, would be holding up the INF Treaty." Let the record show now that I am ready to go to a vote on this at this moment.

I am not going to propose that request, because the majority leader has stepped off the floor for a moment. But certainly it is something that I will be doing when I see him or one of my colleagues on the other side of the aisle here so that their rights can be protected.

I am mindful again of the minority and its rights to see to it that it is not steamrolled. I have no objection to the provisions that guarantee them all of those protections—extended debate, delaying tactics.

But let us not have the finger of blame as it relates to who may or may not occasion this treaty being held up placed here at this desk or laid to this Senator or to those who say: "Give us a vote on this amendment."

The PRESIDING OFFICER. The distinguished Senator from New York will please suspend. The Chair informs the Senator that, under the previous order, the Senate is scheduled to recess at the hour of 12:45 unless there is a unanimous-consent request.

Mr. D'AMATO. Mr. President, I ask unanimous consent that I be permitted to proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. D'AMATO. Mr. President, I do not intend to take that 5 minutes, but I do intend to later, when we come back at 2 o'clock, ask unanimous consent that we may proceed to a vote on the amendment. I would do it now, as I indicated, but there is not the representation on the other side of the aisle. That would be unfair. But I do intend to ask unanimous consent that we be permitted to proceed to a vote.

Mr. President, I do not believe that this matter does have to or should delay consideration of the INF Treaty. As a matter of fact, I believe that we could lay this matter aside and proceed to INF and then have a vote. As a matter of fact, Mr. President, I hope that we could dispose of this this afternoon between the hours of 2 and 3. We have heard all of the arguments on both sides. We do not need any more arguments.

So, Mr. President, when we resume at 2 o'clock, it is the intention of this Senator to ask unanimous consent that we proceed to a vote on this amendment. Thus, the necessity for attempting to point the finger of delaying would be obviated. And let me suggest those who would like to claim delay will have to bear the burden.

Those who want to protract this debate, they will have to have the burden.

You cannot have it two ways, Mr. President. You cannot say, "Well, by your pressing forward for that which you have a right, you occasioned the delay because I attempt to prolong the debate." That simply does not wash.

I yield the floor.

Mr. WARNER. Mr. President, I thank the distinguished Senator from New York and I thank the distinguished Republican leader, the majority leader, and many others who are working to try to effect a resolution of this particular procedural and substantive dilemma.

I wish to again stress to all involved the importance of this bill, the work that has been done on it by the Senate Armed Services Committee and now the Senate as a whole, and the necessity to try and get it passed this week, such that we can proceed to an orderly conference with the House. This is in our national defense interest. I know that the individuals working on this problem are bearing that in mind and I thank them for that.

RECESS UNTIL 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. SANFORD].

NATIONAL DEFENSE AUTHORIZATION ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Chair in his capacity as a Senator from North Carolina suggests the absence of a quorum. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, the principals are still working on an agreement, hopefully whereby the D'Amato amendment can be taken up at a different date and time, and either taken up as a freestanding measure or in connection with some other bill. Both sides on the question on both sides of the aisle are working diligently to try to resolve this situation so that the Senate can pass the DOD authorization bill and go on with the treaty.

But I understand from Senator LEVIN and others that a little more time is required. They are making progress.

ORDER OF PROCEDURE

It is my suggestion, after talking with the manager of the bill and after talking with the Republican leader, that the Senate proceed to take up the INF Treaty and that there be a reading of the treaty only down to the point where the signatories of the treaty appear on the treaty. That would provide for the first 17 sections, I believe, of the treaty.

That would require about an hour, I am told.

After that, the Senate would dispense with the reading of the protocols and the treaty would be ready, then, for action, for debate and action by the Senate.

I would like to do that by unanimous consent. There is no problem in going to the treaty without unanimous consent. We can do that by voice vote or we can do it by rollcall vote; the motion to proceed into executive session is not debatable. The motion to come back out of executive session into legislative session is not debatable. So, that is only a matter, at worst, of 15 minutes on a rollcall vote going each way.

The entire treaty is subject to a reading by the Senate. I hope we will not go through the entire reading of the protocols and everything because that might require a day or two. But I think that we ought to have the first 17 sections read. That will not take more than an hour and that will give the Senators time to work on the other problem which is before the Senate, the D'Amato amendment before the Senate. There is no way to take that down without taking the DOD authorization bill with it at this point and we do not want to do that.

So, if there is no objection, I would like to proceed to the treaty on that basis, that we would have a reading of those 17 sections, down to the signatories, President Reagan and Mr. Gorbachev; and then, by then, at the end of that time, the Senate would then be brought back into legislative session by unanimous consent. Otherwise we will just have to go a step at a time.

I yield to the Republican leader.

Mr. DOLE. Mr. President, I think we have made some progress on the D'Amato amendment. There have been a number of suggestions. As you might understand, as many Senators as you have, you have about that many suggestions.

But I think there has to be some understanding. If it could be brought up at a time convenient to the majority leader on some day certain we could work out, and then have a reduced postcloture time, identify the amendments, shorten the precloture time, we could probably work it out as a freestanding amendment. That is one option.

The other option is one that the majority leader is now entertaining just

moving to a treaty. Some may suggest finishing the treaty, and then come back to the DOD bill. It seems to me we might be able to do better than that. This bill is important not only to the managers but many other Members, and to the country. So we will during this reading time have a chance to meet again and hopefully hammer out some agreement. I would hope, too, that we are not going to demand that the entire treaty be read, the whole protocol. That would take, I am told, 6 or 7 hours. To me that would indicate an effort to stall this treaty right up front. I hope that does not happen. But one Member can change that.

Mr. BYRD. Does the Senator from North Carolina wish me to yield?

Mr. HELMS. I thank the majority leader.

Does the majority leader contemplate the waiver of points of order?

Mr. BYRD. No.

Mr. HELMS. Let us leave open, if the majority leader will, the reading of the protocol. I do not think I want to do that. But if we will leave that out for the time being and just make a judgment further down the line, I have no desire to delay the treaty. But I do want enough time to think about things. So I would like to have that option.

Mr. BYRD. Would the Senator allow us to proceed up to and through the 17 sections, at which point we then pause and take another look at the situation, because once we start reading, and the reading can be had of everything upon the demand of a single Senator, if we start that reading and any Senator objects to calling it off, we are in probably the rest of the day just reading it. And we will not get back to the DOD authorization bill at all today, at least until the reading of the protocol and any amendments or whatever else may be attached.

So my thought was if we could read the first 17 sections down to the signatories, that lays into the RECORD the material that the American people can read in the RECORD. It gives the various Members on both sides of the aisle, on both sides of the question, a little more time to work out the D'Amato amendment and, where we go from there. It saves the DOD authorization bill from being relegated to the delay heap for a while. And it allows us to accomplish two objectives, it seems to me at once.

Mr. McCLURE. Mr. President, reserving the right to object, and I take this time only to indicate for the part of this Senator. I have no desire to delay the consideration of the INF Treaty. There has been a great deal said about the importance of completing the Senate action if indeed we can do so prior to the President's departure for the summit. I think there is a

widespread feeling across the country that the President ought to be armed with that signed treaty, rather than go without that opportunity in dealing with the Soviet Union.

It is unfortunate that we are where we are on the DOD bill, that it is pressing up against the time for the consideration of the INF Treaty. But I would not want to be understood as indicating that I think under all circumstances the DOD bill must be completed in order to consider the INF Treaty, and I read into this some of the feeling that the D'Amato amendment is the only thing that is holding up the DOD bill, and therefore we have to dispose of the D'Amato amendment and somehow that all takes priority over the consideration of the INF Treaty.

I do not want any implication of what we are doing here that somehow we are going to do whatever we have to to complete the DOD authorization bill even if it means delaying the treaty further.

Mr. BYRD. That inference should not be drawn. The chairman of the committee has explicitly stated on more than one occasion that while it is his desire, and he will speak for himself, to finish the DOD authorization bill and get it to conference, it is not his desire to hold up the treaty. He is willing to set the bill aside. He said that 7 days ago when we first went on the DOD authorization bill. He made it perfectly clear that at any time before the final action on the DOD authorization bill that the negotiators tied up the loose end and we were ready to go forward in the interest of this country and its security, he would be willing to set the DOD bill aside. So there can be no inferences drawn. There have been no implications to that extent. It has just been to the contrary.

I yield to the Senator.

Mr. NUNN. Will the Senator yield for a further clarification?

Mr. BYRD. Yes.

Mr. NUNN. The Senator from West Virginia is entirely correct. Senator WARNER and I have said from the very beginning of the debate on the DOD bill when the treaty matters that were under investigation by the Intelligence Committee, Foreign Relations Committee and Armed Services Committee were completed, at any time the majority leader wanted to move to the INF Treaty we would be willing to set the DOD bill aside.

We were very fortunate in the fact that the DOD was able to continue for 6 days. We did not get through with the hearings until late yesterday afternoon on the INF Treaty, and the ranking members and the chairman of the Intelligence Committee and Armed Forces Committee did not report to the majority leader until last night about 8 o'clock or 8:30. So the DOD

bill has not held up the INF Treaty even 1 minute, even 1 second. We do not intend for it to.

Now, it is true that we cannot handle the DOD bill until such time as we dispose of in one way or the other the D'Amato amendment, but we are not leaguering the INF Treaty to the D'Amato amendment; we are not leaguering the INF Treaty to the DOD bill.

The majority leader is on the floor asking for the INF Treaty to come up. DOD is not completed. We understand that. We hope we can work out the D'Amato amendment. We hope we can pass the DOD bill today. But if we do pass it, if we work out the D'Amato amendment, it will take a grand total of maybe 5 or 6 minutes. We have already even made our final speeches and patted ourselves on the back as if we had passed it, which we have not done. So we have had a premature back-patting session here. We may regret that. Nevertheless, it will not hold up the INF Treaty.

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

Mr. BYRD. Yes.

Mr. McCLURE. I thank the majority leader, and the distinguished Senator from Georgia, the manager of the bill. Yes, I know that is exactly what the position has been. But I did not want anything that was said here today to indicate any change in that position. I would assume from that if something break down the negotiations over the D'Amato amendment that means we move to the INF Treaty without having completed action on the DOD authorization bill.

I see the Senator from Georgia nodding his head. And I mention that because I really am concerned about the death penalty provision as any Member in here. I know the Senator from Georgia supports that provision, too. I do not want to see that struck by a deadline and disadvantage, final action by this Senate with respect to it.

I commended the Senator from Kansas, and the Senator from New York earlier for having brought to the floor last night and completed action this morning on the resolution with respect to dealing with Noriega and the policy we have there. They are linked together in the fight against drugs. I would hate to see us vote by a vote, I think, of 86 to 10, in favor of that action dealing with Mr. Noriega and at the same time somehow backing water with respect to the death penalty which I know both the Democratic leader and the distinguished manager of the bill have supported. I would not want us to be sending ambiguous signals here today on that subject.

Mr. NUNN. Will the Senator yield for a brief moment? I would say that the Senator is correct. We are not going to hold up the INF Treaty for

the DOD bill. We hope to work out the D'Amato amendment. I personally will vote for the D'Amato amendment. I hope it is on another piece of legislation.

I hope the Senator from New York and all who are in favor of that will remember the important provisions that already have gone into this bill relating to the surveillance by the military, relating to setting up the command control and communication by the military, related to a very carefully prescribed power of arrest by the military, and will understand that as far as the drug traffickers are concerned, the first thing you have to do is catch them before you execute them. If you do not catch them, you cannot execute them. So that has already passed. The Senator from New York played a vital role, the Senator from California, the Senator from Virginia, the Senator from Georgia, all of us, in getting that passed. That is going to help us catch them. So if we have to choose between the two, let us go ahead and pass the DOD bill, start catching them, and then we will worry about executing them later.

Mr. BYRD. Do not try them unless they are guilty.

Mr. NUNN. Do not try them unless they are guilty. [Laughter.]

Mr. McCLURE. Unless their name is Noriega, and you turn them loose.

I agree that we should not turn Noriega loose just because he happens to be in a position of some importance in another country. I agree with the Senator from Georgia that we ought to catch him.

I agree that it was an unusual event when many of us voted to have the military forces of this country involved in what is essentially a police action. That is a step that I supported rather hesitantly, because I think it is a dangerous precedent, but I believe it was necessary and it was justified.

If it was necessary and justified to do that, to take that unprecedented action in our Nation's history, if it is necessary and justified and supportable to do what the Senate did in support of the Dole resolution, which I commend and heartily support, I also think it is important for us to keep focus on what we do to the fellows we do catch who are in the narrowly proscribed conditions with respect to the death penalty. I do not see us walking away from that part of this package too casually.

I will not object, since I do understand that the managers of the bill want the opportunity to work out the D'Amato amendment, if they can. If they fail to do so—and I am not going to obstruct that process—we would expect to move to the INF Treaty and dispose of it.

I thank the Senator for yielding.

Mr. BYRD. I have made my commitment publicly, and there is only one individual—I will put it in that vein—in the universe who can keep me from doing that, and he is not on the floor. That is the Good Lord.

We are going to go to the treaty today, one way or another. I do not want to sacrifice the bill which is so near completion here, the DOD authorization bill.

JOINT OFFICER MANAGEMENT POLICIES OF THE GOLDWATER-NICHOLS DEPARTMENT OF DEFENSE REORGANIZATION ACT OF 1986

Mr. NUNN. Mr. President, yesterday, Senator EXON and Senator McCAIN engaged in a colloquy concerning the joint officer management policies prescribed in title IV of the Goldwater-Nichols Department of Defense Reorganization Act of 1986. Unfortunately, I was not available on the Senate floor when that colloquy occurred. Because title IV is an important and controversial subject, Mr. President, I would like to present my views.

Title IV of the Goldwater-Nichols act made a determined effort to correct serious problems in the performance of joint duty by military officers. Joint duty, Mr. President, is an assignment outside a military officer's own Service. Joint duty includes assignments on the Joint Staff, in the Office of the Secretary of Defense, and on the headquarters staffs of the unified combatant commands.

When the Congress was working on defense reorganization, Mr. President, we found that, for the most part, military officers did not want to be assigned to joint duty; were pressured or monitored for loyalty by their services while serving on joint assignments; were not prepared by either education or experience to perform their joint duties; and served for only a relatively short period once they had learned their jobs. Given that these joint staffs are our most important military staffs, this was an intolerable situation. The operational failures and deficiencies that we have experienced—such as the Iranian rescue mission and the Grenada incursion—were caused by our inadequate jointness, or in other terms, the inability to effectively plan, prepare, and execute the employment of forces from more than one service. Title IV set goals for overcoming joint duty problems.

At the time that title IV was enacted, Mr. President, we knew that modification would probably be necessary as implementation experience identified unanticipated problems and better approaches. Since enactment of the Goldwater-Nichols act, the Senate Armed Services Committee has worked closely with the Department of Defense to improve the statutory policies for joint office management. Last year, the committee offered a package of modifications. Only a limited

number of these changes, however, were approved by the Senate-House conference committee.

The defense authorization bill now being considered by the Senate would make 19 additional modifications to title IV. This bill includes each of the seven joint officer policy changes requested in DOD's legislative proposal. The committee also took the initiative to include 12 additional modifications. I believe that these changes would permit more equitable, flexible, and simplified implementation of title IV. I intend to make my best effort to obtain conference approval of these modifications.

However, it should be clearly understood, Mr. President, that these modifications do not represent any lessening of the committee's commitment to the underlying principles of title IV. In this regard, some service officials have recently proposed changes to title IV that would fundamentally weaken efforts to improve the performance of joint duty service. These proposals, which call for short joint duty tours and elimination of joint education requirements, would return us to the intolerable situation that existed prior to the Goldwater-Nichols act. It is my clear intention, Mr. President, to oppose such changes. Hopefully, as the Congress proceeds to improve joint officer management policies, we will continue to adhere to the fundamental principles of title IV of the Goldwater-Nichols act which seek to better prepare and reward military officers serving in joint duty assignments.

WHY THE SOVIETS CAN'T WIN QUICKLY IN CENTRAL EUROPE

Mr. WIRTH. Mr. President, John Mearsheimer, author of the highly regarded book "Conventional Deterrence" provides a seminal analysis of the conventional balance on Europe's Central Front in terms of the Warsaw Pact's ability to win quickly in a conventional conflict.

Mearsheimer contends that the conventional balance is not nearly as out of balance as is widely perceived. His aim here is to assess the Warsaw Pact's capacity to affect a blitzkrieg against NATO. To measure this capability, Mearsheimer evaluates whether the Soviet Union has the "force structure, the doctrine, and the raw ability" to implement this strategy. He further analyzes NATO's defense capabilities and the theater's terrain in an effort to determine NATO's ability to thwart such a blitzkrieg. His essential conclusion is, that while NATO certainly could not win a conventional war with the Soviet Union, it could deny it a quick victory and then hold out in a war of attrition.

As noted, Mearsheimer evaluates pact force structure, doctrine, and raw

ability in his assessment of the pact's capacity for a blitzkrieg attack. Regarding force structure, he contends, first, that the pact does not have overwhelming manpower advantages vis-à-vis NATO, and does not have sufficient manpower for a blitzkrieg attack; second, that the pact has irrefutable numerical advantages in weapons, but that NATO's edge in quality and training largely neutralize the pact's strength in numbers; and, third, that, while NATO's mobilization and reinforcement capabilities may not equal the pact's, NATO has the potential to maintain overall ratio of forces very close to premobilization ratios.

Regarding doctrine, Mearsheimer assumes that in a conventional war, the Soviet Union will employ a blitzkrieg attack, that is, they will amass armored forces along one or several points on the defender's front, pierce that front, and rapidly advance to the enemy's rear. What are the prospects for the Soviet Union to achieve this strategy? According to Mearsheimer, one must evaluate two important criteria: First, can the pact achieve the necessary force ratios along the main axes of attack in order to puncture NATO's lines of defense, and second, if the pact can pierce NATO's lines, can the pact then successfully advance to NATO's rear areas. Based on well-known NATO deployment patterns as well as geographic and topographical constraints, and likely Soviet deployment patterns, Mearsheimer concludes that NATO could most likely stop a Soviet blitzkrieg attack and convert the conflict into a war of attrition.

Regarding Soviet and Warsaw Pact raw ability to execute such an attack, Mearsheimer expresses considerable doubt as to the pact's prospects for success. While noting that pact forces are configured for blitzkrieg, Mearsheimer details weaknesses in Soviet training, in the ability of lower level officers to take initiative, in over-centralized command structures, and in the uncertain reliability of non-Soviet pact forces. He remains skeptical that the Soviet Union would have the requisite ability to execute the complex and difficult blitzkrieg attacks with the necessary precision.

While Mearsheimer believes NATO could successfully meet a pact blitzkrieg attack, he specifies two important caveats for continuing these prospects for success: First, NATO must proceed with on-going improvements in its force structure, including strengthening the sustainability of forces; and, second, NATO must mobilize, and it must attempt to do so in ways that do not provoke Soviet attack. Mearsheimer, like other analysts, assigns extreme importance to warning time and mobilization. A prerequisite for NATO success in thwarting a pact blitzkrieg is receiving ample

warning time and then mobilizing immediately to meet the threat. Even a few days delay could be disastrous for NATO.

Following is Mr. Mearsheimer's thoughtful piece from National Security, which will supplement our understanding of conventional arms control issues. I ask unanimous consent that it be printed in the RECORD.

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

WHY THE SOVIETS CAN'T WIN QUICKLY IN CENTRAL EUROPE

(John J. Mearsheimer)

In light of the emergence of strategic parity and NATO's manifest lack of enthusiasm for tactical nuclear weapons, the importance of the balance of conventional forces in Central Europe has increased significantly in the past decade. Regarding that balance, the conventional wisdom is clearly that the Warsaw Pact enjoys an overwhelming advantage. In the event of a conventional war, the Soviets are expected to launch a blitzkrieg that will lead to a quick and decisive victory.

The implications of this specter of a hopelessly outgunned NATO are significant. Certainly, NATO's behavior in a major crisis would be influenced by its view of the conventional balance. Furthermore, one's perception of the conventional balance directly affects his or her view of the importance of both strategic and tactical nuclear weapons for deterrence in Europe.

The fact of the matter is that the balance of conventional forces is nowhere near as unfavorable as it is so often portrayed to be. In fact, NATO's prospects for thwarting a Soviet offensive are actually quite good. Certainly, NATO does not have the capability to win a conventional war on the continent against the Soviets. NATO does have, however, the wherewithal to deny the Soviets a quick victory and then to turn the conflict into a lengthy war of attrition, where NATO's advantage in population and GNP would not bode well for the Soviets.

The aim of this article is to examine closely the Soviets' prospects for effecting a blitzkrieg against NATO. In analyzing this matter, two closely related issues must be addressed. First, one must determine whether the Soviets have the force structure, the doctrine, and the raw ability to implement this strategy. In other words, do the Soviets, when viewed in isolation, have the capacity to effect a blitzkrieg? Secondly, when NATO's defense capabilities and the theater's terrain are considered, what then are the prospects for Soviet success? It may very well be that the Soviet military is well-primed to launch a blitzkrieg, but that NATO in turn has the capability to thwart it.

Any assessment of the NATO-Pact balance is dependent on certain assumptions made about the preparatory moves both sides take before the war starts. Among the many that might be considered, three scenarios are most often posited. The first of these is the "standing start" attack, in which the Soviets launch an attack after hardly any mobilization and deliver a knockout blow against an unsuspecting NATO. This is not, however, a likely eventuality.

Secondly, for a war in Europe to become a realistic possibility, there would have to be a significant deterioration in East-West rela-

tions. Given such a development, it is very likely that both sides will take some steps, however limited, to increase the readiness of their forces. It is difficult to imagine a scenario where an alert Pact catches NATO completely unprepared.

The second scenario is a more realistic and more dangerous one. Here, in the midst of a crisis, NATO detects a Pact mobilization, but does not mobilize its forces for a fear of triggering a Soviet attack. Surely, if NATO fails to respond quickly to a Pact mobilization as posited in this second scenario, the Pact would soon be in a position to inflict a decisive defeat on NATO.

In the third scenario, NATO's mobilization begins immediately after the Pact starts to mobilize. Here, the Pact does not gain an overwhelming force advantage as a result of NATO's failure to mobilize. It is with this third scenario that I shall concern myself in the present essay.

The assumption on which I base the following analysis is that strategic warning and mobilization are acted upon by NATO; the raw capabilities of the opposing forces will thus be examined under those clearly defined conditions.

THE BALANCE OF FORCES ON THE CENTRAL FRONT

There are generally two alternative ways of assessing the balance. One is to focus on the manpower on each side, while the other is to compare weaponry.

MANPOWER

Robert Lucas Fischer, in his 1976 study of the conventional balance in Europe (which is, unfortunately, one of the few comprehensive studies done on that subject), notes that NATO has 414,000 men in its divisions, while the Pact has 564,000. With this measure of divisional manpower, the Soviet advantage shrinks to 1.36:1. Fischer calculates that when overall manpower levels on the Central Front are considered, the Pact's advantage shrinks even further to 1.09:1. This is because NATO has traditionally had more men assigned to combat units which are not organic to divisions. Since the study was issued, the Pact has added approximately 50,000 men, raising the overall advantage in manpower to 1.15:1—hardly an alarming figure.

These figures are clear evidence that NATO is not hopelessly outnumbered.

WEAPONS

It is not difficult to compare numbers of specific weapons on each side.

Such comparisons, however, do not take into account qualitative differences within the same category of weapons nor do they deal with the problems of comparing different categories of weapons (i.e., tanks vs. artillery).

ENFORCEMENT AND MOBILIZATION

Now, consider the critical matter of comparative reinforcement capabilities. Although NATO's reinforcement capability is not as great as the Soviets' in an absolute sense, NATO has the potential to keep the overall ratio of forces very close to the pre-mobilization ratio. The notion that the Soviets can rely on some massive second echelon that NATO cannot match is a false one. However, the ratio of forces in any future mobilization will be heavily influenced by the timeliness with which each side starts to mobilize. If NATO begins mobilizing its forces before the Pact does, or simultaneously with the Pact, then the force ratios will remain close to the 1.2:1 (in armored division equivalents) and 1.36:1 (in divisional manpower), the ratios which obtained

before mobilization. If NATO starts mobilizing a few days after the Pact, then the balance of forces should approach but not exceed a 2:1 ratio in the very early days of mobilization and then fall to a level close to the pre-mobilization ratios. But once the gap in mobilization starting times reaches seven days (in the Pact's favor), NATO begins to face serious problems, problems which become even more pronounced as the mobilization gap widens further.

It should be emphasized that there are definite limits to the utility of measuring force levels.

Nevertheless, it is clear if one side has an overwhelming advantage in forces, that glaring asymmetry is very likely to lead to a decisive victory.

The previous analysis of the balance of forces in Europe indicates that the Soviets do not enjoy such an overwhelming advantage. They do not have the numerical superiority to simply crush NATO. In a conventional war in Europe, whether or not the Soviets prevail will depend on how they employ their forces against NATO's defenses. In other words, success will be a function of strategy, not overwhelming numbers.

DOCTRINE

NATO's forces are arrayed to support a strategy of forward defense. In other words, to meet a Pact offensive, the forces in each of NATO's corps sectors are deployed very close to the border between the two Germanies. How do the Soviets plan to fight a non-nuclear war in Europe?

The assumption here is that they will employ a blitzkrieg. This strategy calls for the attacker to concentrate his armored forces at one of more points along the defender's front, pierce that front, and race deep into the defender's rear. The aim is to avoid a broad frontal attack and, instead, to drive a small number of powerful armored columns into the depths of the defense.

To determine whether the Soviets can successfully launch a blitzkrieg against NATO's forward defense, two key questions must be answered. First, can the Soviets achieve the necessary force ratios on their main axes of advance so that they can then open gateways into NATO's rear? In other words, given the deployment of NATO's forces as well as the terrain, how likely is it that the Soviets will be able to repeat the German achievement opposite the Ardennes Forest in 1940? Is it true, as advocates of a maneuver-oriented defense claim, that the Pact can choose any point on the NATO front and achieve the superiority of forces necessary to effect a breakthrough?

Second, if the Soviets are able to tear open a hole or two in NATO's defensive front, will the Soviets be able to exploit those openings and penetrate into the depths of the NATO defense before NATO has a chance to shift forces and slow the penetrating spearheads? Effecting a deep strategic penetration in the "fog of war," when the defender is doing everything possible to seal off the gaps in his defense, is difficult and requires a first-rate army. How capable is the Soviet Army of accomplishing this difficult task? Although it is not possible to provide definitive answers to these questions, there is good reason to believe that NATO is capable of thwarting a Soviet blitzkrieg and turning the conflict into a war of attrition.

THE INITIAL DEPLOYMENT PATTERNS

When considering Soviet deployment patterns for a conventional European war, the

most basic question is: how will the Soviets apportion their forces across the front? More specifically, will the Soviets disperse their forces rather evenly across the front, mounting attacks along numerous areas, or will they concentrate their forces at one, two, or three points along the inter-German border? In many of the accounts by Western analysts, it is assumed that a Soviet offensive will be a multi-pronged one.

It is possible that the Soviets might choose to launch an offensive along multiple axes of advance. This would be consistent with their doctrine for fighting a nuclear war in Europe, where the emphasis is on keeping the attacking forces widely dispersed so that they are not vulnerable to nuclear attacks. However, such a deployment pattern would hardly facilitate employment of a blitzkrieg, simply because it would be virtually impossible for the Soviets, given the present overall balance of forces, to achieve overwhelming force ratios on any of the axes.

If the Soviets hope to defeat NATO with a blitzkrieg, they will have to concentrate massive amounts of armor on one, two or, at most, three major axes of advance. This raises the obvious questions: where are those axes likely to be? and how well-positioned is NATO to deal with the most likely Pact deployment patterns?

It is most unlikely that the Pact would place a major axis of advance in either the far north or the far south of the NATO front. In the south, this would preclude a major attack against II German Corps, simply because it would not result in a decisive victory. The Allies could afford to lose almost the entire corps sector, reaching back to the French border, and they would still be able to continue the war. Moreover, the mountainous terrain in this part of Germany is not conducive to the movement of large armored forces. In the north, a major offensive against Schleswig-Holstein is unlikely. Although the terrain is not mountainous in this sector there are still enough obstacles (bogs, rivers, urban sprawl around Hamburg) to hinder the movement of a large armored force. Furthermore, a Pact success in this region would not constitute a mortal blow to NATO. The main body of NATO's forces would still be intact and capable of conducting a vigorous defense.

CHANNELING FORCES: THE PACT'S AXES OF ATTACK IN CENTAG

The Soviets are most likely to locate their main attacks along the front stretching from the I Dutch Corps Sector in the north to the VII American Corps Sector in the south. Let us first consider the three key corps sectors in CENTAG (III German, V U.S., and VII U.S.). Generally, the terrain in the CENTAG area is very obstacle-ridden. Besides being a mountainous region, it has numerous rivers and forests. Consequently, there are a small number of natural avenues of attack in CENTAG. Actually, there are three potential axes on which the Soviets are likely to attack.

The most threatening of the three possibilities would be an attack from the Thuringian Bulge through the Fulda Gap, aimed at Frankfurt (see Figure 7). Except for the Fulda River, the terrain on this axis should not greatly hinder the movement of large armored forces. Importantly, this axis cuts across the "wasp-waist" or the narrowest section of Germany. The distance from the inter-German border to Frankfurt is a mere 100 km. Frankfurt, because of its central location in Germany's communications network, would be a most attractive target.

Capturing Frankfurt would effectively cut Germany in half, and given the importance of north-south lines of communication, would leave NATO's forces in southern Germany isolated.

The second potential axis of advance is located in the sector covered by the III German Corps. The attacking forces would move through the Göttingen Corridor, just south of the Harz Mountains. The industrialized Ruhr is located due west of Göttingen.

There is a third potential axis of advance in CENTAG, although it is less attractive than the axes which run through the Fulda Gap and the Göttingen Corridor. This axis runs from Bohemia through the area around the city of Hof toward Stuttgart: The Hof Corridor. The terrain that an attacking force would have to traverse there is considerably more obstacle-ridden than the terrain along the other axes. Moreover, Stuttgart is a far less attractive target than either Frankfurt or the Ruhr. Aside from these three axes, there are no attractive alternatives.

