

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that whatever time beyond the hour of 10:30 is taken in morning business be added on to the period of time for debate so that, on the Missile Defense Act, there is still a total of 2 hours equally divided between the two sides.

Mr. EXON. May I ask a question? Will the Senator yield for a question?

Mr. KYL. Certainly.

Mr. EXON. Would the Senator also add on 3 minutes for the Senator from Massachusetts?

Mr. KYL. Certainly. I will add that to the unanimous-consent request.

The PRESIDING OFFICER. Under the unanimous consent, the Senator from Nebraska has 15 minutes, the Senator from Massachusetts has 3 minutes, which will be added on to make 2 hours for missile defense.

The Senator from Nebraska.

Mr. EXON. Mr. President, if I have the floor, I yield 3 minutes to the Senator from Massachusetts at this time.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### HIGHER EDUCATION

Mr. KENNEDY. Mr. President, I rise just to take a moment of the Senate's time to alert the membership, and also those who are interested in education, about the President's speech at Princeton University, which is taking place at 10:40 today. That will be a very important speech about this Nation's commitment in the area of higher education. What we are going to see at our universities, over the period of the next 7 years, is an expansion of the number of students by some 12 percent.

As we debated the recent budget resolution, there was going to be a continuing deterioration in the support for the Pell grants. Under the proposal that the President is advancing today, effectively what he is going to be putting before the Congress is a guarantee for continuing education for any high school students who get a B average in their senior year, to go to a community college and be able to put together an expanded Pell grant plus some refundable credits so that students will be able to attend community colleges.

More than 66 percent of the Nation's community colleges will be eligible. This, I think, is a strong commitment to provide incentives to young people to continue their education. It is a national commitment to make sure that education has the priority that I believe most families believe it should have, in terms of our Nation's commitment.

At an appropriate time I will present for the RECORD a statement and additional comments, but it does seem to me this is a bold initiative in the area of education that ought to have appeal to every working family in this country who dreams about educational opportunities for its children.

I thank the Senator from Nebraska and I yield whatever remaining time I have.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### DEFEND AMERICA ACT OF 1996— MOTION TO PROCEED

The PRESIDING OFFICER. The Senate will now resume consideration of the motion to proceed to S. 1635. The clerk will report.

The bill clerk read as follows:

A motion to proceed to the consideration of the bill (S. 1635) to establish a United States policy for the deployment of a national missile defense system, and for other purposes.

The Senate resumed consideration of the motion to proceed.

The PRESIDING OFFICER. Under the unanimous-consent agreement, there will be 2 hours allotted to this issue.

Mr. EXON. Mr. President, the Dole star wars bill the Senate is debating is a reckless and expensive attempt to recreate the nostalgia of the cold war through the regrettable and unwarranted use of fear and fabrication. Over the last several years, the majority has resolutely turned a deaf ear to the objections of millions of men, women, and children at risk while it continually snips away at America's safety net. But in a conversion worthy of Jeckyll and Hyde, the majority is passionately arguing that we throw open the Treasury doors to create a new defense safety net to take the place of the social safety net it is intent on unraveling. Multibillion-dollar missile launchers will replace school lunches in this new gilded net. Guns in the sky will replace efforts to remove guns from our school playgrounds. Money that used to help the poor buy heating fuel in winter will now heat lasers orbiting the Earth.

The underlying premise of the Dole star wars bill is that the ballistic missile threat targeted toward the United States is so great, so urgent that nothing short of a crash program similar to the race to the Moon in the 1960's will do. No cost to the American taxpayers is too great. No arms control treaty is too valuable. The siren call behind the Dole star wars bill is a seductive one indeed: If you believe in a strong national defense, then you must be willing to shield America against missile attack—a missile attack anywhere, anytime—regardless of the consequences. But, like the sirens tempting Odysseus, to heed the call will bring catastrophe, not security.

The packaging of the Dole star wars bill is slick and the rhetoric is packed with chest-thumping patriotism. But the issue of missile defense is much more complex than it may seem to be some. A number of questions need to be

asked and answered before the Senate can judge the need to embark on a crash program to field a national missile defense system in 6 years.

What is the threat of ballistic missile attack facing the United States today and in the near future?

From where does this threat originate? And are there other less costly, more effective means of meeting this threat, whatever it is?

What is meant when the bill requires a defense against a "limited, unauthorized, and accidental attack"? What is the likelihood of such attacks occurring? And what type of missile defense is necessary in order to blunt such an attack if there is one?

What type of attacks against the United States using weapons of mass destruction would the Dole star wars system be powerless to defend against? How are we as a nation addressing this terrorist threat and how would pursuing a star wars system affect the timeliness of these efforts?

What is the cost of the mandate contained in the Dole star wars bill and how will it be paid for? Or to turn the question around, what social program or other defense priority will suffer as a result of this expensive undertaking.

What are the consequences of fielding a missile defense system that violates the existing limitations of the ABM Treaty, as required by the Dole star wars bill?

Will implementation of the START I Treaty be endangered?

Will ratification of the START II Treaty by the Russian Duma be jeopardized if we renege on our ABM Treaty obligation?

Will it affect other arms control agreements pending or in the future if America backs down and violates a treaty, such treaties as the Chemicals Weapons Convention and the Comprehensive Test Ban Treaty?

Will implementation of the Dole star wars system prompt an expensive and destabilizing arms race which would otherwise not occur?

Is missile defense technology sufficiently mature to mandate a 2003 deployment date? Of course not.

Will the fly-before-you-buy principle be applied to this highly advanced and sophisticated technology through extensive testing and evaluation prior to the operational deployment?

What has been the record of missile defense testing to date? That is an important question.

Are we rushing to judgment on certain technologies which may be obsolete and marginally effective in order to meet an arbitrary date upon which there is no basis for its selection?

Finally, what are the alleged shortcomings of the administration's 3-plus-3 missile defense plan which the Dole star wars bill professes to correct?

The Secretary of Defense, the Chairman of the Joint Chiefs, and the service chiefs are in solid support of the two-step plan to develop the technology over the next 3 years and then—

and then, Mr. President, and then only—make a decision as to the wisdom of deploying in 3 years. Why is this unanimous opinion of the civilian and military leadership of this country in the Pentagon not sound?

These are just a few of the questions relevant to the Dole star wars bill at 9½ pages in length. That is what that bill takes up. The bill is deceptively modest, but beyond the printed words are many consequences, both intended and perhaps unintended, which must be seriously considered, I suggest, before far-reaching legislation is voted upon.

In a general sense, I am disappointed that the majority is insisting on raising the Dole star wars bill at this time. Why is that necessary? The issue is already intractably ensnarled in the web of Presidential politics, and I lament the unavoidable reality that support for the Dole star wars bill by Members of the majority party will be seen as some sort of test of party allegiance and debate concerning important national security issues, such as missile defenses, should be separated—should be separated—completely, Mr. President, from the game of Presidential chess playing.

Senator DOLE, in his May 23 opening statement on this bill, made it clear that the two shall be intertwined. Perhaps the most curious statement made by Senator DOLE during his initial floor debate was when he disavowed forcing the Secretary of Defense to do anything, though the bill mandates the deployment of a highly effective multi-layered missile defense system capable of intersecting dozens of warheads. Senator DOLE is quoted in the CONGRESSIONAL RECORD as saying:

The choice of what type of system is left up to the Secretary of Defense . . . The decision on what is affordable and effective is left up to the Secretary of Defense.

Why is it that the distinguished majority leader professes to defer to the Secretary of Defense on such fundamental aspects of the program details but feels compelled to overturn his wisdom on the need—on the need—for and timing of the deployment of a national defense missile system?

The Senate cannot have it both ways. If Congress forces the hand of the Pentagon contrary to its wishes to decide in 1996 that we shall deploy such a system by the year 2003, we cannot walk away from the cost of the decision, the limitation it places on the type of architecture to be used and the consequences such a preemptive breach of the ABM Treaty will have on other aspects of arms control treaties that are ongoing and also affects the future efforts to curb the proliferation of weapons of mass destruction.

Mr. President, approval of the Dole star wars bill will have a definite anti effect and serious consequences, not the least of which are in the area of cost. In the last 34 years, the United States has spent \$100 billion on missile defense programs. To proceed, as the Dole star wars bill would have us do,

would cost the U.S. taxpayers, according to the Congressional Budget Office, \$31 to \$60 billion, not including operating and support costs associated with the system once it is deployed or the cost of buying and launching the satellites necessary to maintain the system as existing satellites begin to fail.

According to CBO, the postdeployment costs would reach a few hundred million dollars annually by 2005 when ground-based systems and space-based sensors would be in place. After 2010, though, operating and support costs would increase significantly because of the need to launch replacements for any space-based system which wear out over time.

The CBO goes on to predict that at some point, new technology or reassessment of the defense situation could lead to changes in the system which could raise the costs even much higher. Overall costs to implement the Dole star wars bill could easily approach \$70 to \$80 billion. This is in addition to the \$100 billion our Nation has already spent on missile defense programs.

Mr. President, a word of caution. Our Nation is also pursuing a multilayered theater missile defense system to protect our troops in the field against ballistic missile attack. I strongly support this, as does the President and the members of the Joint Chiefs. This Senator agrees with our uniform and civilian leaders that the theater missile defenses is our most immediate concern and deserves to be our top priority. But the pricetag for developing, producing, deploying, and operating these land-based and sea-based theater systems will add a minimum of \$20 to \$30 billion, increasing our running missile defense bill to nearly one-quarter of a trillion dollars before it is all over.

Before we can commit to building a \$60 billion national missile defense system, perhaps there should be a more involved discussion, Mr. President, of who or what are we defending against. Three of the four nations capable of launching a nuclear-armed intercontinental ballistic missile are American allies. And the fourth, China, possesses an arsenal that could easily overwhelm the sort of limited defense mandated by the Dole star wars bill, though why China would launch such a suicidal nuclear holocaust is difficult to imagine.

The best national intelligence estimate we have is that the threat of a Third World nation possessing the capability to strike the United States is at least 50 years away. Furthermore, the nation most often mentioned as a rogue state and emerging threat to the United States is North Korea, though they have not ever developed or tested a missile anywhere near capable of striking a major U.S. population center.

Furthermore, current reports are that North Korea is economically bankrupt and in the process of melting down internally. Unable to feed itself, the North Korean Army is reported to be eating grass and roots in order to

survive. What chance does the North Korean Communist regime have to survive another 15 years, not to mention at the same time developing and deploying a nuclear weapon and a missile delivery system that could be successful in targeting the United States, at least in that timeframe?

Most people in the United States understand that the United States must be more realistic, and the likely attack on American soil using a weapon of mass destruction would come in the form of a terrorist attack similar to what took place at the World Trade Center or in Oklahoma City.

Terrorist groups have the means today to launch an attack that could kill thousands of Americans using chemical and biological weaponry. As an open society, we are as a nation at extremely high risk and vulnerable to such attack. Only through the fine work of our intelligence and law enforcement community have many of these plots been foiled.

Why would a terrorist group or rogue nation spend 15 to 20 years and billions of dollars to manufacture a rudimentary—

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

Mr. EXON. Mr. President, I ask unanimous consent for an additional 4 minutes.

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

Mr. EXON. Why would a terrorist group or rogue nation spend 15 or 20 years and billions of dollars to manufacture a rudimentary nuclear warhead and long-range ballistic missile delivery system which would lead a noticeable trail from where it was launched, when a weapon concealed in a suitcase or on the back of a rented truck can do the same job right now at a small fraction of the cost and with much greater anonymity?

Not only is the Dole star wars system useless in defending America against such a threat, it would divert scarce resources from the immediate and pressing concerns of combating terrorism and protecting our troops in the field against theater ballistic missile attacks.

Aside from the cost of the Dole Star Wars Program, Mr. President, the question of the need to pursue a crash program of a decision to deploy a system that is not in compliance with the ABM Treaty carries with it immense consequences, not only as to the reliability of the United States to uphold its treaty obligations, but also the future of ongoing arms control programs and policies. It would be sadly ironic from the standpoint of whether other nations would believe us if passage of the Dole star wars bill jeopardizes implementation of the START I and ratification of START II by the Russian Duma. That would be a tragedy, and we cannot accept that risk. These accords, if fully realized, would eliminate over 5,000 nuclear warheads designed to strike America.

We cannot be frivolous about the future of START I and START II. These are the most significant arms reduction treaties in the history of mankind, major strides away from the prospect of nuclear holocaust and the lingering shadow of the cold war. Abrogation of the ABM Treaty in the pursuit of enhanced national security would be foolhardy if it halted the destruction of the very nuclear weapon delivery systems we are trying to defend against. Such a scenario, if played out, would likely endanger other concrete efforts, such as the Chemical Weapons Convention and the Comprehensive Test Ban Treaty, to halt the spread of weapons of mass destruction.

In short, our actions, if we go for and vote for the Dole star wars bill, should not be considered in a vacuum. Intended or not, implementation of the Dole star wars bill would have a far-reaching, chilling effect on the future of arms control.