NATO's forces in CENTAG should be able to contain a major Soviet attack in this region. There are only a limited number of potential axes of advance, each of which is quite narrow and well defined and each of which NATO is well prepared to defend. Moreover, NATO has contingency plans to shift forces to combat Soviet efforts designed to achieve overwhelming force ratios at the points of main attack. NATO's prospect of successfully halting a Soviet attack are further strengthened by the terrain, which not only limits the number of potential axes, but also channels the attacking forces across the width of Germany. In other words, the potential axes of advance are rather narrow and do not allow the attacker to spread his forces after the initial breakthrough.

THE NORTH GERMAN PLAIN: OPEN ROAD FOR PACT ADVANCE?

Now, consider NATO's prospects for containing a Soviet attack directed against NORTHAG. It is widely held that NATO is more vulnerable in this region than in CENTAG. The terrain in NORTHAG, because it is not mountainous and covered with forests, is generally held to be more favorable to the movement of large armored formations.

Secondly, there are doubts about whether the Dutch and the Belgians, and even the British, have the capability to withstand a Soviet attack.

Notwithstanding that NATO is more vulnerable in this region than in CENTAG, the prospects for thwarting a major Soviet attack in NORTHAG are quite good. The terrain is not obstacle-free by any means and, as will become clear, the Belgian and Dutch Corps Sectors are not the weak links that they are often said to be.

Approximately one-third of the front is covered by the Harz Mountains, while the terrain throughout the depth of the corps sector is laden with obstacles.

The North German Plain, above the Belgian Corps Sector, is covered by the I British and I German Corps. There is widespread agreement that the Pact will place a single main axis against NORTHAG and that the axis will be located on the North German Plain. Although there are no mountains and few forests in this region, there are obstacles in both the German and British Corps Sectors. In the British Corps Sector, there is significant urban sprawl centered on Hannover, which is located in

the heart of this corps sector. Armored forces simply will not be able to move rapidly through those urban areas that NATO chooses to defend.

Finally, even if the attacking forces were able to penetrate through this sector rapidly, it is unlikely that NATO would be mortally wounded. Certainly, NATO would feel the loss of the ports in northern Germany. However, since the attacking forces would exit Germany into the northern part of the Netherlands, NATO would still have access to the most important Belgian and Dutch ports.

In sum, given the initial deployment patterns of both NATO and the Pact, it appears that NATO is reasonably well deployed to meet a Soviet blitzkrieg. Although both Pact and NATO deployment patterns have been examined, attention has been focused, for the most part, on examining NATO's capability to thwart a blitzkrieg. Now let us shift the focus and examine, in detail, Soviet capabilities.

SOVIET CAPABILITIES FOR BLITZKRIEG WARFARE

To ascertain whether the Soviet Army has the capacity to effect a blitzkrieg, it is necessary to examine that Army on three levels. First, one must consider how the Soviet Army is organized. In other words, are the forces structured to facilitate a blitzkrieg? Second, it is necessary to consider doctrine, a subject that has already received some attention. Finally, there is the matter of raw skill. Assuming that the problems with force structure and doctrine are minimal, is the Soviet Army capable of performing the assigned task?

Since almost all the Pact divisions that would be used in a European war are either armored or mechanized infantry, it seems reasonable to assume that the Pact is appropriately organized to launch a blitzkrieg. On close inspection, however, there are potential trouble spots in the Pact's force structure. Over the past decade, Soviet divisions have become extremely heavy units. Western analysts pay a great deal of attention to the large and growing number of tanks, infantry fighting vehicles, artillery pieces, rocket launchers, surface-to-air missiles, air defense guns, anti-tank guided missiles (ATGMs), and assorted other weapons that are found in Soviet as well as other Pact divisions. Past a certain point, however, there is an inverse relationship between the mass and the velocity of an attacking force. As the size of the attacking force increases, the logistical problems as well as the command and control problems increase proportionately. Then, it becomes very difficult to move that force rapidly—an essential requirement for a blitzkrieg, where the attacker is seeking to strike deep into the defender's rear before the defender can shift forces to deal with the penetrating forces.

Consider now the matter of doctrine. As noted earlier, it is not possible to determine exactly how the Soviets plan to fight a conventional war in Europe. This is because the Soviets themselves are not sure; there is presently doctrinal uncertainty in their military circles. Certainly, they continue to emphasize the necessity of rapidly defeating NATO, should a war in Europe break out. The Soviets reconcile, however, that it is becoming increasingly difficult to do this, especially because of the proliferation of ATGMs. Moreover, they are well aware of how these organizational problems compound their task. They realize that it will be difficult to effect deep strategic penetrations against prepared defenses. Although

there has been a considerable effort to find a solution to this problem, if anything, the Soviets appear to be moving closer to a strategy of attrition. This is reflected in their growing reliance on artillery and dismounted infantry. There is no evidence that the Soviets have made a conscious decision to fight a war of attrition. Instead, it appears that they are being inexorably drawn in this direction by their efforts to neutralize the growing firepower, both ground-based and air-delivered, available to NATO.

SOVIET TRAINING AND INITIATIVE

Finally, there is the question of whether the Soviet army has the necessary raw skills. Any army that intends to implement a blitzkrieg must have a highly flexible command structure as well as officers and NCOs at every level of the chain of command who are capable of exercising initiative. A blitzkrieg is not a steamroller; success is ultimately a consequence of able commanders making rapid-fire decisions in the "fog of battle" which enable the attacking forces to make the crucial deep strategic penetrations. Should the Soviets attack NATO, there is a chance that the Soviets will open a hole or holes in the NATO front. Naturally, NATO will try to close those holes and seal off any penetrations as quickly as possible. The key question is: can the Soviets exploit such opportunities before NATO, which is well prepared for such an eventuality, shuts the door? In this battle, the crucial determinant will not be how much firepower the Soviets have amassed for the breakthrough; success will be largely the result of highly skilled officers and NCOs making the decisions that will enable the armored spearheads to outrun NATO's defenses. A blitzkrieg depends on split-second timing since opportunity on the battlefield is so fleeting.

There is substantial evidence that Soviet officers and NCOs are sadly lacking in individual initiative, and furthermore, that the Soviet command structure is rigid.

Their absence is largely the result of powerful historical forces. Fundamental structural change in Soviet society and the Soviet military would be necessary before there would be any significant increase in flexibility and initiative.

Other deficiencies in the Soviet Army cast doubt on the Soviets' capacity to launch a successful blitzkrieg. For example, the Soviets have significant problems with training. Overreliance on training aids and simulators is a factor often cited, and there is widespread feeling that the training process does not satisfactorily approximate actual combat conditions. Training is of special importance for the Soviets since their army is comprised largely of conscripts who serve a mere two years. Moreover, since new conscripts are trained in actual combat units, more than half of the troops in the 19 Soviet divisions in East Germany are soldiers with less than two years of experience. At any one time, a significant number of those troops is either untrained or partially trained. It should also be noted that Soviet soldiers are deficient in map reading, a skill which is of much importance for an army attempting to launch a blitzkrieg.

Finally, one must consider the capabilities of the non-Soviet divisions, which comprise approximately half of the Pact's 57½ standing divisions. Although the Soviet divisions will certainly perform the critical tasks in any offensive, the non-Soviet divisions will have to play a role in the operation. Otherwise, the size of the offensive would have to be scaled down significantly. One cannot say

with any degree of certainty that the East Europeans would be militarily incapable of performing their assigned task or that they would not commit themselves politically to supporting a Soviet-led offensive. The Soviets, however, would have to give serious consideration to the reliability of the East Europeans.

CONCLUSION

Even if one were to discount these weaknesses of the Soviet Army, the task of quickly overrunning NATO's defenses would be very formidable one. A Pact offensive would have to traverse the obstacle-ridden terrain which covers almost all of Germany and restricts the movement of large armored units. Moreover, there is good reason to believe that NATO has the wherewithal to thwart such an offensive. In short, NATO is in relatively good shape at the conventional level.

Two very important caveats, however, are in order. First, NATO must provide for the continuation of ongoing improvements in its force structure. There is no evidence that the Soviet effort to modernize her forces in Central Europe is slowing down. Therefore, NATO must continue to make improvements if it is to maintain the present balance. It is absolutely essential, for example, that deployment of the American Corps in NORTHAG be completed. It is also imperative that the Belgians, the British, and the Dutch continue to modernize and upgrade their conventional forces. More specifically, these forces, especially the British, must increase the firepower of their individual brigades. And, the Allies need to place more emphasis on improving the sustainability of their forces.

Fortunately, the conventional wisdom is wrong; NATO presently has the capability to thwart a Soviet attack. Unfortunately, too few people recognize this. The second caveat concerns warning time and mobilization. Given NATO's present intelligence capabilities and the Pact's force structure, there is little doubt that NATO would detect a full-scale Pact mobilization almost immediately. Obviously, NATO must ensure that it maintains this capability. Problems arise, however, in circumstances where the Pact pursues a limited mobilization which is somewhat difficult to gauge. Although there are real limits as to how much mobilization the Soviets can achieve before tipping their hand, NATO needs to be especially sensitive to such an eventuality. Moreover, NATO must be prepared to respond to a limited mobilization, even if the evidence of such a mobilization is somewhat ambiguous. This leads to the critical problem of mobilization.

This article highlights how important it is that NATO mobilize its forces immediately after the Pact begins its mobilization. A favorable balance of forces in a crisis will be a function of political as well as military factors.

The real danger is that NATO's leaders will not agree to mobilize in a crisis for fear that such a move might provoke a Soviet attack. The risk of pushing the Soviets to preempt can be reduced, however, by avoiding certain provocative moves and by clearly communicating one's intentions to the other side. Nevertheless, the risk of provoking a Soviet attack by initiating NATO mobilization can never be completely erased. That risk, however, must be weighed against the far greater danger that if NATO does not mobilize, the capability to defend against a Pact attack will be lost. Moreover, once the Pact achieves a decisive superiority because

of NATO's failure to mobilize, it would be not only difficult, but very dangerous for NATO to attempt to redress the balance with a tardy mobilization. Seeing that process set into motion, the Pact would have a very strong incentive to attack before NATO erased its advantage. In short, it is essential that NATO plan for ways to mobilize that do not provoke a Soviet attack, but, at the same time, ensure that NATO does not lose its present capability to defend itself effectively against a Soviet offensive.

DEATH TO DRUG KING PINS

Ms. MIKULSKI. Mr. President, I want to get the drug dealers and the drugs out of our homes, our schools, and our communities. I voted to table the amendment that would have imposed a Federal death penalty for certain drug related murders because I do not think it would do the job that must be done.

I want to get the people who carry out the vile and vicious sale of drugs off our streets. I want them caught, convicted, and incarcerated. I'm tired of the havoc that drugs and the drug trade are causing.

However, Maryland law enforcement officials have advised me that with a death penalty in effect they would have additional problems obtaining convictions. I do not want to do anything that makes convictions harder to obtain, so I supported tabling the amendment that added a Federal death penalty for drug related murders.

Mr. President, I support the death penalty in cases of extraordinary or heinous crimes such as treason, terrorism or the murder of a law enforcement officer. If I thought it would help the drug fight, I would consider supporting this amendment. But the people in Maryland who are on the front lines of this fight have told me this sort of proposal will hurt their efforts.

I would support life without parole for drug related murders. We must do everything we can to make sure the curse of the drug trade is lifted.

EXECUTIVE SESSION—TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE ELIMINATION OF THEIR INTERMEDIATE-RANGE AND SHORTER-RANGE MISSILES (THE INF TREATY)

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 9, Treaty Document No. 100-11, Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (the INF Treaty), on the understanding that the reading of the treaty proceed through section 17, down to the

signatures of the President and the leader of the Soviet Union, at which time there be a temporary dispensation of the reading of the treaty.

That will allow the Senate to get back to a discussion concerning the D'Amato amendment on the DOD authorization bill, and we will see where we go from there. That will not waive any Senator's right to insist on the full reading of the treaty, which every Senator has a right at this moment to insist upon. I shall not insist upon going beyond the 17th section. Every Senator has that right. Any Senator who wishes to object to calling off the reading of the treaty can do it. That goes, however, beyond the 17 sections. This, it seems to me, would allow the Senate to utilize the time to good advantage in both respects.

THE PRESIDING OFFICER. Is there objection?

Mr. HELMS. Mr. President, reserving the right to object—and I am not going to object—I just want to nail down that there is no waiver of the point of order implied in this unanimous consent request.

Mr. BYRD. No, there is not.

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

The Senate will go into executive session.

The clerk will report the treaty.

The assistant legislative clerk read as follows:

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE ELIMINATION OF THEIR INTERMEDIATE-RANGE AND SHORTER-RANGE MISSILES

The United States of America and the Union of Soviet Socialist Republics, herein referred to as the Parties,

Conscious that nuclear war would have devastating consequences for all mankind.

Guided by the objective of strengthening strategic stability,

Convinced that the measures set forth in this Treaty will help to reduce the risk of outbreak of war and strengthen international peace and security, and

Mindful of their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,

Have agreed as follows:

ARTICLE I

In accordance with the provisions of this Treaty which includes the Memorandum of Understanding and Protocols which form an integral part thereof, each Party shall eliminate its intermediate-range and shorter-range missiles, not have such systems thereafter, and carry out the other obligations set forth in this Treaty.

ARTICLE II

For the purposes of this Treaty:

1. The term "ballistic missile" means a missile that has a ballistic trajectory over most of its flight path. The term "ground-launched ballistic missile (GLBM)" means a ground-launched ballistic missile that is a weapon-delivery vehicle.

2. The term "cruise missile" means an unmanned, self-propelled vehicle that sustains flight through the use of aerodynamic lift over most of its flight path. The term

"ground-launched cruise missile (GLCM)" means a ground-launched cruise missile that is a weapon-delivery vehicle.

3. The term "GLBM launcher" means a fixed launcher or a mobile land-based transporter-erector-launcher mechanism for launching a GLBM.

4. The term "GLCM launcher" means a fixed launcher or a mobile land-based transporter-erector-launcher mechanism for launching a GLCM.

5. The term "intermediate-range missile" means a GLBM or a GLCM having a range capability in excess of 1000 kilometers but not in excess of 5500 kilometers.

6. The term "shorter-range missile" means a GLBM or a GLCM having a range capability equal to or in excess of 500 kilometers but not in excess of 1000 kilometers.

7. The term "deployment area" means a designated area within which intermediate-range missiles and launchers of such missiles may operate and within which one or more missile operating bases are located.

8. The term "missile operating base" means:

(a) in the case of intermediate-range missiles, a complex of facilities, located within a deployment area, at which intermediate-range missiles and launchers of such missiles normally operate, in which support structures associates with such missiles and launchers are also located and in which support equipment associated with such missiles and launchers is normally located; and

(b) in the case of shorter-range missiles, a complex of facilities, located any place, at which shorter-range missiles and launchers of such missiles normally operate and in which support equipment associated with such missiles and launchers is normally located.

9. The term "missile support facility," as regards intermediate-range or shorter-range missiles and launchers of such missiles, means a missile production facility or a launcher production facility, a missile repair facility or a launcher repair facility, a training facility, a missile storage facility or a launcher storage facility, a test range, or an elimination facility as those terms are defined in the Memorandum of Understanding.

10. The term "transit" means movement, notified in accordance with paragraph 5(f) of Article IX of this Treaty, of an intermediate-range missile or a launcher of such a missile between missile support facilities, between such a facility and a deployment area or between deployment areas, or of a shorter-range missile or a launcher of such a missile from a missile support facility or a missile operating base to an elimination facility.

11. The term "deployed missile" means an intermediate-range missile located within a deployment area or a shorter-range missile located at a missile operating base.

12. The term "non-deployed missile" means an intermediate-range missile located outside a deployment area or a shorter-range missile located outside a missile operating base.

13. The term "deployed launcher" means a launcher of an intermediate-range missile located within a deployment area or a launcher of a shorter-range missile located at a missile operating base.

14. The term "non-deployed launcher" means a launcher of an intermediate-range missile located outside a deployment area or a launcher of a shorter-range missile located outside a missile operating base.

15. The term "basing country" means a country other than the United States of

America or the Union of Soviet Socialist Republics on whose territory intermediate-range or shorter-range missiles of the Parties, launchers of such missiles or support structures associated with such missiles and launchers were located at any time after November 1, 1987. Missiles or launchers in transit are not considered to be "located."

ARTICLE III

1. For the purposes of this Treaty, existing types of intermediate-range missiles are:

(a) for the United States of America, missiles of the types designated by the United States of America as the Pershing II and the BGM-109G, which are known to the Union of Soviet Socialist Republics by the same designations; and

(b) for the Union of Soviet Socialist Republics, missiles of the types designated by the Union of Soviet Socialist Republics as the RSD-10, the R-12 and the R-14, which are known to the United States of America as the SS-20, the SS-4 and the SS-5, respectively.

2. For the purposes of this Treaty, existing types of shorter-range missiles are:

(a) for the United States of America, missiles of the type designated by the United States of America as the Pershing IA, which is known to the Union of Soviet Socialist Republics by the same designation; and

(b) for the Union of Soviet Socialist Republics, missiles of the types designated by the Union of Soviet Socialist Republics as the OTR-22 and the OTR-23, which are known to the United States of America as the SS-12 and the SS-23, respectively.

ARTICLE IV

1. Each Party shall eliminate all its intermediate-range missiles and launchers of such missiles, and all support structures and support equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers, so that no later than three years after entry into force of this Treaty and thereafter no such missiles, launchers, support structures or support equipment shall be possessed by either Party.

2. To implement paragraph 1 of this Article, upon entry into force of this Treaty, both Parties shall begin and continue throughout the duration of each phase, the reduction of all types of their deployed and non-deployed intermediate-range missiles and deployed and non-deployed launchers of such missiles and support structures and support equipment associated with such missiles and launchers in accordance with the provisions of this Treaty. These reductions shall be implemented into two phases so that:

(a) by the end of the first phase, that is, no later than 20 months after entry into force of this Treaty:

(i) the number of deployed launchers of intermediate-range missiles for each Party shall not exceed the number of launchers that are capable of carrying or containing at one time missiles considered by the Parties to carry 171 warheads;

(ii) the number of deployed intermediate-range missiles for each Party shall not exceed the number of such missiles considered by the Parties to carry 180 warheads;

(iii) the aggregate number of deployed and non-deployed launchers of intermediate-range missiles for each Party shall not exceed the number of launchers that are capable of carrying or containing at one time missiles considered by the Parties to carry 200 warheads;

(iv) the aggregate number of deployed and non-deployed intermediate-range missiles for each Party shall not exceed the number of such missiles considered by the Parties to carry 200 warheads; and

(v) the ratio of the aggregate number of deployed and non-deployed intermediate-range GLBMs of existing types for each Party to the aggregate number of deployed and non-deployed intermediate-range missiles of existing types possessed by that Party shall not exceed the ratio of such intermediate-range GLBMs to such intermediate-range missiles for that Party as of November 1, 1987, as set forth in the Memorandum of Understanding; and

(b) by the end of the second phase, that is, no later than three years after entry into force of this Treaty, all intermediate-range missiles of each Party, launchers of such missiles and all support structures and support equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers, shall be eliminated.

ARTICLE V

1. Each Party shall eliminate all its shorter-range missiles and launchers of such missiles, and all support equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers, so that no later than 18 months after entry into force of this Treaty and thereafter no such missiles, launchers or support equipment shall be possessed by either Party.

2. No later than 90 days after entry into force of this Treaty, each Party shall complete the removal of all its deployed shorter-range missiles and deployed and non-deployed launchers of such missiles to elimination facilities and shall retain them at those locations until they are eliminated in accordance with the procedures set forth in the Protocol on Elimination. No later than 12 months after entry into force of this Treaty, each Party shall complete the removal of all its non-deployed shorter-range missiles to elimination facilities and shall retain them at those locations until they are eliminated in accordance with the procedures set forth in the Protocol on Elimination.

3. Shorter-range missiles and launchers of such missiles shall not be located at the same elimination facility. Such facilities shall be separated by no less than 1,000 kilometers.

ARTICLE VI

1. Upon entry into force of this Treaty and thereafter, neither Party shall:

(a) produce or flight-test any intermediate-range missiles or produce any stages of such missiles or any launchers of such missiles; or

(b) produce, flight-test or launch any shorter-range missiles or produce any stages of such missiles or any launchers of such missiles.

2. Notwithstanding paragraph 1 of this Article, each Party shall have the right to produce a type of GLBM not limited by this Treaty which uses a stage which is outwardly similar to, but not interchangeable with, a stage of an existing type of intermediate-range GLBM having more than one stage, providing that that Party does not produce any other stage which is outwardly similar to, but not interchangeable with, any other stage of an existing type of intermediate-range GLBM.

ARTICLE VII

For the purposes of this Treaty:

1. If a ballistic missile or a cruise missile has been flight-tested or deployed for weapon delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

2. If a GLBM or GLCM is an intermediate-range missile, all GLBMs or GLCMs of that type shall be considered to be intermediate-range missiles. If a GLBM or GLCM is a shorter-range missile, all GLBMs or GLCMs of that type shall be considered to be shorter-range missiles.

3. If a GLBM is of a type developed and tested solely to intercept and counter objects not located on the surface of the earth, it shall not be considered to be a missile to which the limitations of this Treaty apply.

4. The range capability of a GLBM not listed in Article III of this Treaty shall be considered to be the maximum range to which it has been tested. The range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance which can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact. GLBMs or GLCMs that have a range capability equal to or in excess of 500 kilometers but not in excess of 1,000 kilometers shall be considered to be shorter-range missiles. GLBMs or GLCMs that have a range capability in excess of 1,000 kilometers but not in excess of 5,500 kilometers shall be considered to be intermediate-range missiles.

5. The maximum number of warheads an existing type of intermediate-range missile or shorter-range missile carries shall be considered to be the number listed for missiles of that type in the Memorandum of Understanding.

6. Each GLBM or GLCM shall be considered to carry the maximum number of warheads listed for a GLBM or GLCM of that type in the Memorandum of Understanding.

7. If a launcher has been tested for launching a GLBM or a GLCM, all launchers of that type shall be considered to have been tested for launching GLBMs or GLCMs.

8. If a launcher has contained or launched a particular type of GLBM or GLCM, all launchers of that type shall be considered to be launchers of that type of GLBM or GLCM.

9. The number of missiles each launcher of an existing type of intermediate-range missile or shorter-range missile shall be considered to be capable of carrying or containing at one time is the number listed for launchers of missiles of that type in the Memorandum of Understanding.

10. Except in the case of elimination in accordance with the procedures set forth in the Protocol on Elimination, the following shall apply:

(a) for GLBMs which are stored or moved in separate stages, the longest stage of an intermediate-range or shorter-range GLBM shall be counted as a complete missile;

(b) for GLBMs which are not stored or moved in separate stages, a canister of the type used in the launch of an intermediate-range GLBM, unless a Party proves to the satisfaction of the other Party that it does not contain such a missile, or an assembled intermediate-range or shorter-range GLBM, shall be counted as a complete missile; and

(c) for GLCMs, the airframe of an intermediate-range or shorter-range GLCM shall be counted as a complete missile.

11. A ballistic missile which is not a missile to be used in a ground-based mode shall not be considered to be a GLBM if it is test-launched at a test site from a fixed land-based launcher which is used solely for test purposes and which is distinguished from GLBM launchers. A cruise missile which is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher which is used solely for test purposes and which is distinguishable from GLCM launchers.

12. Each Party shall have the right to produce and use for booster systems, which might otherwise be considered to be intermediate-range or shorter-range missiles, only existing types of booster stages for such booster systems. Launchers of such booster systems shall not be considered to be flight-testing of intermediate-range or shorter-range missiles provided that:

(a) stages used in such booster systems are different from stages used in those missiles listed as existing types of intermediate-range or shorter-range missiles in Article III of this Treaty;

(b) such booster systems are used only for research and development purposes to test objects other than the booster systems themselves;

(c) the aggregate number of launchers for such booster systems shall not exceed 35 for each Party at any one time; and

(d) the launchers for such booster systems are fixed, emplaced above ground and located only at research and development launch sites which are specified in the Memorandum of Understanding.

Research and development launch sites shall not be subject to inspection pursuant to Article XI of this Treaty.

ARTICLE VIII

1. All intermediate-range missiles and launchers of such missiles shall be located in deployment areas, at missile support facilities or shall be in transit. Intermediate-range missiles or launchers of such missiles shall not be located elsewhere.

2. Stages of intermediate-range missiles shall be located in deployment areas, at missile support facilities or moving between deployment areas, between missile support facilities or between missile support facilities and deployment areas.

3. Until their removal to elimination facilities as required by paragraph 2 of Article V of this Treaty, all shorter-range missiles and launchers of such missiles shall be located at missile operating bases, at missile support facilities or shall be in transit. Shorter-range missiles or launchers, of such missiles shall not be located elsewhere.

4. Transit of a missile or launcher subject to the provisions of this Treaty shall be completed within 25 days.

5. All deployment areas, missile operating bases and missile support facilities are specified in the Memorandum of Understanding or in subsequent updates of data pursuant to paragraphs 3, 5(a) or 5(b) of Article IX of this Treaty. Neither Party shall increase the number of, or change the location or boundaries of, deployment areas, missile operating bases or missile support facilities, except for elimination facilities, from those set forth in the Memorandum of Understanding. A missile support facility shall not be considered to be part of a deployment area even though it may be located within the geographic boundaries of the deployment area.

6. Beginning 30 days after entry into force of this Treaty, neither Party shall locate in-

intermediate-range or shorter-range missiles, including stages of such missiles, or launchers of such missiles at missile production facilities, launcher production facilities or test ranges listed in the Memorandum of Understanding.

7. Neither Party shall locate any intermediate-range or shorter-range missiles at training facilities.

8. A non-deployed intermediate-range or shorter-range missile shall not be carried on or contained within a launcher of such a type of missile, except as required for maintenance conducted at repair facilities or for elimination by means of launching conducted at elimination facilities.

9. Training missiles and training launchers for intermediate-range or shorter-range missiles shall be subject to the same locational restrictions as are set forth for intermediate-range and shorter-range missiles and launchers of such missiles in paragraphs 1 and 3 of this Article.

ARTICLE IX

1. The Memorandum of Understanding contains categories of data relevant to obligations undertaken with regard to this Treaty and lists all intermediate-range and shorter-range missiles, launchers of such missiles, and support structures and support equipment associated with such missiles and launchers, possessed by the Parties as of November 1, 1987. Updates of that data and notification required by this Article shall be provided according to the categories of data contained in the Memorandum of Understanding.

2. The Parties shall update that data and provide the notifications required by this Treaty through the Nuclear Risk Reduction Centers, established pursuant to the Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Establishment of Nuclear Risk Reduction Centers of September 15, 1987.

3. No later than 30 days after entry into force of this Treaty, each Party shall provide the other Party with updated data, as of the date of entry into force of this Treaty, for all categories of data contained in the Memorandum of Understanding.

4. No later than 30 days after the end of each six-month interval following the entry into force of this Treaty, each Party shall provide updated data for all categories of data contained in the Memorandum of Understanding by informing the other Party of all changes, completed and in process, in that data, which have occurred during the six-month interval since the preceding data exchange, and the net effect of those changes.

5. Upon entry into force of this Treaty and thereafter, each Party shall provide the following notifications to the other Party:

(a) notification, no less than 30 days in advance, of the schedule date of the elimination of a specific deployment area, missile operating base or missile support facility;

(b) notification, no less than 30 days in advance, of changes in the number or location of elimination facilities, including the location and scheduled date of each change;

(c) notification, except with respect to launchers of intermediate-range missiles for the purpose of their elimination, no less than 30 days in advance, of the scheduled date of the initiation of the elimination of intermediate-range and shorter-range missiles, and stages of such missiles, and launchers of such missiles and support structures and support equipment associated with such missiles and launchers, including:

(i) the number and type of items of missile systems to be eliminated;

(ii) the elimination site;

(iii) for intermediate-range missiles, the location from which such missiles, launchers of such missiles and support equipment associated with such missiles and launchers are moved to the elimination facility; and

(iv) except in the case of support structures, the point of entry to be used by an inspection team conducting an inspection pursuant to paragraph 7 of Article XI of this Treaty and the estimated time of departure of an inspection team from the point of entry to the elimination facility;

(d) notification, no less than ten days in advance, of the scheduled date of the launch, or the scheduled date of the initiation of a series of launches, of intermediate-range missiles for the purpose of their elimination, including:

(i) the type of missiles to be eliminated;

(ii) the location of the launch, or, if elimination is by a series of launches, the location of such launches and the number of launches in the series;

(iii) the point of entry to be used by an inspection team conducting an inspection pursuant to paragraph 7 of Article XI of this Treaty; and

(iv) the estimated time of departure of an inspection team from the point of entry to the elimination facility;

(e) notification, no later than 48 hours after they occur, of changes in the number of intermediate-range and shorter-range missiles, launchers of such missiles and support structures and support equipment associated with such missiles and launchers resulting from elimination as described in the Protocol on Elimination, including:

(i) the number and type of items of a missile system which were eliminated; and

(ii) the date and location of such elimination; and

(f) notification of transit of intermediate-range or shorter-range missiles or launchers of such missiles, or the movement of training missiles or training launchers for such intermediate-range and shorter-range missiles, no later than 48 hours after it has been completed, including:

(i) the number of missiles or launchers;

(ii) the points, dates and times of departure and arrival;

(iii) the mode of transport; and

(iv) the location and time at that location at least once every four days during the period of transit.

6. Upon entry into force of this Treaty and thereafter, each Party shall notify the other Party, no less than ten days in advance, of the scheduled date and location of the launch of a research and development booster system as described in paragraph 12 of Article VII of this Treaty.

ARTICLE X

1. Each Party shall eliminate its intermediate-range and shorter-range missiles and launchers of such missiles and support structures and support equipment associated with such missiles and launchers in accordance with the procedures set forth in the Protocol on Elimination.

2. Verification by on-site inspection of the elimination of items of missile systems specified in the Protocol on Elimination shall be carried out in accordance with Article XI of this Treaty, the Protocol on Elimination and the Protocol on Inspection.

3. When a Party removes its intermediate-range missiles, launchers of such missiles and support equipment associated with such missiles and launchers from deployment

areas to elimination facilities for the purpose of their elimination, it shall do so in complete deployed organizational units. For the United States of America, these units shall be Pershing II batteries and BGM-109G flights. For the Union of Soviet Socialist Republics, these units shall be SS-20 regiments composed of two or three battalions.

4. Elimination of intermediate-range and shorter-range missiles and launchers of such missiles and support equipment associated with such missiles and launchers shall be carried out at the facilities that are specified in the Memorandum of Understanding or notified in accordance with paragraph 5(b) of Article IX of this Treaty, unless eliminated in accordance with Section IV or V of the Protocol on Elimination. Support structures, associated with the missiles and launchers subject to this Treaty, that are subject to elimination shall be eliminated in situ.

5. Each Party shall have the right, during the first six months after entry into force of this Treaty, to eliminate by means of launching no more than 100 of its intermediate-range missiles.

6. Intermediate-range and shorter-range missiles which have been tested prior to entry into force of this Treaty, but never deployed, and which are not existing types of intermediate-range or shorter-range missiles listed in Article III of this Treaty, and launchers of such missiles, shall be eliminated within six months after entry into force of this Treaty in accordance with the procedures set forth in the Protocol on Elimination. Such missiles are:

(a) for the United States of America, missiles of the type designated by the United States of America as the Pershing IB, which is known to the Union of Soviet Socialist Republics by the same designation; and

(b) for the Union of Soviet Socialist Republics, missiles of the type designated by the Union of Soviet Socialist Republics as the RK-55, which is known to the United States of America as the SSC-X-4.

7. Intermediate-range and shorter-range missiles and launchers of such missiles and support structures and support equipment associated with such missiles and launchers shall be considered to be eliminated after completion of the procedures set forth in the Protocol on Elimination and upon the notification provided for in paragraph 5(e) of Article IX of this Treaty.

8. Each Party shall eliminate its deployment areas, missiles operating bases and missile support facilities. A Party shall notify the other Party pursuant to paragraph 5(a) of Article IX of this Treaty once the conditions set forth below are fulfilled:

(a) all intermediate-range and shorter-range missiles, launchers of such missiles and support equipment associated with such missiles and launchers located there have been removed;

(b) all support structures associated with such missiles and launchers located there have been eliminated; and

(c) all activity related to production, flight-testing, training, repair, storage or deployment of such missiles and launchers has ceased there.

Such deployment areas, missile operating bases and missile support facilities shall be considered to be eliminated either when they have been inspected pursuant to paragraph 4 of Article XI of this Treaty or when 60 days have elapsed since the date of the scheduled elimination which was notified

pursuant to paragraph 5(a) of Article IX of this Treaty. A deployment area, missile operating base or missile support facility listed in the Memorandum of Understanding that met the above conditions prior to entry into force of this Treaty, and is not included in the initial data exchange pursuant to paragraph 3 of Article IX of this Treaty, shall be considered to be eliminated.

9. If a Party intends to convert a missile operating base listed in the Memorandum of Understanding for use as a base associated with GLBM or GLCM systems not subject to this Treaty, then that Party shall notify the other Party, no less than 30 days in advance of the scheduled date of the initiation of conversion, of the scheduled date and the purpose for which the base will be converted.

ARTICLE XI

1. For the purpose of ensuring verification of compliance with the provisions of this Treaty, each Party shall have the right to conduct on-site inspections. The Parties shall implement on-site inspections in accordance with this Article, the Protocol on Inspection and the Protocol on Elimination.

2. Each Party shall have the right to conduct inspections provided for by this Article both within the territory of the other Party and within the territories of basing countries.

3. Beginning 30 days after entry into force of this Treaty, each Party shall have the right to conduct inspections at all missile operating bases and missile support facilities specified in the Memorandum of Understanding other than missile production facilities, and at all elimination facilities included in the initial data update required by paragraph 3 of Article IX of this Treaty. These inspections shall be completed no later than 90 days after entry into force of this Treaty. The purpose of these inspections shall be to verify the number of missiles, launchers, support structures and support equipment and other data, as of the date of entry into force of this Treaty, provided pursuant to paragraph 3 of Article IX of this Treaty.

4. Each Party shall have the right to conduct inspections to verify the elimination, notified pursuant to paragraph 5(a) of Article IX of this Treaty, of missile operating bases and missile support facilities other than missile production facilities, which are thus no longer subject to inspections pursuant to paragraph 5(a) of this Article. Such an inspection shall be carried out within 60 days after the scheduled date of the elimination of that facility. If a Party conducts an inspection at a particular facility pursuant to paragraph 3 of this Article after the scheduled date of the elimination of that facility, then no additional inspection of that facility pursuant to this paragraph shall be permitted.

5. Each Party shall have the right to conduct inspections pursuant to this paragraph for 13 years after entry into force of this Treaty. Each Party shall have the right to conduct 20 such inspections per calendar year during the first three years after entry into force of this Treaty, 15 such inspections per calendar year during the subsequent five years, and ten such inspections per calendar year during the last five years. Neither Party shall use more than half of its total number of these inspections per calendar year within the territory of any one basing country. Each Party shall have the right to conduct:

(a) inspections, beginning 90 days after entry into force of this Treaty, of missile op-

erating bases and missile support facilities other than elimination facilities and missile production facilities, to ascertain, according to the categories of data specified in the Memorandum of Understanding, the numbers of missiles, launchers, support structures and support equipment located at each missile operating base or missile support facility at the time of the inspection; and

(b) inspections of former missile operating bases and former missile support facilities eliminated pursuant to paragraph 8 of Article X of this Treaty other than former missile production facilities.

6. Beginning 30 days after entry into force of this Treaty, each Party shall have the right, for 13 years after entry into force of this Treaty, to inspect by means of continuous monitoring:

(a) the portals of any facility of the other Party at which the final assembly of a GLBM using stages, any of which is outwardly similar to a stage of a solid-propellant GLBM listed in Article III of this Treaty, is accomplished; or

(b) if a Party has no such facility, the portals of an agreed former missile production facility at which existing types of intermediate-range or shorter-range GLBMs were produced.

The Party whose facility is to be inspected pursuant to this paragraph shall ensure that the other Party is able to establish a permanent continuous monitoring system at that facility within six months after entry into force of this Treaty or within six months of initiation of the process of final assembly described in subparagraph (a). If, after the end of the second year after entry into force of this Treaty, neither Party conducts the process of final assembly described in subparagraph (a) for a period of 12 consecutive months, then neither Party shall have the right to inspect by means of continuous monitoring any missile production facility for the other Party unless the process of final assembly as described in subparagraph (a) is initiated again. Upon entry into force of this Treaty, the facilities to be inspected by continuous monitoring shall be: in accordance with subparagraph (b), for the United States of America, Hercules Plant Number 1, at Magna, Utah; in accordance with subparagraph (a), for the Union of Soviet Socialist Republics, the Votkinsk Machine Building Plant, Udmurt Autonomous Soviet Socialist Republic, Russian Soviet Federative Socialist Republic.

7. Each Party shall conduct inspections of the process of elimination, including elimination of intermediate-range missiles by means of launching, of intermediate-range and shorter-range missiles and launchers of such missiles and support equipment associated with such missiles and launchers carried out at elimination facilities in accordance with Article X of this Treaty and the Protocol on Elimination. Inspectors conducting inspections provided for the elimination of the missiles, launchers and support equipment has been completed.

8. Each Party shall have the right to conduct inspections to confirm the completion of the process of elimination of intermediate-range and shorter-range missiles and launchers of such missiles and support equipment associated with such missiles and launchers eliminated pursuant to Section V of the Protocol on Elimination, and of training missiles, training missile stages, training launch canisters and training launchers eliminated pursuant to Sections II, IV and V of the Protocol on Elimination.

ARTICLE XII

1. For the purpose of ensuring verification compliance with the provisions of this Treaty, each Party shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.

2. Neither Party shall:

(a) interfere with national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article; or

(b) use concealment measures which impede verification of compliance with the provisions of this Treaty by national technical means of verification carried out in accordance with paragraph 1 of this Article. This obligation does not apply to cover or concealment practices, within a deployment area, associated with normal training, maintenance and operations, including the use of environmental shelters to protect missiles and launchers.

3. To enhance observation by national technical means of verification, each Party shall have the right until a treaty between the Parties reducing and limiting strategic offensive arms enters into force, but in any event for no more than three years after entry into force of this Treaty, to request the implementation of cooperative measures at deployment bases for road-mobile GLBMs with a range capability in excess of 5500 kilometers, which are not former missile operating bases eliminated pursuant to paragraph 8 of Article X of this Treaty. The Party making such a request shall inform the other Party of the deployment base at which cooperative measures shall be implemented. The Party whose base is to be observed shall carry out the following cooperative measures:

(a) no later than six hours after such a request, the Party shall have opened the roofs of all fixed structures for launchers located at the base, removed completely all missiles on launchers from such fixed structures for launchers and displayed such missiles on launchers in the open without using concealment measures; and

(b) the Party shall leave the roofs open and the missiles on launchers in place until twelve hours have elapsed from the time of the receipt of a request for such an observation.

Each Party shall have the right to make six such requests per calendar year. Only one deployment base shall be subject to these cooperative measures at any one time.

ARTICLE XIII

1. To promote the objectives and implementation of the provisions of this Treaty, the Parties hereby establish the Special Verification Commission. The Parties agree that, if either Party so requests, they shall meet within the framework of the Special Verification Commission to:

(a) resolve questions relating to compliance with the obligations assumed; and

(b) agree upon such measures as may be necessary to improve the viability and effectiveness of this Treaty.

2. The Parties shall use the Nuclear Risk Reduction Centers, which provide for continuous communication between the Parties, to:

(a) exchange data and provide notifications as required by paragraphs 3, 4, 5 and 6 of Article IX of this Treaty and the Protocol on Elimination;

(b) provide and receive the information required by paragraph 9 of Article X of this Treaty;

(c) provide and receive notifications of inspections as required by Article XI of this Treaty and the Protocol on Inspection; and
(d) provide and receive requests for cooperative measures as provided for in paragraph 3 of Article XII of this Treaty.

ARTICLE XIV

The Parties shall comply with the Treaty and shall not assume any international obligations or undertakings which would conflict with its provisions.

ARTICLE XV

1. This Treaty shall be unlimited duration.
2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from the Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to withdraw to the other Party six months prior to withdrawal from this Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardizing its supreme interests.

ARTICLE XVI

Each Party may propose amendments to this Treaty. Agreed amendments shall enter into force in accordance with the procedures set forth in Article XVII governing the entry into force of this Treaty.

ARTICLE XVII

1. This Treaty, including the Memorandum of Understanding and Protocols, which form an integral part thereof, shall be subject to ratification in accordance with the constitutional procedures of each Party. This Treaty shall enter into force on the date of the exchange of instruments of ratification.

2. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

Done at Washington on December 8, 1987, in two copies, each in the English and Russian languages, both texts being equally authentic.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. Mr. President, under the agreement that was entered, there will be a momentary temporary dispensation of the further reading of the treaty with no rights of Senators waived, and I take the floor at this time to suggest the absence of a quorum, with the approval of the distinguished chairman of the Foreign Relations Committee, in the hope that we can get some understanding as to where the negotiations are at this point on the D'Amato amendment to the DOD authorization bill. 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. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, the agreement was that the first 17 articles of the treaty would be read down to the

signatories, at which time the reading of the treaty would be temporarily held in abeyance with all rights reserved to Senators in the hopes that during that time of reading the first 17 articles, Senators who were working on an agreement anent the D'Amato amendment might be able to reach such an agreement so that the Senate then could dispose of the Department of Defense authorization bill.

Senators are still working on such an agreement and will not be able to conclude that agreement until tomorrow morning at a time when Senator KENNEDY will be here. He is very much involved in that amendment and he cannot come to the Chamber this afternoon.

So we are at the point now where we either have to continue with the reading of the protocols, which will take several hours, or we dispense with further reading of the protocols and perhaps get on with our opening statements.

The Senator from North Carolina is on the floor. He did not raise an objection, but he was in a position to raise an objection, to the calling off of the reading of the treaty at the end of the 1 hour, or such time as was required to read the 17 sections. So I would like to proceed now, if we could, to dispense with the further reading of the protocols.

I will inquire of the distinguished Senator if he has any objection. As a matter of fact, I will ask unanimous consent for the record, that further reading of the treaty be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. Reserving the right to object, and I shall not object, because I am confident the majority leader and the distinguished chairman of the Foreign Relations Committee and I have an understanding. I have no desire to keep the Senate here tonight to read the protocols. On top of that, I talked to the clerk. He is getting a little raspy in his delivery and his Russian is not all that good, and a lot of this is in Russian.

But I would inquire of the majority leader if he would include in his unanimous-consent request that all rights are protected. I may have a couple points of order which I will want to raise at the appropriate time. The unanimous-consent request suits me fine, if I may be protected on that score.

Mr. BYRD. All right. As I understand it, the distinguished Senator would not object to calling off the further reading of the—we will use the word "treaty"—further reading of the treaty and its attending protocols, provided no rights are waived thereby.

Mr. HELMS. Correct.

Mr. BYRD. Which leaves with every Senator any points of order that he

otherwise might wish to raise at this particular point.

Mr. HELMS. Well, it is a little bit ticklish about the timing of this, according to my understanding of the rules. But the distinguished majority leader would know more about that.

In any case, just so my rights are protected in that regard, that is fine.

Mr. BYRD. Let me word the request like this and see if it meets with the approval of the Senator.

Mr. President, I ask unanimous consent that further reading of the treaty be dispensed with, provided that the rights of all Senators are preserved; that no points of order are waived for the remainder of today and up to the point of tomorrow's beginning on the treaty by virtue of this consent request.

This would mean that whatever rights the Senator has or any Senator has at this point would still be preserved to that Senator or any Senator up to and including the moment that the Senate resumes consideration of the treaty tomorrow. So he is in the same position tomorrow morning as he is right now. But this would allow us to dispense with the further reading of the treaty and get on with it. Some of us want to make opening statements today.

And if the Senator wanted in the morning to insist upon further reading of the protocols, he could do that. He could do it right now. This preserves his right for the next several hours until the Senate resumes consideration of the treaty on tomorrow.

Mr. HELMS. Mr. President, if the Senator will yield, it seems to me that the majority leader has made it abundantly clear and I have no objection whatsoever.

The PRESIDING OFFICER. Hearing no objection, the unanimous-consent request is agreed to.

Mr. BYRD. Mr. President, I thank the distinguished Senator from North Carolina.

Now, I will make this proposal to the distinguished Republican leader that for the remainder of the day—and we will not be able to settle the situation concerning the D'Amato amendment until tomorrow morning. The only thing we can accomplish the rest of the day is to get some opening statements out of the way on the treaty. I would suggest that we equally divide the time for the remainder of this day and that we let the distinguished Republican leader and the majority leader control the time, or their designees. I will yield most of the time to Mr. PELL for the remainder of the day. This would preclude any amendment from being called up today. We might proceed on that basis for the rest of the day.

Mr. EXON. Would the majority leader yield for a question?

Mr. BYRD. Yes, I would be happy to.

Mr. EXON. Does the majority leader anticipate rollcall votes this afternoon? Or have you mentioned that? For the rest of the day?

Mr. BYRD. That is a very good question. I know of no reason why there should be any rollcall votes during the remainder of this day.

Mr. EXON. I thank the majority leader.

Mr. BYRD. I know no reason why there should be and I do not foresee any.

The PRESIDING OFFICER. (Ms. MIKULSKI). The Senator from Rhode Island.

Mr. PELL. Madam President, I yield myself such time as I need.

Madam President, I am very pleased that the Senate is now in position to begin consideration of the treaty between the United States of America and the Union of Soviet Socialist Republics on the elimination of their intermediate-range and shorter range missiles.

This treaty, known as the INF Treaty, was signed by President Reagan and the Soviet leader, Mikhail Gorbachev, on December 8, 1987, here in Washington. The treaty, together with two protocols and a memorandum of understanding was transmitted to the Senate on January 25, 1988. The Committee on Foreign Relations held a comprehensive series of 29 hearings in January, February, and early March, and heard testimony from more than 50 witnesses. On March 30, 1988, the committee ordered the resolution of ratification, as amended by a condition, reported favorably by a 17-to-2 vote.

Prior to its markup, the Committee on Foreign Relations received a report from the Committee on Armed Services concerning the treaty's effect on NATO defense and from the Select Committee on Intelligence on the U.S. ability to monitor and verify treaty compliance. The reports were helpful to the Committee on Foreign Relations in reaching its overall judgment that the treaty would serve the national interests of the United States and should be ratified.

After the treaty was reported, certain issues related to particular rights and obligations of the parties arose during U.S.-Soviet talks on treaty implementation. Administration officials worked with the Senate in determining how best to resolve these issues and consulted on numerous occasions with the Soviet side. Secretary of State Shultz met with Soviet Foreign Minister Shevardnadze on May 11 and 12 in Geneva to gain final clarifications before the full Senate took up the treaty. The Secretary reported to the Committee on Foreign Relations on May 16, and I am happy to report that the issues appear to have been re-

solved in a manner satisfactory to the United States. Thus, it is appropriate that the Senate now proceed.

Madam President, the INF Treaty requires that the United States and the Soviet Union:

Eliminate all ground-launched intermediate-range (1,000-5,000 kilometers) missiles and launchers in phases over three years;

Eliminate all shorter-range (500-1,000 kilometers) ground-launched missiles and launchers within 18 months; and

Not produce, flight-test, or possess such systems for the indefinite duration of the treaty.

Under the terms of the treaty, the United States will eliminate 120 deployed and 127 non-deployed Pershing II ballistic missiles, for a total of 247. The United States will eliminate 309 deployed ground-launched cruise missiles and 133 non-deployed GLCM's, for a total of 442. Taking both types together, the United States will eliminate 689 intermediate-range missiles.

Meanwhile, the Soviet Union will eliminate a somewhat greater number of intermediate-range missiles, as follows: 405 deployed SS-20's, 245 non-deployed SS-20's, 65 deployed SS-4's, 105 non-deployed SS-4's and six SS-5 missiles, for a total of 826.

In the shorter-range category, the United States will eliminate 170 Pershing 1A missiles now in storage. The Soviet Union will eliminate 220 deployed and 506 non-deployed SS-12's and 22's, and 167 deployed and 33 non-deployed SS-23's, for a total of 926.

In terms of deployed warheads, the asymmetry is even greater. The United States will take out a warhead for each deployed missile for a total of 429, and the Soviet Union will take out three warheads for each deployed SS-20 and one warhead for each of its other deployed intermediate-range and shorter-range missiles for a total of 1,667. This constitutes a four-to-one disparity in favor of the United States in terms of deployed nuclear warheads.

Under the terms of the treaty and the protocol on eliminations, the elimination process will be tightly controlled. Allowable locations of missiles and launchers to be eliminated are carefully specified, and systems must be eliminated in complete units, support structures must be eliminated where they stand, and destruction must occur only at agreed facilities. During the first 6 months a maximum of 100 intermediate-range missiles may be eliminated by launching. The two sides made an extensive and unprecedented data exchange as of November 1, 1987, and updated information is to be provided within 30 days of entry into force and at 6-month intervals thereafter.

In monitoring compliance, national technical means, which includes satel-

lite and other collection assets, will be crucial. The parties have not only agreed not to interfere with each other's NTM but also to take specific steps to enhance each side's ability to monitor compliance by NTM. In addition, there is provision for on-site inspections, including base-line, close-out, elimination, and short-notice inspections, as well as portal monitoring of a missile assembly plant on each side.

I find the strong verification provisions are reassuring. Clearly, we would be able to detect and react in time to any militarily significant violations, and there is reason for confidence that any such violations would be detected through our national technical means. At the same time, the committee was alert to the danger that excessive verification requirements might have led to a treaty which fell short of its potential. We concluded that a good balance was struck and that the treaty is a solid accord with effective verification.

Having reached these judgments, the committee concluded that the treaty warranted approval without change. At the same time, the committee judged it crucially important that one formal condition be adopted. This condition affirms certain constitutional principles related to the treaty power and requires that these principles govern U.S. interpretation of the INF Treaty. The purpose of the condition is to reaffirm the long-standing practice and long-standing principle that the current "shared understanding" of the Executive and the Senate, as reflected in the Executive's formal representations, is defining in terms of the President's future latitude in interpreting and implementing the treaty. Given recent administration assertions to the contrary, the committee judged that, in the absence of such a condition, the Senate would face the alternative of considering countless other conditions designed to formalize the Senate's understanding of various INF Treaty provisions.

Madam President, the Committee on Foreign Relations questioned administration and other witnesses closely on this treaty. We weighed the merits carefully, and we looked for flaws as well. We would not have supported this treaty if it jeopardized U.S. security in any way.

Madam President, the INF Treaty comes to the Senate after more than 7 years in which there have been no formal accomplishments in the arms control arena. Of course, that alone is not sufficient justification for approval of the treaty. But the treaty's substantive merits do provide such justification. With the Foreign Relations Committee having studied the treaty carefully, I welcome the opportunity to state that the committee has given

its imprimatur to this arms control achievement.

I hope that the Senate will move to approve the INF Treaty promptly and that we will not become bogged down in the consideration of unnecessary conditions and amendments. If we understand that the INF Treaty is a modest achievement in military terms and a more important success in political terms, I believe we will be able to put the treaty in the right perspective. The treaty, in my view, is most important as the beginning of a new continuum in arms control that could lead us to further and quite significant achievements. The treaty could be followed by verification agreements which opened the way to ratification of the 1974 Threshold Test Ban Treaty and the 1976 Peaceful Nuclear Explosions Treaty. It could help open the way to success in Geneva in negotiating a solid, comprehensive START treaty, which would be of great military significance by requiring deep cuts in the strategic weapons possessed by the United States and the Soviet Union. With regard to Europe, the treaty could set the stage for success in reaching agreement to sharply reduce the threat posed by the Warsaw Pact's conventional forces. Such successes could be enhanced by an early agreement on a chemical weapons ban.

We should bear in mind that the INF Treaty is of little military significance. Only 5 percent or 1/20th of the total number of deployed nuclear weapons is being removed. And every targeted military or civilian site that is no longer targeted as a result of the removal of the nuclear weapons covered by the treaty may, if the opposing side wishes, be retargeted by sea or air-based missiles, as well as land-based intercontinental ballistic missiles not covered by the treaty.

The importance of this treaty is political and psychological—to signal a stop to the nuclear arms race, a halt to the present continuous upward escalation of Soviet and American nuclear weapons. It would start a momentum downward, not upward.

When that is accomplished, it would be time to consider the next stage of negotiations, which should be participated in by all nuclear weapons nations. To reach that stage, we must be serious and dedicated now.

The INF Treaty represents a small, but vitally important step toward successes which could get us back on track in the search for far more substantial arms reductions. I urge that the Senate proceed expeditiously to approve the INF Treaty.

I invite to the attention of my colleagues that this treaty is of immense psychological and political importance, a good forward step; as Bob Kennedy once put it, "The journey of a thousand miles starts with a simple

step." And this step could hopefully reverse the present flow of escalation and increasing numbers of nuclear weapons.

I yield the floor.

Mr. BYRD. Madam President, will the Senator yield me some time?

Mr. PELL. Certainly. I yield such time as he may need to the majority leader.

Mr. BYRD. I thank my distinguished friend.

Madam President, I ask unanimous consent that the time for debate today on the treaty be limited to 2 hours to be equally divided between the minority leader and myself. The distinguished Republican leader and I have discussed just a few moments ago the amount of time we would proceed for the rest of the day with the understanding that the time can be extended but for now that we might have a backdrop on the amount of time that we expect to take we begin with 2 hours. Is that agreeable? I make that request.

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

Mr. BYRD. Madam President, the treaty between the United States of America and the Union of Soviet Socialist Republics is before the Senate, and it has to do with the elimination of the intermediate-range and shorter-range missiles, together with the memorandum of understanding and two protocols thereto, collectively referred to as the INF Treaty.

This is the subject matter before the Senate as of now. It is a treaty of great importance to our Nation and to this body for a number of reasons. It is the result of a long, difficult confrontation with our primary adversary since the end of World War II—the Soviet Union—which took the form of a military challenge to the NATO alliance in the 1970's, in a provocative deployment of Soviet medium-range ballistic missiles targeted at European capitals. The deployment was a form of intimidation designed to break the will of the Atlantic alliance, to divide and conquer European countries. This treaty, first and foremost, is proof positive that the Soviet strategy has not worked. It is proof positive that American leadership of a strong united alliance has worked over the span of two administrations, one Democratic and one Republican.

This treaty is, to a large extent, a European treaty, since none of the weapons which will be eliminated by the treaty are capable of reaching the continental United States, with the exception of those Asian-based SS-20's capable of reaching portions of Alaska. Therefore, it was important that it be satisfactory to the Europeans, and that they be consulted as it was being negotiated. I commend the administration for a successful effort in this

regard. I led a bipartisan delegation of Senators to five NATO capitals in February—a delegation composed of the three committee chairmen who thoroughly investigated and explored the provisions of this treaty, and who are to be commended, along with Mr. WARNER, who is not only ranking on the Armed Services Committee but also sits on the Intelligence Committee and has had a very important and responsible role in this process.

I refer, of course, to those chairmen—Senator PELL, Senator NUNN, and Senator BOREN—of the Committees on Foreign Relations, Armed Services, and Intelligence, respectively.

I then testified before the Foreign Relations Committee on the results of our trip on February 24, 1988, and have submitted, on behalf of the delegation a comprehensive report on our trip to the Senate on March 12, 1988.

I include a copy of that report in the RECORD at the conclusion of my remarks.

We found that there was widespread support for the treaty among our NATO partners, and as the report concludes, "On the narrow question of ratification on the INF Treaty, opinion was virtually unanimous that it should be approved by the Senate for ratification, and that failure to ratify could create a grave crisis in Western Europe and NATO."

Nevertheless, there was also a consensus that only sound agreements should be concluded by the United States with the Soviets. There was a consensus that we have to be careful that the momentum of good publicity surrounding signing ceremonies, portrayed in the sophisticated publicity campaigns of the new Soviet leadership does not create a false momentum toward agreements that are not carefully negotiated and concluded with our security interests uppermost in our consideration. The report concluded that, in NATO, there was a "clear consensus that arms control agreements, including a START agreement, should be concluded when issues in dispute have been satisfactorily negotiated, and should not be negotiated under the pressure of artificial deadlines.

"Likewise, when and if a sound agreement is in sight, there should be no delay in concluding it, since to do so is in our common interest. But the important thing is that it be a good agreement—not dictated by calendar deadlines or election year politics."

We have seen in connection with this treaty, which is rather minor in comparison with the START agreement, that there have been problems, there have been loose ends, there have been matters that have not been thoroughly gone into, some of which were not even discussed or brought up by

our negotiators. And because of the insistence of this Senate on a thorough understanding of what we were doing and where we were going before we jumped, the insistence of this Senate on the part of its committees, it led the way that our negotiators go back and resolve these differences and disputes and disagreements with the Soviets before the Senate began debating on the floor the full treaty.

As a result of the position that the Senate has taken in that regard, of course, General Powell has indicated that in his opinion the process greatly enhanced and advanced the security interests of the United States.

So with that lesson in mind before them, I hope that our negotiators, when they sit down with the Soviets to discuss the START agreement, will clearly remember that this is no push-over, this Senate, and that it is an institution that under the Constitution has a role, an important role, one that is not a symbolic role, one that is not a rubberstamp role to any President, but one which is a role that protects the interests of the American people. And this Senate has demonstrated in this case that it will not be an institution that will just roll over and play dead, but it means to have its say and it means to take a good look at any agreement. And we also keep in mind that we are dealing with the Soviet Union.

So it might also be a good lesson to the Soviets that under this system, under the American system, there is no single individual in this society or in this Government who has all power, and that this is a system of tripartite powers and equal and separate branches.

So it may be a good civics lesson for our friends in Moscow as well as they look toward possibly discussions that might at some point ultimately lead to another agreement, START agreement.

It might also be a matter of considerable solace and comfort to our allies to know that there is a Senate, that there really is a Senate, and that it is just not an institution in name. It is an institution that takes very seriously those words that were written into the Constitution by our forefathers and believes that those words were just not put in to fill out sentences or pages in the Constitution.

So our allies can depend on this Senate as well in protecting their interests, the allies' interests, as long as treaties are entered into that involve the security of the allies.

The important thing is, as we see it, that this be a good agreement, not dictated by calendar deadlines or election year politics.

Mr. President, this conclusion applies to the way in which this Senate conducts its review of treaties. I would point out that recent history is very

mixed, and rather disappointing on the question of arms control treaties. We have not considered a major arms control treaty on this floor since the ABM Treaty was approved in 1972. Less than 20 percent of the Senators now sitting in this body have participated in such an important exercise. In fact, the distinguished minority leader and I were so concerned about the history of arms control and the Senate's role in arms control that we created a special Senate body, the arms control observer group, as the major item of Senate business on the first day of the last Congress, the 99th Congress, on January 3, 1985.

As we said in our report to the Senate at that time, "We seek to avoid a recurrence of the problems of the 1970's, when three successive arms control treaties, signed by three Presidents, were never approved for ratification by the Senate—including two nuclear testing treaties and the SALT II Treaty." I believe the functioning and existence of that group has been of value to this Senate, and to the three committees, and I commend the work of the leadership of that group, Senators PELL, NUNN, LUGAR, and STEVENS.

Overall, we must be thorough. We have already learned that lesson in spades on this INF Treaty. Both the Armed Services and Intelligence Committees found gaps, loopholes, and ambiguities in this treaty which had to be cleared up—which had to be clarified with the Soviet Union. This was the case most notably on the issue of future weapons systems and whether they are clearly banned by the treaty. It was also the case on the matter of some problems which arose on the novel, unique, on-site verification system which is being created by this treaty.

The Foreign Relations Committee reported this treaty favorably on April 14, 1988. In the days since that report, substantial improvements have been made, including negotiations with the Soviet Union on the verification procedures of the treaty. The thoroughness of the Senate regarding this treaty has already paid dividends to the Nation. It is my hope and my expectation that the careful consideration of the full Senate on this floor will enhance the value of this treaty further for our Nation.