Often forgotten in the debate on the national missile defense is the question of whether technology is sufficiently mature enough to mandate the year 2003 as the deployment date. The record of missile interceptor testing to date and in the foreseeable future is one of more failure than success. In the rush to deploy a prototype system using highly advanced and sophisticated technology by the year 2003, we will be forsaking, Mr. President, the fly-before-you-buy principle that has served us well in recent years.

Not only will we be limiting the testing and evaluation of the system in a push to field a system at an earlier and unnecessary date, we will be locking ourselves into certain technologies which may become obsolete by the year 2003.

Contrary to the claims of the proponents of this bill, the administration is pursuing a program to develop and deploy a continental missile system to meet the future threat. The so-called 3-plus-3 Program is a two-step plan to develop the necessary technology over the next 3 years and then make a decision as to the wisdom of deploying a system in the subsequent 3 years. The Secretary of Defense, the Chairman of the Joint Chiefs, and the Service Chiefs are in solid support of this reasonable and responsible approach. Our best war-fighters and intelligence experts agree that approval of the Dole star wars plan would be folly in that the threat simply does not exist in the near term to justify jeopardizing the arms control treaties that will allow the military to fund other spending priorities within the military.

The American people understand the folly of the Dole star wars bill as well. I have a collection of over three dozen newspaper editorials from around the country in opposition to this bill. I ask unanimous consent that excerpts of these editorials in opposition to the Dole star wars bill be printed in the RECORD so that my colleagues can better understand what the American pub-

lic is saying about the Dole star wars bill before they cast their votes on this expensive, unnecessary, and destabilizing proposition.

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

AMERICA'S EDITORS OPPOSE NEW STAR WARS PLANS

Now, here's Dole & Co., seeking another \$20 billion for that gold-plated rat hole, lest we become vulnerable to North Korea or Libya, a truly screwball idea. Never mind that a few well-placed cruise missile could erase both nations' military capability.—"Resurrection of Star Wars," the Chattanooga Times, Chattanooga, TN, May 15, 1996.

The Clinton administration . . . takes the reasonable position that Washington should be certain of the kind of threat it is trying to protect against before committing to such a system. . . . This new and unimproved proposal to commit as much as \$20 billion to an unproven, destabilizing defense system is nothing more than a political ploy that trivializes a deadly serious issue.—"Indefensible Then and Now," St. Petersburg Times, St. Petersburg, FL, May 19, 1996.

One of the most wasteful items (in the House defense budget) is the \$4 billion earmarked to construct a missile defense system by 2003. This dubious "Son of Star Wars" could wind up costing as much as \$54 billion before it finally could be deployed.—"Fort Pork Gets Reinforced," the Miami Herald, Miami, FL, May 20, 1996.

The Defend America Act is a transparent effort to manufacture an issue to help resuscitate the Dole campaign. Election-year pressures are no excuse for spending billions of dollars to produce a missile defense system that is likely to be out of date the day it is completed.—"Star Wars, the Sequel," the New York Times, May 14, 1996.

It doesn't make any sense to be cutting budgets for students, the elderly, and low-income families so that the Pentagon can have billions more to develop a missile defense system that will be outdated by the time any nation poses a threat.—"Costly Rush to Star Wars Weapons," Idaho Falls Post-Register, Idaho Falls, ID, May 17, 1996.

Clinton's approach to spend a few million dollars on missile-defense research while monitoring hostile nations makes eminently more sense.—"Errant Missile: Clinton Should Challenge Defense Budget," Star Tribune, Minneapolis, MN, May 24, 1996.

Why waste billions on a system that will not work to defend against a threat that does not exist? Congressional Republicans are trying to buy an election issue with taxpayers' money.—"If Missile-Defense Systems were Horses," the Atlanta Constitution, Atlanta, GA, May 23, 1996.

When lawmakers fixate on boosting defense industries in their districts, when partisans demagogue a defend-America issue. . . . you can bet there'll be precious little peace dividend left to apply against America's mountain of debt.—"Cold Warriors Spend On," the Atlanta Journal/The Atlanta Constitution, Atlanta, GA, May 19, 1996.

Call it the \$60 billion campaign promise. . . . There is no guarantee the new system will work. The United States spent \$35 billion on Reagan's Star Wars dream and built nothing.—"Star Wars is an Awfully Expensive Republican Dream," the Hartford Courant, May 25, 1996.

And for all claims of defending America against any and all attacks, the most sophisticated space-based defense system is helpless in the face of a single, earth-bound terrorist hell-bent on destruction.—"Does U.S. Need New Defense System," the Plain Dealer, Cleveland, OH, May 5, 1996.

You do not place the fate of thousands of American lives on unproven technology of uncertain proficiency. You eliminate the threat before it eliminates you, a strategy that would make deployment of a missile defense system pointless and redundant.—"Offense is Best Missile Defense: America needs a system to protect deployed troops, but should take out attack capability of rogue nation," Patriot and Evening News, Harrisburg, PA, May 13, 1996.

If it makes sense to support Star Wars to defend our nation from a possible future nuclear attack by North Korea and Libya, doesn't it logically follow that we should discourage nations from spreading nuclear weapons to Pakistan? If we really want to protect our nation from nuclear attack, doesn't it make sense to do as much as possible to dismantle nuclear weapons that are already in place, able to reach the United States?—"What's Riggs' Defense Stand?" the Napa Valley Register, Napa, CA, May 14, 1996.

Actions taken by Congress last week suggest that federal funding priorities remain as skewed as ever. . . . It is difficult if not impossible to accurately estimate the costs of Dole's "Defend America Act." Costs could range from \$5 billion. . . . to more than \$44 billion. . . . This despite the fact that only China and the former Soviet Union possess ballistic missiles capable of reaching the United States at this time.—"How Much for Defense?" Intelligencer-Journal, Lancaster, PA, May 16, 1996.

Political and budgetary considerations aside, a national missile defense system should not be developed until the proper technology is at hand.—"The Missile Flap," the Boston Globe, May 23, 1996.

Congress' worst-kept secret is out: Members are acknowledging . . . that defense spending is driven in part by its value as a local jobs program, not necessarily by the nation's priority needs. . . . Most contentious is the congressional stampede to rush new spending on a missile defense program when the CIA says the threat remains highly remove.—"Using Defense Budget as Jobs Program Robs Public," USA Today, May 20, 1996.

In the defense bills passed by the House and the Senate, GOP lawmakers seem to think money is no object. The same Congress that is shredding the safety net for the poor, raising the cost of college for students and shrinking Medicare is pushing on the Pentagon weapons the military doesn't want or need. That kind of profligacy surely deserves the veto president Clinton is weighing.—"The Defense Pork Barrel," the Sacramento Bee, Sacramento, CA, September 15, 1995.

The president must balance the true need for this investment in preparedness against the pledge to balance the budget in seven years and, more importantly, against the level of preparedness potentially lost in such areas as education, job training and health care if the money is to be found for the military.—"Military Questions and Spending," Bangor Daily News, Bangor, ME, May 16, 1996.

The GOP revival of Star Wars, dubbed by its sponsors the "Defend America Act," looks more political than military in intent. . . . If "SDI-the Sequel" passes, Mr. Clinton should veto it, and remind Americans they need to be spending scarce resources on ongoing social and economic, not military, battles.—"Newt's War Toy," the Berkshire Eagle, Pittsfield, MA, May 12, 1996.

The administration's plan is realistic both in facing up to a rogue-missile threat and in taking into account the considered view of U.S. intelligence that the threat is more than 15 years away.—"Prudent Steps on Missile Defense," the Washington Post, May 14, 1996.

Shorter-range missiles are an immediate danger to US forces stationed overseas . . . Theater missile defenses thus make more sense and should have a faster development rack, as in fact they do. To try to invert these priorities and make a pitch for quick development of a system for national defense . . . is foolishness. It would divert money from more-important defense needs.—“Spacey on Defense,” the Christian Science Monitor, May 17, 1996.

Those who oppose missile defense as destabilizing owe it to this nation to conduct a thorough review. It is appropriate to ask whether the U.S. should develop and deploy a more modest system . . . A thoughtful analysis produces this policy: robust research, yes, but no to setting an artificial date for deployment before these questions are answered.—“A Wise Pause on Missile Defense,” Chicago Tribune, May 24, 1996.

Mr. EXON. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I am standing in momentarily for Senator DOLE. I will call on Senator SMITH in just a moment.

First, I ask unanimous consent that the executive summary, some three or four pages of a document entitled the “National Missile Defense Options” prepared in response to the House National Security Committee by the Ballistic Missile Defense Organization, dated July 31, 1995, be printed in the RECORD.

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

(From the Ballistic Missile Defense Organization)

#### NATIONAL MISSILE DEFENSE OPTIONS

##### ABSTRACT

This document responds to a request from the House National Security Committee to report on specific programmatic, funding, and architecture options for the development and deployment of national missile defenses. As requested, it describes architecture options that contain only ground based elements, those that contain only space-based elements, and those with both. The architectures described in the report build on the current BMDO program, including the legacy from previous years. With adequate funding and streamlined acquisition, initial operational capability of these options ranges from FY2000 to 2007, preliminary cost estimates range from \$4,800M to \$43,100M (FY 95 \$), and relative risks range from low to high. The architectures span a large range in the threat levels against which they can protect, in their estimated cost, and in their support to theater missile defense. None of the architectures has been formally evaluated for compliance with the ABM Treaty.

##### EXECUTIVE SUMMARY

In response to a request from the House National Security Committee, dated February 21, 1995, this report describes a variety of architectures that could be deployed for National Missile Defense. In keeping with the DOD thrust for acquisition reform, the costs and schedules are predicated on successful acquisition streamlining to reduce acquisition costs and shorten schedules for an operational capability.

Consistent with the specifics of the request, the report describes example alternative architectures that are compatible with technologies and prototypes being developed by BMDO, and that could be made available for deployment. The report pro-

vides estimates of their effectiveness, schedules, relative risks, and requirements for acquisition and deployment funding. The architecture options are meant to be representative of general classes of national missile defense systems. The performance levels, which are also meant to be representative, are in fact dependent on many variables, such as threat characteristics and operational procedures. The examples presented are not “tuned” to any particular threat or defense mission, so that modified weapon or sensor inventories could provide different performance and could handle different threats.

BMDO does not advocate any one or another of these architectures or architecture classes as end point systems. Rather, our current program has adopted a strategy of evolutionary defense. This strategy addresses the wide range of threat possibilities existing in the uncertain and unpredictable future. The range of such threats includes events such as a third world nation acquiring and threatening to use a few ballistic missiles armed with weapons of mass destruction, China using its ballistic missiles to prevent US action in Korea, an unauthorized limited attack used to instigate a conflict, or a return to a nuclear standoff with a major nuclear power. The BMDO program addresses all of these, consistent with the assessed likelihood of these threats and within its allotted funds.

With adequate annual budgets, all of the architectures presented here can lead to an initial operational capability between 2000 and 2007, but with varying risks. These dates are, in some cases, earlier operational timeframes than have been previously described for NMD options. These later dates were valid because the programs were budget constrained, used more traditional acquisition approaches, and risks were limited to be low to moderate.

Figure EX-1<sup>1</sup> identifies the four architecture classes discussed in the report—each with a range of capabilities and acquisition costs as illustrated. These architectures are classified by where their sensors and weapons would be based. Other concepts that include potentially promising sea-based or Navy systems will be addressed in future reports.

The costs reflected by this report are rough order of magnitude (ROM) projections of the remaining development and acquisition costs in FY95 dollars. They reflect anticipated savings from acquisition streamlining and have been developed using a standard set of assumptions, some of which might not actually be implemented on any given program. The candidate National Missile Defense elements discussed here are not now in an acquisition program and have not been subjected to the rigorous planning and costing reviews usually associated with defense acquisition.

Two measures of capability are reflected in the figure: the threat levels to which the architecture can deny damage to the United States with at least 50 percent probability, which is equivalent to enforcing less than one leaker (on average), and the area protected (i.e., US only or global). The use of damage denial probability was chosen as the appropriate measure of effectiveness for this report because it follows from the Operational Requirements Document (ORD) established for Ballistic Missile Defense and validated by the Joint Requirements Oversight Council (JROC). This requirement specified the confidence level and the probability that no warheads would penetrate a defense system in the face of a ballistic missile attack.

Threat levels considered in this report range from an attack by four unsophisticated warheads, to an attack by 200 MIRV warheads with complex payloads launched nearly simultaneously by 20 boosters. The largest attack used in this report is consistent with the existing JROC-validated operational requirement for National Missile Defense. This requirement was previously shown, in the GPALS COEA and other analyses, to require multilayer defenses with space based elements for high effectiveness. Some degradation in performance could arise due to the responses that threat countries might take to the presence of any specific defense we might deploy, but such responses can be offset by straightforward upgrades to the defenses discussed in this report. Threats containing greater than 200 warheads also remain possible for the foreseeable future.

The damage denial performance of an architecture is an extremely stringent measure of effectiveness, demanding that, on the average, leakage be reduced to one warhead or less. Less perfect defense performance, such as the negation of 190 of 200 attacking warheads, would also be highly valuable both as a defense and as a deterrent to the use of ballistic missiles.

Accordingly, in the body of this report, we also show how well each of the architectural variants could negate the warheads in the spectrum of representative attacks we considered.