Madam President, the result of these efforts throughout the Senate is that we are now prepared to move to the important and critical final step of Senate action: debate on the treaty and the resolution of ratification on the floor of the Senate.

I expect the debate here on the floor will be thorough, and there will undoubtedly be amendments, offered, debated, and voted upon. These are important matters and they deserve the careful attention of the Senate. I hope

that all Senators will devote time and energy to be here to participate in this important debate. I hope that the quality of the debate will serve to inform the American people and to reassure them about the thoroughness of the procedure by which this Senate approaches this extremely important, and why not say critical matter. I intend to, and at the moment it is my intention to support consent to the ratification of the INF Treaty. I believe it passes the critical test which is that it enhances the security of the United States, and it is a list, and that it is in the interest of NATO to ratify the treaty. Several issues are likely to attract considerable attention in coming days. The Foreign Relations Committee has reported a resolution of ratification with a suggested condition on treaty interpretation.

Such a condition is necessary, in my view, in light of our experience over the past 2 years with the issue of treaty interpretation. In light of the insistence by parts of the administration that testimony by administration officials is not authoritative in the interpretation of provisions of a treaty, and that only the classified negotiating record is authoritative, we had to arrange for the administration to provide us with the entire negotiating record. We established a separate office, the Arms Control Treaty Review Support Office, which has exhaustively evaluated that record, developed a sophisticated computer program to evaluate that record, so that comparisons could be made by the committees of that record with the testimony being provided by administration officials. The system has worked well, and sets an important precedent for consideration of future treaties.

I also believe it will be necessary to attach a binding condition concerning the issue of future technologies. As a result of the exchange of notes in Geneva last week, the two sides have now clearly stated their common understanding that the INF Treaty bans all intermediate-range and shorter-range missiles, regardless of the type of weapons they carry. This understanding should have equal status with the other elements of the treaty, in my opinion, and I will support a condition on the resolution of ratification which binds the two sides to this statement.

I believe this is an important treaty, dealing with important issues which critically affect the security of ourselves and our allies. It is not, in my opinion, militarily insignificant or a minor matter. The treaty breaks new ground by requiring the complete elimination of classes of weapons, by requiring an intrusive inspection and verification system, and in the degree of cooperation required from basing

countries and allies in implementing the treaty.

Madam President, I hope the treaty can be approved without attaching additional conditions on policy and on United States-Soviet relations which are not directly related to the treaty itself and the matters it covers.

Like other Senators, I have a number of concerns about Soviet behavior in various parts of the world. We all know that their invasion of Afghanistan and the bloody 8-year war in that country was devastating to the last arms control treaty between the United States and the Soviet Union and, as a matter of fact, was a deciding factor that prevented that treaty from being called up by the then majority leader, myself, for debate and action on this floor.

When the Soviets went into Afghanistan in the summer of 1979, that, of course, was the straw that broke the treaty's back, and I never called up that treaty.

As I indicated to Mr. Gorbachev when he was in this city a few weeks back, in the presence of other Senators, it would be very helpful when we consider this treaty if we could have a timetable on the withdrawal of Soviet forces from Afghanistan.

It was my intention at that time to have several days of debate on Afghanistan during consideration of this treaty and to attach some reservation or declaration or understanding or statement of some kind that would put the Senate in a strong position with respect to advocating the withdrawal of the Soviets from Afghanistan. The Soviets have now established and publicized a timetable for their removal, and I commend the administration, and in particular I commend Secretary of State Shultz. Because of the fact that that timetable has now been publicly established, the debate on this treaty will be much shorter than it otherwise would have been.

I do not have in mind anything by way of any reservation that I will seek to attach to the treaty, and I do not have in mind any long debate, so far as I am concerned, in that regard. But that was certainly a very forward step taken by Mr. Gorbachev, and it saved a lot of the Senate's time in the deliberations on this treaty.

So it is a hopeful sign that as we take up this INF Treaty, the Soviets have decided to acknowledge their failure to subjugate that brave country and those brave people who believe in freedom, who put freedom above their lives, and the Soviets are beginning to withdraw.

I encourage the Senate to thoroughly examine and debate the treaty itself, and not go too far afield into other policy areas that can be debated on other vehicles, because we must remember that, after all, we are debating an arms control treaty. I hope we

will try to stay as close as we can to that subject matter.

I want to commend the Republican leader for the support he has given to the imperative that the Senate fulfill its proper role in connection with the approval and ratification of treaties.

I also commend, once again, the chairmen of the Committees on Foreign Relations, Armed Services, and Intelligence, and the ranking members thereof.

I know that perhaps one ranking member of those three committees is not wholly supportive of the treaty. Nevertheless, he is fulfilling his responsibility as he sees it. That is his right and that is his duty—to fulfill his responsibility as he sees it.

Having said that, Madam President, I close by asking unanimous consent to have printed in the RECORD certain excerpts from the report to which I alluded and certain excerpts from the report creating the Soviet arms control observer group delegation.

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

THE INF TREATY AND THE FUTURE OF THE ALLIANCE

(Report by Majority Leader ROBERT C. BYRD)

FOREWORD

MAY 11, 1988.

From February 6-14, 1988, I led a bipartisan Senate delegation to five NATO capitals to investigate and discuss matters related to the INF Treaty. Accompanying me on the delegation were the leaders of the three committees with responsibilities for aspects of the Intermediate-Range Nuclear Forces (INF) Treaty: Senator Claiborne Pell, Chairman, Committee on Foreign Relations, the committee with jurisdiction over the Treaty; Senator Sam Nunn, Chairman, Committee on Armed Services; Senator John W. Warner, Ranking Member, Committee on Armed Services; and Senator David L. Boren, Chairman, Select Committee on Intelligence.

The purpose of the trip was to hold consultations and discussions with government leaders, opposition politicians, and leading figures from academia and the media in key NATO countries, focusing on the INF Treaty and its significance for the future of the NATO Alliance. At the time of the trip, all three committees were in the process of holding hearings on aspects and implications of the Treaty. President Reagan signed the Treaty with the Soviet leader, Mikhail Gorbachev, on December 8, 1987, in Washington, D.C., and submitted it to the Senate for its advice and consent to ratification on January 25, 1988. Since the United States, in essence, negotiated this Treaty with the Soviet Union on behalf of the NATO Alliance, the Senate leadership deemed it important to seek directly European leaders' views and advice as an integral part of the process of reviewing the Treaty.

At the outset of the trip, the delegation attended the 25th annual International Wehrkunde Meeting in Munich, Federal Republic of Germany, the theme of which was "The American-Russian Disarmament Negotiations and their Consequences." At this conference, a sizable representation of officials from all NATO countries, as well as

opinion-makers and outside experts, were gathered. Both Senator Nunn and I delivered addresses to that gathering, which are included in this report as Appendices A and B. The delegation had an opportunity to hear a variety of informed opinions as to the future security needs of and challenges for the Alliance. Following that conference, the delegation traveled to London, Bonn, Paris, Ankara, and Rome. In each capital, it met the head of state or of government. Additionally, it met with the defense and foreign ministers at each stop, opposition leaders, and opinion-makers, as well as with both foreign and American press representatives. A full listing of those individuals follows:

OFFICIAL DELEGATION MEETINGS

Munich

Senators Byrd and Nunn addressed Wehrkunde Conference Luncheon meeting with Dr. Willem Van Eekelen, Minister of Defense of the Netherlands and Chairman of the Eurogroup Defense Ministers

London

Prime Minister Margaret Thatcher
Defense Minister George Younger
Deputy Secretary of State for Foreign Affairs David Mellor
Former leader of the Social Democratic Party David Owen
Luncheon hosted by Ambassador Price, guests included Labour Party Leader, Mr. Neil Kinnock

Bonn

Chancellor Helmut Kohl
Foreign Minister Hans-Dietrich Genscher
Defense Minister Manfred Woerner
Minister of State Helmut Schaefer, Foreign Office
Mr. Karsten D. Voight, SPD, Bundestag Deputy; SPD Spokesman, Foreign Affairs Committee
Mr. Wolfgang Boetsch, CSU, Bundestag Deputy
Dr. Gerhart Baum, FDP, Bundestag Deputy

Paris

President Francois Mitterrand
President of the National Assembly Jacques Chaban-Delmas
Foreign Minister Jean-Bernard Raimond
Defense Minister Andre Giraud
Chairman of Military Committee of French National Assembly, M. Francois Fillon

Turkey

President Kenan Evren
Prime Minister Turgut Ozal
Foreign Minister Mesut Yilmaz
Defense Minister Evran Vuralhan
Armed Forces Chief of Staff Necip Torumtay
President of Turkish Grand National Assembly Yildirim Akbulut

Italy

Prime Minister Giovanni Gorla
President of National Assembly Giovanni Spadolini
Foreign Minister Giulio Andreotti
Defense Minister Valerio Zanone

Transcripts of various round table discussions and meetings the delegation had with the press are reproduced in the appendices.

The Alliance is currently enjoying the fruits of its steadfastness in pursuing a negotiated agreement on land-based intermediate-range nuclear forces. By following through on the 1979 dual track decision to deploy ground-launched cruise missiles and Pershing II ballistic missiles while, at the

same time, pursuing discussions of limits on those missiles, the Alliance has achieved a great victory. This victory was not achieved without considerable courage and the expenditure of political capital by leaders in each of the NATO countries. Through courage and farsightedness, NATO was able to reaffirm the principles that the Alliance will take whatever steps are necessary for its own security, and that its members will stand together in pursuit of these common objectives.

Inevitably, the attainment of the Alliance objective of total elimination of these systems through asymmetrical reductions opens the agenda for the next set of decisions which must be addressed. Therefore, this delegation focused on the challenges and decisions facing NATO in the post-INF era, rather than solely on the question of treaty ratification. The Alliance as a whole is to be commended for the victory in attaining the treaty, but this is not a time for excessive self-satisfaction or relaxation. Instead, a healthy period of reexamination, assessment, and planning for the Alliance future is in order. The leaders with whom the delegation met shared this view.

This Congressional delegation visited NATO capitals at a time of renewed debate and discussion regarding the Alliance's purposes and future directions. Although the treaty on Intermediate-range nuclear forces (INF) represents a victory for Alliance cohesion and steadfastness in pursuing a common policy, it also represents the end of a ten-year phase during which INF was at the core of Alliance efforts in arms control and force modernization.

At this time, the full Senate is considering the INF Treaty and it is hoped that this report will provide useful perspectives on the issues which form the larger international context for the accord. Finally, the delegation notes with appreciation the preparation of this report by Richard D'Amato, Scott Harris, and Wendy Decker.

ROBERT C. BYRD, *Majority Leader,*
Delegation Chairman.

INTRODUCTION

The delegation embarked on the visit with three objectives. The first of these was to receive firsthand the unfiltered views of the leaders of the alliance regarding the INF Treaty. Given the significance of this treaty for European security and for the continued unity of NATO, views of the European Allies constitute an important factor to be taken into account during the Senate's consideration of this treaty.

A second objective was to discuss, not only with government officials but with opposition leaders and private citizens as well, the impact of the treaty on the future of NATO. The Alliance will face crucial, and potentially controversial, decisions in the post-INF political and military environments. In the opinion of the delegation, it is important to begin now to consider these issues and to begin to formulate a common course. In particular, it is important that NATO identify a common set of objectives for the next round of arms control, particularly in the area of conventional arms reductions. Many useful suggestions in this regard were identified during the course of the delegation's discussions with European leaders.

The third objective of the delegation's visit was to explore with European counterparts their perceptions of the objectives and style of Soviet policy toward the West, particularly the impact of Soviet diplomacy on Western public opinion. Is there a general-

ized perception that the threat to Western security has diminished, or that NATO's strategy of deterrence based on the capability for flexible response is no longer widely supported?

In addition to the mission of listening to European views and learning about the trends of European public opinion, the delegation also conveyed to interested European audiences, in public as well as private sessions, a message concerning the U.S. commitment to NATO and the inherent stability of the American political system. Particularly in an election year, when the level of political rhetoric and debate could convey confused and conflicting images of the United States to Europeans, the fact that the Senate of the United States is a continuing body is worth recalling and emphasizing. Moreover, the members of the delegation focused on the essential facts that the INF Treaty is a victory for NATO unity and cohesion, and that, regardless of the debate over ratification which will ensue in the coming weeks, it is highly likely that the Senate will consent to the Treaty's ratification. For that reason, it is important for NATO to begin now to look beyond the specifics of the INF Treaty and to focus on future challenges.

A. CONTEXT: BACKGROUND THEMES OF THE VISIT

Several developments related either to the INF Treaty or to political trends in Europe occurred during the time of the delegation's visit. They provided important background themes, the essential context in which the discussions in Europe took place.

a. INF TREATY INTERPRETATION

Most visible of these background developments was the ongoing controversy over future interpretation by the executive branch of the INF Treaty, a controversy which stems from the efforts of the Reagan Administration to reinterpret the ABM Treaty in a manner different from its traditional interpretation. The possibility of delays in Senate consideration of the INF Treaty as a result of the dispute between the Senate and the Administration over whether Administration testimony as to the meaning of the Treaty would be authoritative and binding in the future received considerable attention during the trip.

Senators Byrd, Pell, Nunn and Boren engaged Secretary Shultz and Ambassadors Kampelman and Nitze in an extensive discussion of this issue in the weeks leading up to the delegation's departure, without reaching a final agreement. Nevertheless, the records of the negotiations on the Treaty were delivered to the Senate on February 5, 1988, and terms for access to the records had been arranged. Senators Byrd and Nunn alerted the Secretary in a letter on February 5, 1988; that due to the Administration's failure to provide any assurances with regard to future interpretation of the INF Treaty, consideration of the Treaty in the Senate could be delayed pending the outcome of the interpretation dispute. This letter was widely reported in the press, and the issue was frequently raised during the delegation's first few days in Europe.

Senator Byrd and Senator Nunn took the opportunity of the dispute to educate the European audiences on the role of the Senate in the treaty-making process in the United States. As part of this effort, they assured the European publics that this dispute would be resolved, that it was a procedural and Constitutional dispute which probably would have little bearing on the

actual outcome (i.e., likely consent to ratification) regarding the INF Treaty, but that it was necessary to resolve the issue, especially as it relates to the instant treaty.

When, on February 10, 1988, the Secretary of State responded with another letter clarifying his position, Senators Byrd and Nunn indicated at a news conference in Paris that the response was generally satisfactory and that the possibility of a delay in consideration of the Treaty as a result of this dispute appeared to have been eliminated. The dispute makes it highly likely, however, that the Senate will address the issue during consideration of the Treaty, and Europeans should expect such an outcome. (For texts of the letters and the Senators' statement, see Appendix N.)

Despite the favorable progress toward resolving this dispute, the debate over treaty interpretation raises questions in the minds of many Europeans about the stability of the American system and the ability of the United States to conclude treaties in good faith. The delegation emphasized that this issue was not the result of any actions initiated by the Congress and that, moreover, it was the Congress which had resisted attempts by the Administration to reinterpret the meaning of the ABM treaty. The delegation also stressed that actions currently being pursued in the Senate should lead to a satisfactory resolution of this issue.

b. AMERICAN COMMITMENT TO EUROPE AND THE DANGER OF "DECOUPLING"

The prospect of the withdrawal of a class of nuclear weapons from Europe has again raised anxieties about "decoupling" and the credibility of the American commitment to European security. While the Pershings and Cruise Missiles are often portrayed simply as a response to the SS-20 deployments by the Soviet Union, it is important to remember that they were also justified as part of the continuum of NATO's deterrent capabilities, a necessary rung on the ladder of escalatory options. Removal of this rung understandably creates uncertainties. This natural reaction is given increased impetus by the fact that, within the NATO countries themselves, significant political constituencies remain opposed to nuclear weapons and fearful of their continued deployment in large quantities in Europe. The Soviets, of course, seek to exploit these fears through a skillful propaganda campaign and a diplomatic offensive aimed at highlighting these fears. Soviet leaders seek to engage the Alliance in discussions on the remaining short-range nuclear weapons prior to addressing issues such as the imbalances in conventional and chemical forces. Added to this volatile mix of nuclear anxieties have been the confusing signals sent by Washington during the past few years concerning the nuclear guarantee and the United States' commitments to nuclear deterrence.

This concern has become more pronounced since the U.S.-Soviet summit at Reykjavik in 1986. The impression conveyed from that summit was that the United States was uncertain about the value of nuclear deterrence in the European theater, raising old fears of a "decoupling" of America and Europe, and fueling the arguments of those who believe that Europe should become a "nuclear-free zone." The denuclearization of Europe appears to be a high priority for the Soviet Union, which will miss no opportunity to exploit either division in the West or confusion on the question of nuclear deterrence.

The delegation took the opportunity to reaffirm the commitment to the NATO strategy of flexible response and to indicate that there is broad support in the United States and in the Senate for NATO and for the current NATO strategy. As Chancellor Kohl and others remarked during the visit, it has been the credibility of the nuclear deterrent which has been of central importance in breaking the cycle of wars on the European continent for the last 43 years.

Related to the question of American staying power was the perception that the United States may be considering the withdrawal of troops from Europe. Secretary of Defense Frank C. Carlucci delivered an address at the Wehrkunde Conference which could have been interpreted as making just such a threat, resulting in newspaper headlines with an alarmist tone, such as "U.S. Warns of Troop Pullout if Bonn Bars Nuclear Arms," which appeared in the *International Herald Tribune* (see Appendix C). While this characterization of the Secretary of Defense's remarks may be stronger than he intended, the theme of threatened U.S. withdrawal of troops from Europe in the absence of continued commitments to nuclear modernization continually reappeared throughout the next several days. It contributed more to European anxieties about American presence and commitment than it did to the rallying of opinion behind common security objectives. Such statements contain the danger of undoing much of the good that was done by Alliance solidarity throughout the INF negotiations. Moreover, since the remarks could be seen to be directed at particular factions within the Federal Republic, German sensitivities were somewhat aroused by this public browbeating of an ally. Such apparent or misconstrued threats should be avoided as they are counterproductive, and the apparent use of them by United States officials can do our Allies a disservice.

Additional concerns in Europe could be found regarding the shifting priorities of the United States, particularly in light of the report *Discriminate Deterrence* recently issued by a Blue-Ribbon Department of Defense task force. The delegation pointed out that although this report has received considerable attention in Europe, it is not authoritative or representative of a consensus in the U.S. Senate.

C. MEETING THE SECURITY CHALLENGE IN AN ERA OF CONSTRAINED BUDGETS

Most of the major NATO countries, including the United States, will not be able to meet the goal of real increases in defense spending of 3% in the coming year. The United States has not met this goal for the past two years. Only Italy will come close to this goal. Turkey is making a positive effort but the Turks face the greatest requirements for modernization and must rely on security assistance from the United States and West Germany to meet their minimum security needs.

This fact is well understood in NATO, but the regularity with which the goal of 3% increases are missed suggests that this is no longer a useful yardstick for measuring Allied contributions to the common defense. It is unrealistic to expect Allied governments to increase dramatically the shares of government spending devoted to defense. This does not mean, however, that improvements cannot be made in the ways in which the money is spent or in the efficiency of expenditure. The delegation, and Senator Nunn in particular, urged the Allies to cooperate more effectively in an effort to "think

smarter, not richer," in order to provide the types of conventional forces which the Alliance will require.

The importance of devoting sufficient resources to defense lies in the critical relationship between credible conventional defense forces and the nuclear option which backs up the conventional forces. NATO does not have as a goal matching the Warsaw Pact gun for gun or tank for tank. There is no need for that on the part of a defensive alliance. On the other hand, reliance on nuclear weapons as the exclusive deterrent to aggression raises deep concerns among publics in Allied countries and could be seen as lacking credibility by potential aggressors. NATO has established an official goal of having sufficient stocks to achieve the ability to defend NATO territory conventionally for thirty days, but only the United States comes close to meeting this objective among the NATO allies.

These issues of burden sharing, reduced funds available for conventional forces, declining or inadequate levels of assistance to the Southern Region countries, and inefficient expenditure of resources among NATO partners will confront the Alliance with major challenges in the coming years. They constitute an important backdrop to the need for progress toward conventional arms control and conventional force reductions in the coming months.

D. PUBLIC OPINION IN EUROPE

Considerable press attention was focused on the delegation's visit. Press events and public discussions with journalists and commentators were held at each stop. This afforded the delegation the opportunity not only to hear the views of knowledgeable observers of the European scene, but also to convey to European publics, through the media, messages concerning the role of the Senate in the American Constitutional system and the fact that the Senate is a source of stability and continuity in American policy.

The following sections describe the principal themes discussed in each country visited by the delegation, with a final section summarizing the findings and observations of the delegation.

B. FEDERAL REPUBLIC OF GERMANY

The delegation spent a fruitful day in Bonn on February 9, 1988, in discussions with leading figures in the Federal Republic, including Chancellor Helmut Kohl, Foreign Minister Hans-Dietrich Genscher, Defense Minister Manfred Woerner, and other officials.

There is widespread agreement in the Federal Republic that the INF Treaty should be ratified without amendment. Despite initial doubts about the "second zero" of short-range INF missiles and reluctance to scrap the German Pershing I's, the Treaty has widespread support in the German government, in the opposition, and among the general public.

The issues foremost on the agenda in the Federal Republic concern the nature and scope of future arms control negotiations, the timetable for decisions concerning modernization, and bilateral relations between the Federal Republic and other NATO allies, particularly France. These issues are, of course, overlaid by the dynamics of German domestic politics, where the opposition Social Democratic Party is showing increased strength at the *Land* level and where tensions on these issues within the ruling coalition can be discerned.

FURTHER DISCUSSIONS ON SHORT-RANGE NUCLEAR FORCES

The themes which were examined during the meetings in Bonn were previewed in the speeches by Chancellor Kohl and opposition Social Democratic Party (SPD) leader Hans-Jochen Vogel at the Wehrkunde Conference. Vogel, although carefully couching his words in terms of overall support for the Alliance, nevertheless raised a number of issues which clearly run counter to the consensus among NATO governments today and could presage future controversies in NATO. He indicated, for example, the SPD's support for *Simultaneous* pursuit of negotiations to reduce the conventional force imbalance and further efforts to negotiate limits on short-range nuclear forces. This view is also shared by many in the ruling coalition.

In contrast to the apparent position of Dr. Vogel, officials in the Federal Republic expressed their opposition to the "Third Zero" of short-range land-based ballistic missile reductions. But a significant cleavage, not only within German opinion but also between Germany and the rest of the NATO Alliance, may be developing concerning the timing of discussions concerning the short-range systems. Both Chancellor Kohl and Foreign Minister Genscher appear to favor beginning discussions on reducing the short-range nuclear systems deployed in Europe (most of which, of course, are deployed by NATO in West Germany and by the Warsaw Pact in East Germany) at the same time discussions on limiting conventional forces are undertaken, a position which appears to be in line with that outlined by Dr. Vogel at Wehrkunde. West German officials argue that the communique of the NATO ministerial meeting at Reykjavik endorses this concept. This view is not shared by the other NATO Allies. Even within Germany, the fear was expressed that undertaking such discussions could result in NATO facing a Soviet proposal for a third zero which would be hard to resist. It is likely that disagreements over the timing of discussions on further efforts to reduce short-range nuclear arms in Europe will characterize Alliance discussions in coming months. This issue could become one of significant dispute within the NATO alliance unless handled skillfully and carefully.

OVERALL SECURITY CONCEPT

The German officials with whom the Congressional delegation met placed a great deal of emphasis on the need for an overall concept of security to guide the Alliance in its force modernization decisions and in its arms control approach to the Warsaw Pact. While it would be possible to see this as an effort to delay tough decisions or to revisit decisions which the Alliance has already made, it can also be seen as a legitimate concern and one which the Alliance should take seriously. The Federal Republic can be expected to press this view in coming months.

As the Alliance struggles to define a common position for new talks on conventional stability in Europe, talks which may start later this year, it will be important for the Alliance to be guided by a common set of objectives and a shared vision as to the desired outcomes of the negotiations. It goes without saying that asymmetrical reductions in Warsaw Pact troops will be required, but in the absence of a common set of goals and a vision of the final outcome of the talks, the Alliance runs the risk that Soviet proposals which appear good on the surface could be used to great public rela-

tions effects in the West without an effective counter by NATO governments. This must be avoided, and, to that extent, the German emphasis on a strategic concept should be welcomed. Focus on the concept could have the additional benefit of providing the means by which the French can be truly brought on board an Alliance-wide position in the talks.

Officials in Germany, and Chancellor Kohl in particular, emphasized that NATO is about to enter into a contest of "religion" and psychology with the Soviet Union over the question of conventional force reductions, and that it is very important for NATO to seize the psychological initiative on these issues in the coming year. NATO should take advantage of the momentum generated by the INF agreement to formulate a proposal on conventional arms control which unites the West and challenges the Soviets.

NUCLEAR MODERNIZATION

The question of modernization of short-range nuclear weapons was one which arose at every session with German officials. Chancellor Kohl carefully skirted the issue of modernization in his address at the Wehrkunde gathering, artfully avoiding the use of the term. While the Congressional delegation strongly supports the Montebello approach to these issues and believes that all NATO Allies should fulfill their responsibilities within the NATO context, the delegation shared the view in Germany that modernization of short-range forces and the INF Treaty are separate issues which are not and should not be directly linked. The delegation shares the view of Defense Minister Woerner and others that the issues of nuclear modernization and the nature of the specific systems to be modernized are decisions which should be handled in due course as part of the Alliance's routine nuclear planning process. There is no need for a bruising public debate on these issues at the present time.

BILATERAL INITIATIVES

Concerning the initiatives with France and the formation of the Franco-German Defense Council and the jointly-manned brigade, the German government argues forcefully that bilateral initiatives with France are designed to bring France more fully into cooperation with NATO, and are not part of the creation of a rival force to NATO. German officials also express strong support for the efforts of the Action Committee for Europe and the strengthening of the European Pillar—and contend that France must be brought into these efforts. It is unlikely that the scope and extent of the bilateral cooperation will extend beyond the recently established single brigade in the near future, but it could be expanded in principle. The Germans, of course, wish to use the brigade as a device to draw the French more firmly into the forward defense concept of NATO as well. The delegation expressed, in general, its support for improved bilateral initiatives, emphasizing the importance of avoiding the creation of organizations competitive with NATO. German officials carefully noted that the forces committed to the joint brigade in no way would reduce the numbers of German forces committed to NATO.

SOVIET POLICY

The diplomatic efforts of the Soviet Union and the dynamic public relations offensive which Mr. Gorbachev is capable of mounting will doubtless be directed at the Federal Republic with special force in the

coming months. Chancellor Kohl, in recalling the extensive efforts to block developments of the INF, which the Soviets encouraged in direct and indirect ways, noted that he has seen no deviation in the Soviet objective of isolating Germany and splitting it from the rest of NATO under the Gorbachev regime. While we are unlikely to see in the near future the spectacle of 300,000 demonstrators gathered on the lawn outside the Chancellor's office, as was the case prior to INF deployments, it is worth recalling that great political obstacles were overcome in successfully implementing the INF decision, and that future decisions may require commensurate efforts.

C. BRITAIN

The delegation met with British Prime Minister Margaret Thatcher, Defense Minister George Younger, Minister of State for Foreign and Commonwealth Affairs David Mellor, and with the former leader of the Social Democratic Party (and former Shadow Labour Defense Spokesman) David Owen. In addition, a luncheon with Neil Kinnock and other leaders of the opposition, Labour Party was hosted by the Ambassador.

The discussions in Britain centered on the security issues facing the Alliance in the post-INF environment, with attention to the themes which characterized discussions in all countries: maintaining the unity and cohesion of NATO; responding to the challenges of Soviet initiatives in all spheres, but especially in conventional arms control; pursuit of cooperative ventures with France without, at the same time, undermining the unity and cohesiveness of NATO; and modernization of remaining nuclear systems in NATO.

Strong support exists among officials in the British government for the ratification of the INF treaty without substantial amendments or reservations which would alter its fundamental character. Officials expressed satisfaction with the manner in which consultations on INF had been conducted by the United States before the summit. The British, not unlike other NATO allies, had been concerned following the Reykjavik summit about comments made by President Reagan questioning the utility of nuclear deterrence and favoring a nuclear-free world, but, on the whole, these concerns appear to have been mollified. At bottom, the view was expressed that it would be a disaster if the INF Treaty were not ratified, if the word of the U.S. President in these matters could not be taken seriously.

Mrs. Thatcher, in particular, went to considerable lengths to express her own view that the nuclear genie could not be put back into the bottle, and that efforts to try to do so would be in vain. She stated that her preference is for a world free from war, not a world free from nuclear weapons. Indeed, it is nuclear weapons and NATO's doctrine of deterrence through flexible response that has preserved the peace in Europe.

Getting the French to act in support of the NATO Alliance, even if they refuse to rejoin the integrated military command, is an objective of British policy. The skepticism regarding the French-German brigade, which had been voiced earlier by Mrs. Thatcher, seemed to have been toned down during the visit of the delegation. Instead, Mrs. Thatcher and others emphasized that they welcomed French activities which could be seen as supportive of NATO's objectives. The British are opposed to the creation of multilateral organizations which

could be seen to compete with NATO. For these reasons they did not support the inclusion of forces from other countries in the French-German brigade, and they also believed that the institutions of the Western European Union should be co-located in Brussels. Finally, the British expressed support for cooperative development of a stand-off missile by the United States, United Kingdom, and France rather than solely a bilateral British-French project. Again, the objective is to bring the French more closely into cooperation with NATO.

Mr. Gorbachev is viewed by the British government with skepticism and caution. While he can be seen as a reformer in the Soviet domestic sense, his foreign policy remains based on the military power of the Soviet Union and on efforts to drive a wedge between members of NATO, particularly between the United States and Europe and between the West Germans and the rest of NATO. Soviet arms control proposals will be couched in terms designed to have the maximum psychological impact on Western publics. It will be important to prepare appropriate responses, and to develop our own proposals which seize the initiative.