Figure EX-2 provides a brief description and summary of the four architecture classes in this report, which are all supported by our NMD architecture strategy and modular approach. Additional design, performance, and programmatic details follow. None of the proposed systems has been formally evaluated for compliance with the ABM Treaty.

“All Ground Based” architectures have BM/C<sup>3</sup>, ground based radars and ground based interceptors. The ground based radars include early warning radars, other existing radars and BMD radars. In common with the other architectures, DSP or SBIRs (High) provide cueing to the BMD system. Entry level defenses with 20 interceptors at Grand Forks could deny damage against a few warheads, with moderate relative risk, by FY 1999 to 2000 for an estimated \$3,500M (the BMDO Tiger Team “2+2” solution) or by late FY 2001 with low-moderate relative risk for an estimated \$4,800M. Expanding the systems to multiple sites with more radars and interceptors, at costs up to about \$12,200M, could increase the defense effectiveness. These expanded architectures could achieve “good” damage denial performance against threats of up to about 50 warheads.

“Ground Based/Space Sensor” architectures contain BM/C<sup>3</sup>, ground based radars, a space based sensor constellation, Space and Missile Tracking System (SBIRs [low]), formerly known as Brilliant Eyes), and ground based interceptors. The space sensors improve this architecture’s performance. It could be operational by FY 2004 with moderate relative risk. This is BMDO’s “objective architecture” that is the focus of the current NMD Technology Readiness Program. An initial one-site, 100-GBI option, Case A, costing an estimated \$11,000M, could provide “good” performance for threats of about 20 warheads. Expanded inventories and additional interceptor/radar sites could achieve “good” performance against threat levels of 70 warheads or more with costs up to about \$20,100M.

“All Space Based” architectures would achieve a higher capability against MIRV systems and provide coverage of assets beyond the United States with costs starting at about \$20,000M. Two types of space based systems are considered in this report, chemical lasers and rocket-boosted kinetic kill

<sup>1</sup>Figure EX-1 not reproducible in the RECORD.

interceptors. Space based chemical lasers offer the capability to intercept during boost phase against theater threats as well as strategic threats. This capability greatly enhances the performance of theater missile defense architectures, especially against advanced threats. A space based laser (SBL) system and associated BM/C<sup>3</sup>, with costs of \$20,000M to \$23,000M, could potentially reach IOC by 2007 with relatively high risk. An enhanced laser system, available at IOC two years later and with costs of \$26,000M to \$29,000M, would provide robustness against certain threats. The space based interceptor (SBI) system, including SMTS and BM/C<sup>3</sup>, and costing \$20,000M to \$23,000M, could reach IOC in 2004 at moderate to high relative risk.

Combinations of the two types of space based systems provide "good" or better damage denial performance at all threat levels up to 200 warheads, at a cost of \$37,100M to

\$43,100M with IOC and relative risks as noted above.

Finally, combined "Space and Ground Based" architectures, which include BM/C<sup>3</sup>, weapons, and sensors on the ground and in space, can achieve "good" or better damage denial performance against all threat levels up to 200 warheads, with estimated costs of \$30,700M to \$35,100M.

The relative risks shown in Figure EX-2 are subjective estimates for the funding and schedules we show and the architecture's maturity. The adoption of more deliberate programs, coupled with the infusion of additional funding could clearly reduce risk in all areas. The time scale at which risk could be reduced, and the cost incurred to achieve the risk reduction, depend on the maturity of the programs and their technical challenges. It is likely, for example, that less time and funding could be required to reduce

risks from moderate to low in ground-based systems than would be required to reduce risks for space based lasers from high to moderate. However, definitive risk reduction timelines and costs for all the architectures in this report have not yet been developed.

As shown in Figure EX-1 and EX-2, the architectures in this report span a considerable range in performance and cost. Ground based systems represent lowest-cost defense solutions for denying damage against up to 20 warheads. Space sensors would improve the cost effectiveness when threats approach the performance limits of ground-based systems. For high damage denial effectiveness and cost effectiveness against larger attacks, above about 70 RVs, space based weapons become essential. Finally, layered defense systems become cost effective for denying damage against 200 warheads.

FIGURE EX-2.

[Summary of the architecture options considered in this report including an estimate of dates for operational capabilities. The threat levels given represent an estimate of the maximum representative threat level for which each option could deny damage, with a probability of 50 percent or more (less than one leaker on the average)]

Architecture classes	Deployment	Operational date	ROM cost FY95 (in dollars)	Threat level warheads	Relative risk
All ground based	20 GBI, 1 Site*	2001	4,800M	4	Low-Mod.
	100 GBI, 1 Site	2003	6,500M	20	Low.
	300 GBI, 3 Sites	2004	12,200M	50	Low.
Ground based with space sensors	100 GBI, 1 Site, 18 SMTS	2005	11,000M	20	Moderate.
	300 GBI, 3 Sites, 24 SMTS	2006	17,200M	60	Moderate.
	630 GBI, 3 Sites, 24 SMTS	2006	20,100M	70	Moderate.
All space based	20 SBL (8 meter)	2008	20,000M-23,000M	60-100	High.
	20 SBL (enhanced)	2010	26,000M-29,000M	~200	High.
	500 SBI, 18 SMTS	2005	20,000M-23,000M	60-100	Mod-High.
	1000 SBI, 18 SMTS	2007	20,000M-23,000M	~200	Mod-High.
	20 SBL, 500 SBI	2008	37,100M-43,100M	>200	High.
Space and ground based	20 SBL, 100 GBI, 3 Sites	2008	32,100M-35,100M	>200	High.
	500 SBI, 18 SMTS	2005	30,700M-33,700M	>200	Mod-High.
	300 GBI, 3 Sites				

\* An emergency-response variant of this architectural option could be made available by early 2000, at moderate relative risk, and for an estimated cost of \$3,500M (FY95). See discussion in Section 3.

Mr. KYL. Second, Mr. President, let me make three quick comments regarding the statements of the Senator from Nebraska. Then I am going to call on Senator SMITH, a member of the Senate Armed Services Committee.

There is an old saying that "if you can't defeat something on the facts, then call it names." Of course, we are not debating something today called the Dole star wars bill. There is no such thing. We are debating something called the Defend America Act, which is a bill designed to provide a ballistic missile defense for the United States. To denigrate this as some kind of star wars concept is to totally misrepresent it, and that is not the way to try to debate an issue on the merits.

Second, the Senator from Nebraska asked the question, why would the North Koreans want to develop a costly missile? Their troops are eating grass. Mr. President, it is hard to figure out why the North Koreans do what they do. But the fact is, our intelligence agencies report to us that they are indeed developing a missile. That is not contested by anyone. The only question is when that missile will be able to reach the United States. That is a fact.

Third, there are questions about the cost and a lot of misrepresentations about the cost. As I discussed for about an hour last night, according to the CBO, the cost of the kind of system that we are talking about here is between \$10 and \$14 billion. So let us not be misrepresenting the cost.

Finally, I think most startlingly, Mr. President, the Senator from Nebraska made the argument that the Russians

might violate the START agreements if we go forward and, therefore, we should not go forward. I find this a truly remarkable statement. We are being held hostage to Russian blackmail that they might violate a treaty they have with us and, therefore, we do not provide for our national defense? That is startling. What do treaties mean?

Treaties are important. But so is providing for our national security by the acquisition of weapons both offensive and defensive. It seems to me, Mr. President, that we cannot be subjected to blackmail. The Russians have not even made this threat. It is Members of the United States Senate who assume that the Russians might violate treaties that they have signed if we go forward with the development of a national ballistic missile defense system.

So it seems to me that this really demonstrates the paucity of arguments that exist against this bill when we have to stoop to making the argument the Russians might violate a treaty they have entered into with us and, therefore, we better not go forward. If that is all the treaties mean to the Russians, then I suggest we need both treaties and a ballistic missile defense system.

With that, Mr. President, I yield 10 minutes to the Senator from New Hampshire, Senator SMITH, who is on the Senate Armed Services Committee.

The PRESIDING OFFICER (Mr. CAMPBELL). The Senator from New Hampshire [Mr. SMITH] is recognized for 10 minutes.

Mr. SMITH. Mr. President, I thank the Senator from Arizona for yielding, and rise today, Mr. President, in very strong support of the Defend America Act.

I am proud to be an original cosponsor of this legislation. I commend the majority leader, Senate DOLE, for bringing this bill to the attention of the Senate and to the American people.

Mr. President, our Nation is walking a very dangerous tightrope. For reasons that are unknown and certainly inconceivable to most Americans, President Clinton refuses to defend our country against ballistic missiles. That is exactly what he is doing by opposing this bill, even though the technology to do so is available today. The truth is, our Nation is absolutely, completely vulnerable to ballistic missiles.

We have no defense—I repeat, no defense—whatever against a missile targeted on our territory, our people, our industry, or any of our national treasures—no defense. The Patriot missiles that everyone remembers from Desert Storm 5 years ago are not capable of stopping long-range missiles. In fact, they can only defend small areas against short-range missiles. The Patriot is what we call a point-defense system that we send along with our troops when we deploy them in harm's way.

Here at home, we have no defenses of any kind. We have no defense against long-range missiles from China, from Russia, from North Korea. I differ from the Senator from Nebraska. I have no idea, no idea whatever what the national security meetings, classified and

confidential on North Korea, I have no idea what is going on in those meetings. Apparently, the Senator from Nebraska does. I do not know if he has somebody sitting in on them or where he gets his information, but I do not have such information, and I do not think the intelligence communities have it either. We have no defense against missiles that Iran, Iraq, Syria, and Libya are vigorously seeking to acquire—vigorously. That is the truth. This is not some star wars program. That is an outrageous statement, as the Senator from Arizona pointed out.

In this Senator's view, it is unacceptable that we would refuse to defend ourselves from this kind of technology being spread around the world to these kinds of nations. When told of this situation, the vast majority of the American people not only become upset, they become enraged. They cannot understand why their elected representatives would be willing to leave them defenseless and then stand on the floor of the U.S. Senate and advocate leaving them defenseless against the likes of people like Saddam Hussein or Mu'ammar Qadhafi. Hardly reasonable, rational, leaders in the world today, let alone Kim Jong-il whom very few of us know much about at all. They cannot understand why the tax dollars that they sometimes so reluctantly, or willingly in reluctance give up, how can they not contribute for our national defense? That is what they are asking. That is what they are asking. They have a right to be upset. There is no excuse for not defending America against ballistic missiles.

The Republican Congress agrees with the American people and took action last year to defend all Americans—all Americans; not certain Americans, all Americans—against ballistic missiles, whatever their source. In the defense bill last year, Congress established a program to develop and deploy a national missile defense system for the United States. This program is not some elaborate star wars concept, but rather a very modest yet capable ground-based system that would provide a limited defense of America against accidental, unauthorized or hostile missile attacks.

I ask anybody out there listening, or anybody participating in the debate on the other side, are you certain, are you absolutely certain, that Qadhafi or Saddam Hussein, Iran or Kim Jong-il do not have the capability or will not have it in the very near future? If you are certain, you ought to vote for them. If you are not sure, you ought to be voting with us.

President Clinton vetoed the defense bill specifically because of the requirement to defend America. That is the main reason he vetoed the defense bill, because he did not want us, did not want us, to put this requirement in. In fact, in his statement of policy the President called national missile defense "unwarranted and unnecessary." It is one thing to say "unnecessary,"

that might be an opinion, but "unwarranted"? This is a very insightful quote. It gets right to the heart of the differences between this President and this Congress. To President Clinton, providing for the common defense is "unwarranted and unnecessary." That is what he says. To the Congress, it is the most fundamental of our constitutional responsibilities, the most fundamental. Simply put, it is a defining issue between the two of us. It is an issue that defines our Nation's character, right to the heart of character, a commitment to the American people. How could you not defend yourselves, your people, against the threat of an incoming missile? It does not have to be deliberate. It could be accidental. We have no defense.

It is an issue that defines the difference between the two political parties in this country. There cannot be compromise on it. There are people here on the floor and in this Senate who are trying to work out some compromise to give on something else, and we will give a little bit of something else. There is no compromise, no compromise on defending ourselves against incoming ballistic missiles. It is an issue that defines the very basic difference between the two men who are seeking the Presidency, President Clinton, and BOB DOLE, who is the author of this bill. It is a basic difference between the two men. It is an issue that history will undoubtedly look back on and pass judgment upon for better or for worse, an issue that will define our generation.

Mr. President, if we fail to take action to defend America now while we still have the chance, we will regret it. At some point in the very near future we will have waited too long. What is that point? Are you sure, folks over there, sure that we have not reached that point? At some point in the near future we will have waited too long. The theoretical threat of a hostile ballistic missile launch will have become a reality and we will have no defense. Will we be ready when the theoretical becomes reality? Will we be ready? Not if we listen to this side of the debate. Not if we do what they are asking us to do, we will not be ready.

What will it take for the President to recognize this? Must a missile equipped with a chemical, biological or perhaps a nuclear warhead, rain down upon the citizens of America before we act? Must tens of thousands of Americans die before we act? That does not have to happen. Let me tell you, had we not been far-sighted enough and thoughtful enough to provide the Patriot missile, we would have lost a lot more people in the Persian Gulf war. It is a good thing Saddam Hussein only has a Scud missile, or perhaps some of the families would be speaking here through us today.

To those of us who are cosponsoring this legislation, the time to act is now. Not tomorrow, not the next day, now. We have the capability to do it. Our

Nation is in jeopardy, ballistic missiles and weapons of mass destruction are spreading throughout the world. That is a fact. I have had hearings. I have heard information on it. We have heard the testimony. We cannot stop this. We have to protect ourselves against them. Mr. President, 30 nations currently possess or are actively acquiring weapons of mass destruction, and the missiles to deliver them. They are not all friendly nations. Just recently, the United States admitted that Iran is covertly storing up to 16 ballistic missiles armed with chemical or biological warheads. Iraq is the most inspected and thoroughly monitored country in the world, yet they still have them. If we cannot find these missiles in the desert of Iraq, how are we going to track them in the valleys of China, North Korea, Iran, or Syria? The answer is, my colleagues, we cannot. We cannot track them. That is the point. Even if we could, we do not have the system to counter them. We cannot counter them even if we can find them.

The only solution is to develop missile defenses. This bill does that. It would require that our Nation deploy a national missile defense system capable of protecting all Americans by the year 2003. This is not about politics. It is not about partisanship. It is about national security and keeping faith with those who elected us and depend upon us to safeguard their lives and property, yet this bill is being filibustered, that is the bottom line, by the other side of the aisle—filibustering a bill to defend America. What an outrage. If we ignore this obligation, we will have failed in our most fundamental constitutional responsibility. You do not filibuster the defense of the United States of America. We can filibuster a lot of things around here, and we do it all the time, but not the defense of America. It runs against every principle I have ever stood for, and it ought to run against every principle that others in here stand for.

Mr. President, as we discuss and debate the merits of this legislation, I want to specifically address what I believe are some fundamental and extremely dangerous flaws in the administration's position. First off, the administration has continually emphasized that they see no long-range missile threat emerging within the next 15 years that could threaten the United States.

I would note that when the administration is pressed to describe how they came up with the 15-year number, versus 10 years, or 20 years, there is no real methodology. Essentially, it appears to have been a nice round number that the administration came up with.

The classified national intelligence estimate that the administration uses to support this assertion is anything but reassuring. And contrary to the assertions of the Clinton administration, it does not rule out a rogue nation acquiring ballistic missile capabilities that could threaten the United States.

Rather, it projects the view that it is unlikely that such a situation would arise.

Essentially, it relies upon the perceived intentions of other countries rather than their actual technical capabilities. That is a very dangerous way of assessing the threat environment, and it runs in direct conflict with our historical experience.

Our experience following World War II is very instructive. During 1945 and 1946, the United States conducted operation paperclip in order to employ Dr. Werner von Braun and his team of German scientists. My colleagues may recall it was von Braun and his associates who had created the German V-2 rocket. The transfer of these experts and their equipment provided the United States with nearly instant ballistic missile capability. Under the Hermes project, with the infusion of German technical expertise, we soon began launching V-2 rockets.

A year later, the development of a two-stage vehicle based on the V-2 was begun. The so-called bumper vehicle went on to establish range, altitude, and speed records. By the late 1950's, frustrated by difficulties in the Atlas program, Gen. Bernard Schriever, a pioneer of the U.S. Ballistic Missile Program, ordered that our existing Thor ballistic missile be modified to include a new second stage. This second stage provided strategic range capability for our ballistic missiles within a year, increasing the range of the Thor missile from 1,500 miles to approximately 5,000 miles.

Mr. President, the lesson here is quite simple. The acquisition of key technical experts can dramatically accelerate the pace of development for a country seeking to field ballistic missiles. In addition, the range of existing systems can be rapidly increased by incorporating additional stages. In the 1940's, designing and building ballistic missiles was a new and challenging endeavor. But with focus, determination, and national level support, it was done very rapidly.

By contrast, in the 1980's and 1990's, the schools and universities of the West teach advanced technology to students from all over the world. Missile designs are well understood, missile components are available on the world market, and whole missile systems can be bought and delivered, as in the case of the Soviet Scuds to China, the North Korean Scuds to Iraq, Chinese M-11 missiles to Pakistan, and Chinese CSS-2 missiles to Saudi Arabia. Since most of today's ballistic missiles are mobile, training and launching by customer nation crews can take place in the missile's country of origin, so that the first actual launch of a missile from the customer country may occur without advance warning.

Additionally, ballistic missiles do not need to have a long range to threaten the United States. In the 1950's, the United States launched sev-

eral ballistic missiles from the deck of a ship, and sent them to high altitudes where their nuclear payloads were detonated. Most of the population of the United States live near the east and west coasts, and thus are highly vulnerable to a ship-launched missile that could be covertly deployed in merchant traffic several hundred miles off the coast at sea. The modifications to such a ship would not need to be obvious, a few test missile launches could be performed in remote locations to avoid detection.

The problem with the administration program is that it seeks to wait until the last possible moment to deploy missile defense. But historically, we have proven very poor at making such intelligence estimates. Just look at Iraq's nuclear, chemical, and biological weapons program. The real challenge for the United States is to deploy theater and national missile defenses as rapidly as possible in order to discourage potential proliferators from developing, building, buying, or otherwise acquiring offensive ballistic missiles. That is what deterrence is all about. But you can't have deterrence without the capability to actually defeat or defend against a threat. Without missile defenses there is no deterrence.

Perhaps most absurd is the administration's argument that the technology of the future will be more advanced than that of today, so we should wait for the future technology to be available before we begin formal acquisition of missile defenses. If we followed that model we would never procure any weapons systems because they would always be surpassed by future technology.

What this argument fails to recognize is that real objectives and deadlines are the critical instruments for focusing the efforts of the management and technical communities in government and industry. The experience of operating a real system with real military personnel cannot be replaced by paper and pencil, or computer system designs. In addition, the longer we wait to commit to deploy a national missile defense, the more we will encourage our adversaries to pursue their own offensive ballistic missile programs. Without an actual system deployed, or at the very least a commitment to, and timetable for, deploying a system, there is no deterrent value.

The Russians have now accumulated 30 years of experience in building and operating ballistic missile defense systems, including the nuclear-tipped Moscow area defense and several mobile systems such as the SA-5, the SA-10, and the SA-12. This unique experience has been cited by our military as a major advantage for the Russians. It must be rectified.

Mr. President, I also want to address the issue of how ballistic missile defense relates to strategic arms reduction. The administration and certain Members of Congress have falsely sought to link this legislation with

Russian ratification of the START II Treaty. Simply put, it is bogus linkage.

The truth is that no provision in the Defend America Act threatens Russia or undermines the deterrent value of its strategic offensive forces. Nothing in this bill would disadvantage Russian security in any way. The numbers of defensive systems the bill envisions to combat accidental or rogue nation attacks are simply too few to affect the deterrent value of Russia's strategic arsenal.

The ABM Treaty was constructed during the cold war and is premised on mutual assured destruction. But the world is no longer bipolar, it is multipolar. Mutual assured destruction is not relevant in today's environment. It will not deter aggression by adversaries other than Russia.

The truth is defenses threaten no one. If Russia and the United States are no longer targeting nuclear weapons on each other, how could the deployment of a limited defense against other potential adversaries threaten Russia in any way?

We are providing billions in foreign aid to Russia to support them economically, politically, and to aid in dismantlement of their nuclear arsenal. When relations are this cooperative, how can anyone reasonably assert that we are provoking Russia or undermining the relationship by defending ourselves against the likes of Kim Jong-Il or Saddam Hussein.

The truth is that any linkage between the Defend America Act and the START II Treaty is purely artificial. It is pure fear mongering by those who use it for political purposes here at home. Frankly, it is shameful.

Those in Russia who are trying to link the two know full well that nothing in this bill threatens Russia in any way. They are merely trying to coerce further concessions. The truth is, we have consistently heard Russian officials seek to link START II to NATO expansion, compliance with the CFE Treaty, national missile defense, and virtually every other possible pressure point. Again, it is purely bogus linkage. And where I come from, it is called extortion. It should not be rewarded.

If we do legitimize this fallacy, and pay the ransom that some are demanding, where will it end? What will the next hostage be? How many times will we allow Russia to exercise a veto over our defense policy? And at what cost to our security?

Mr. President, let me close with one final observation. National defense should not be a partisan issue. As elected representatives, we have no more fundamental or important constitutional responsibility than to provide for the defense of this country. As it currently stands, this Nation, its people, treasures, and industry, are absolutely vulnerable to ballistic missile attack. The technology is here today, all that is lacking is the political will to do so. We cannot delay any longer. We must get on with the business of defending America.



If we allow politics to prevail and we leave our citizens naked against aggression, I fear that the results will be catastrophic. If we wait for a ballistic missile to rain down upon our Nation, wreaking chaos and destruction, it will be too late. We will have failed our citizens. We will have failed the Constitution. We will have failed this sacred institution.

I believe deep in my heart that history will look back upon this debate as a key point in our Nation's history. Let us consider the consequences of our actions very carefully. Let us keep faith with the American people who rely upon us to protect their security. They have no one else to turn to. It is our responsibility. It is our obligation.

I urge my colleagues to support the Defend America Act as reported by the Senate Armed Services Committee.

Mr. NUNN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from New Hampshire has an additional 2 minutes.

Mr. NUNN. How much time do I have?

The PRESIDING OFFICER. One hour.

Mr. NUNN. Mr. President, I have several people who would like to speak. Several people were down for 15 minutes, but I ask them if they can adjust that. Otherwise, we will not be able to get around on the requests. Senator EXON would like 2 minutes, which I will yield to him now.

The PRESIDING OFFICER. The Senator from New Hampshire has 2 more minutes first.

Mr. NUNN. Following that, Mr. President.

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

Mr. SMITH. Mr. President, let me close with one final observation. I feel very strongly that this issue has become a partisan political issue. It should not be a partisan political issue. We have no more fundamental or important constitutional responsibility than to provide for the defense of this country. And to be on the floor filibustering a bill that defends America, protects America from incoming missiles is an outrage. We can disagree on the degree, we can disagree on the architecture, we can disagree on the timing. But we ought not to be filibustering it. We ought to be having an up-or-down vote on it. I think everybody ought to be on record today—not having it put off, but be on record today. Are you for it, or are you against it? We ought to be recorded so the American people can judge us when the time comes.

This Nation's people, treasury, and industry are vulnerable to missile attack. The technology is here. All that is lacking is the political will. We cannot delay any longer. We have to get on with the business of defending America. History, I think, will look at this debate as a key point in our Nation's history. Let us consider the con-

sequences of our actions carefully and keep faith with the American people, who rely upon us to protect their security. They do not have anybody else to turn to. It is our responsibility, our obligation. All we are asking is that we exercise it. All the Senator from Arizona is asking for is a vote. All the Republican leader is asking for is a vote. We are not asking for anything else. We are not even asking for a victory, we are asking for a vote so that we can be recorded.

Mr. NUNN. Mr. President, I yield 2 minutes to Senator EXON, and then 10 minutes to Senator DORGAN.

The PRESIDING OFFICER. The Senator from Nebraska has 2 minutes. Following that, Senator DORGAN has 10 minutes.

Mr. EXON. Mr. President, I was struck to hear the term that people on the other side were startled that we would oppose this, that we are being blackmailed by Russia, and that we are being held hostage by Russia. Nothing could be further from the truth.

I simply say, Mr. President, that already the opposition is saying we are against missile defenses on this side. We are not against missile defenses. The talk was made about the Patriot, how important that was in the gulf war. This Senator and most of the Senators on this side were leaders, when we were in charge of the Senate, in developing the Patriot missile. What we are against is hastily moving, as the Dole star wars bill would do, to a missile defense that is untested, untried, with no assurance whatsoever that it will work.

Go with us. We are with the experts at the Pentagon. We are with the President. We want a missile defense, but we want it in a timely fashion and not rush to violate treaties that the United States of America signed in good faith.

I ask unanimous consent that two letters from CBO relating to the cost issue be printed in the RECORD.

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, May 15, 1996.

Hon. FLOYD SPENCE,  
Chairman, Committee on National Security,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3144, the Defend America Act of 1996, as ordered reported by the House Committee on National Security on May 1, 1996. The bill calls for deployment by 2003 of a system to defend the nation against an attack by ballistic missiles, but does not specify how much funding would be available for this purpose. Based on plans and estimates of the Department of Defense, the costs of complying with the bill would total \$10 billion over the next five years, or about \$7 billion more than is currently programmed for national missile defense.

Through 2010, total acquisition costs would range from \$31 billion to \$60 billion for a layered defense that would include both ground- and space-based weapons. The wide range in the estimate reflects uncertainty about two

factors—the type and capability of a defensive system that would satisfy the terms of the bill, and the costs of each component of that system. These figures do not include the cost to operate and support the defense after it is deployed. The attachment provides additional details on these estimates.

Section 4 of the Unfunded Mandates Reform Act of 1996 excludes from the application of that bill legislative provisions that are necessary for the national security or the ratification or implementation of international treaty obligations. CBO has determined that the provisions of H.R. 3144 fit within that exclusion.