The British government is emphatic in stating its belief that discussions on limiting NATO's short-range nuclear forces should not begin until progress has been made on more pressing issues of chemical weapons and the conventional forces imbalance. The British also argue that modernization of short-range forces should proceed with no delays. It is possible to proceed in two separate boxes, one focusing on the agreements made at Montebello, and the other focusing on the current work of NATO's Nuclear Planning Group, which is considering specific proposals which might be seen as implementing the Montebello and Reykjavik agreements by NATO. The British are unabashed in their willingness to press the Germans on the point of nuclear modernization, rejecting the German argument that negotiations on short-range nuclear forces can occur simultaneously with negotiations on conventional forces. The British government is also skeptical about the position of FRG officials that, once begun, the discussions on shorter-range systems can be limited to proposals for equal ceilings on each side rather than the Third Zero. In the British view, the entire Soviet approach is aimed at reducing the nuclear deterrent in Europe, and discussions on short-range systems are subject to manipulation for public impact. Therefore, they should be avoided.

While supportive of a START agreement at the earliest time feasible, the British are adamantly opposed to the inclusion of any third country systems under START ceilings until well after superpower arsenals have been reduced by fifty percent. They are also concerned that START counting rules for Trident missiles not have an adverse impact on the British Trident system.

D. FRANCE

During a two-day stop in Paris, the delegation met for an hour and a half with French President Francois Mitterrand, and had extensive discussions with Foreign Minister Jean-Bernard Raimond, Defense Minister Andre Giraud, President of the National Assembly Jacques Chaban-Delmas, and Chairman of the National Defense and Armed Forces Committee of the National Assembly Francois Fillon. In addition, the delegation met for two hours in a round table discussion with French intellectuals and journalists on the range of issues confronting the

Alliance. The transcript of that round table discussion is included in Appendix J. It provides important insights into the range of French views on the security issue.

The visit to Paris came at a time of important reassessment by the French of the state of the Atlantic relationship, and the delegation was given an articulate exposition of the various risks which the Alliance currently faces. The visit also occurred at a time when the French have undertaken historic initiatives with the Germans in cooperative arrangements in the military field. On January 22, 1988, President Mitterrand and Chancellor Kohl strengthened their ties by forming a high-level military commission to coordinate Franco-German policies on defense and arms control matters. Second, the French responded enthusiastically to Chancellor Kohl's offer to form a Franco-German military brigade, composed of 3,000-4,000 troops. At the time of the delegation's visit, the planning for the brigade was proceeding smoothly. Despite initial reservations by other European NATO partners (primarily Italy and Great Britain), a growing consensus on the acceptability of the arrangement can now be discerned. The delegation repeated its view, expressed in Germany as well, that this is a generally positive development.

ARMS CONTROL DISCUSSIONS SUPPORTED

President Mitterrand was emphatic in his support for the INF Treaty, and noted that he wasn't merely paying "lip service." He outlined his opposition in principle to the development of intermediate-range nuclear weapons, based on his belief that they weaken deterrence because they could lead an adversary to question one's resolve to use strategic weapons in response to aggression. He gave a spirited exposition on the need for a high level of deterrence—that is, unquestioned certainty in the mind of the adversary that any attack would meet with immediate and overwhelming response—and of the need for the adversary to fear such a response. Thus, his approval of the INF agreement, which he indicated he believed to be stronger than that of most European leaders, was based in part on his lack of enthusiasm for the doctrine of flexible response.

A corollary to the President's view in this regard in his relative lack of enthusiasm for modernization of short-range nuclear missiles and artillery. Mitterrand is thus more supportive of what appears to be the German government's position on this issue than are most other European officials.

Mitterrand favored a START agreement, but did not feel it made much of a difference, given the overwhelming size of the superpower's arsenals. On the other hand, he emphasized his conviction that the "most urgent priority" in arms control was to move forward on negotiations on conventional arms reductions, both to reassure Western publics and to indicate to the Soviets that we are watching them and will not let them go any further to tilt the balance in this area. Mitterrand said that, while "reductions of 50 percent (START) is a good thing, it doesn't diminish the risk, especially for Europe. It would be more important, more significant to see an agreement reached in the fields of conventional and chemical weapons." He emphasized that the Senate should be aware that the conventional arms reductions negotiations are the most important negotiations that can reassure America's European partners. And, like other French officials, he contended that short-range nuclear weapons should be separated from the conventional talks.

Foreign Minister Raimond observed that the major risk that must be understood is that of "precipitous" negotiations with the Soviets which further advance the Soviet goal of denuclearizing Europe. A specific manifestation of this problem could include being swept into negotiations which put irresistible pressure on the West to eliminate all ground-launched short-range nuclear missiles, i.e., the "third zero."

In Raimond's view, the very fact of having negotiated the zero agreement in the INF Treaty fits into the Soviet goal of denuclearizing Europe, a goal which is clearly a central objective of Soviet policies toward Europe. Thus, it is clear that Gorbachev's next focus will be to push for a third zero on the remaining nuclear missiles as the further expression of this policy.

Pressure for negotiations toward a third zero fits into the fundamental objective of dividing NATO, because the Soviets recognize the potential of the third zero to cause strains between Germany and the United States. (Indeed, the French noted that the "second zero" on shorter-range missiles embodied in the INF Treaty has already begun to produce tensions between Germany and the rest of NATO over modernization issues.) This does not mean, of course, that the INF Treaty is not valuable. Achievements such as asymmetrical reductions and verification breakthroughs are duly noted. The real question concerns the priorities of the United States subsequent to the INF accord. Minister Raimond listed conventional and chemical arms reduction talks, along with START, as the proper focus of the U.S. and the West for the present time.

Raimond identified a second risk which the West faces in the post-INF environment, and that is to confuse nuclear and conventional negotiations. The Soviets need a large conventional force to maintain their hold over Eastern Europe, and will try to mix conventional talks with those involving Western short range nuclear systems. The West must not permit such mixing.

A third risk is to negotiate with the Soviets against the pressure of deadlines. For instance, a good agreement on START, including subceilings, verification and other matters would be acceptable if reached this year, but it appears unlikely that such an agreement could be achieved. In no event should time deadlines force the West to agree to something which is not consistent with security requirements.

FRENCH-GERMAN RELATIONS

On the subject of French-German relations, President Mitterrand made several important observations. First, he stated that he has revised the De Gaulle Doctrine whereby French forces should not be east of the Hamburg-Munich line to avoid getting mixed up with NATO forces. Now, instead, French forces will be anywhere that there is a threat of war or a war. President Mitterrand stated, "I . . . don't like French forces integrated into the allied command but, if we see soldiers of a neighboring country threatened, France could not face dishonor and pull its forces out—the only possible course of action is to intervene." Thus, while France will not reevaluate its decision to avoid military reintegration into NATO, primarily because it does not want to be a prisoner of the decisions of the collective Alliance, these statements on French willingness to consider French security as linked inextricably to that of its neighbors represent a significant step in France's strategic thinking.

Mitterrand recalled that, as a young deputy only three years after the end of World War II, he had participated in symposia oriented at the integration of Europe and the importance of bringing Germany back into the European community. He felt that that challenge had been won. Frenchmen today, in opinion polls, rank Germany most popular, only behind a few French-speaking countries. He praised the Franco-German brigade and its importance in historic terms, and reassured the delegation that there was no intent on the part of France to use it to weaken Germany's place in NATO.

ASSESSMENTS OF SOVIET POLICY

President Mitterrand praised Gorbachev's broad-mindedness and frankness, which had been demonstrated during his extensive personal dialogues with the Soviet leader. Mitterrand observed that it is irrelevant whether Gorbachev is "sincere." That is not the question. The question is whether a politician is behaving as if he were sincere. We have to create the conditions such that what is stated by a leader actually happens, to make it to his advantage to do as he says. Mitterrand evaluated Gorbachev as the manager of a revolution, not a revolutionary; a Leninist, not a Stalinist; and of the Andropov type, not a Brezhnev or Chernenko type. He is a realist. The challenge to the West is not to do those things which are in Gorbachev's interest only, but to work on areas where his interests and the West's converge.

While confident that adroit diplomacy and careful management of the public debate could easily counter the challenges presented by Gorbachev, French officials nevertheless counseled caution in dealing with the Soviets and expressed respect for Gorbachev's public relations skills. The key is not to pursue either extreme in interpreting Gorbachev: (1) assuming that he is simply a Machiavellian manipulator, and that nothing has changed, or (2) assuming that he is a genuine reformer and that everything has changed. The West must encourage the changes being undertaken in the Soviet Union, but keep a clear eye focused on Western security interests in negotiating with the Soviet leadership.

Finally, the underlying French concern is the effect that Gorbachev's seductive style is having on the West. Western leaders must be prepared to "go against public opinion, and convince the people" of where their real interests lie.

Foreign Minister Raimond observed that Gorbachev is an astute and dangerous manipulator of Western public opinion. He reiterated the French view that the period immediately ahead would be difficult and would present a number of risks and challenges to the West, in part due to the non-confrontational style employed by Gorbachev in pursuit of traditional Soviet foreign policy objectives.

FRENCH CONSENSUS

French Defense Minister Giraud reiterated many of the same themes expressed by other officials. Indeed, there is broad agreement in France on many questions related to security and to nuclear weapons. Of specific interest were Minister Giraud's comments that, with the march of technology, there was enhanced need for greater cooperation on a wider range of technical military matters among members of the Alliance. He specifically cited both French-British and French-American cooperation, in addition to the initiatives that the French

were engaged in with the Germans. In Giraud's view, all of this must be pursued under the condition that such European cooperation not weaken, or appear to weaken, NATO. The effect of the INF Treaty on European security must be coldly analyzed, from a military perspective, and Minister Giraud reiterated the priorities outlined by Foreign Minister Raimond, i.e., support the efforts on START while avoiding the trap of discussions leading to a third nuclear zero prior to settling the serious imbalances which exist with the Warsaw Pact on conventional and chemical weapons.

The delegation was impressed with the creativity and seriousness of French thinking on security issues, and feels that the observations made in discussions in France added greatly to the delegation's overall understanding. Efforts to strengthen the European Pillar of western security, in which the French role will be critical, should be encouraged. The Recommendations and Declaration of the Action Committee for Europe (See Appendix O), the significance of which was emphasized by President of the National Assembly Jacques Chaban-Delmas and by Francois Fillon, merit careful attention in regard to these issues.

E. TURKEY

As a NATO ally which could be subjected to missile attacks from SS-20s based in the Asian part of the Soviet Union, Turkey has a special interest in the global elimination of long-range INF missiles and, like other NATO Allies, is supportive of the INF agreement as negotiated. Turkey has not had intermediate-range surface-to-surface missiles capable of reaching the Soviet Union based in Turkey since the Jupiters were withdrawn in the early 1960s. Removal of the INF missiles places all of NATO once again in this category.

Turkey shares an extensive border with the Soviet Union and Soviet ships must pass through the Bosphorus as they enter and exit the Black Sea. The geographical location of Turkey affords it a key role in the defense of NATO's Southern Region, and its contribution to the conventional defense of NATO is especially important. Therefore, while Turkey generally welcomes the INF agreement, the treaty will have relatively little impact on the Turkish strategic situation. From that standpoint, the need to modernize the Turkish conventional forces and to present the Soviet Union with a credible conventional deterrent remain high priorities, virtually unaffected by the INF agreement.

The high priority accorded conventional force modernization is understandable in view of the overwhelming Soviet advantage in the force balance opposite Turkey and in view of the extreme needs faced by the Turkish forces. In this context, the fact that security assistance to Turkey has, in the past two years, amounted to approximately half of what would be required to implement fully the conventional force modernization program identified by NATO as meeting Turkey's requirements has been a disappointment to the Turks.

The Codel met with a broad range of Turkish officials during its brief visit to Ankara. Despite the short duration of the visit, a full exchange of views was held on a variety of security issues, including but not limited to the INF Treaty and its impact on NATO.

As noted above, Turkish officials were unanimous in their support for the treaty, hailing it as a big step forward for the Alliance. At the same time, as was noted in

other countries visited by the Codel, the treaty also removes one component of the Alliance's flexible response strategy. This means that it will be necessary to pay continued attention to the issues of modernization of the remaining conventional and nuclear forces. In Turkey, there is strong support for modernization initiatives in NATO, and the Turkish government can be expected to participate to the limits of its ability in these common efforts.

The Codel emphasized in its discussions with Turkish officials, including Chief of the Turkish General Staff General Necip Torumtay, an appreciation of the unique geographic situation of Turkey and of the efforts of the Turkish military to maintain its capability in the face of severe resource constraints. The military and intelligence-gathering functions which Turkey performs are important contributions to overall Alliance security.

Two issues which have been the sources of some problems were discussed in this regard: the continued deadlock on Cyprus and the continued presence of Turkish troops on the island, and the fact that the Side Letters to the Defense and Economic Cooperation Agreement (DECA) which had been signed in March of 1987 had not yet been fully implemented by Turkey.

With regard to Cyprus, Turkish officials were hopeful that progress could be made in the further reduction of Turkish presence on the island and in achieving a diplomatic solution to the conflict. Citing the recent meeting in Davos, Switzerland, between Prime Minister Ozal and Greek Prime Minister Papandreou, the Codel expressed its hope that the "spirit of Davos" could be extended in dealing with the situation on Cyprus. While reiterating the Turkish government's position that the proposals of the United Nations Secretary General should be accepted by the Greek Cypriot side, Turkish officials also expressed a willingness to pursue new avenues towards an accord, especially in light of the recent elections on Cyprus and the fact that the Greek Cypriots have elected a new leader. The Codel strongly encouraged further steps in the direction of a negotiated solution to the Cyprus problem.

The Codel also urged Turkey to end the delay in ratifying the DECA side letters, noting that nearly one year had passed since their signing. The Codel argued that ratification of the side letters would be in Turkey's interest and would send a positive signal to the United States about the continued close cooperation between the two countries. Prime Minister Ozal stated that he would, in fact, ratify the two side letters in the near future, as a symbol of his desire to continue to build upon and improve the extensive military and security cooperation between the United States and Turkey. [Note: Subsequently, on February 26, 1988, the Turkish government ratified the side letters.]

Immediately following the departure of the Codel, the incident in the Black Sea involving two U.S. warships and a Soviet vessel occurred. This incident points up the strategic importance of the Turkish Straits and the continued potential for conflict in this area. It reinforces the points made by the Turkish General Staff in briefing the Codel immediately prior to its departure.

F. ITALY

The Delegation arrived in Italy in the midst of a governmental "crisis" over the budget. Prime Minister Gorla had resigned, and it was not clear that he would be asked

to form a new government. Of course, these "crises" occur in Italian politics with some frequency, and they do not often result in major changes of direction in the basic course of Italian policy. (During the Delegation's stay in Rome, Gorla was asked to form a new government by Italian President Cossiga, but that government was also short-lived.) In addition to its own governmental dilemmas, Italy also attended the European Community Economic Summit on February 12, 1988, which, after thirty hours of extremely difficult bargaining, produced an important agreement on the future economic structure of the Community. Despite these distractions, Italian officials were generous with their time and with their insights on the issues of concern to the Delegation.

The Delegation was able to draw some preliminary observations based on its visits to four NATO capitals prior to Rome and to share those observations with Italian journalists and academic experts at a meeting on February 12, 1988. The transcript of that session is printed in Appendix L.

The Delegation emphasized to Italian officials with whom it met that Italy's contributions to the NATO Alliance were not only recognized but deeply appreciated. Italy was the first country on the continent of Europe to accept the deployments of the INF missiles, thus relieving the Federal Republic of Germany of its fears of "singularity" in deployments and paving the way for the Netherlands and Belgium to accept deployments as well. At the same time, Italy has been strongly supportive of the efforts to negotiate the zero option, and is unreserved in its support of ratification of the Treaty.

At the same time, Italian officials recognized that NATO is at a moment when new challenges must be confronted and when NATO's cohesion will be tested. Foreign Minister Andreotti, who has served in the Italian government virtually throughout the entire history of NATO, argued strongly that NATO must formulate new approaches for the new contingencies which lie ahead, emphasizing at all times the unity and cohesion of NATO.

The theme of the need to focus on NATO unity and the security of the West as a whole was a constant theme in the remarks of Italian officials. For example, while not unduly concerned about the French-German brigade and efforts at improved bilateral relations, the Italians warned that such approaches could divert NATO members from the central task, which is common security. The Western European Union or NATO should be the focus of most efforts. Creating zones of "differentiated security" in NATO must definitely be avoided.

The Delegation members shared this view, and assured Italian officials that the United States was committed to a strong NATO and a unified Alliance. Senators Byrd and Boren, in particular, praised Italy for its willingness to step up to important Alliance decisions, citing not only the INF deployments but also areas not strictly related to NATO, such as the deployments to Lebanon, the Persian Gulf, and intelligence cooperation.

Widespread consensus was noted among Italian officials regarding the priorities for arms control negotiations and the next steps which NATO should take in this regard. The START talks were accorded a high priority, to be followed by talks on chemical and conventional weapons. There was little support for beginning talks on

short-range nuclear forces before the other talks had achieved results.

Italian officials were optimistic about the implications of the INF Treaty for future arms control negotiations, an attitude which in some ways paralleled the German views. They were pleased at the opinion expressed by members of the Delegation that the INF Treaty was likely to receive a favorable vote in the Senate. They regard the principles of asymmetrical reductions and reductions rather than ceilings as important milestones in the history of arms control, achievements which, in the words of Foreign Minister Andreotti, constitute a great landmark. The hope was widely shared that these principles could be applied in conventional forces talks as well.

The Italian officials also took a pragmatic approach to the question of nuclear modernization. Rather than press for any public or immediate decision at the present time, they counseled that modernization decisions should be taken when required and pursued in a businesslike fashion. There is no need, according to this line of thinking, for there to be a public crisis in the Alliance over these issues.

CONCLUSIONS AND RECOMMENDATIONS

The delegation encountered a widespread consensus in the capitals visited on the essential course of Alliance policy. The need for continued unity and close cooperation was recognized and was evident in virtually every meeting with key officials. The delegation found general agreement on: (1) the need to explain effectively and persuasively to Western publics the goals and purposes of the Alliance, in order to maintain a unified front in the face of new and aggressive propaganda challenges from the Soviet Union; (2) the need to develop an agreed set of priorities and to take the initiative in dealing with Gorbachev and the new style of Soviet leadership; and (3) the need to increase cooperation and consultation, using the model of the INF Treaty as a good example for future efforts. At the same time, there was general recognition that the Alliance will confront new challenges in the coming years, and that difficult choices lie ahead.

a. FORMATION OF PUBLIC OPINION IN THE WEST

The delegation was impressed with the sensitivity of NATO leaders to the need to inform and educate our respective constituencies in a comprehensive and persuasive fashion on the Alliance's priorities and strategies. It was felt that the efforts of the delegation in this regard would have a beneficial effect on public opinion in Europe.

Although it is too early to ascertain fully the impact of the new style of Gorbachev's diplomacy on public opinion in Europe, NATO leaders agree that this new style presents the West with a vigorous challenge. In the words of a French official:

"We are entering a difficult period. Western public opinion is susceptible to Gorbachev's charm and cleverness. We should not be afraid of going against public opinion. We must explain to the generally uninformed public where its interests lie."

A German official echoed this thought:

"The present East-West discussions are narrowed down to the issues of disarmament which, though important, are only part of the spectrum. We will deviate from the right course if we don't have a cool head about it. We should make good use of the time available, so we should make a common conception for the West; we should stabilize and strengthen NATO whenever possible."

Regarding Mr. Gorbachev, another German official commented:

"We should talk to him and base our readiness on the principles of concessions and counter-concessions, and not act like maniacs. Our policies must be right and we have to explain them to our people. We should make good use of the present year to launch a psychological offensive vis-a-vis the Gorbachev regime on the conventional side."

The delegation strongly believes that NATO's efforts in the field of public explanation and persuasion must be coordinated fully and pursued in conjunction with new initiatives in the fields of arms control and weapons modernization. The effort at public education and explanation particularly as it relates to the continued importance of nuclear deterrence should be afforded a high priority, and should be fully and carefully discussed at NATO's regular meetings.

b. RATIFICATION OF THE INF TREATY

On the narrow question of ratification of the INF Treaty, opinion was virtually unanimous that it should be approved by the Senate for ratification, and that failure of the United States to ratify could create a grave crisis in Western Europe and NATO. This view, shared broadly across the political spectrum and in virtually every country, prevailed despite a recognition that the Treaty creates new uncertainties and does not resolve many fundamental issues facing NATO.

Opinions varied on the handling of the negotiations by the United States and the adequacy of consultations with the Allies, but the overall assessment was that consultations between the United States and European leaders has been excellent. Potential criticisms of details of the treaty or of aspects of the inspection system were outweighed by the generally favorable view of the Treaty.

The final assessment was that, having persuaded public opinion to accept the deployment of nuclear systems in part as a response to the Soviet deployment of SS-20's, and having pursued the objective of elimination of those missiles in negotiations for over six years, it would be virtually impossible to convince the public that, at this point, those systems should remain in place and that the Treaty should be rejected.

Leaders also expressed some concern over the political momentum generated by the INF Treaty. In line with the concerns that the Alliance's objectives and policies be clearly communicated to the public, leaders felt that the underlying security interests of the Alliance must be clearly articulated, and not lost sight of in the enthusiasm for negotiated arms reductions. In this regard, there was a clear consensus that arms control agreements, including a START agreement, should be concluded when issues in dispute have been satisfactorily negotiated, and should not be negotiated under the pressure of artificial deadlines. Likewise, when and if a sound agreement is in sight, there should be no delay in concluding it, since to do so is in our common interest. But the important thing is that it be a good agreement—not dictated by calendar deadlines or election year politics.

c. MODERNIZATION OF SHORT-RANGE NUCLEAR SYSTEMS

The modernization issues which the Alliance faces have been under examination since the 1979 INF decision and have been intensively investigated since the Montebello meeting. The Montebello framework of reductions in total numbers of deployed

weapons accompanied by modernization of those weapons remaining, continues to be operative. Specific choices concerning which systems to modernize and their precise numbers are not required at the present time. The military authorities of NATO are examining the required modernizations and will make their recommendations at the appropriate time.

There is no need to link modernization of short-range nuclear systems with the INF Treaty. The delegation believes that it will be necessary to modernize certain systems not prohibited by the Treaty, but these decisions are some months in the future and should not be at the center of our discussions of the Treaty at this time.

The delegation believes, based on its discussions throughout Europe, that those systems not covered by the INF Treaty which have longer ranges should receive priority consideration for modernization, rather than battlefield systems (such as artillery).

d. ARMS CONTROL PRIORITIES AND INITIATIVES WITHIN NATO

NATO leaders must proceed carefully and resolutely in setting priorities for arms control initiatives in the Alliance. It cannot be overemphasized how important it will be for NATO to coordinate its positions in such a way that fears of "singularization" (in, for example, the Federal Republic), or zones of "differentiated security" (in countries not in the Central Region) do not become serious problems for the Alliance.

The top priority for NATO at the present time should be to formulate a comprehensive and detailed proposal on conventional arms reductions for presentation to the Warsaw Pact later this year. A consensus must be built in the Alliance, and the task will be formidable. But the attempt must be made. The delegation believes that Europe would welcome thoughtful, vigorous American leadership on these issues.

The delegation also believes that negotiations on a chemical weapons ban must be pursued with renewed energy. The delegation was impressed by the seriousness with which the European Allies view the threats posed by the existing imbalances in chemical weapons favoring the Warsaw Pact, and agrees that this problem demands careful and thorough attention by the Alliance.

The delegation also believes that negotiations on further tactical nuclear weapons arms control should not be entered into until negotiations on conventional and chemical arms have shown results.

Progress toward a START agreement is broadly supported but, as was pointed out on several occasions, the issue of START is less immediately relevant to European security than are other arms control issues. European leaders would welcome a solid START agreement, but there is no urgent pressure emanating from Europe to reach one. Appropriate subceilings (an issue which could affect the British strategic forces) and verification procedures which are satisfactory are, of course, strongly supported.

e. BILATERAL ARRANGEMENTS

The general assessment in the Alliance is that bilateral arrangements such as those between France and Germany concerning the joint brigade are positive developments. This arrangement could help to place longstanding historical frictions in Europe further behind us. Such arrangements can complement rather than compete with NATO if pursued properly. A widespread consensus exists that military organizations competing with NATO are not helpful.

At the same time, efforts to strengthen the European Pillar of Western defense are being reinvigorated at the present time, and this must be viewed as a positive development. The delegation feels that mechanisms which could strengthen and enhance the Allied contributions to European defense must be encouraged wherever possible.

f. UNITED STATES POLICIES IN THE PRESENT PERIOD

In the months ahead, the United States must act with purpose and strength in facing the next round of challenges. The INF Treaty is a victory for Alliance solidarity, but it represents the beginning rather than the end of the effort to achieve lasting stability in Europe through negotiated arms reduction agreements.

In addition to the recommendations outlined above, the delegation feels that it would not be prudent at the present time to reassess the size of the American troop commitment in Europe.

The advent of talks on conventional forces and the post-INF political environment are likely to draw increased attention to the importance of the Southern Region in NATO's collective defense. Italy and Turkey, along with the other NATO members in the Southern Region, play a vital role in Alliance defense. Too often, their contributions have been underappreciated. The delegation welcomes the far-sighted action of the government of Turkey in ratifying the side letters to the Defense and Economic Cooperation Agreement and the actions of Spain in renewing the basing arrangements in that country (while noting the regrettable decision to require removal of the F-16s from Torrejon.) It urges the administration to pursue vigorously the current negotiations with Greece on renewing the basing agreement with that country. Similarly, the delegation believes that the 401st Tactical Fighter Wing should remain deployed in Europe, and welcomes the Italian government's willingness to consider basing options. NATO should strive to achieve a cooperative solution to this matter as soon as possible.

ORIGIN AND SUMMARY OF ACTIVITIES

THE SENATE ARMS CONTROL OBSERVER GROUP

Background

On March 12, 1985, arms control negotiations between the United States and the Soviet Union resumed after a hiatus of some 15 months, a hiatus which had resulted from the breaking off of negotiations on Intermediate Nuclear Forces (INF) and START by the Soviet Union in, respectively, November and December 1983. Because of the importance of these new negotiations, at the initiative of the Majority and Minority leaders, the Senate created a new Senate body, the Senate Arms Control Observer Group, to monitor them. This was the major item of Senate business on the first day of the 99th Congress, January 3, 1985, (S. Res. 19).³

The Observer Group is a bipartisan body of five Senators from each party, as well as the Majority and Minority leaders as ex officio members. In addition to the ex officio members, the group consists of Senators Ted Stevens (R-Alaska), Sam Nunn (D-Georgia), Richard Lugar (R-Indiana), and Claiborne Pell (D-Rhode Island) as co-chairmen, and Senators Al Gore (D-Tennessee),

Ted Kennedy (D-Massachusetts), Pat Moynihan (D-New York), Don Nickles (R-Oklahoma), John Warner (R-Virginia), and Malcolm Wallop (R-Wyoming). A delegation consisting of eight of the ten Senators in the Arms Control Observer Group, and headed by the two leaders, attended the opening sessions of these negotiations from March 9-12 in Geneva.⁴

The United States Senate has the constitutional responsibility of providing advice and consent in the making of treaties. This responsibility imposes upon Senators the obligation to become as knowledgeable as possible concerning the salient issues which are being addressed in the context of the negotiating process. Any accord with the Soviet Union to control or reduce our strategic weapons carries considerable weight for our nation. It will vitally affect our national security, the security of all our constituents, and the security of our allies. Such an agreement, or agreements, must be supported by a substantial national consensus to stand the test of time. Such a consensus is best achieved through the traditional treaty-making process which has been followed in the field of strategic arms control agreements entered into by the United States.

The Senate Committee on Foreign Relations has jurisdictional and oversight responsibility with regard to arms control negotiations and agreements. It is the purpose of the Senate Arms Control Observer Group to supplement the activities of the Foreign Relations Committee by providing a more regular and systematic involvement of the full Senate in the negotiations, without in any sense assuming the role of participants or negotiators in these talks. While the Foreign Relations Committee oversees arms control negotiations on a continuing basis, the full Senate has focused its attention in the past only sporadically on the vital aspects of arms control negotiations, usually developing a knowledge and understanding of the issues being negotiated after the fact—that is, after a draft treaty has been signed by the Executive branch. The result of this fitful process has been generally unsatisfactory in recent years. We seek to avoid a recurrence of the problems of the 1970's, when three successive arms control treaties, signed by three Presidents, were never approved for ratification by the Senate. These include the SALT II Treaty of 1979, the Threshold Test Ban Treaty of 1974, and the Peaceful Nuclear Explosions Treaty of 1976.

In fulfillment of our constitutional responsibility in providing advice and consent in the making of treaties, we believe it is necessary to become completely conversant concerning the particular issues under negotiation. We believe that such knowledge is critical to the understanding by the Senate of the issues involved, and that an intimate knowledge of the evolving issues will permit our negotiators to have the benefit of our advice and counsel, when appropriate, on a continuing basis during the course of the negotiations. We believe that the Senate will be in a far better position to evaluate any agreement which may be reached and that such agreement might benefit from the reactions of the Senate as it is being formulated. We also firmly believe that the interplay of ideas that has occurred and will continue to occur with the members of our ob-

server team will be of assistance to our negotiators.

In the event that the negotiations fail, the Senate will be in a better position to understand and to make comprehensible to the American people just why that failure occurred. This is particularly important in light of the staggering complexity of the issues now being negotiated in Geneva.

Chronology and Functioning of the Observer Group

The philosophy underlying the creation of the Observer Group, and the mechanisms of coordination with the Executive branch necessary for its effective operation, were the subject of a series of resolutions, letters, and meetings from December 1984 to April 1985. In December 1984, Senate Majority Leader-elect Dole decided to introduce a resolution in the 99th Congress aimed at underscoring the strong support in the Senate for the President's arms control efforts. To emphasize the importance of this issue, Senator Dole planned to make this resolution the first substantive act of his leadership and to seek affirmative action on it the first day of the new Congress, January 3, 1985. Further, to demonstrate the bipartisan nature of the support which he believed existed in the Senate, Senator Dole early on sought the participation and cooperation in the effort of Senate Minority Leader Robert C. Byrd.