H.R. 3144 would not affect direct spending or receipts and thus would not be subject to pay-as-you-go procedure under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Raymond Hall and David Mosher.

Sincerely,

JUNE E. O'NEILL,  
Director.

BUDGETARY IMPLICATIONS OF H.R. 3144, THE  
DEFEND AMERICA ACT OF 1996

This document addresses the budgetary implications of H.R. 3144, as ordered reported by the House Committee on National Security on May 1, 1996. The Defend America Act of 1996 would require the United States to deploy a national missile defense by the end of 2003 that provides "a highly effective defense of all 50 states against limited, unauthorized and accidental attacks . . . [that would be] augmented over time to provide a layered defense against larger and more sophisticated ballistic missile threats as they emerge." Those two requirements form the basis of CBO's estimate. According to the bill, the initial defense must include interceptors, ground-based radar, space-based sensor, including the Space and Missile Tracking System (SMTS), and a battle management and command and control system to tie the components together. The interceptors can be ground-, sea-, or space-based. The space-based weapons could be lasers or kinetic energy interceptors (also known as Brilliant Pebbles). The layered defense that would eventually follow, according to the bill's second requirement, would likely be achieved by adding space-based weapons to the ground-based system.

CBO estimates that H.R. 3144 would cost nearly \$10 billion over the next five years, or about \$7 billion more than is currently programmed for national missile defense. Through 2010, the system would cost between \$31 billion and \$60 billion. None of the estimates include the cost to operate and support the defense after it is deployed. Our estimates are derived from data provided by the military services and the Ballistic Missile Defense Organization (BMDO). While we have been unable to review many of the details behind those estimates, we believe that they are the best that are currently available. In some cases, though, we adjusted the Department of Defense's (DoD) estimates to better reflect procurement costs and potential risks. For example, we added about \$3 billion to hedge against technical and schedule risks in the development programs. We also reduced the estimated cost of deploying 500 space-based interceptors by \$4 billion. We did not, however, adjust the estimates to reflect cost increases that typically occur in developing systems that advance the state of the art.

Minimum Requirements and Costs. The low end of the range of estimates reflects what we believe would be the smallest system that would meet both of the bill's principal requirements. As proposed by the



Army, the initial defense would consist of 100 interceptors based at Grand Forks, South Dakota. Combined with SMTS, this system would be able to defend all 50 states against an unsophisticated attack of up to 20 warheads under many scenarios, according to BMDO. The interceptors would be armed with the Army's Exoatmospheric Kill Vehicle (EKV). To track incoming warheads, four new phased-array radars would be deployed, one each in Grand Forks, Alaska, Hawaii, and New England.

This initial defense would cost \$14 billion—about \$8.5 billion for the ground-based system and \$5 billion for the SMTS space-based sensors. (The ground-based system could cost roughly \$4 billion less if the Air Force's proposal for a Minuteman-based system was adopted.) The upper layer, which would be added sometime after 2006, would employ 500 space-based interceptors similar to Brilliant Pebbles—the less expensive of the two types of space-based weapons. It would make the defense capable of protecting the United States from a more sophisticated attack of up to 60 warheads according to BMDO, and would cost an additional \$14 billion. CBO adds another \$3 billion to these estimates to hedge against potential risk associated with the development programs. Thus, the total cost of the layered defense would be about \$31 billion.

Potential Increases in Requirements and Costs. The bill specifies that the defense shall protect the United States against limited or unauthorized attacks, but does not specify how big the attack might be. The high end of the range reflects the costs of a system to protect the United States against a more potent threat—for example, an attack that could have 200 warheads accompanied by sophisticated countermeasures. DoD bases its operational requirement for a national missile defense on such a threat.

CBO assumes that the ground-based layer would include 300 interceptors deployed at 3 sites and would cost \$13 billion, or about \$4.5 billion more than the costs of meeting the minimum requirements. SMTS satellites would be deployed at a cost of \$5 billion. The space-based layer would include a combination of 500 space-based interceptors (\$14 billion) and 20 space-based lasers (\$25 billion) for maximum effectiveness. Again, \$3 billion is added in anticipation of technological and integration problems. The total cost of this high-end layered defense would be about \$60 billion. Except for the lasers, this system would be similar to the Global Protection Against Limited Strikes (GPALS) system proposed by past administrations.

Cost Comparison. The estimate for the ground-based systems described above is about two-thirds less than previous estimates associated with earlier proposals, for example the GPALS system. The earlier proposals focused on the challenging threat of an unauthorized attack by the Soviet Union. Today the focus is on smaller and less capable threats—as a result, the defense's components may be somewhat less capable. Past proposals also called for a robust program that included substantial efforts to test the systems and to reduce and manage the technical and schedule risks associated with such an ambitious development effort. It is unclear how much these efforts can be reduced without increasing risk to unacceptable levels. But if current plans must be revised to include more thorough testing and larger efforts to reduce risks, and if the purpose of the defense evolves into protecting against larger and more sophisticated threats, costs of the ground-based systems could approach those developed for systems like GPALS—thus, costs of the high-end system could greatly exceed \$60 billion by 2010.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, May 30, 1996.

Hon. J. JAMES EXON,  
Ranking Member, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR SENATOR: In your letter of April 4, 1996, you asked about the cost of deploying the national missile defense system proposed in the Defend America Act of 1996 (S. 1635). I have attached the cost estimate that the Congressional Budget Office (CBO) prepared for S. 1635, which should answer your questions.

At your request, CBO also examined the compliance issues that the Defend America Act could raise with respect to the Anti-Ballistic Missile (ABM) Treaty. Because the bill does not specify a missile defense system in detail, it is difficult to identify precisely the possible conflicts with the treaty. But some fundamental issues would arise regardless of the specific architecture of the defense. The bill anticipates those conflicts by requiring that the Secretary of Defense report to the Congress on the problems with the treaty that he expects to encounter in the course of developing and deploying the defense. The bill also urges the President to negotiate amendments to the treaty with Russia that would permit the United States to deploy its defense. If an agreement cannot be reached within one year of the enactment of the bill, however, it directs the President to consider withdrawing from the treaty.

In brief, our reading of the bill suggests that some systems would violate the treaty in its current form, while others may or may not. Space-based weapons would clearly violate the treaty's prohibition on ABM components that are based in space. Sea-based weapons are similarly prohibited. Together, those prohibitions would make it difficult to deploy a layered national missile defense that would comply with the ABM treaty in its current form.

Other issues are not as clear and are often debated. For example, in Article I of the treaty, each side pledges "not to deploy ABM systems for defense of the territory of its country." Critics argue that deploying any national missile defense, no matter how capable, would violate that provision. But, the Army and Air Force claim that the small, ground-based national missile defenses that they have proposed would comply with the treaty.

Issues of compliance could arise even for a ground-based defense that complies with the numerical and geographic limits specified in the ABM treaty (no more than 100 ground-based interceptors and one ABM radar, all located at Grand Forks, North Dakota). The principal issue is whether the new tracking radars that would be deployed in the Pacific and on U.S. coasts would substitute for the ABM radar at Grand Forks. Under many scenarios, particularly attacks on Alaska and Hawaii, the Grand Forks radar would never see warheads or intercepts because its view would be blocked by the Earth's curvature. For the same reason, the radar could not be used to send course corrections directly to an interceptor. Instead, such a defense would use ground-based repeater stations to communicate with an interceptor. According to opponents, that would mean that forward-based tracking radars would substitute for the ABM radar, a practice that the treaty strictly prohibits. Supporters of the proposed defenses counter that forward-based radars would not be substitutes because the fire-control solutions and instructions to an interceptor for correcting course would still come from Grand Forks.

The degree to which the Space and Missile Tracking System (SMTS) conflicts with the treaty is also being debated. Critics of space-

based sensors argue that they could, in effect, substitute for an ABM radar. The Russians have reportedly expressed similar concerns about SMTS. The argument is similar to that made against forward-based tracking radars: if an entire intercept can occur out of view of the ABM radar at Grand Forks, something must be substituting for the radar. Supporters of SMTS contend that the system would be an "adjunct" to the ABM system, much like the space- and ground-based early warning sensors that the United States deployed before the ABM treaty was signed in 1972. (An adjunct is a device that could not, by itself, substitute for or perform the functions of an ABM radar). Those early warning sensors were not limited by the treaty and advocates believe that SMTS should not be limited either. According to press accounts, the U.S. government reported to the Congress in 1995 that SMTS might, in some configurations, comply with the treaty. This document reflects a U.S. position and does not imply that Russia agrees with that interpretation. Differences would have to be worked out in negotiations.

Finally, your staff asked that we examine operating and support costs. We have not had time to analyze those costs fully, but we can report that those costs would reach a few hundred million dollars annually by 2005 when ground-based systems and space-based sensors would be in place. After 2010, operating and support costs would increase significantly because the Department of Defense would have to launch replacements for any space-based systems, which wear out over time. Of course, at some point new technology or a reassessment of the defense situation could lead to changes in the system, which could have a large impact on costs.

If you wish further details on our analysis, we will be pleased to provide them. The CBO staff contacts are David Mosher, who can be reached at 226-2900, and Raymond Hall, who can be reached at 226-2840.

Sincerely,

JUNE E. O'NEILL,

Director.

The PRESIDING OFFICER. The Senator from North Dakota [Mr. DORGAN] is recognized.

Mr. DORGAN. Mr. President, surely the American people, who watch and listen, must think we have the attention of houseflies. We are having a debate here in the U.S. Senate about balancing the Federal budget, about amending the Constitution to require a balanced budget, about cutting spending, about being frugal, about dealing with this country's debt. And then immediately trotting on the floor of the Senate is a new proposal—by the same folks who say they lead in reducing the budget deficit, lead in reducing spending—they say to us now, "We want to spend an additional up to \$60 billion for, yes, a star wars program."

I want to correct some of the statements that have just been made. There is no filibuster. The petition to invoke cloture, to close off debate, was filed simultaneously with the bill coming to the floor. How can someone, without even smiling about it, file a cloture motion before debate even begins? There is no filibuster.

We are going to have a debate on this. That is what we insist on. Those who want to initiate a \$60 billion program without debate do no service to defense policy in this country, in my judgment.

Second, this bill is star wars. Here is the bill, page 6: "Ground-based interceptors, sea-based interceptors, space-based kinetic energy interceptors, space-based directed energy systems."

Call it what you want. It is star wars; \$14 billion, my eye. We have spent \$96 billion on star wars and missile defenses. This chart was put together by the Congressional Research Service, and we have funded so many programs over the last 40 years that nobody can read this. It is a national missile defense family tree that is so complex you cannot read it. It is a bunch of boxes and lines tracing the development of dozens of programs. These are the things that we have funded. This is all the work done for missile defenses.

What we have to show for all this in this country today is one abandoned antiballistic missile facility—it is in my State. Over \$26 billion in today's money was spent on it. It was declared mothballed the same year it was declared operational.

Are there threats against this country? You bet. What are they? A glass vial of deadly biological agents to be brought in in someone's pocket, threatening a subway or a city is a threat. A truck bomb parked in front of a Federal building is a threat. A cruise missile armed with a nuclear warhead is a threat. An intercontinental ballistic missile is a threat. You can list a whole series of threats against this country.

Have we ever had an effective system to knock down any missile coming in? No, we have not. Why? Any missile launched against this country will have a return address. We will know exactly where it was launched from, and this country will vaporize them. That is what our nuclear deterrent has prevented from happening to our country for many years. That has been our missile defense for 40 years.

Now, do we need to research missile defenses? Yes, we are doing that. We are spending a great deal of money doing that. We spent \$96 billion on all of this to date. But I want to talk about a number of different approaches to defending our country.

The best way to defend America is to destroy an adversary's missile before it is launched. I have a piece of metal here in my hand that comes from silo number 110, in Pervomaysk, Ukraine. This silo had an SS-19 in it. That SS-19 had 6 warheads, each of them 550 kilotons: each warhead 20 times the explosive power of the bomb dropped on Hiroshima. This twisted lump of metal was part of that silo with that missile. The silo does not exist anymore, because we helped to blow it up.

Let me show you a picture of it. This is that silo blown up, with the missile gone. There is no missile there. The missile was destroyed. Here is a man sitting on the floor—Senator NUNN—who, along with Senator LUGAR, with the Nunn-Lugar initiative, will, in my judgment, forever change the dimensions of this nuclear deterrent and

these issues of nuclear threat by creating a program in which 212 submarine launchers are gone in the Soviet Union, 378 ICBM missile silos are eliminated, and 25 heavy bombers gone. Do you know what is indicated in this photo is today? This is silo 110. It just so happens—and it is a pure coincidence—that the Secretary of Defense is visiting silo 110 today. The U.S. Secretary of Defense is visiting this site. Do you know what is here today? Sunflowers—not missiles, but sunflowers.

What we have done is destroyed a missile in its silo by destroying the silo and moving the missile and warhead, and the missile is cut up and it is gone. That happens to be an effective missile defense. Senator NUNN and Senator LUGAR and others who fought so valiantly for this program are reducing the nuclear threat in this country.

I have a picture of the destruction of a heavy bomber. Here they are sawing off the wings. This picture shows Russians using American equipment to cut up a Russian bomber. That heavy bomber—it is a TU-95 Bear bomber—could launch 16 cruise missiles against our country.