Simultaneously, Senator Byrd was already pursuing the possibility of creating a Senate arms control observer group. His initial proposal in this regard was made by telephone to President Reagan on December 9, 1984. Senator Byrd suggested that a small, bipartisan group of Senators, recommended by the Senate leadership, be appointed as official observers on our delegation to any arms control negotiations which might result from the meetings to be held in Geneva between Secretary of State George Shultz and Soviet Foreign Minister Andrei Gromyko in Geneva on January 7-8, 1985. The reaction by the President was enthusiastic and positive, and Senator Byrd followed up this initial discussion with a letter to the President outlining his proposal on December 13, 1984.

In follow-up discussions, Senators Dole and Byrd agreed to meld their approaches in a single resolution, including the concept of an observer group. Senator Dole broached this idea with the Administration and, on January 2, 1985, Acting Secretary of State Kenneth Dam wrote to Senator Dole providing a positive Administration reaction to the proposal. He indicated that an Observer Group would be welcomed by the Administration and that the Group would be provided full briefings by our negotiators to any arms control talks which might emerge. Further, he indicated that the Administration would seek to have the Senators meet on an informal basis with the Soviet delegates as well.

On the basis of this dialogue, the Senate passed S. Res. 19, sponsored jointly by Senators Dole and Byrd, on January 3, 1985, the first day of the 99th Congress.

Mr. HELMS. Madam President, as we all know by now, the official line—more delicately put, the official U.S. claim—is that this INF Treaty removes from Europe an entire class of nuclear weapons; that is to say, those with a range between 500 and 5,500 kilometers.

³ The resolution and supporting statements are included at the conclusion of this report at Appendix C.

⁴ Senators Moynihan and Wallop were unable to attend due to other pressing Senate business.

There used to be a song a long time ago intitled "But It Ain't Necessarily So," that song fits, because the preponderance of the evidence, for those who will take the time to analyze and assess this treaty, demonstrates clearly that this claim by the State Department and others is far from accurate.

A more nearly accurate assessment is that nuclear weapons will not—and I repeat, for the purpose of emphasis, will not—be reduced under the terms of this treaty. Indeed, this treaty permits the Soviets to remove aging delivery vehicles from their stockpile, to take the delivery vehicles out and bolt new and updated delivery systems onto existing warheads. That is not arms reduction.

The nuclear devices, of course, are the most expensive and difficult components to produce; and I emphasize that by the time this treaty is fully implemented, all of the U.S.-NATO strategic weapons in Europe will have been removed, and the Soviet Union nuclear forces targeted on Europe will have been fully modernize. Regardless of all the snake-oil claims made, that is a fact. The Soviet Union will be at least as powerful and, in fact, more formidable than ever.

The Soviet Union can defeat the purpose of the INF Treaty in two ways:

One, the Soviets can defeat the treaty by following its terms to the letter. The Soviets knew what they were doing when they negotiated this treaty. Will Rogers said a long time ago that the United States has never lost a war nor won a treaty.

Second, the Soviets can defeat this treaty by cheating, and they have developed that to a fine art, as all of us should know. But in this case, the Soviets probably will do both, at virtually no risk of being caught at it. Let me elaborate.

The Soviets can defeat the treaty's purpose simply by following its terms carefully. That is why the Soviets have been so eager to have this treaty ratified. The missiles to be eliminated are defined so restrictively that the old missile, the SS-20, is prohibited. But a new, enhanced version of virtually the same Soviet missile, known as the SS-25, is not prohibited. The point is that the SS-25 can do everything that the prohibited SS-20 can do, and then some. Because the treaty exempts missiles tested, even ones at a longer range than 5,500 kilometers, the SS-25 is left untouched by this treaty. That is an acknowledged fact. It was brought up repeatedly during the consideration of the treaty by the Foreign Relations Committee and by the Armed Services Committee, and the proponents of the committee said, "So what?"

My response was, "So, a lot," because as already pointed out, the Soviets can even use the same nuclear

weapons, and I am now talking about the warheads, removed from the SS-20's that are to be destroyed under the terms of this treaty.

The Soviets can also defeat the treaty's purposes by cheating. And who in this Senate will deny the long record of the Soviet Union at duplicity and cheating?

The Soviets have cheated massively on every previous arms control agreement, and no less than Ronald Reagan himself has said this repeatedly. I have a hunch that if Ronald Reagan were running for President this year, instead of finishing up his 8 years in the White House, he would be out on the hustings demanding that this treaty be rejected by the Senate.

In fact, the SS-25—and that is the missile that is not covered by this treaty—the SS-25 itself is a violation of the constraints of SALT II. It was established clearly in the committee hearings that we do not know how many SS-20's the Soviets have produced. We never will.

The astonishingly wide variation of estimates by our nine intelligence agencies on this question about the number of SS-20's produced by the Soviet Union makes it certain that we will never know when, or if, all of the SS-20 delivery vehicles have been destroyed. And bear in mind that no matter how many tubes are destroyed, if you want to describe them that way, the warheads will be removed, and they can be bolted on the SS-25's. Now the warhead is the weapon.

The variation in our intelligence estimates, reportedly ranging from as low as 550 to at least 1,250, is far too wide to be accepted by a reasonable mind.

Under the treaty, the Soviets promise to destroy 650 SS-20 delivery vehicles. Yet if they do so, they could still have another 300 to 600 hidden as a covert force, according to evaluations reportedly emanating from the majority of our nine intelligence agencies.

I do not think many Americans understand that yet. Maybe not many Senators do.

But the notion that a covert missile force of that size would not be militarily significant represents, I think, the triumphant of hope over common sense.

Although some administration witnesses attempted to maintain that such a covert force would be militarily useless without the chance to test fire the missiles regularly to test reliability—tests supposedly, but only supposedly, detectable—no one has refuted President Reagan's own report that the Soviets had kept a similar covert force of more than 100 SS-16's for 8 years without the United States detecting either a test or the missiles themselves.

If the majority of our intelligence agencies are right about the numbers,

I think we can be sure that the Soviets would not keep a covert missile force unless they had figured out not only how to keep it, but also how to keep it in readiness.

For this reason, the verification process in the treaty is virtually useless. The treaty contains only quantitative criteria for the missiles to be destroyed, with no qualitative criteria at all. Thus the Soviet missiles to be destroyed could be factory rejects or even dummies, as well as those old aging delivery vehicles that we expect them to destroy, delivery vehicles, not the weapons, because, remember, the warhead that will be removed from each of them can be bolted onto the SS-25 which is not covered by this treaty.

Furthermore, all of us talk about the onsite inspection that takes place under this treaty only at specific places chosen by the Soviet Union and which they have identified beforehand.

Now, I hardly think that any reasonable person would expect the Soviets to keep its covert missiles at a place they were going to tell us we could look.

Now, it is highly significant that the Senate Select Committee on Intelligence, in its report to the Foreign Relations Committee, was extremely guarded in its assessment of the verifiability of this INF Treaty. The Intelligence Committee stated that the treaty was verifiable only with regard to those declared sites, but bear in mind that the Soviets are the ones doing the declaring.

This means that we can verify the treaty only at sites where there is scant possibility of a Soviet violation. It is the old shell game and the Soviets are good at it.

Other testimony showed that our chances of detecting a violation outside of those declared sites were about 1 to 10. We would have to be astonishingly lucky, or the Soviets would have to be incredibly careless, for us to detect a violation under those circumstances.

Finally, even if a violation were detected, the Soviets would suffer no consequences. No major arms control violation of the Soviets in the past has ever been corrected, not one time.

For example, the Soviets have deployed a prohibited nationwide ABM system including the capability to hand over incoming information to battle-management radars and interceptors. Yet our own State Department has declined for more than 7 months to implement the 5-year compliance review mandated by the ABM Treaty because we would have to declare, do you not know, that the Soviet Union is engaged in a material breach of the ABM Treaty. And it is a credit to this Senate and to the distinguished

chairman and ranking member of the Armed Services Committee that my amendment yesterday was readily accepted and agreed to by them and approved by the Senate to require our Government to live up to the ABM Treaty in that regard.

So, that is what we run into with the State Department, the doubletalk, the reluctance.

Arms control without compliance is nothing more than an illusion. Yet this treaty contains no compliance regime whatsoever, except perhaps another useless commission where we could go and express a strong protest, and the Soviets say "ha, ha ha," and they have been saying "ha, ha, ha" every time we have gotten around to protesting their previous violations on previous treaties.

The Soviets' only obligation is that they come to the Commission meeting and they sit there and listen and we protest, and they go home and smile at each other and say, "We did it to them again."

The point is this: The Soviets have cheated and we have known it. They are cheating now and we know it. And they will continue to cheat. This treaty can have no other result. Yet the lack of a true compliance regime signals to the Soviets that we do not intend to take their violations seriously. Even if we did, there is nothing we could do about it.

The net effect then of the INF Treaty is to make both conventional and nuclear war more likely, not less likely. Even the threat of a conventional attack on Europe will have a profound effect on the social, political, and religious freedoms of Europe. The documented lack of freedom in Eastern Europe points to what could well happen in a Western Europe that is neutralized and intimidated by the elimination of the major NATO deterrents called for in the INF Treaty.

In the end, the treaty invites either global nuclear war or acquiescence to a future not worth looking forward to.

So that is why I have contended all along, having sat down right at the beginning when the treaty text was delivered to me in December, I concluded then that it is fatally flawed and I have not changed my opinion. And those flaws fall into two categories.

The first category consists of flaws which, on their face, defeat the principal object and purpose of the treaty. The second category consists of those which raise the potential for action which could defeat the object and purpose of the treaty. And, finally, there are issues of constitutional and international law which the Senate must consider, including something that has been absolutely obscured, and that is the cost—the cost—to the American taxpayers of implementing this treaty.

Madam President, the fatal flaws which defeat the principal object and

purpose of the treaty include the following:

First, the treaty permits the Soviets to modernize the delivery vehicles for the SS-20 warheads—thereby retaining the same nuclear capability against Europe—while eliminating the only assured nuclear deterrent possessed by NATO.

Second, the verification procedures of the treaty provide no certainty of discovering Soviet cheating, while—based on past Soviet performance and present evidence—the Soviets may indeed have up to twice as many SS-20's as they declare in the treaty. I have filed a top secret code word level annex to the Senate Foreign Relations report which is available to Senators and appropriately cleared staff in S-407 of the Capitol.

Third, the treaty is overbroad in that it blocks not only future developments in nuclear weapons technology but in conventional technology as well, a circumstance scarcely, if at all, considered by the negotiators, despite the fact that inventive technology is a major advantage of the United States. And that is what the Soviet Union was concerned about. Moreover, the treaty needlessly surrenders nonnuclear weapons technology based on ground-launched cruise missiles, in an illusory pursuit of verifiability—thereby giving up a relatively cheap and highly effective conventional deterrent weapon for the defense of Europe.

Fourth, the final data upon which the treaty is based will not be made available until 30 days after the treaty is ratified, thereby making it possible for the Soviets to make radical changes in the numbers of missiles to be destroyed, and defeating the already weak verification scheme.

Fifth, the very concept of the INF Treaty alone is untenable so long as the Soviets maintain large inventories of ICBM delivery vehicles and warheads that can substitute for the missiles to be eliminated. And bear in mind that the Soviets and the United States will destroy only the delivery system and not the warhead.

Until the START negotiations are completed and implemented, Western Europe will still be targeted by Soviet nuclear weapons, but will have nonnuclear deterrent for its own security. To maintain balanced reductions, I think that we should consider that the INF Treaty should not be ratified until START likewise is ratified.

Madam President, the cost of this treaty has not even been discussed in the debate thus far and scarcely touched upon, if at all, by the major news media of this country.

Now, I am going to offer an amendment to this treaty at some point, if it is ratified, that we begin to remove American servicemen and women and their dependents from Europe. The European leaders profess to be enthu-

siastically in favor of this INF Treaty. And I might add at the very time their subordinates and their defense people were coming to us and saying, "Boy, it's a terrible treaty." But they endorsed it because they are fearful of the protest movements in Europe. So they have endorsed it. Fine.

But I think it is about time for Europe to defend itself and to pay for it. Let us start bringing our men and women home and their dependents.

Now, I wonder how many Americans know how much the taxpayers of this country are paying to defend Europe. The figure is \$477 million a day; 60 percent, 60 percent of the Defense budget. So, we must consider that this treaty creates U.S. hostages in Europe at a cost of \$477 million per day.

There are only two good reasons to sign any arms control treaty. First, to reduce the risk of war and, second, to enhance the security of our country. Tragically, this treaty accomplishes neither purpose.

The Soviets enjoy a decisive 5-to-1 margin of superiority over our forces in Europe, on the basis of their strength in chemical and conventional warfare forces—five to one.

Winston Churchill once said, "Strength helps prevent war. Weakness invites aggression."

So I think it is self-evident that the danger of war is enhanced if the totalitarians in the Kremlin see an opportunity to dominate Western Europe at minimal military risk for themselves. With the removal and destruction of our Pershing II missiles, we will surrender our ability to retaliate effectively against Soviet aggression. We will no longer be able to hold at risk 2.5 million Communist troops, 40,000 Communist tanks, and 6,000 Communist fighter aircraft.

So with the elimination of our non-nuclear ground-launch cruise missiles, or GLCM's, as we call them, we will no longer be able to disrupt Soviet supply lines as a way of neutralizing the enemy's "blitzkrieg" strategy.

The Washington Times has pointed out that:

Warsaw Pact supply routes in Eastern Europe contain thousands of choke points, most or all of which could be disrupted with non-nuclear cruise missiles. Without those supply routes, Communist-bloc forces simply would be stranded in the field.

Soviet and Warsaw Pact armies already have created the basic structure—bridges, roads, storage depots, airfields and fuel supplies—necessary to mount a European invasion.

Mr. President, ratification of this treaty will not promote peace nor will it enhance our security, or that of our allies. Quite the contrary, it will require West Germany to deal with the new reality of Soviet dominance in Western Europe, 3 years from now, in 1991, when our deterrent force has been dismantled.

Today in 1988, 325,000 American military personnel and 300,000 of their dependents are on the frontiers of freedom in West Germany. Today these men and women have a clearly defined mission—to deter and, if necessary, to defeat a Soviet-initiated attack on Western Europe. In 3 years, however, if the INF Treaty is ratified and implemented, those 625,000 Americans will have replaced our missiles as the main barrier to Soviet intimidation and aggression.

Instead of using Pershings and GLCM's, we will be required to ward off the Soviets with human hostages.

Mr. President, twice in this century our troops have been sent to fight "no win" wars, in Korea and in Vietnam. In both places, our Government's goal was not victory, but stalemate. Tens of thousands of our sons were sacrificed for the sake of State Department theories and diplomatic negotiations. Now in Western Europe we are once again about to sacrifice our children on the altar of arms control, détente, and so-called "limited war" to test those theories.

Instead of trusting in Almighty God and in our own strength, like Samson we will be shorn of that strength in order that we may embrace the new Delilah in the Kremlin.

Despite an unbroken record of Soviet cheating on every treaty we have ever signed with our Communist enemy, the United States Senate may be about to entrust the lives of our children and the security of our country to yet another worthless piece of paper signed by an adversary who uses arms control to disarm us, and to strengthen his own position.

Throughout my Senate career, which began 15 years ago in 1973, I have consistently voted for every proposal put before me to strengthen America's defenses and to protect our vital interests throughout the world. Yet NATO has not responded in kind.

While the countries of Western Europe were spending only 5.1 percent and less of their gross national product on their own defense compared to our 6.6 percent, the Senate was voting to assure that American would do more—not for their sakes, but for ours.

In 1986, every American was taxed on the average \$1,155 to pay for defense while West Germans were paying \$453 apiece, citizens of Spain \$113, the British \$488, the Portuguese \$90 apiece. We should pay to defend America, but we should not have to pay more to defend their countries than they are willing to pay to defend themselves.

President Eisenhower wrote in 1963, "I believe the time has come when we should start withdrawing some of the U.S. troops. One American division in Europe can show the flag as definitively as can several." In 1951, Eisenhower

said if, in 10 years "all American troops stationed in Europe have not been returned to the United States, then this whole project (i.e., NATO) will have failed."

So long as Europe could not afford to defend itself, U.S. troops in Europe made sense, and NATO played a positive role in securing the West. But the troops were not intended to be permanently stationed in Europe. They were viewed as an emergency measure that would remain in force only until Europe recovered from World War II.

Twenty-five years later, we have not one division in Europe, but four.

I have always been willing to do what was necessary for NATO as long as it made sense for America. But it will no longer make sense for America to keep our troops and their dependents in Europe 40 years after the end of World War II at a cost of \$477,000,000 per day, if we are unprepared to defend those troops, and if they are not in a position to carry out successfully the mission to which they were originally assigned.

It would be unconscionable to leave our young people as hostages in Europe, knowing full well that if war breaks out, there is nothing America will or can do—and knowing full well that the Europeans will do nothing more than they have done in the past to provide for their own defense.

There is no question that the Europeans are economically equipped to provide for their own defense. They have more than ample people, money, and technology. But they have preferred to rely on the pocketbooks of American workers and the good will of the Soviet Union.

What is most amazing is the European political leaders have permitted themselves to be led like lambs to the slaughter, publicly supporting the INF Treaty while privately condemning it. But the lack of forthrightness on another continent is no excuse for the sacrifice of our children in another battle of Dunkirk in which the world watches as the surviving troops of the free world are hauled away in fishing boats.

There is no question, Madam President, that the Europeans are economically equipped to provide for their own defense. So I say let them do it. And remove from the backs of the American taxpayers the \$477 million a day that it costs us to provide them with their defense. The Europeans have more than ample people. They have more than ample money and technology. But they have preferred to rely on the pocketbooks of the American workers and the good will of the Soviet Union.

The decision by the United States Senate to ratify the INF Treaty will be a decision to abandon Western Europe to the strategic hegemony of our Soviet enemy and I am going to

vote against ratification, even if I am the only Senator to do so.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Rhode Island.

Mr. PELL. Madam President, I yield 10 minutes to the Senator from California.

Mr. CRANSTON. I thank the distinguished chairman of the committee very much.

Madam President, today we embark on the Senate's first serious consideration of an arms control treaty in a good many years.

Efforts in the past decade to make progress in this area have been derailed or derided by arms control critics. But I see real signs of progress. A bipartisan spirit and approach to arms control and an improved climate in United States-Soviet relations give me cause for hope—hope for a world more free of tension, hope for a world free from the threat of nuclear war.

I believe we will, at long last, take a step in the right direction and ratify the INF Treaty—I trust before the forthcoming United States-Soviet summit.

The Senate—thanks in large part to the determination of the majority leader—has performed a service of historic dimension by withholding Senate consideration of the treaty until now.

He and Senators NUNN, BOREN, and others demanded that a number of problems had to be cleared up first. They have been cleared up.

I agree with the majority leader that the Senate must not be held to an arbitrary deadline for ratification. But we must face reality. The reality is that on May 29, President Reagan will meet with Soviet leader Gorbachev in Moscow.

The President should not go to that meeting empty handed. There is no longer any justification for even considering that he go empty handed. Now is the time for action. We should approve this treaty. And we should approve it without delay.

This treaty is a historic agreement. Not in its direct effort, which is a modest reduction of the superpowers' bloated nuclear arsenals, but in the hopeful signal and valuable experience it provides us for future arms control agreements.

The INF Treaty is precedent-setting in several respects. The inspection and verification provisions of this treaty are the most intrusive, detailed, and thorough that we have ever negotiated. This is a genuine breakthrough. And the most concrete example of glasnost I have seen. Opening the Soviet Union to on-site inspection eliminates a major obstacle to arms limitations and paves the way for dealing with the

more difficult problems of monitoring deep reductions in strategic arms.

That is why it is so important to approve this treaty before the President goes to Moscow so that he will be able there to build on this foundation and move on to far more significant matters relating to arms and relating to the American-Soviet relationship. The possibility of greatly improving this relationship and turning it to peaceful and constructive channels is now within reach.

The treaty is historic in other ways, too. It affects an entire class of nuclear weapons, eliminating a threat that has been in existence for decades.

And most importantly, this is the first agreement that does more than just slow the increase of weapons. It will require that the Soviet Union and the United States destroy a part of their arsenals.

Three Senate committees, comprising nearly half the Members of the Senate, have heard thousands of pages of testimony from dozens of expert witnesses on the ramifications of the INF Treaty.

I want to pay tribute to the chairman of the Foreign Relations Committee, the Senator now managing this measure, this treaty on the floor, for his patience and diligence and hard and diplomatic work in guiding this treaty through not only the Foreign Relations Committee, but through the other difficulties and pitfalls that stood in its way before we finally arrived here on the floor. I welcome the opportunity to work with them.

The members of the Foreign Relations Intelligence, and Armed Services Committees have worked together to clarify ambiguities, to pin down definitions, and to urge the executive branch to remedy any potential discrepancies. We have poked and pried and dissected and questioned this treaty like no other. It is perhaps the most closely scrutinized treaty ever submitted for Senate consideration.

Given the complexity of this treaty and the accompanying protocols, it is remarkable there has been so little dispute over its specific substantive provisions. Those issues that have been raised, like recent clarifications on implementing the inspection procedures, have been resolved quickly and to our satisfaction. We have had a very capable negotiating team in Geneva, and a very capable Secretary of State at the helm.

I believe the language of this treaty is as clear as human language will allow. There can be no dispute about the essential facts: The Soviets will disable four times as many warheads as the United States. The treaty will establish the precedent of asymmetrical reductions. And our confidence in our ability to verify Soviet compliance is very high.

Even after this treaty is fully implemented, there will continue to be many, many areas for superpower competition. We have a long road to walk if we are to bring any semblance of control to the nuclear weapons competition.

But, if we are fortunate, the implementation of this agreement will mark the beginning of the end of this mindless race to build better, more efficient and more numerous methods of destruction. Perhaps we can soon begin to think of increasing our national security in terms of decreasing our arsenals, rather than adding ever more to the stockpile.

Some have said that the INF Treaty will help the Soviet Union. Of course it will. I've never heard of any nation that knowingly and without duress signs a treaty that is contrary to its own self-interest. I think we must pull ourselves out of the mindset that holds that anything good for the Soviet Union is necessarily bad for the United States. Increasing international security, even increasing the Soviets' sense of security, can indeed make America more secure as well.

It so happens that the treaty will help the United States as well as the Soviet Union. The fact is that the implementation of the treaty is overwhelmingly in our national interest. It is strongly supported by the citizens of this country.

It is also in the interest of our allies—not just in Europe but in Asia and the Pacific as well. It received the unanimous endorsement of NATO leaders and high praise from NATO defense ministers.

This treaty is a significant bipartisan achievement. I urge the Senate to ratify it without delay.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Madam President, first I would urge all Senators who would like to make opening statements: This is a good time to do it. We would like to get into the meat of the process on tomorrow. I am certain the manager, the chairman of the Foreign Relations Committee, and others, would like to move ahead.

We have been calling people on our side because today we enter the home stretch. We are finally on this treaty. There have been good reasons why we have not started before, and I think everybody has a right to be proud of a job well done. As I have said before, the Senate has played a constructive role.

We had a constitutional role to play. We played that role, as most recently demonstrated in testimony just yesterday before the Foreign Relations Committee, Senator PELL's committee, by Secretary Shultz. He had been back to Geneva negotiating with the Soviets, clarifying some areas that had been raised by who? By Members of the

Senate. And now we have a better treaty than we had a week ago.

I would guess others will find mistakes. And I guess over the next 10 or 15 years there are going to be technical corrections and adjustments and understandings and resolutions of differences between Soviets and Americans.

I do not quarrel with anyone who wants to vote against consenting to ratification. They have a perfect right to do that. I know some will do that. Obviously, some will want to offer amendments to the text of the treaty, or others will want to offer reservations or amendments or statements or declarations to the Resolution of Ratification. As far as I know, no one quarrels with that. But the point is we ought to do it, and do it as quickly as we can.

I know of no one in this body who wants to deny the President a hard-earned right to take the Instruments of Ratification to Moscow with him. I do not know of anybody on the Democratic side or anyone on the Republican side who has not had enough time to understand the treaty. There have been thousands of detailed questions, hundreds of witnesses, scores of hearings in three different committees. Senators and staff from both sides of the aisle have worked long and hard.

I would guess there has never been a treaty that has been more closely scrutinized than the one before the Senate right now.

So I am going to stand here in a very positive way and predict that we are going to do this for the President—but not just for the President, for the country, for Democrats, Republicans, and Independents and all those people out there who may not be interested in politics, but who are concerned about their future, their children's future, and their grandchildren's future.

We are not doing this because it is in the Soviets' interests. We are doing it because it is in our national interests. I assume they have made the same judgment. They would not do it if it was not in their national interest.

We don't have to trust the Soviets, or trust Gorbachev, or trust anyone else. We have made a judgment. We have a lot of experts in this field who say that this is a good treaty, and it is in our interests. That is the bottom line.

NEGOTIATING RECORD VALUABLE

Senators and staff on both sides have spent countless hours studying the negotiating record. I recall that when Senator NUNN first proposed Senate access to the negotiating record many were skeptical. In retrospect I believe this was a positive development which should be repeated for all major treaties because with the benefit of the record the Senate has

been able to develop its own clear idea of what obligations the two parties proposed to undertake in the INF Treaty.

CONCRETE RESULTS

All the work was worth it. When I told President Reagan I would support the treaty and make an effort to lead the effort for ratification, I also told him that I believed the Senate could improve upon an already good product. As I have said a few moments ago, we did that just this past week, and we have done it in hearings, we have done it with statements, and we will continue to work in this constructive way.

Senators NUNN and WARNER, and QUAYLE, and their Armed Services Committee colleagues led the way to defend and resolve the so-called futures issue. The result is a diplomatic note signed by the United States and Soviet representatives which is going to be part of the treaty.

With Intelligence Committee insistence as backing, the administration was able to press the Soviets for quick resolution on the nine onsite inspection issues. Perhaps these were just some predictable glitches; perhaps not. But one way or the other the Soviets have been reminded that verification is of paramount importance to us. We want to be able to verify the terms and conditions of this treaty.

Again, we have a signed paper in hand. Chairman BOREN and Vice Chairman COHEN, and their colleagues are to be thanked for this.

Certainly the Senate Foreign Relations Committee, under the leadership of Senator PELL, Senator HELMS, Senator LUGAR, and others, has contributed to making a record.

THE BIG PICTURE

So the Senate has made a difference but we have not reached the bottom line. I think the bottom line is to get this treaty behind us. It deserves our advice and consent. It ought to be backed by a big bipartisan majority.

I know there are already some saying, "Well, now, this is 1988; this is a political year; we don't want to do this or that because some party might benefit." The beneficiaries will be the American people. I think that is how it is going to be perceived.

This is a historic treaty, the first ever to reduce existing nuclear weapons. In fact, it eliminates two entire classes of them. Its verification provisions are unprecedented, with onsite inspection, and they are also effective. The Soviets have finally agreed to asymmetrical reductions. And finally, the treaty is a triumph for NATO cohesion.

I must say, when I was trying to make a judgment on the treaty, I called Margaret Thatcher. I did not know if she would take my call, but at that time I was ahead in Iowa and she took my call. We talked about the treaty because I wanted to hear it

from her firsthand that she supported it, and she did.

I also talked to Chancellor Helmut Kohl, who had the same response—enthusiastic support for the treaty. And I later talked to Prime Minister Gorla of Italy, who was visiting the United States—and he was in support of the treaty.

SUMMIT RATIFICATION DESIRABLE

So we have to work carefully and we have to work independently. We cannot be caught up by any artificial deadlines. We have worked carefully for nearly 4 months.

So as I have said, we have had Senators on three committees look at this carefully. Now there are other Members. They want to be here; they want to ask questions; they want to make statements; they want to offer whatever they are going to offer; they want to make their points. In fact, I have a few points of my own I hope to make, and we will have the opportunity starting right now.

On the other hand, we do not live in a vacuum. This is not just some academic exercise. This is a real world issue of huge importance and the world is watching what we do. One of INF's biggest pluses is the boost it gives to the U.S. leadership and the NATO alliance, and that plus will be doubled with ratification at the upcoming summit.

Now, if this were incompatible with Senate responsibility, I would be the first to say, "slow down," but this is not the case. Next Wednesday will make 4 months since the treaty was transmitted to the Senate, and I cannot think of a better target date for advice and consent. That gives us 7 or 8 solid working days. We should work quickly but thoroughly through the amendments to the treaty text because I am certain most of my colleagues agree that such amendments, in most cases, are going to be unwarranted.

DROP TREATY INTERPRETATION CONDITION

Then, in accordance with Senate procedure, we will turn to the treaty interpretation condition proposed by the Foreign Relations Committee as the first order of business on the Resolution of Ratification. I hope the authors of this provision agree that all the recent Senate good work on this point makes this exercise unnecessary.

Indeed, Senate action on the "futures" and onsite inspection issues involved looking behind administration testimony, studying the negotiating record, and insisting upon written clarifications agreed with the Soviets.

We cannot now credibly assert that the treaty's meaning is based only on its text and executive testimony. This notion derives neither from the Constitution, nor from practical experience. In reality, it is rooted only in our disagreement over another treaty, another treaty not even before us, but in-

sistence upon it will certainly delay this treaty.

I do not believe that such delay is fitting to end the solid work we have done. So I think we have to put the other differences aside and spend our time on the INF issues.

LET'S GET TO WORK

It is time to roll up our sleeves and finish our work, and, as other speakers have said, there is absolutely no reason, unless something pops up that nobody has thought of—and there have been a lot of pretty good minds, men and women, people in this country and outside this country that have looked at this treaty, looked at it with an eagle eye—there is no good reason why the President should not have this treaty to ratify in Moscow.

When Ronald Reagan steps off Air Force One and onto Russian soil, I want Mr. Gorbachev to know that he is facing a man with a solid backing of Congress and the American people. That is what this is all about.

So I am going to be working closely with the majority leader, who I think has done an outstanding job, in making certain that we resolved some of these issues before coming to the floor. We have saved time this past week.