Defending America means that you get the enemy, through arms agreements, to reduce these kinds of weapons. The fact is what the other side brings to the floor of this Senate—and they can protest forever about it, and they are wrong—is a proposal that will threaten the arms agreements by which missiles and bombers and other strategic weapons are being reduced now in other parts of the world. The fact is they want to abrogate the arms control treaties. In my judgment, that is shortsighted.

The Ukrainian President on June 1st—a couple of days ago—certified that his country, which used to have 4,000 strategic and tactical nuclear warheads, now has zero—zero. The Cooperative Threat Reduction Program in the Defense Department, with the leadership of Senators NUNN, LUGAR, and others, has done a remarkable job. Is this the only thing we ought to do? No. It is remarkably successful. We should do many additional things, but the last thing we ought to do is jump on this horse and ride off into the sunset to build a \$60 billion program that threatens to undermine all of these arms agreements that have led to all of this progress. This makes no sense at all.

I thought you all were conservatives. You keep coming to the floor talking about the deficit, and the first thing you do when we finish that discussion is come to the floor with a big, spanking new, gold-plated weapons program that is going to cost \$60 billion, a program we have already spent \$96 billion on according to the Brookings Institution. I am telling you, it does not add up.

Do those who oppose the so-called Defend America Act, which is really a star wars program, believe Americans should not be defended? Of course not.

There are dozen of ways of defending America. We ought to do research and deploy, and do a whole range of them, the most important of which, in my judgment, is the deployment and implementation of the Cooperative Threat Reduction Program initiated by Senators NUNN and LUGAR. But there are others.

President Clinton says, let us do the research necessary—several billion dollars. Let the system be available for deployment if we see that the threat exists. And I know we have all of these claims by others about Korea. Look, Korea spends from \$2 to \$5 billion a year on their entire defense program. We are a country that spends \$270 billion a year. There is no credible evidence that Korea has tested anything close to a weapon that is going to deliver a nuclear warhead to parts of the United States. Worry about a suitcase bomb put in the trunk of a Yugo car parked at the dock of New York City. That is a threat. Worry about a biological agent. That is a threat. But this bill would put all of our eggs in this basket and say that the sky is the limit, even though it is the taxpayers' money. This bill would have us embark on a \$60 billion spending program, and when we are finished we might have covered—unlikely, but maybe—one small slice of the range of threats that confront this country. I think if you talk about shortsightedness, this bill ranks up there with an Olympic performance.

Our military leaders in the Department of Defense have told us that this bill would endanger our security. General Shalikhavili wrote to Senator NUNN to say that "efforts which suggest changes, or withdrawal, from the ABM Treaty may jeopardize Russian ratification of START II and could prompt Russia to withdraw from START I."

In other words, this bill could pull the rug out from under the very thing that is reducing the nuclear threat, the very thing that results in weapons being destroyed. A missile silo that used to hold a missile with six warheads aimed at American cities and American military targets now has sunflowers planted on top of it. The missile and its warheads are gone.

This proposal pulls the rug out from under that kind of an approach. I just do not understand that proposal at this time being brought to the Senate.

No matter what claims are made on the other side, this is not a debate between those who think Americans should be defended and those who believe Americans should not be defended. That is preposterous. That is an absurd contention. All of us believe we ought to spend money wisely to defend this country's liberty. All of us believe we ought to make the investments necessary to guarantee the safety of the American people.

Let me thank the Senator from Georgia for the time. We will have more to discuss about this subject later, and I

am anxious to engage in further debate when we get to debate on the bill.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. KYL. Mr. President, I yield 10 minutes to the Senator from Indiana, Senator COATS, a member of the Senate Armed Services Committee.

Mr. NUNN. Mr. President, following Senator COATS' remarks, I will yield 10 minutes to the Senator from New Mexico, Senator BINGAMAN.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I appreciate the opportunity to add some words to this debate. Obviously, we all believe that while we can debate what the fundamental role of the Congress and the Government is, priorities ought to be established. This is true particularly in the domestic spending areas where there is no constitutional responsibility of the Federal Government. However, there is a clear constitutional responsibility for Congress to provide for the national defense. In that regard, we are addressing what I think is one of the most fundamental and most important decisions that this Congress is going to make in the next several days; that is, what kind of defense we will provide for the United States? To date, our country has enjoyed the benefit of its strategic location—surrounded by oceans east and west, and friendly neighbors to the north and south. Our strategic location has enabled us to ensure the defense of American soil. Today, however, the advance of technology, the development of long-range ballistic missiles, and the proliferation of those missiles among nations who have not had a history of responsible leadership poses a real threat to the United States. Over the last several years we have engaged in a debate over how to best address this emerging new threat.

The Senator from North Dakota raised the issue of other compelling threats. Indeed, there are other threats Americans face from a biological, chemical, or nuclear weapons delivered through ballistic missiles. A truck packed with explosives, a ship cargo container that sailed up into one of our ports, or any number of other means of delivering weapons of mass destruction are clearly threats we must take seriously. However, the fact that these threats exist does not mean we should ignore the very real threat posed to American citizens by proliferating ballistic missile technology. people.

The Senator from North Dakota talked about other effective deterrents. He discussed the success that Americans had with a strategy of deterrence through mutual assured destruction. During that particular era, there were two superpowers engaged in a stand-off. Mutual assured destruction seemed the most feasible strategy to counter Soviet missile threats. But, in that era, there was no threat of missile proliferation such as we face today. There

was a very serious, but very definable, cold war between the two superpowers, each possessing thousands of nuclear warheads that could be used in retaliation against the other should a first strike be launched. As we all know, the strategy of mutual destruction is no longer a viable means of deterrence.

There is also a moral imperative at issue with the concept of mutual assured destruction. Simply to say that our best protection against a missile attack that could injure or kill millions of Americans is our capability to respond in kind against the country that launched the attack, violates basic moral considerations our Nation could not support today.

I found it interesting that the Senator from North Dakota spoke of sunflowers now growing over former missile sites. Most of us would like to see sunflowers growing over every missile site, not only in the former Soviet Union but in other countries around the world. Unfortunately, this has not been the case. More than 25 countries—including China, North Korea, Libya, Syria, Iran, Pakistan, and India—possess or are seeking to acquire ballistic missiles capable of carrying nuclear, chemical, or biological warheads. They are actively pursuing ballistic missile technology for their fields—not sunflowers. And, as we all know, we have had little success discouraging these nations from acquiring missile technology.

North Korea has been developing ballistic missiles such as the Taepo Dong II, a missile with a range of up to 6,000 miles that can certainly target Alaska and Hawaii. North Korean President Kim Jong-Il has reportedly ordered the development and deployment of strategic long-range ballistic missiles tipped with more powerful warheads. By many estimates, in less than 10 years, North Korea will be able to deploy an operational intercontinental ballistic missile force capable of hitting the American mainland.

The administration is ignoring these very serious trends. Instead, it has adopted a wait-and-see strategy in its approach to the defense of our Nation. Much of the administration's position is derived from a recent national intelligence estimate report by U.S. intelligence agencies. The NIE claims that no country will be able to acquire ballistic missile technology capable of reaching the United States for at least 15 years. But NIE's choice of 15 years is based on calculations most Americans would hardly find reassuring. The 15-year estimate is based primarily on the indigenous development of missile systems, ignoring the rapid rate of ballistic missile technology proliferation so evident today.

In addition, the NIE based its threat calculations without regard to Hawaii and Alaska. The report projects that no rogue nation will possess the technology capable of hitting the lower 48 States for 15 years. In qualifying its estimate, the NIE discounts the more im-

mediate threat of North Korea's Taepo Dong II missiles to these States. Yet, in August 1994, John Deutch, then Deputy Secretary of Defense, testified before Congress that "If the North Koreans field the Taepo Dong 2 missile, Guam, Alaska, and parts of Hawaii would potentially be at risk." At that time, the CIA estimated that this system would be deployed before the year 2000.

It is unfortunate that the United States today has little control over the proliferation of ballistic missile technology. But, the time has come for us to recognize this fact and act accordingly. Mutual assured destruction and other strategies have come and gone. They are no longer appropriate for the era in which we live, nor the threats America might face in 21st century. The administration's position of adhering to a policy whose assumptions are based on the perceived intentions of countries rather than their emerging capabilities and the realities of the world today is a serious mistake.

Even the NIE report warns that a future political crisis in Russia or China could lead to an unauthorized ICBM launch against the United States. Russia today is embroiled in political turmoil resulting from reform and the civil war in Chechnya, while China remains in the throes of uncertain changes in political leadership. Both China and Russia have also been actively selling technology to other nations. Indeed, recent reports indicate that China is attempting to buy SS-18 missile technology from Russia and the Ukraine—technology that would significantly enhance China's ability to target American soil. Technology transfers such as these give countries a major advantage in developing indigenous nuclear weapons and delivery systems, to include ballistic missiles. Libya and Iraq's leaders have made their desire to obtain such weapons quite clear, while North Korea has been willing to oblige by selling its missiles to interested parties.

There are many other countries actively engaged in buying advanced technologies and missiles. If rogue nations are successful in buying systems already developed, or can acquire the technology to build their own indigenous systems, the United States may well face a threat even sooner than expected. In testifying before Congress earlier this year, Jim Woolsey—President Clinton's first Director of Central Intelligence—addressed the grave nature of ballistic missile technology, stating that:

Ballistic missiles can, and in the future they increasingly will, be used by hostile states for blackmail, terror, and to drive wedges between us and our friends and allies. It is my judgment that the administration is not currently giving this vital problem the weight it deserves.

Who is to say that the current intentions upon which the administration rationalizes its position may not quickly shift to the disadvantage of the

United States? Should one of these countries decide to target the United States—for the reasons Jim Woolsey cited—how will we defend America? Reassurances that a ballistic missile defense system is under development will do nothing to defend American citizens, just as it does nothing to deter future aggressors.

Even if NIE's 15-year threat window were realistic, a strategy of waiting to deploy a defensive system until we are certain we will face an imminent attack fails to recognize the reality that deploying a new system with advanced technology will invariably require fine-tuning. This hedge strategy risks the welfare of American citizens in the face of a direct threat to our national security.

Proliferation of nuclear, biological, chemical weapons and the means to deliver them is a dangerous game. While we must continue our efforts to prevent rogue nations from acquiring this technology and thus endangering us, we must also concede that ultimately we are powerless to deter the acquisition of this technology. If we cannot deter the proliferation of ballistic missile technology, we must at least diminish the incentive for attacking the United States and nullify the potential consequences of such an attack. We can do this by developing and deploying a national missile defense system. In the end, it is the only plausible strategy to protect American citizens from the future threat of a ballistic missile attack. As former British Prime Minister Margaret Thatcher recently remarked:

Acquiring an effective global defense against ballistic missiles is . . . a matter of the greatest importance and urgency. But the risk is that thousands of people may be killed by an attack which forethought and wise preparations might have prevented.

It is the reality of the proliferation of ballistic missile technology, the capability of providing nuclear, chemical or biological destruction through the delivery on ballistic missiles, and the proliferation of those missiles that demands we give serious consideration to a national missile defense system. We are making positive strides in providing theater missile defense protection for our troops abroad. But, in my opinion, we are not taking the steps that we need to take to provide that same kind of protection to Americans here at home.

It is a risky strategy to continue to postpone the basic decisions that need to be made relative to deployment of a national missile defense system. We can argue over timing. We can argue over the deployment. We can argue over the cost that is appropriate in relationship to our budget each year. But we must not deny our citizens protection from the grave potential of a future ballistic missile attack on the United States.

There is a little doubt that the cloture vote which will take place at 2:15 will succeed. The previous speaker has challenged us to get to the debate. We

will need his help in order to get to that debate. Indeed, we are going to need help from those who have opposed the proposal before us in order to get to the heart of the critical issues addressed in the Defend America Act.

The PRESIDING OFFICER. The Senator from New Mexico has 10 minutes.

Mr. BINGAMAN. Mr. President, I also rise in opposition to the motion to proceed on this bill, this so-called Defend America Act. The bill is bad policy for many reasons. Several of my colleagues have already mentioned some of those.

First, the bill would undermine Russia's ratification of the START II Treaty, and undermine the implementation of the START I Treaty. These treaties will destroy vastly more Russian nuclear weapons than any missile defense program that is being proposed in this legislation.

A second reason the bill is bad policy is that the bill would mandate the premature deployment of a national missile defense that we do not know today how to deploy, whatever the proponents of the bill may argue.

A third very significant reason why this bill is bad public policy is that it would divert many billions of dollars—the estimate is about \$60 billion—from higher Pentagon priorities, particularly around the turn of the century when the Republican defense budgets fall below the President's defense budgets.

I do think we need to ask where the money is coming from. As the Senator from North Dakota said a few moments ago, it is ironic that the effort is being made to move ahead on this legislation the same week the Senate is being asked to once again vote on whether or not to embrace a balanced budget constitutional amendment. We also need to ask at what expense to our other defense capabilities would we be adopting this kind of legislation. The Joint Chiefs of Staff believe those other defense capabilities are more important. We need to heed their advice on this.