And I know that some of my colleagues, as I have said, have differences. That is fine. Some will raise valid points, just as valid points were raised on futures and on inspection and on other things. Maybe someone will find a real area that should be corrected. But I hope what we can do is to do what we have a reputation of doing around here, and that is being very constructive and not delaying. This is a Senate responsibility, but it is an issue that transcends this Chamber.

Oh, it is important to the President. But it is important to the American people. It is important to free people around the world. It is important to those who look to us for leadership all around the world. I think we will have ample time.

So in the next few days when we get into the nitty-gritty of this, we are going to have to stand up and be counted and move this treaty along. I pledge the President of the United States my support, and I am going to do what I can in the next several days to make certain that when he leaves the United States, he has what he needs in his pocket.

I will be happy to yield whatever time he may consume to the Senator from Idaho, but before I do, I also want to say, there is an excellent work on the Republican desks, which I am certain we can make available to the other side. It is a very objective, non-partisan analysis of the reports from the Foreign Relations, Armed Services, and Intelligence Committees on

the treaty. It is a good summary, and I want to congratulate Rob Soofer who is a staffer of the Republican Policy Committee. I am certain we will be happy to make copies available to either side. It is a good summary that puts it all in perspective.

Mr. SYMMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. I thank the distinguished Republican leader for not only his remarks but his long service in this body and the other body and his prior service to his country that is a record matched by very few people who have served in this Senate.

I must say that it has been a privilege for me to be one of his supporters in his recent political endeavors and still one of his supporters. I hope to be on his team here in the Senate, even though on this particular issue when I take the floor, I am not coming down on the same side of the issue as our distinguished Republican leader.

Mr. President, in getting into my remarks, it is not the intention of this Senator to in any way delay the deliberations that the Senate must do in its responsibilities to advise and consent and to eventually ratify this treaty.

My point is I wish to make my case to my colleagues in the best fashion I know how. Ultimately, we will have a vote, and I think there is much to do about the fact that the President should have this treaty with him, if it is going to be ratified, prior to the time he makes his journey to the Soviet Union.

I suppose that one might take the rather philosophical approach to it, whether you are for or against this treaty, that probably there will not be many votes changed by what is said here in this Chamber in the next 2 weeks.

I do think, historically looking at this, that in the course of history, it is rather irrelevant President Reagan has the treaty in his pocket to take to Moscow with him to meet the dictator of the Soviet Union, Mr. Gorbachev, or whether he does not. But I think also that it is probably not too significant in the course of history whether we vote on the treaty prior to his going or after he goes, unless there is something else that may come out, although I said all along I thought the time eventually was on the side of those people who are in opposition to this treaty.

But I think in many ways, it might be said that this was a fait accompli when the treaty was originally signed last December.

I might say one thing about President Reagan and his administration, who successfully negotiated this treaty: President Reagan demonstrated that it takes more than just rhetoric to have the confidence and credibility not only of our allies, but the re-

spect of our adversaries; that it takes a strong political will.

That is probably the most important factor in negotiating with authoritarian governments for those of us who come from free societies, from the democratic process, from countries which aspire to democratic capitalism, personal freedom, human rights and human dignities. What we must remember is that the one single thing that is key and most important in negotiating with the dictatorships and the authoritarians and those people who stay in power by using oppression and tyranny and fear, such as the Soviet Union, that the best way to negotiate with them is from a position of strength.

So I think this President deserves the praise and admiration of all Americans because he negotiated from a position of strength.

I have to say that it was not the left-wing politicians in Europe from more liberal parties who made it possible for the Pershing II's and the cruise missiles to be deployed. It was not the more liberal politicians here in this body and in the other body who made it possible. It was the conservatives in America and people who knew that we had to deal from a position of strength who gave the President the political will to use the political chips in Western Europe, to make those early deployments in his administration of the Pershing II and the cruise missile, that made it possible to get to the point where the Soviets would come to the table to sign an agreement to get weapons systems out of Europe that they felt were a deterrent to Soviet hegemony and to the ultimate Soviet goal of breaking up the NATO alliance and peeling West Germany off from the alliance if they could do it.

Strength is the key. It takes political will, it takes economic strength, and it also takes a commitment to military strength to back it up. It is common sense.

My basic political philosophy with respect to foreign policy is that you should support your friends and oppose your enemies. Pretty easy to understand, pretty simple to understand, and I think that the problem I have found with this entire process since this big rush toward arms control in this administration is that probably the most significant thing that has happened in the signing of the INF Treaty is the fact that we got away from that policy of supporting our friends and opposing our enemies.

We have strengthened the political parties that are more socialistic, more sympathetic to the Communist bloc nations, less sympathetic to personal freedom, less sympathetic to economic freedom, less sympathetic to democratic capitalism and have weakened the position of the political leaders in Europe who have been in support of

President Reagan's general philosophy that has been growing around the world.

I think when one looks at the economic growth that we have enjoyed in this country in the past 6 years of uninterrupted recovery, that that also has had a sustaining effect as part of the political will, the military strength, and the economic strength that we have been able to enjoy in the West under the leadership of the President.

So I say to President Reagan that I have the highest respect for his ability to get to the point that we signed the INF Treaty and that the Soviets were willing to deal with them, Mr. President. But I do think that the future now is more uncertain because I think that the United States of America has, by taking this action, emboldened the political parties who were viewed as our adversaries and have weakened those people who we viewed as our friends in the long haul in politics in Europe.

But having said that, I said last December that I would lay aside my preconceptions and doubts that I had about the treaty, and approach the treaty's ratification with an open mind. Even though I had great skepticism, as my colleagues know, I had great skepticism of all of the love in that took place here in Washington. And I might just say with respect to that that I hope after this summit when President Reagan goes to Moscow that we in the United States, no matter who our President is, whether it is GEORGE BUSH, Michael Dukakis, or whoever, will encourage the administrations of the future to not have home and home series summits where great expectations are billed to the American people, that somehow, something must be accomplished every year.

I would much prefer to see the leader of the United States, the President of the United States of America, the leader of the free world, an elected official, meet with the leader of the Soviet Union, an oppressive society, in a neutral court so we do not have this opportunity for the Soviets—who are masters of using the free press that they could not give to their people in their country—but that we do not give them just a free ride to paint themselves in the picture that somehow everything has changed in the Soviet Union, and now that Gorbachev is in power they now have stopped state-supported terrorism, which they have not; that they have withdrawn from Afghanistan, which we pray that they will, but they have not; that they stopped funding Communist revolutionary governments in Central America, all across Africa, and creating hegemony and terrorism against innocent civilians in places like Pakistan

and many other places in the world, which they are still doing.

I think in many ways we allow ourselves, because Americans in general love to think that everything is going to be all right because we are optimistic, we are goal oriented. So what happens is that election time is rolling around, the administration therefore decides that it is time to get a treaty because after all the President is going to be leaving town, and we will push for this. It happens with every administration no matter whether they are Republicans, Democrats or what. There is always a time constraint built into our constitutional system because we know under the Constitution how long a President will be in office, or how long at least he has to go back and face reelection.

There is a pressure on those of us from the West to make a deal just like there is a pressure on the Senate. Let no one make a mistake. There is a pressure on this Senate to allow the President the privilege to go to Moscow with that treaty, ratified or not ratified. But there is a pressure on the Senate to get out of the way, let the thing happen because otherwise there would be all kinds of stories written in the newspapers and in the television, in the radios and so forth, that somehow everything was going to pot at River City because the Senate could not ratify the treaty on time.

So we do have this pressure. The Soviets do not have the same problem because if people start objecting too much in that country, they ship them off to Siberia. I would say to my colleagues the ultimate test, of course, of a free country, or a country that is really opening up, is that they stop killing people at the border if they choose to leave. And the ultimate test of a free society is you can liquidate your assets, get your money, get your passport and leave. As long as you live in a country that will allow that privilege, you are very, very lucky human beings. I think we should all count our blessings that we are blessed to live in this great land.

But anyway, Mr. President, I tried my best to be true to the promise that I would face this with an open mind. I listened carefully to a multitude of witnesses who testified before the Armed Services Committee, both pro and con. And I read and considered innumerable articles and reports concerning the treaty and the effects that it will have. But first and foremost I wanted to be convinced that the INF Treaty enhanced our national security, and was in the best interests of this Nation. I wanted to be convinced that we had reached a point in our relationship with the Soviet Union where we had achieved a mutual understanding based on openness, candor, and a point where the balance of terror was no

longer considered a meaningful phrase.

I wanted to be convinced that the loss of more than 6½ billion dollars worth of American taxpayers' dollars had been spent on intermediate nuclear forces was equal to the gain and security represented by the treaty.

Finally, I wanted to be convinced that as a result of the treaty our future, the future of our alliances and our allies' future, indeed the future of the world as a whole, would be brighter and more secure.

Unfortunately, Mr. President, I am not convinced that is what has happened. All I have seen and heard from the proponents of the treaty can probably be summed up in the following manner. First, it will support our overall strategy by reducing risks. Second, it will strengthen our alliances. Third, it will decrease the Soviet military advantage. Finally, it will do all of this in a manner which provides assurances of verification.

All of us I think agree that the reduction of risk is a very, very important goal, a goal worthy of our best efforts. However, I have a difficult time with the treaty that purports to reduce the risks but lowers the point where a nuclear exchange is likely to take place, and also fails to address the overwhelming Soviet conventional superiority in Europe.

Mr. President, I filed minority views in the Armed Services Committee report. They are probably too lengthy. There is so much to say. I apologize to my colleagues because they are so lengthy. But at this point I just want to read one brief little page 82 from that report about the conventional forces that the Soviets and the Warsaw Pact have over NATO.

The Soviet Warsaw Pact has a 2-to-1 advantage in main battle tanks; 2.3-to-1 advantage in heavy artillery; 1.3-to-1 advantage in armored personnel carriers; 1.2-to-1 advantage in tactical aircraft; 2.4-to-1 advantage in interceptor aircraft; 6-to-1 advantage in the intermediate range bombers; and a 25-to-1 advantage in chemical decontamination equipment. And get this, Mr. President, the Soviet Warsaw Pact has 700,000 tons to zero in modern deliverable chemical munitions.

I think we have some 10 or 11 air bases with the flexible response aircraft deployed in Europe that will have to take up part of the slack, for the lack of the Pershing II's and the Cruise missiles.

That is a tremendous burden that it puts on our tactical and our non-nuclear deterrence in Western Europe.

In my opinion, that means it in itself will increase the potential for a disastrous strategic exchange with the Soviet Union. It is not a reduction of the risk. It is a grievous miscalculation.

Why are we willing to accept a situation which permits our adversaries to retain their capability to engage the intermediate targets with their SS-24 and SS-25 mobile missile forces while we surrender only our own ground-based nuclear capability?

Many of my colleagues would cite our strategic missile force and our dual capable aircraft or even our sea-launched Cruise missiles as a way to offset our INF losses. But they do not acknowledge the inherent vulnerabilities of each of those systems which in my mind creates a serious question regarding the usefulness in the INF role.

Are we not being really less than candid when we suggest the use of strategic weapons to counter a Warsaw Pact attack against NATO without also admitting the tremendous risk of a follow-on strategic nuclear exchange?

Let us be honest about it. Do you believe we will fire an MX missile from the continental United States to retarget targets that now Pershing II missiles are capable of hitting? If you flip this on the other side of the coin, the Soviets can replace the SS-20's with SS-24's and SS-25's which they are going to retarget the same targets in Europe. So we do not have any targets in Europe that still are not under the same threat. But they still are firing those from the homeland of the Soviet Union into European targets, but not into United States targets. So we should think about that.

I want to point out another question. I visited Europe in January, visited with many of our military leaders, and asked them many questions about it. Of course, the party line there is that they can live with the INF if we modernize all our tactical and other weapons and keep our position strong enough to have a flexible response.

It is interesting to note, however, that Spain is trying to throw out 72 of our dual capable F-16 aircraft from there, and we will have to look for another home for them.

It is also interesting to note that when we state the case that we can use dual capable aircraft, I say to my colleagues, and particularly those who may not have thought through what a dual capable aircraft is, it is one that is used in a tactical battle but which still has the capability of the nuclear delivery system to use if all else fails.

If we have to withhold those aircraft from an ensuing land battle because we are fearful that we will lose them and we might have to have them, we only weaken the hands of our commanders who will need everything they can to stop the armored columns. So if aircraft are withheld from the initial land battle in order to be able to be held in reserve to conduct a nuclear strike, in my view we have complicated our ability to deal with that

land battle as well as our need to achieve and maintain air superiority, and consequently increased the possibility of an early tactical nuclear exchange.

The PRESIDING OFFICER. If the Senator will suspend, the Chair points out that the time available to the Republican leader has expired.

Mr. SYMMS. Mr. President, I make an inquiry: Are we not on the debate of the INF Treaty?

The PRESIDING OFFICER. That is correct.

Mr. SYMMS. Are we under controlled time?

The PRESIDING OFFICER. We are under controlled time.

Mr. SYMMS. Is there more time available for the Republican leader?

The PRESIDING OFFICER. The Republican leader's time has expired.

Mr. SYMMS. Mr. President, a parliamentary inquiry: Are we starting on the same debate in the morning?

The PRESIDING OFFICER. The Senate will return to this matter in the morning, without controlled time.

The Chair points out to the Senator from Idaho that there is time available on the majority side. The Chair does not know whether the majority will yield time. There is none remaining on the republican side.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SYMMS. 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. SYMMS. Mr. President, are we not really overstating the case to suggest the use of dual capable aircraft to redress the INF problem. After all, if those aircraft are withheld from the initial land battle in order to conduct a nuclear strike, haven't we just complicated both our ability to deal with that land battle, as well as our need to achieve and maintain air superiority and consequently, increased the possibility of an early tactical nuclear exchange? Where then is the reduction in risk. I, for one, can't find it.

With regard to the premise that the treaty will serve to strengthen our alliances, I think it is very disturbing to note that many Europeans view the treaty as an unwelcome return to the insecurity of the seventies, when the only response available to NATO, in the event of a massive Soviet invasion of Europe, was a United States strategic nuclear attack on the Soviet homeland; an all or nothing response which most Europeans felt was a sham. Except, in the current case, the situation is even worse due to the tremendous increases in the quality and

quantity of Soviet forces targeted against Western Europe.

In fact, the treaty not only dislocates the strategy of flexible response which has served NATO well for so many years, but it fails to address the massive Soviet land force advantage in central Europe. In my view, the only thing the treaty accomplishes in this area is the magnification of the Soviet Union's threat to Europe, while simultaneously diminishing NATO's ability to deter that threat.

Already voices in Western Europe can be heard hailing the treaty as the first step in the drive toward a European nuclear free zone. Political pressure has started to build in Germany to slow down, reevaluate, and possibly do away with the Montebello modernization program. Have not Gennescher, Shevarnadze, Hornecker, and others already met and begun discussion of eliminating all remaining nuclear weapons in both East and West Germany. Where then is the strengthening, the solidifying, the reinforcing nature of the treaty. I, for one, cannot find it. On the contrary, I believe the treaty calls into question the credibility of both our political and military commitments to Western Europe. As Mr. Benoist and many other prominent Europeans have recently concluded:

Far from enhancing Western security, we believe the INF Agreement would shift the military balance in favor of the Warsaw Pact and assist the Soviet Union in seeking to include political changes in the West favorable to its interests. At the same time, the proposed accord would diminish any incentive for the Soviet Union to make fundamental changes in its domestic and foreign policies. We are also fearful that it would weaken the credibility of the United States nuclear guarantee to Europe, sow discord within the alliance, and seriously erode the reputation and influence of the United States, upon which free societies remain critically dependent.

Now let us turn our attention to the proposition that the treaty decreases the Soviet's military advantage. Over the course of the last 40 years, we have successfully deterred the Soviets from attempting a military conquest of Western Europe. That deterrence was the direct result of the Soviet's perception of our strength and our willingness to use that strength on behalf of our NATO allies. Our willingness to develop an INF force and deploy it forward in Europe and our allies' willingness to base those weapons on their soil only served to further strengthen NATO, while reinforcing the credibility of our deterrent. With the adoption of the INF Treaty our "equalizer" is gone. Remember that General Rogers, in his testimony before the Armed Services Committee, cautioned "keep in mind that for NATO's deterrent to be credible it must conjure up in the Soviet mind a perception of greater pain than gain

from pact aggression" * * * and then we went on to state that "what the Soviets are eliminating comprises only about 3 percent of their stockpile of nuclear warheads. Nearly all of the remaining 97 percent can be targeted against installations in NATO's rear areas, thereby keeping the risk high and on the backs of the West European people. And what does NATO give up? The very weapon system the Soviets fear most—the Pershing II—which puts the Soviet homeland and people in a similar posture of vulnerability and keeps high the credibility of NATO's deterrent." Where then is the decrease in the Soviet's military advantage? I, for one, cannot find it.

Any overlaying all of these issues is the real centerpiece of the INF Treaty; the verification clause. Please excuse me Mr. President, I misspoke, I did not mean to say verification. What I meant to say was trust, the trust clause, for that is what it means. Like many of my colleagues, I too was concerned with the meaning of verification so I went to what I considered to be the most authoritative source available—Webster's third new international dictionary. Webster's defines the word "verification" as—and I quote—"The act or process of verifying or the state of being verified; the authentication of truth or accuracy by such means as facts, statements, citations, measurements, or attendant circumstances."

Using that definition as a basis, I reviewed the report of the Select Committee on Intelligence entitled "Monitoring and Verification Capabilities" where I found the following admission "with respect to assessing the accuracy of the numbers and locations of forces and systems declared by the Soviets in the treaty's memorandum of understanding, the intelligence community has not resolved significant differences of view over the possibility that the Soviets may not have disclosed their entire inventory of nondeployed SS-20 missiles * * * their potential military significance would, however, be short-lived. This is because the operational reliability and military utility of any covertly maintained missiles would begin to deteriorate immediately; would seriously degrade during the first 3 years, when all missiles are being eliminated; and would vanish entirely within a decade, unless the Soviets can begin flight testing them.

This would be both illegal and readily detectable." I think that statement is amazing. Not only does it admit that we don't know how many SS-20 missiles the Soviets have, and implies the Soviets are deliberately misleading us, but it goes on to understate the seriousness of that threat while justifying a decade of our own vulnerability. That, Mr. President, is why this clause

should be entitled the trust clause not the verification clause. We are being asked to trust the Soviet Union because we can't verify the treaty. Trust the same nation that has violated every arms control treaty it has ever signed. Trust the nation that invaded Afghanistan. Trust the nation that still subjugates Eastern Europe and trust the nation that was responsible for shooting and killing Maj. Arthur Nichols. If that is verification Mr. President, I, for one, cannot find it and if its a basis for trust, I most certainly cannot find that either.

Given the fallacies and serious shortcomings of this treaty, why is there such a burning desire to place this Nation at risk. Why is there such a willingness to look past the realities of Soviet behavior and actions in the world and instead focus on the mythology of "perestroika" and the persona of Gorbachev. I do not have those answers Mr. President, only a hope. A hope that my colleagues will not succumb to "it's a rotten treaty but its the only one we got" mentality—to that reverse logic which decrees that despite all risk and in the face of solid evidence to the contrary, too much political capital has been invested for NATO to stand together if the Senate voted no.

My hope is that my colleagues will vote to address the realities and not their wishes. Treaty ratification should not be based on public relations skill, naive expectations or unrealistic assumptions. It is never to late to walk away from a bad deal. Therefore, Mr. President, I will cast my vote against ratification of the INF Treaty and urge my colleagues to do likewise, for if this treaty represents more security, a new relationship with the Soviet Union based on candor, a meaningful reduction in the "balance of terror" and a brighter future for our world, I, for one, cannot find it.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Emery, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination, which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:22 p.m., a message from the House of Representatives, delivered by

Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4471. An act to amend the Foreign Assistance Act of 1961 with respect to the activities on the Overseas Private Investment Corporation, to make supplemental authorizations of appropriations for the Board for International Broadcasting, and for other purposes.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 4471. An act to amend the Foreign Assistance Act of 1961 with respect to the activities of the Overseas Private Investment Corporation, to make supplemental authorizations of appropriations for the Board for International Broadcasting, and for other purposes; to the Committee on Foreign Relations.

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-3260. A communication from the Secretary of the Senate, transmitting, pursuant to law, a full and complete statement of the receipts and expenditures of the Senate, showing in detail the items of expense under proper appropriations, the aggregate thereof, and exhibiting the exact condition of all public moneys received, paid out, and remaining in his possession from October 1, 1987 through March 31, 1988; ordered to lie on the table.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HOLLINGS (for himself and Mr. HATFIELD):

S. 2404. A bill to amend title XX of the Social Security Act to provide for additional funds under such title and to reserve such funds for child day care services, to create a National Advisory Commission on Child Care, and for other purposes; to the Committee on Finance.

By Mr. BENTSEN:

S. 2405. A bill to establish the U.S. Mexico Border Regional Commission and to assist in the development of the economic and human resources of the United States-Mexico border region of the United States; to the Committee on Environment and Public Works.

S. 2406. A bill to authorize the Secretary of State to conclude agreements with the appropriate representative of the Government of Mexico to correct pollution of the Rio Grande; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOLLINGS (for himself and Mr. HATFIELD):

S. 2404. A bill to amend title XX of the Social Security Act to provide for additional funds under such title and to reserve such funds for child day care services, to create a National Advisory Commission on Child Care, and for other purposes; to the Committee on Finance.

CHILD CARE ACT OF 1988

Mr. HOLLINGS. Mr. President, thus far in the 100th Congress, a plethora of child care bills have been introduced—more than 50 bills in all. Most are constructive; many are innovative. Indeed, I am proud to cosponsor several of these bills, including S. 1885, the Act for Better Child Care Services, along with Senators DODD, CRANSTON, and CHAFEE. The flaw in all of these bills, however, is that none offers an immediate response to the rapidly expanding crisis in American child care services. What's more, amidst the cacophony and confusion of so many alternative proposals, there is a very real danger that the legislative overload will paralyze Congress, preventing any action this year. That would be the ultimate irony and tragedy of so many well-intentioned proposals.

Mr. President, to cut through this legislative gridlock, Senator HATFIELD and I are introducing the Child Care Act of 1988. The principal thrust of our bill is to provide a direct and immediate shot in the arm for child care services in all 50 States. To that end, we propose boosting authorization for title XX of the Social Security Act by \$1.5 billion over 3 years, earmarking that increase exclusively for child care services.

By all means, let the Congress continue to debate the optimum approaches to child care services. No doubt, too, child care will be a major issue in the congressional and presidential campaigns. But we cannot allow the children's needs to go unmet for another year while the adults quibble and kibitz. Let's get the money to grass-roots community organizations that need it and know how to make best use of it. And let's do it now.

Mr. President, our bill also includes two other components. First, to businesses that establish child care facilities, it provides a tax credit of 25 percent of the cost, not to exceed \$50,000; this tax credit will leverage Federal resources by enlisting the private sector in the rapid expansion of our Nation's day-care infrastructure. Second, to facilitate the inquiry into a long-term legislative solution to the child care crisis, our bill establishes a bipartisan commission to conduct a 1-year study of our Nation's day-care needs.

Mr. President, the States already have in place a remarkable variety of

title XX-funded child care programs and services. These programs are attuned to local needs and preferences. They have a wealth of practical experience. They have the know-how to expand rapidly. All they lack is funding commensurate with the vast unmet needs of the American public.

Total title XX grants to States currently stand at \$2.7 billion, of which approximately \$1 billion is allocated to providing child care. My bill would increase title XX funding by \$1.5 billion over 3 years—\$300 million in 1989, \$500 million in 1990, and \$700 million in 1991—and would expressly earmark that entire sum for child care services.

I say, let's stop beating around the bush on child care. The hour is too late. The crisis is too destructive to be addressed with half-measures and nickle-and-dime initiatives. The time has come to start putting our money where our mouth is.

And that, Mr. President, is the chief virtue of the Child Care Act of 1988. We make no bones about its cost. We acknowledge up front that this bill entails a significant new commitment of Federal resources. We say simply: it is time for Congress to explicitly identify quality child care as a vital and urgent national priority.

Mr. President, as I said, our bill also provides for creation of a National Advisory Commission on Child Care, which would be tasked with undertaking the most extensive study of this problem since 1970. We have a vast range of proposals on the table: From the Secretary of Education, from the Secretary of Labor, from various committees in Congress, from think-tanks and child advocacy groups. The Commission will have 1 year to sift through these many proposals, hold hearings, and hammer out a consensus package of public and private-sector solutions. The Commission will be bipartisan, as will its recommendations. Much on the model of the Social Security study chaired by Alan Greenspan in the early 1980s, the Child Care Commission's task will be to crystallize a consensus and mobilize public support behind a bipartisan legislative solution.

Mr. President, the American people are way out in front of Congress in their support for child care legislation—and in their willingness to foot the bill for solutions. An ABC-Washington Post poll last year determined that 57 percent of Americans believe that child care programs should be increased; this compares to 44 percent the year before. A recent Harris poll found that 73 percent of Americans would be willing to increase their taxes to pay for improved child care.

There are many reasons for this groundswell of public support. All have their roots in the rapidly changing demographics of the last 15 to 20 years. Today, half of all married moth-

ers with infants younger than 1 year old also hold down jobs; this is a 108 percent increase since 1970. By 1995, two-thirds of all preschool children will have working mothers; four out of five school-age children will have working mothers.

Of course, all things being equal, it would be wonderful if all mothers had the option of staying at home with their young children. The facts of life, however, are that some 70 percent of employed mothers work not as a matter of choice but as a matter of pressing economic need. Even so, the average income of two-parent families with children actually declined 3.1 percent between 1973 and 1984.

The response to these demographics has been woefully inadequate—to the point where, today, child care in America is not just a national crisis, it is a national disgrace. In many communities, the demand for infant care exceeds the available supply by three to one, or worse. For lack of alternatives, millions of parents leave their children in child care situations they realize are less than satisfactory, if not dangerous. Millions of low-income parents—especially single parents—face the terrible choice of placing their children in potentially harmful situations or forgoing employment and training opportunities because they cannot afford child care. Employers pay a price, too, in the coin of absenteeism and reduced productivity of workers who are distracted by child care problems.

Meanwhile, the typical cost of full-time child care in our major metropolitan areas is \$3,000 per year for each child. That equals one-third the annual poverty-level income for a family of three. No wonder studies show that lack of affordable child care is a key reason why many parents don't work or can work only part time. Likewise, too many young couples face the cruel choice of either foregoing the blessings of parenthood or suffering the pain and indignity of providing only inadequately for their preschoolers' needs.

Mr. President, the statistics are impressive. Likewise, there are countless excellent economic arguments in favor of national child care legislation. They all pale, however, in light of the one all-important consideration: The needs of our children. Our first questions must be: What is best for the children? What is the minimum that we as a society owe to our children?

Surely the minimum standard must begin with child care services in which the children of working parents are safe, healthy, and well-nourished. In addition, child care facilities can and should provide kids with the foundation they need to build toward success in school. Indeed, in many instances, child care facilities are equipped to give children the kind of enriched de-

velopmental atmosphere that not all mothers and fathers are able to provide.

These educational opportunities are inherently worthwhile. They contribute to richer, more productive, more satisfying lives. But—for the more literal minded—we can also quantify the payoffs; we can attach dollar figures. According to a staff report of the House Select Committee on Children, Youth, and Families, \$1 invested in preschool education returns \$4.75 in savings because of lower special education and welfare costs, and higher worker productivity.

Late last year, the results of a landmark 10-year study by Syracuse University were published. Echoing earlier studies, the Syracuse team found that low-income children who received intensive day care and family services during their first 5 years had sharply lower delinquency rates, higher levels of self-esteem, and better school performance in adolescence than a similar group of children who received no services. Mr. President, these impressive results point to the payoffs and potential of quality care in America.

And there is more, Mr. President. Low-income children who participated in the Syracuse study had a 6-percent rate of juvenile delinquency compared to a 22-percent rate for children in a control group. Over time, court and detention costs were \$12,000 for the program group compared with \$107,000 for the control group. These findings point up the true cost of our continued tolerance of the destructive status quo.

Even so, despite the overwhelming and urgent need for child care legislation, it is inevitable that there will be concern about the \$1.5 billion price tag of this bill. Certainly, this is a legitimate concern.

This Senator yields to no one in his concern about the Federal deficits. I have always said: Decide what Government services you must provide, then pay the bills. And I have advocated specific taxes and fees to bring Federal accounts back into balance.

But by the same token, it is a gutless abdication of responsibility to point to the deficits and say, "Our hands are tied. We cannot respond to the most basic needs of our citizens." That is a cop-out. It is the opposite of leadership. It is the opposite of all that is good about public service.

By all means, we must be rigorous and tough-minded in setting national priorities. But, once identified, those fundamental national priorities must be met. And surely, by any sane and reasonable calculation, our children must come first. We must not cheat the children.

Mr. President, I look forward to championing this authorizing legislation on the Senate floor. And I intend

to lead the campaign to win full funding for this expanded title XX bill in the fiscal year 1989 budget.

Mr. HATFIELD. Mr. President, much attention has been given to the child care crisis faced by a great many American families. Alliances formed by child care professionals, child welfare advocacy groups and working parents have initiated broad-ranging discussions of the problems associated with child care and have suggested legislative options.

Of course, the child care problems facing working parents are not new but they are growing as more and more American mothers enter the workforce. Nationwide, fewer than 10 percent of all families have a mother who stays at home with the children while the father works. Not only are more mothers going to work, they also are going to work when their children are younger. For example, more than half of the mothers of children under the age of 6 in Oregon are now in the labor force. This is the fastest-growing segment of the work force, and the subgroup of mothers with children under the age of 1 is expanding fastest of all. Many of these families have experienced first hand one or more of three problems most often mentioned by advocates: the lack of accessibility, the lack of affordable and the lack of quality child care.

Lack of affordable child care appears to be the preeminent concern. Child care for one pre-schooler averages \$2,400 per year—almost one-half of the gross annual income of a full-time minimum wage worker. In Oregon, where one-fourth of all families with a child under age 6 live below the poverty level, such an expense could force more families to slip onto the welfare rolls. Without reasonably-priced child care, many families may never make the move to self-sufficiency. A study conducted in 1986 by the Oregon Adult and Family Services Division showed that 20.1 percent of the Aid to Dependent Children clients identified day care problems as a major barrier to finding or keeping employment.