The proponents of this bill do not know what system they are demanding to deploy. They do not know what it will cost. They seem at best indifferent to the reaction that we would find in Russia, and at worst they seem to rush to embrace the demise of the Anti-Ballistic Missile Treaty as a welcome consequence of this bill.

We need to ask ourselves why is this not the position of the Joint Chiefs of Staff? Why do the Joint Chiefs put higher priority on preserving START I and going forward with START II and on developing other defense capabilities, including theater missile defenses? The proponents of this legislation have no answers to those questions.

Let me spend a few minutes talking about some of the reasons I am deeply skeptical of our ability to develop highly effective national missile defenses, as called for in this bill, in the timeframe that is set out and required

by this bill. I have followed this debate fairly closely since March 1983, shortly after I came to the Senate and President Reagan gave his famous star wars speech. We now know, many years later, that President Reagan had essentially been sold a bill of goods by the proponents of star wars. He was told that an x-ray laser, driven by a nuclear explosion in space, could wipe out a whole swarm of attacking Soviet ICBM's. But the x-ray laser proved to be neither technically sound nor politically viable. The nuclear component of the SDI program was gone within a couple of years. Instead, the goal became a nonnuclear national missile defense composed of a wide range of kinetic-kill and directed-energy weapons coupled with advanced space and ground sensors that could provide some sort of astrodome-like, leak-proof protection for the American people against all ballistic missile attacks.

Mr. President, there was almost no one in the technical community at the time who thought that it was possible to develop what I just described. I distinctly remember being briefed at Sandia National Laboratories in the mid-1980's on their red team analyses of the various proposals being put forward as part of the strategic defense initiative [SDI] by contractors. The red team always won. Nevertheless, we spent billions of dollars in pursuit of this goal that not even the proponents of this bill support today.

It was not until Senator SHELBY and I offered an amendment in 1989 that Congress even tried to look at the component parts of the SDI Program and put some priority on those that made sense, at the same time scaling back those that did not. That amendment, which was debated on the eve of Iraq's invasion of Kuwait, put first priority on developing theater missile defenses, and it called for sharp cutbacks in the more exotic space-based SDI systems, such as the system that was then known as Brilliant Pebbles.

The Persian Gulf war heightened the consensus that our first priority should be theater defenses, if we could come up with some type of theater defenses that, in fact, were effective. The Patriot interceptor clearly had been ineffective against the Iraqi Scud attacks during the war, as the Senator from Arizona noted yesterday. So in 1990, under Senator NUNN's amendment, priority was once again given to theater defenses.

Why has it been so hard for us to come up with effective theater missile defense systems? Since 1989, we have spent over \$10 billion on developing theater missile defenses. The President proposed another \$2 billion in fiscal year 1997, the budget that we are still working on. Some of these systems, such as THAAD, are now entering testing, but, thus far, they have not had great success in the way of hitting targets.

Why is that, Mr. President? It is true because hitting a bullet with a bullet is

a very, very difficult thing to accomplish. A theater ballistic missile will be moving at up to 5 kilometers per second or 3 miles per second as it approaches its target. Think about that. Three miles per second. An interceptor missile sent up to intercept it travels at approximately the same speed and it has to maneuver so that it ends up in the same breadbasket-sized space at precisely the right moment as the two missiles approach each other at up to 6 miles per second. That is a pretty good trick.

The Congress has been calling for highly effective theater missile defenses for at least 7 years now. We have been supporting research for far longer. And yet, as I said, we have not hit very much. We all hope that our investments in THAAD and Navy Lower Tier and improved Patriot and MEADS and Navy Upper Tier will eventually result in a reasonably effective theater defense capability. We know that that is a capability our military commanders want because finding and destroying small truck-mounted Scud-sized missiles before they were launched proved very difficult in the Persian Gulf war.

However, after 7 years, in which Congress consistently approved the requests for theater missile defense system funding—in fact, added funds during several of those years—we still do not have a highly effective theater missile defense, although we, hopefully, have some promising candidates. Anyone who told us that theater missile defenses would be easy back in the 1980's should have conceded their mistake by now. Anyone who promised astrodomes for national missile defense should have lost credibility with Congress and the American people a long time ago.

Yet, it is that same crowd who is pushing this legislation. They are much more careful about promising astrodomes now. Instead, this bill calls for deployment "by the end of 2003" of "a National Missile Defense system that—

(1) Is capable of providing a highly-effective defense of the territory of the United States against limited, unauthorized or accidental ballistic missile attacks; and

(2) Will be augmented over time to provide a layered defense against larger and more sophisticated ballistic missile threats as they emerge."

Seven years from now, according to this bill, we are supposed to have solved a harder problem than theater defenses, namely national missile defense, and deployed a system. The proponents totally disregard the lessons of how hard it has been to develop theater defenses over the past 7 years. These technological developments can-not be made on a congressionally mandated time schedule.

We also need to ask what the threat is that is conjured up to justify spending this \$60 billion contemplated in this bill. Is it a real threat like the mobile Scuds that our troops faced in the Persian Gulf? The intelligence commu-

nity does not think so. Yet, the threat you hear the most about from the proponents of this bill is the potential threat that North Korea could develop a missile, the Taepo Dong II, capable of attacking the Aleutian Islands sometime soon. The proponents attack the intelligence community for not leaping to the conclusion that this threat justifies deployment of a national missile defense now.

Let me put a few facts on the table about this potential threat.

North Korea's total gross national product is about \$25 billion. That is less than one-third of 1 percent of the U.S. gross national product. In fact, that country is bankrupt, Mr. President. Its people are malnourished, if not starving. Its total defense budget is less than \$6 billion, which is approximately one-fortieth of our own, and yet those who want to pursue a crash national missile defense system criticize the intelligence community for unanimously judging that it might be difficult for North Korea to develop a long-range missile in the next 15 years.

If North Korea's Taepo Dong II—a missile that does not today exist—is the justification for this bill, it is a pretty thin justification indeed. But let us take this argument further. Let us give the proponents of this bill the benefit of the doubt. Let us say that this bankrupt country actually started building such an intercontinental ballistic missile tomorrow. Are we a pitiful helpless giant incapable of responding? Does our \$267 billion defense budget provide our President and our military leaders no options to deal with this threat? Should we sue for peace? Of course not.

The Taepo Dong II, if it ever exists, would be a large immobile missile. We would know about its development immediately through our intelligence capabilities. And we would be able to destroy it by a preemptive strike long before it was ready to be launched, just as Israel once dealt with the Iraqi nuclear complex.

If the threat is a rogue nation, like North Korea, Iraq, Iran, or Libya, developing an ICBM, then clearly preemption with our existing military capabilities would clearly handle such a threat with very high confidence. It is a far higher confidence level than we are ever likely to achieve with a national missile defense system. The American people would support such a preemptive strike, just as they support today the threat of preemption which Secretary Perry has made to the underground Libyan complex should it begin to manufacture chemical weapons.

There is an editorial, which I want to cite on this point, that was in the May 13, 1996 edition of the Patriot & Evening News out of Harrisburg, PA. This is an article called "Offense is Best Missile Defense."

The author makes the obvious point about the threat from rogue states. He says:

If a nation hostile to the United States should acquire the capability to send a missile our way, dare we wait until it is fired to see if our missile defense system actually works? Or would we in fact use other military means to go in and put it out of commission before it was fired?

The answer surely is that you do not place the fate of thousands of American lives on unproven technology of uncertain proficiency. You eliminate the threat before it eliminates you, a strategy that would make deployment of a missile defense system pointless and redundant.

Mr. President, I ask unanimous consent that the full text of this article appear at the end of my remarks.

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

[See exhibit 1.]

Mr. BINGAMAN. So, Mr. President, the threat of a rogue nation really cannot and should not be the justification for this bill and the expenditure of tens of billions of dollars.

But let us also look at the technical side of national missile defense. As the senior Senator from Ohio, Senator GLENN, has said many times on this floor, we do not today know how to do this, whatever a contractor may claim. With ICBM's we are talking about bullets intercepting bullets with closing velocities of up to 10 miles per second. The President and Secretary Perry propose to continue research in this area at the rate of half a billion dollars per year to see if we can solve the technical problems. That is an adequate amount in my judgment, given how little has been delivered thus far after the expenditure of many tens of billions of dollars. I am from Missouri like Harry Truman when I hear any promises about how close we are to solving the technical problems of national missile defense. Someone is going to have to show me with real test results. I have heard such promises before. The American people have heard such promises before.

Mr. President, if the threat from rogue states is remote and capable of being handled by other means, as I believe it is, if we have no technical solution in hand, if we risk undermining the benefits of START I and the START II Treaty as well, then why on Earth should we move ahead to pass this bill? The proponents threaten us with some variation of the astrodome 30-second political spot. They feel the American people will be outraged that we do not have a national missile defense system. But it is much more likely that the American people will see this legislation for what it is, a fiscally, technically, and strategically unsound bill that will damage both our Treasury and our security.

Mr. President, I believe it would be folly for us to proceed to enact it and the American people will not be fooled into believing otherwise. I appreciate the time and yield the floor.

## EXHIBIT 1

[From the Harrisburg (PA) Patriot & Evening News, May 13, 1996]

## OFFENSE IS BEST MISSILE DEFENSE

AMERICA NEEDS A SYSTEM TO PROTECT DEPLOYED TROOPS, BUT SHOULD TAKE OUT ATTACK CAPABILITY OF ROGUE NATION

Should the United States develop and deploy a system to destroy incoming missiles fired by a rogue state, such as Iran or North Korea?

That is the issue in what the House leadership has dubbed "Defend America Week," as it considers legislation that would deploy a missile defense system by the year 2003.

At stake, Republicans argue, is the nation's security in a world where all sorts of nations are equipping themselves with or seeking weapons of mass destruction.

Also at stake are billions of dollars, and perhaps the ability of our military forces to carry out more conventional missions, for the defense pot isn't likely to get much bigger even if Congress votes for deployment of expensive defensive missiles.

Is such a deployment necessary? The Clinton administration proposes to spend \$600 million annually for five years to develop a system, but not deploy it unless a clear threat emerges. No nation that might pose such a threat has the capability to launch a missile that can reach American shores. And the best intelligence estimate is that such capability is at least 15 years away.

It should be noted that the administration does propose to fund the development and deployment of a theater anti-missile system to protect American military forces overseas from attacks such as those by Scud missiles we saw during the Persian Gulf War.

Not only is there no immediate threat that would require deployment of a national missile-defense system, the so-called "Defend America Act" doesn't even define the type of system that would be developed or deployed. That suggests a considerable gap between the idea and an actual system capable of picking off a missile before it inflicts harm on this country.

Indeed, one of the arguments against early deployment is that the pace of technology could well render such a system obsolete in the estimated three years required for it to become operational.

The costs are not inconsequential. Deployment of even a modest, single site, ground-based system could amount to \$5 billion, though it would be of doubtful worth. A more ambitious system would cost on the order of \$25 billion. A multi-site system could run \$44 billion or more, but would also violate the ABM treaty with Russia, which limits each country to one ABM site.

More to the point, if a nation hostile to the United States should acquire the capability to send a missile our way, dare we wait until it is fired and see if our missile defense system actually works? Or would we in fact use other military means to go in and put it out of commission before it was fired?

The answer surely is that you do not place the fate of thousands of American lives on unproven technology of uncertain proficiency. You eliminate the threat before it eliminates you, a strategy that would make deployment of a missile defense system pointless and redundant.

Mr. KYL. Mr. President, I yield 10 minutes to the Senator from Oklahoma, Senator INHOFE, a member of the Senate Armed Services Committee.

The PRESIDING OFFICER. The Senator from Oklahoma, Mr. Inhofe, is recognized for 10 minutes.

Mr. INHOFE. Mr. President, I thank the Senator for yielding.

We are in the middle of a debate we have heard over and over. I do not think I have heard anything today or yesterday that I have not heard already and we have not discussed at some length.

The Senator from New Mexico mischaracterizes the threat that exists out there. I hope we can go back and recall some of that debate because it started, in characterizing the threat, 2 years ago, when James Woolsey, who has already been identified as the CIA Director under President Clinton, who has stated that we know of between 20 and 25 nations that have or are in the final stages of developing weapons of mass destruction, either biological, chemical, or nuclear, and are developing the missile means in delivering those weapons. He said this 2 years ago.

I suggest that those who look wistfully back and say, "Isn't it wonderful that the cold war is over," that the threat could very easily be, and I think it is, greater than it was during the cold war. During the cold war, we had the U.S.S.R. and the United States as two superpowers. So it made some sense to some people to come up with agreements to downgrade nuclear capability because there were only two nuclear superpowers out there. But if we are talking about 25 to 30 nations now and we establish some type of relationship with Russia, since the U.S.S.R. is no longer in existence, then we still have 25 or 30 other nations that are building up their nuclear capability at the same time we are tearing ours down.

Is the threat out there? The Russians have the SS-25, the SS-18, which is a MIRV'd missile, I think, with 10 warheads. They have the capability of launching. And North Korea's Taepo Dong II missile that the Senator from New Mexico talked about, that is something that the experts say is within 5 years—and I have heard lower figures than that—of being able to reach the United States. We are talking about technology that exists. We are talking about missiles that can reach long distances and can reach the United States from such places as China, Russia, and North Korea.