We know that problems exist within our Nation's child care system but we do not know how to deal with them. We are faced with differences of opinion with discussions about current child care reform and assistance proposals ranging from philosophical debates regarding the Federal role to grappling with the basic problem posed by the Federal debt; namely, how do we pay for a new program? We will have to address the child care crisis issue on a broad scale but until we do we cannot allow lower-income families to suffer our indecisiveness.

As a response to the urgent need for action, today Senator HOLLINGS and I are introducing the Child Care Act of 1988. I am greatly appreciative for the

opportunity to work with my friend from North Carolina, who is best described as a realist possessing great compassion and vision. As a fellow former Governor, Senator HOLLINGS understands how a partnership of State and Federal governments can most effectively and efficiently deliver vitally-needed services. The Child Care Act uses that partnership to provide interim services to low-income families. With this legislation we seek to provide a down payment on the effort to end the child care crisis. In so doing, we also seek to renew our commitment to finding a solution.

In addition to providing a desperately-needed injection of funds, the bill creates an advisory commission to assist in the development of a blueprint for a Federal child care initiative and also provides tax incentives for businesses who provide child care. I want to emphasize that this legislation is limited by design and intended only to give temporary relief to some of our neediest working families. This bill is not a cure but it will give us the opportunity to roll up our sleeves and dig into the issues as I urge all my colleagues to join Senator HOLLINGS and me in calling for swift passage of the Child Care Act of 1988.

By Mr. BENTSEN:

S. 2405. A bill to establish the United States-Mexico Border Regional Commission and to assist in the development of the economic and human resources of the United States-Mexico border region of the United States; referred to the Committee on Environment and Public Works.

UNITED STATES-MEXICO BORDER REGIONAL COMMISSION

● Mr. BENTSEN. Mr. President, I am pleased to join today with my distinguished colleague from El Paso, Congressman RON COLEMAN, Speaker of the House JIM WRIGHT, and others in introducing the United States-Mexico Border Regional Development Act of 1988.

When we talk about enclaves of poverty and despair in America, most people tend to think of the mountains of Appalachia or burned-out areas of the Bronx. But if you really want to find poverty in this land of plenty, look along the United States-Mexico border—the only place on this planet where a major industrialized country shares a boundary with a developing nation.

On our side of the Rio Grande, the five-county area from Brownsville to Laredo is home to 650,000 Texans. According to data released earlier this month by the Commerce Department, those five counties contain the three poorest cities in the United States of America. Incomes average less than \$7,000. Unemployment in those counties ranges from 17 percent in Laredo—about three times the nation-

al average—to a high of 46 percent in Starr County.

Another Texas border county—El Paso—has more tuberculosis cases than 19 States; more hepatitis-A cases than 20 States, and more shigella dysentery cases than 30 States.

All along the border, tens of thousands of people live in unincorporated "colonias" that lack running water and even the most primitive sanitary facilities. The historic river for which the valley is named has become a fetid sewer that poses a serious health hazard to Mexicans and Americans living along its banks.

Unacceptable numbers of women and children are at nutritional risk. There is only 1 doctor for every 1,150 patients—compared to 600 patients per physician in the rest of Texas. Educational standards are lower than the norm, dropout rates are higher, and opportunity is in short supply.

I don't care what indicators you use—income, employment, housing, education, or health, the tragic, inescapable conclusion is that the United States-Mexico border area is the deepest pocket of poverty in America.

To make matters even worse, the border is also the third fastest growing region in America. The population is projected to double by the year 2000, compounding the difficulty and magnitude of the problem.

What Congressman COLEMAN and I are proposing today is a major, dramatic initiative to include the people of south Texas in the American Dream. No one is suggesting that the United States-Mexico Border Regional Commission will have the power or resources to bring prosperity to the border, but I am convinced it can help set the stage for economic development. It can help us overcome inertia, solve problems, and realize the potential of the region.

Here is a classic example of how our public and private sectors can work together to solve problems in America. The way I see it, the Regional Commission would help direct resources toward infrastructure, education, and public health. It can be the catalyst that sparks private sector interest and investment in an area rich in opportunity.

Remember, the United States-Mexico border unites as well as divides two great nations. It is a logical, attractive place to site manufacturing facilities and startup joint ventures to meet the growing needs of American and Mexican markets. The Regional Commission can get the ball rolling by building up the infrastructure and developing the human capital along the border. Then it will be up to the private sector to move in, broaden the tax base, create jobs, help train people to fill them, and seek markets on both sides of the border.

We still have a long way to go before those who live along the border enjoy the same standard of living and access to opportunity as other Americans. That's why picking up the pace of development must be an urgent national priority.

I want to compliment RON COLEMAN and the Speaker for their leadership on this issue in the House. I will be working with them, taking the point in the Senate. I was born in the valley; my father is still there. The valley is home. It's important to me personally and politically.

I'm going to work just as hard as I can to make this Regional Commission a reality—an engine of prosperity and opportunity for millions of people living along the border.

Mr. President, I urge my colleagues to join me in supporting passage of this needed legislation.●

By Mr. BENTSEN:

S. 2406. A bill to authorize the Secretary of State to conclude agreements with the appropriate representative of the Government of Mexico to correct pollution of the Rio Grande; to the Committee on Foreign Relations.

RIO GRANDE POLLUTION CORRECTION ACT

● Mr. BENTSEN. Mr. President, I am introducing today legislation that will address a problem along the United States-Mexican border, and it will solve some significant problems in my State. This bill will help to solve the problem of pollution in the Rio Grande River, that body of water which in some places serves as a border between the United States and Mexico. For Texas, the Rio Grande, meaning literally the "Big River," has helped to provide nourishment and given life for generations. That is beginning to change. It is now the source of some serious health and environmental problems in the border area. That is caused principally by the continuous dumping of raw sewage into the river.

Mr. President, cleaning up our Nation's rivers and streams has been a national interest of the highest order for some years now. The Rio Grande has been neglected in that effort. The large volume of raw sewage, garbage, and industrial wastes routinely dumped into the river has so polluted the Rio Grande that it will take unusual and substantial efforts to sanitize it.

The International Boundary and Water Commission provides me with a monthly report on the status of border sanitation problems. I have been looking at those reports for a good while now. There is rarely any change. The most distressing problem is that every day at several points along the border tens of millions of gallons of raw, untreated sewage is dumped into the river. In one spot, Nuevo Laredo, just across the border

from Laredo, TX where hundreds of thousands of U.S. citizens live, some 25 million gallons of raw sewage is discharged directly into the river every single day. Now, this has got to stop.

This legislation, which has been passed by the House, is a way to take some control of the situation. Briefly, this legislation authorizes the Secretary of State, through the U.S. Commissioner, International Boundary Water Commission, to enter into talks with the appropriate Mexican officials to arrive at solutions for correcting the pollution problems in the river. The solutions should be embodied in agreements between the two countries, and steps to implement those agreements should be undertaken with dispatch.

Mr. President, I only recently returned from the border area talking with officials and just ordinary citizens there. Listening to their problems, hearing their recommendations for ways to solve the problems convince me that the time is passed for us to act. While, there, I was told by some of my constituents that whatever is done up here, "don't authorize another study. No time is needed to study the problem to see if there is a problem. We already know that there is. What we need to do is to get on with the cooperative business of solving the problem, which we already know how to do." My constituents, as they often are, are right again. Fortunately, the technology already exists to address the problem, for example, wastewater treatment facilities and we need to build more of them along the border so that the health and welfare of our citizens will be protected better.

I hope that this bill will be reported from committee quickly. I have already asked for hearings, and this bill is identical to the House-passed bill in every important respect. The State Department has already provided favorable executive comment on it. It is workable legislation; and it is necessary legislation. I will do all I can to see to it that it becomes law.●

ADDITIONAL COSPONSORS

S. 533

At the request of Mr. THURMOND, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 533, a bill to establish the Veterans' Administration as an executive department.

S. 801

At the request of Mr. JOHNSTON, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 810, a bill to facilitate the national distribution and utilization of coal.

S. 1766

At the request of Mr. SARBANES, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S.

1766, a bill to authorize the Indian American Forum for Political Education to establish a memorial to Mahatma Gandhi in the District of Columbia.

S. 1851

At the request of Mr. BOSCHWITZ, his name was added as a cosponsor of S. 1851, a bill to implement the International Convention on the Prevention and Punishment of Genocide.

S. 1911

At the request of Mr. HATFIELD, the name of the Senator from Minnesota [Mr. BOSCHWITZ] was added as a cosponsor of S. 1911, a bill to amend title 5, United States Code, to allow all forest fire fighting employees to be paid overtime without limitation while serving on forest fire emergencies.

S. 2000

At the request of Mr. CRANSTON, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 2000, a bill to provide for the acquisition and publication of data about crimes that manifest prejudice based on race, religion, affectional or sexual orientation, or ethnicity.

S. 2180

At the request of Mr. METZENBAUM, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of S. 2180, a bill to amend chapter 44, title 18, United States Code, to prohibit the manufacture, importation, sale, or possession of firearms, not detectable by metal detection and x ray systems.

S. 2351

At the request of Mr. DOMENICI, the name of the Senator from California [Mr. WILSON] was added as a cosponsor of S. 2351, a bill to amend the Internal Revenue Code of 1986 to repeal the capitalization rules for freelance writers, artists, and photographers.

S. 2364

At the request of Mr. PROXMIRE, the name of the Senator from Indiana [Mr. QUAYLE] was added as a cosponsor of S. 2364, a bill to enable certain U.S.-flag vessels to engage temporarily in trade within the Great Lakes, and for other purposes.

SENATE JOINT RESOLUTION 248

At the request of Mr. QUAYLE, the names of the Senator from Idaho [Mr. SYMMS], the Senator from New Hampshire [Mr. HUMPHREY], and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of Senate Joint Resolution 248, a joint resolution to designate the week of October 2, 1988, through October 8, 1988, as "Mental Illness Awareness Week."

SENATE JOINT RESOLUTION 271

At the request of Mr. QUAYLE, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of Senate Joint Resolution 271, a joint resolution to designate August

20, 1988, as "Drum and Bugle Corps Recognition Day."

SENATE JOINT RESOLUTION 275

At the request of Mr. WEICKER, the name of the Senator from Wyoming [Mr. WALLOP] was added as a cosponsor of Senate Joint Resolution 275, a joint resolution to designate August 1-8, 1988, as "National Harness Horse Week."

SENATE JOINT RESOLUTION 307

At the request of Mr. RIEGLE, the names of the Senator from Washington [Mr. ADAMS], the Senator from Tennessee [Mr. GORE], the Senator from Maryland [Ms. MIKULSKI], the Senator from North Carolina [Mr. SANFORD], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Utah [Mr. HATCH] were added as cosponsors of Senate Joint Resolution 307, a joint resolution to designate the decade beginning January 1, 1988, as the "Decade of the Brain."

SENATE JOINT RESOLUTION 313

At the request of Mr. WALLOP, the names of the Senator from Colorado [Mr. WIRTH], the Senator from Idaho [Mr. McCLORE], the Senator from New Mexico [Mr. DOMENICI], the Senator from Idaho [Mr. SYMMS], the Senator from Arizona [Mr. McCAIN], the Senator from Virginia [Mr. WARNER], the Senator from South Dakota [Mr. PRESSLER], the Senator from Kansas [Mr. DOLE], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Georgia [Mr. FOWLER], the Senator from Washington [Mr. EVANS], the Senator from Arkansas [Mr. PRYOR], the Senator from South Carolina [Mr. THURMOND], the Senator from Alabama [Mr. HEFLIN], the Senator from Ohio [Mr. GLENN], the Senator from North Dakota [Mr. BURDICK], the Senator from Oregon [Mr. PACKWOOD], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Nebraska [Mr. KARNES], the Senator from Texas [Mr. BENTSEN], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Michigan [Mr. RIEGLE], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Nevada [Mr. REID], the Senator from Arkansas [Mr. BUMPERS], the Senator from Alabama [Mr. SHELBY], the Senator from Missouri [Mr. BOND], the Senator from Connecticut [Mr. WEICKER], the Senator from Michigan [Mr. LEVIN], the Senator from Tennessee [Mr. SASSER], the Senator from North Carolina [Mr. HELMS], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Washington [Mr. ADAMS], the Senator from Delaware [Mr. ROTH], the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Nebraska [Mr. EXON], the Senator from Colorado [Mr. ARMSTRONG], the Senator from Nevada [Mr. HECHT], the Senator from

Mississippi [Mr. COCHRAN], the Senator from Alaska [Mr. STEVENS], and the Senator from California [Mr. WILSON] were added as cosponsors of Senate Joint Resolution 313, a joint resolution designating May 1988 as "Take Pride in America Month".

SENATE RESOLUTION 394

At the request of Mr. HEINZ, the names of the Senator from Alaska [Mr. MURKOWSKI], and the Senator from North Dakota [Mr. BURDICK] were added as cosponsors of Senate Resolution 394, a bill expressing the sense of the Senate that funding in fiscal year 1989 for the Federal-aid highway and mass transit programs should be at the levels enacted in the Surface Transportation and Uniform Relocation Assistance Act of 1987.

AMENDMENT NO. 2094

At the request of Mr. DOLE, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of amendment No. 2094 proposed to S. 2355, an original bill to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 2094 proposed to S. 2355, supra.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

WARNER AMENDMENT NO. 2096

Mr. WARNER proposed an amendment to the bill (S. 2355) to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 171, between lines 2 and 3, insert the following new section:

SEC. . TECHNICAL AMENDMENTS.

(a) AMENDMENT TO TITLE 10.—Section 2343(b) of title 10, United States Code, is amended by striking out "section" before "2306a".

(b) AMENDMENT TO TITLE 37.—Section 101(5) of title 37, United States Code, is amended by striking out "secretary" and inserting in lieu thereof "Secretary".

(c) AMENDMENTS TO PUBLIC LAW 100-180.—(1) Paragraph (1) of section 802(a) of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 100-180; 101 Stat. 1123) is amended by inserting end quotation marks and a period after "section." at the end of such paragraph.

(2) Section 803(a) of such Act (101 Stat. 1125) is amended by inserting "the first time it appears" after "paragraph (1)".

In the Warner amendment 2043, previously agreed to, strike out "\$376,200,000" and insert in lieu thereof "\$366,200,000".

On page 265, line 7, strike out "title" and insert in lieu thereof "part".

NUNN (AND OTHERS)
AMENDMENT NO. 2097

Mr. NUNN (for himself, Mr. WARNER, Mr. STENNIS, Mr. HATFIELD, Mr. JOHNSTON, and Mr. STEVENS) proposed an amendment to the bill S. 2355, supra; as follows:

Beginning on line 9 of page 20 of Amendment Number 2027, delete all through line 2 on page 32 and insert in lieu thereof the following new section:

SEC. 903. RESTRICTION ON OBLIGATION OF FUNDS APPROPRIATED IN THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1988.

(a) The following programs and amounts provided in the Department of Defense Appropriations Act, 1988, may not be obligated or expended:

(1) Maxicube Cargo System under research, development, test, and evaluation for the Army, \$10,000,000;

(2) Coastal Defense Augmentation, \$20,000,000;

(3) AN/SQR-17 Acoustic Processors for the Mobile In-Shore Undersea Warfare group under procurement of National Guard and Reserve Equipment, \$10,000,000;

(4) P-3C aircraft under procurement of National Guard and Reserve Equipment, \$193,800,000.

(b)(1) Funds appropriated or otherwise made available for the Army for procurement may not be obligated or expended for the procurement of any air defense system submitted to the Army for evaluation in response to any Army request for proposal for the Forward Area Air Defense Line-of-Sight Forward-Heavy (LOS-F-H) system unless the Secretary of Defense certifies to Congress that the system has met or exceeded full system requirements.

(2) For purposes of this paragraph, the term "full system requirements" means the most stringent system requirements specified by any request for proposal for accuracy, range (detection, tracking, and engagement), reaction time, and operation in the presence of electronic countermeasures.

(c) None of the funds appropriated for the procurement of aircraft for the Navy for fiscal year 1988 or 1989 may be obligated or expended for procurement of any A-6 aircraft configured in the F model configuration (as described in connection with the A-6E/A-6F aircraft program in the Selected Acquisition Report submitted to Congress for the quarter ending December 31, 1986).

(d) Funds appropriated for procurement of weapons and tracked combat vehicles for the Army for modification of M60 tanks in the amount of \$90,000,000 may be used only for procurement or modification of M1 tanks.

(e) TRANSFER AUTHORITY.—For purposes of section 1201 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 100-180; 101 Stat. 1153), \$233,800,000 (the sum of the amounts described in section (a) of this section) shall be deemed to have been authorized by such Act in equal amounts to the Army, Navy,

and Air Force for operation and maintenance for the exclusive purpose of preventing the furlough and separation of civilian employees and for the purpose of funding other high priority readiness programs.

WARNER AMENDMENT NO. 2098

Mr. WARNER proposed an amendment to the bill S. 2355, supra; as follows:

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

"Sec. . (a) FINDINGS.

(1) Notwithstanding the critical need for conventional force improvements, the security of the NATO Alliance will rely on modern and credible nuclear weapons, with a goal of raising the nuclear threshold.

(2) The modernization of NATO's theater nuclear capabilities is a continuing process, stemming from NATO's 1983 Montebello decision to reduce the European nuclear stockpile while taking steps to insure that the remaining nuclear weapons are responsive, survivable and effective.

(3) Theater nuclear modernization programs, which enjoyed a high priority for NATO before the INF Treaty, are no less important for the post-INF period.

(4) NATO Ministers, meeting most recently at the Nuclear Planning Group (NPG), reaffirmed their endorsement of U.S. development of a Follow-on to Lance (FOTL) with a view toward an eventual decision on deployment.

(b) Therefore it is the Sense of the Senate that:

(1) Modernization of NATO's theater nuclear capabilities following ratification of the INF Treaty is essential to the deterrence strategy of the Alliance

(2) Continued U.S. modernization of its theater nuclear capabilities should be undertaken in close consultation with our NATO Allies.

(3) The United States should proceed with ongoing activities for satisfying the identified Alliance requirement for a Follow-on to Lance. Existing legislation pertaining to the use of the Army Tactical Missile System (ATACMS) for the Follow-on to lance should not be interpreted so as to exclude the ATACMS from the missile selection process should the Multiple Launch Rocket System (MLRS) be among the delivery systems selected in the Army Cost and Operational Effectiveness Analysis (COEA).

WARNER AND THURMOND AMENDMENT NO. 2099

Mr. WARNER (for himself and Mr. THURMOND) proposed an amendment to amendment No. 2098 proposed by him to the bill S. 2355, supra; as follows:

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

"Sec. . (a) FINDINGS.

(1) Notwithstanding the critical need for conventional force improvements, the security of the NATO Alliance will rely on modern and credible nuclear weapons, with a goal of raising the nuclear threshold.

(2) The modernization of NATO's theater nuclear capabilities is a continuing process, stemming from NATO's 1983 Montebello decision to reduce the European nuclear stockpile while taking steps to insure that the remaining nuclear weapons are responsive, survivable and effective.

(3) Theater nuclear modernization programs, which enjoyed a high priority for NATO before the INF Treaty, are no less important for the post-INF period.

(4) NATO Ministers, meeting most recently at the Nuclear Planning Group (NPG), reaffirmed their endorsement of U.S. development of a Follow-on to Lance (FOTL) with a view toward an eventual decision on deployment.

(b) Therefore it is the Sense of the Senate that:

(1) Modernization of NATO's theater nuclear capabilities following ratification of the INF Treaty is essential to the deterrence strategy of the Alliance

(2) Continued U.S. modernization of its theater nuclear capabilities should be undertaken in close consultation with our NATO Allies.

(3) The United States should proceed with ongoing activities for satisfying the identified Alliance requirement for a Follow-on to Lance. Existing legislation pertaining to the use of the Army Tactical Missile System (ATACMS) for the Follow-on to LANCE should not be interpreted so as to exclude the ATACMS from the missile selection process should the Multiple Launch Rocket System (MLRS) be among the delivery systems selected in the Army Cost and Operational Effectiveness Analysis (COEA).

INF TREATY

NUNN (AND OTHERS) EXECUTIVE AMENDMENT NO. 2100

(Ordered to lie on the table.)

Mr. NUNN (for himself, Mr. WARNER, Mr. BOREN, and Mr. COHEN) submitted an amendment intended to be proposed by them to Treaty Doc. 100-11, Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and shorter Range Missiles; as follows:

EXECUTIVE AMENDMENT No. 2100

At an appropriate place in the Resolution of Ratification insert the following:

The advice and consent of the Senate to the ratification of the INF Treaty is further subject to the condition that in connection with the exchange of the instruments of ratification pursuant to Article XVII of the Treaty, the President shall obtain the agreement of the Union of Soviet Socialist Republics that the agreement concluded by exchange of notes in Geneva on May 12, 1988, between the United States and the Union of Soviet Socialist Republics as to the application of the Treaty to intermediate-range and shorter-range missiles flight-tested or deployed to carry or be used as weapons based on either current or future technologies and as to the related question of the definition of the term "weapon-delivery vehicle" as used in the Treaty is of the same force and effect as the provisions of the Treaty.

PRESSLER EXECUTIVE AMENDMENTS NOS. 2101-2103

Mr. PRESSLER submitted an amendment intended to be proposed by him to Treaty Doc. 100-11, supra; as follows:

EXECUTIVE AMENDMENT No. 2101

At the appropriate place in the resolution, insert the following condition: "subject, however, to the condition that neither the President nor any other agent of the Executive Department is authorized to sign or exchange instruments of ratification unless and until the President, without delegation, shall have certified to the United States Senate whether the Union of Soviet Socialist Republics is faithfully meeting its obligations under and is in full compliance with all provisions of the Final Act of the Conference on Security and Cooperation in Europe".

EXECUTIVE AMENDMENT No. 2102

At the appropriate place in the resolution, insert the following condition: "subject, however, to the condition that the President is not authorized to sign or exchange instruments of ratification unless and until he has, without delegation, certified to the United States Senate that after the eliminations contemplated by this Treaty, any additional conventional force imbalance between the deployed and reserve conventional forces of the United States and the North Atlantic Treaty Organization (hereinafter "NATO") and the reserve and deployed conventional forces of the Union of Soviet Socialist Republics and the Warsaw Pact will not jeopardize the security of NATO or of the United States' military personnel stationed in Europe or the dependents of such personnel".

EXECUTIVE AMENDMENT No. 2103

At the appropriate place in the resolution, insert the following condition: "subject, however, to the condition that the President is not authorized to sign or exchange instruments of ratification until the President, without delegation, shall have certified to the United States Senate that, in his judgment as Commander-in-Chief, there is parity between the deployed and reserve conventional forces of the United States and the North Atlantic Treaty Organization and the reserve and deployed conventional forces of the Union of Soviet Socialist Republics and the Warsaw Pact".

NOTICES OF HEARINGS

SUBCOMMITTEE ON AGRICULTURAL CREDIT

Mr. LEAHY. Mr. President, I wish to announce that the Subcommittee on Agricultural Credit of the Committee on Agriculture, Nutrition, and Forestry has scheduled a series of oversight hearings on the implementation of the Agricultural Credit Act of 1987.

The first hearing, scheduled for May 23, 1988, at 1:30 p.m. in SR 332, will focus on the implementation of certain provisions of the act in the Jackson farm credit district. Senator JOHN BREAUX will preside.

The second hearing, scheduled for June 16, 1988, at 10 a.m. in SR 332 will be a general oversight hearing with respect to the farm credit system. Senator DAVID BOREN will preside.

The last hearing, an oversight hearing of the Farmers Home Administration will take place on Thursday, July 14, 1988, at 10 a.m. in SR 332. Senator DAVID BOREN will preside.

For further information, please contact Kellye Eversole at 224-5207.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 16, 1988, to hold a Department of Justice authorization hearing on the FBI division.

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

COMMITTEE ON SMALL BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that the Small Business Committee be authorized to meet during the session of the Senate on Tuesday, May 17, 1988. The Committee will hold a mark up on S. 1993, the "Minority Business Development Program Reform Act of 1987" and on a 1-year authorization bill for the Small Business Administration which will be an original committee bill.

The PRESIDING OFFICER. Without objection it is so ordered.

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on May 17, 1988, to hold a hearing on liability issues in the domestic commercial expendable launch vehicle [ELV] industry.

The PRESIDING OFFICER. Without objection it is so ordered.

SUBCOMMITTEE ON AGRICULTURAL PRODUCTION AND STABILIZATION OF PRICES

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Agricultural Production and Stabilization of Prices of the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on Tuesday, May 17, 1988, to hold a hearing on the wheat supply situation.

The PRESIDING OFFICER. Without objection it is so ordered.

SUBCOMMITTEE ON WATER RESOURCES, TRANSPORTATION, AND INFRASTRUCTURE

SUBCOMMITTEE ON HAZARDOUS WASTES AND TOXIC SUBSTANCES

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Water Resources, Transportation, and Infrastructure, and the Subcommittee on Hazardous Wastes and Toxic Substances, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Tuesday, May 17, to conduct a joint hearing on State ground water programs and ground water research.

The PRESIDING OFFICER. Without objection it is so ordered.

SUBCOMMITTEE ON AGRICULTURAL RESEARCH AND GENERAL LEGISLATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on Tuesday, May 17, 1988, to markup S. 2337—to amend the U.S. Grain Standards Act.

The PRESIDING OFFICER. Without objection it is so ordered.

ADDITIONAL STATEMENTS

DR. ERNEST MITLER OF WESTMINSTER COLLEGE

● Mr. BOND. Mr. President, Dr. Ernest Mitler joined the faculty of Westminster College at Fulton, MO, in 1968 and served there with distinction until his retirement in 1982. During his 14 years on the faculty at Westminster, Dr. Mitler won the respect and admiration of his students and peers. He established a criminal justice program at Westminster that helped students gain a better understanding of our criminal justice system and led several academic expeditions to Europe to study governmental structures and administrative procedure.

Dr. Mitler recently received his doctor of philosophy degree from the Linacre College at Oxford University. He studied as an undergraduate at Swarthmore College in New Jersey and graduated from the Pierson College of Yale University in 1939. He received a doctor of laws degree from Columbia University in 1944.

After serving in the district attorney's office in New York City, Dr. Mitler came to the U.S. Senate as assistant chief counsel for the Juvenile Delinquency Subcommittee of the Senate Judiciary Committee. While at the subcommittee, Dr. Mitler worked in the areas of juvenile law and custody. He gained expertise in the prosecution of baby-selling cases and used that expertise to advise the Senate on changes needed in Federal law.

Dr. Mitler is beloved by his many former students for his contribution to the academic program at Westminster and his appreciation of humanity.

Mr. President, this weekend, several Westminster alumni will honor Dr. Mitler upon the receipt of his doctoral degree from Oxford. I believe it is appropriate that we join in the recognition and offer our congratulations as well to Dr. Mitler.●

ORDER OF BUSINESS

Mr. SANFORD. Mr. President, I do not observe any other Senators on the floor. It is approaching the time when

I think a great many people anticipated that we might recess until tomorrow.

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

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

LEGISLATIVE SESSION

Mr. SANFORD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

ORDERS FOR WEDNESDAY, MAY 18, 1988

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment. This will make the Department of Defense authorization bill the unfinished business in legislative session for tomorrow; whereas, for the first 7 days, it has been in a pending business status. This will strengthen its status.

I ask unanimous consent that the Senate, at the conclusion of business today, stand in adjournment until the hour of 9:45 a.m. tomorrow; that following the recognition of the two leaders under the standing order, there be a period for morning business not to extend beyond the hour of 10:15; and that, at the hour of 10:15 a.m. on tomorrow, the Senate return to executive session to resume its consideration of the treaty; provided further that—well, I will not add anything beyond that. We can take care of that.

I ask unanimous consent, further, that Senators may speak during the period of morning business on tomorrow for not to exceed 5 minutes each.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

Mr. BYRD. Mr. President, has there been any morning business today?

The PRESIDING OFFICER. There has been morning business today.

PROGRAM

Mr. BYRD. Mr. President, on tomorrow, the Senate will come in at 9:45. After the two leaders have been recognized under the standing order, there will be a period for morning business not to extend beyond the hour of 10:15. At 10:15, then, the Senate will return to the consideration of the treaty.

Now, it would be my intention, after consulting with the minority leader on tomorrow, that at some point during

the morning, circa 11 o'clock, the majority leader will, at the appropriate moment, put the Senate back into legislative session. That can be done by a nondebatable motion.

I ask unanimous consent that I may gain recognition at any point tomorrow morning, after consultation with the Republican leader, to put the Senate back into legislative session for the purpose of entering an agreement on the D'Amato amendment and for the purpose of having the final vote on the DOD authorization bill.

The PRESIDING OFFICER. Is there objection to the request?

Mr. DOLE. Reserving the right to object. I have no objection, but I hope we have an agreement by 10:30. I guess that is the only point I would make. It is not a certainty.

I found, even since this morning, a number of new ideas that never occurred to me, brought to me by colleagues on my side. So we are going to

meet in the morning. We did meet this afternoon.

Hopefully by 10:30 or thereabouts we will have an agreement.

Mr. BYRD. Very well. This would mean that if any other Senator has the floor at the time we think the iron is hot and we might be able to strike an agreement on the D'Amato amendment, that the Chair will recognize me, not to the detriment of any Senator who may have the floor, but for the moment I would be given the floor after having consulted with the minority leader to move that the Senate return to legislative session and to attempt to execute the time agreement on—whatever it is—on the D'Amato amendment, have a final vote on the DOD authorization bill, return to executive session, at which time the Senator who at that point had the floor would have his rights restored in the floor.

The PRESIDING OFFICER. Hearing no objection, the unanimous-consent request is agreed to.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. SANFORD. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 9:45 a.m. tomorrow, Wednesday, May 18.

The motion was agreed to; and, at 5:47 p.m., the Senate adjourned until tomorrow, Wednesday, May 18, 1988, at 9:45 a.m.

NOMINATIONS

Executive nomination received by the Senate May 17, 1988:

THE JUDICIARY

HERBERT J. HUTTON, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA VICE CLARENCE C. NEWCOMER, RETIRED.