I also suggest that we do not need to talk about the gross national product of North Korea. That should not enter into this debate. I do not care what their gross national product is. If they have a Taepo Dong II missile that can reach the United States, it only takes one. Coming from Oklahoma, I can tell you, one bomb is enough.

So when you look at the threat, I think you need to consult the individuals who are the experts and the ones who said we know what capability is there.

We have had this debate already. We had this debate in 1991. We decided we would protect ourselves against the threat of a missile attack by the year 1996. Here it is 1996.

We are having this debate again. Technology has improved. As far as the

Senator from New Mexico's statement about hitting a bullet with a bullet—yes, that is a difficult thing, but there is not a person in the United States who was not watching CNN during the Persian Gulf war, and we all saw Patriot bullets hitting Scud bullets. That was 5 years ago. Mr. President, we can hit a bullet with a bullet.

When you are talking about the proper function of Government, I cannot think of any function that is more significant than protecting the citizens of the United States.

We had a lot of discussion about the cost of this. I hear these figures being batted around, \$30 and \$60 billion. The fact is we already have somewhere between \$44 and \$50 billion invested in our Aegis ships. We have 22 cruisers and destroyers already floating out there with launching capability.

We want to get them upgraded so they can reach up into the upper tier and defend us against missile attack. I do not see anything un-American about that. That money has already been spent. We have that investment. We are down now to a very small amount of money that could bring us to the reality of being able to defend ourselves.

Here is Team B of the Heritage Foundation, which is made up of a lot of very knowledgeable people, such as Lt. Gen. James Abrahamson, former SDIO Director and Associate NASA Administrator, and Lt. Gen. Daniel Graham, the former Director of the Defense Intelligence Agency.

We have all of these people sitting down determining the cost of actually coming up with a system that will protect America using the Navy's Aegis system. They say it is going to be somewhere in the neighborhood of \$3 billion, plus \$5 billion if we are going to field the satellites we need to be able to detect where one of these missiles is launched.

To be able to use our satellites to detect a missile that is coming toward the United States will cost, according to the Heritage experts, approximately \$5 billion. If you take the CBO report and look at what it really says—and they talk about the figures \$31 to \$60 billion—what they are talking about is if you want to buy every available missile defense technology there is.

What we are suggesting in this bill right here is that the President and the Secretary of Defense look at all the technology, look at the land-launched missiles, look at the Navy's Aegis system and space systems and pick the right combination that will defend America.

What the CBO did was to add up the cost as if we adopted everything. It is like going into a used car lot and buying every car in the lot, not just the one that is going to take care of our needs.

So the cost is not that much. If the CBO is right, and if it is between the \$30 and \$60 billion—let us assume it is \$40 billion—that is the total cost from 1997 to the year 2010. That is 14 years.



So we would be taking approximately \$3 billion a year.

The Senator from North Dakota talked about the fact that there was not any real threat from North Korea. I suggest that the Senator go back and reread what Gen. Gary Luck, the United States commander in South Korea, came out and stated this year before the Armed Services Committee. He said we have very serious threats. Granted, we are talking about more of a theater missile problem there in Korea. But he said: With 37,000 Americans in South Korea, we need to start working on this system right now because we know what the Taepo Dong II missile is advancing and we know what kind of threat it will be not just to South Korea but to the United States.

So I would like, rather than to listen to someone who has very little knowledge about the technology that is available out there, to listen to those who are the experts. I also add that the experts—I was very proud of the four chiefs of the four services the other day coming out and saying that out military procurement is underfunded by \$20 billion underfunded—recognizing we in America are not paying proper attention to defending America. It took a lot of courage for them to say that.

The Senator from North Dakota goes on and on talking about \$60 billion, \$90 billion, large sums of money, as if none of that has already been spent. I suggest, Mr. President, that the vast majority of what we need for missile defense has been spent, that we could take the amount of money that has been spent and spend about 10 percent more and have a system in place that would be able to shoot down an ICBM missile if it came toward the United States.

Coming from Oklahoma, I think I am probably a little more sensitive to what kind of a disaster can take place. I was there the day after the bombing of the Federal building in Oklahoma City. It is easy to sit here, read the accounts in the paper, maybe watch TV and not be too impressed with how personal this is. When you have a close friend whose son and daughter were in that building, were killed in that building, and they did not know it for 3 days; when you see the disaster, the millions of dollars that were lost, the half billion dollars that was identified in property damage, the 168 lives; and then you realize that the explosive power of the bomb that went off in Oklahoma City was equal to a ton of TNT, while the smallest nuclear warhead that we know about today that our intelligence community can document is 1 kiloton, a thousand times the size of the bomb that wiped out the Murrah Federal office building in Oklahoma City—I just say to those who like to keep their head in the sand, those who like to believe that there is no threat out there, a lot of the experts disagree with you. And what if you are wrong?

The PRESIDING OFFICER. Time has expired. Who yields time?

Mr. NUNN. Mr. President, I believe the Senator from Michigan, Senator LEVIN, had been on the floor and would like to speak. But he is not here now.

Mr. KYL. If he is not here, Mr. President, I will yield 5 minutes to the Senator from Mississippi, Senator COCHRAN.

The PRESIDING OFFICER. The Senator from Mississippi, Senator COCHRAN, is recognized for 5 minutes.

Mr. COCHRAN. Mr. President, I thank my distinguished colleague from Arizona for yielding time to me.

The most often heard criticisms of this legislation that have come to my attention and that I have read in the op-ed pieces and the newspapers consist generally of three main arguments: First, the system costs too much; second, we will violate the ABM Treaty; third, this is not the real threat we are dealing with right now, that it is more of a terrorism threat, that people could bring a nuclear weapon in a suitcase and put it anywhere in the United States, and that this is what we have to concentrate our attention on.

Let me take those arguments and just say that on the basis of the facts—not the rhetoric, not the eye wash, not the double-talk, but the facts—before our Committee on Defense Appropriations, we have heard of a system that, using a sea-based system, we can deploy a missile defense system with existing ships, cruisers, that are now in the inventory of the U.S. Navy and at sea around the world that have a firing system that is capable of being used for launching interceptors. This can be deployed over a 5-year period at a cost of between \$2 and \$3 billion.

Think about that. That is within the budget request being submitted by the President of the United States for missile defense. Other testimony came from the Air Force. The highest ranking officers of the Air Force described before our committee a ground-based system, the technology for which already exists and is proven to be very promising in this area. The cost? \$2 to \$2.5 billion. Now, come on.

There was testimony from the Army, the highest ranking officials in the Army, about a ground-based system for missile defense. One estimate was from \$5 to \$7 billion over a period of years to deploy this system.

The reason those costs are so low is because we have already invested substantial sums of money. Those investments are not wasted if we will go ahead and deploy a system in an orderly way, using the technology that is there.

Second, opponents of national missile defense say we will violate the ABM Treaty. The Defend America Act, which I am cosponsoring, along with a number of other Senators, specifically provides that the President pursue high-level discussions with the Russian federation to achieve an agreement to amend the ABM Treaty to allow deployment of the National Missile Defense System being developed for de-

ployment under section 4. It does not say violate the treaty. It suggests that if there is a need to amend the treaty to keep from violating it, the President should work to accomplish that objective. We do not know what the Russians would say to that kind of proposal, but we ought to at least explore it. But to say that the Defend America Act violates the ABM Treaty is just not true.

Third, opponents of national missile defense say that the kind of threat that we are confronting right now isn't that serious. Well, it is. There are some 20 countries, maybe more, who either have or are in the process of acquiring missile technology capable of delivering lethal warheads, nuclear, biological, and other types of lethal warheads over long distances that could create mass destruction, putting at risk, right now, our troops in South Korea, those deployed in other regions of the world. Our interests everywhere are threatened.

Now, of course, we are worried about terrorism. That is why we passed the antiterrorism bill the other day. Of course, we are worried about doing enough in terms of surveillance and keeping up with what is going on and what kind of threats exist against the United States and its citizens. That is why we have intelligence-gathering agencies. That is why we are urging that the President submit a request for more funds for these things rather than less. So we are fighting that battle. We are dealing with that threat. To use as an excuse that we should not have a missile defense system because there are other threats that may be more obvious, does not argue, in any way, against the passage of this bill. That is the point.

I am tired of hearing these same old arguments, dredged up, reused and rephrased, in the New York Times editorial page and by others contributing their information through that source to this debate. I think they are wrong. They are certainly not accurate.

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

The PRESIDING OFFICER (Mr. COCHRAN). The Senator has 36 minutes and 7 seconds.

Mr. NUNN. I yield 10 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.

Mr. LEVIN. Mr. President, Senate bill 1635, the so-called Defend America Act, is really misnamed. It should more appropriately be called the Reducing America's Security Act, because it would reduce our security by jeopardizing the massive reductions of former Soviet nuclear weapons that are scheduled to take place under START I and START II.

Those reductions are not going to take place, we have been so informed, if we unilaterally commit to deploy a system which violates the agreement between ourselves and Russia, the ABM



Treaty. That is the bottom line. Everybody can try to wriggle away from that and try to avoid that issue if they want, but we have an agreement with Russia. That agreement prohibits or precludes the kind of systems which the Senator from Mississippi just described. Sea-based ABM systems are not allowed under that agreement. We have been told if we commit to deploy systems which violate that agreement with Russia that they will not proceed to dismantle weapons under START I and they will not ratify START II.

That is the issue which we face. Which course of action is more in our security interest: proceeding with huge reductions in Russian nuclear weapons or violating an agreement with Russia and keeping those weapons in place?

It is not whether there is a potential threat. There is a potential threat. The question is whether or not we address that threat in a rational, reasonable way, which does not create greater dangers to ourselves. If we address a potential threat in a way which causes Russia to say, "OK, you are committing now to violate an agreement which you have worked out with us, and we are, therefore, going to stop dismantling our nuclear weapons under START I and we are not going to ratify START II," we have not only cut off our nose to spite our face, but we have produced a far more threatening situation involving thousands of nuclear weapons which will continue to exist, which otherwise will be dismantled.

Now, that is not just Democrats in the Congress talking, and that is not just the administration talking. That is the Chairman of the Joint Chiefs of Staff. That is the Chiefs of Staff themselves. That is our regional CINC's around the world. They are telling us it is not in our interest to proceed down the line of threatening an agreement which will result in Russia, saying, "OK, if you are going to have prohibited defenses, then, folks, we are not going to dismantle the weapons that we otherwise were willing to dismantle."

Of course we want to defend against potential threats. But we do not want to do so in a way which creates worse threats for ourselves. That is what the Chairman of the Joint Chiefs of Staff is telling us. That is in a letter to Senator NUNN, in which he tells us that the Chairman, the Chiefs, the CINC's, do not approve a course of action which threatens to undermine an agreement that we have with Russia.

His letter to Senator NUNN reads:

In response to the recent letter on the Defend America Act of 1996, I share congressional concern with regard to the proliferation of ballistic missiles and the potential threat that these missiles may present to the United States and our allies.

Then he says:

Efforts which suggest changes to or withdrawal from the ABM Treaty may jeopardize Russian ratification of START II and, as articulated in the Soviet statement to the United States of 13 June 1991, could prompt Russia to withdraw from START I.

Continuing:

I am concerned that failure of either START initiative will result in Russian retention of hundreds or even thousands more nuclear weapons, thereby increasing both the costs and the risks that we may face.

We have our highest uniformed military authority, not just the civilian heads of the Department of Defense, but our highest uniformed military authorities who have said they do not want us to commit now to deploy a system by a year certain, as this bill requires. That unilateral commitment to deploy a system which would violate the ABM Treaty, as would the system which my good friend from Mississippi just outlined, the sea-based ABM system, that will lead Russia to withdraw from START I and not ratify START II, leaving us in a much more threatening situation than the one which we would otherwise face.

What the Defense Department wants us to do instead is put ourselves in a position where we can deploy, should the threat warrant it and should the costs make it cost-effective and the technology make it militarily effective. That is the so-called 3-plus-3 approach. It gets us to a position where we can decide within 3 years to have a deployed system within 3 additional years. But it would not commit us now, prematurely, to such a deployment both for the reason which I just gave, which is that it threatens the ABM agreement with Russia which has allowed them to dismantle thousands of weapons and would cause them to stop dismantling more, but also from the Defense Department perspective, it prematurely commits us to technologies before we know what are the best technologies in order to meet this potential threat.

So the question is not whether we want to defend America. Of course, we want to defend America. The question is how best to defend America, how best to defend against potential threats, and how best to do so without creating a worse situation for ourselves. I want to emphasize this fact so this does not appear to be Senator DOLE and Speaker GINGRICH on the one side and the administration on the other side. This is the Chairman of the Joint Chiefs and the Joint Chiefs themselves.

At the end of his letter, as he emphasized, "I have discussed the above position with the Joint Chiefs and the appropriate CINC's, and all are in agreement." What they are in agreement with is the danger of ruining our chances for continuing massive reductions of former Soviet nuclear weapons by threatening the ABM Treaty, and also in agreement on the administration's approach which I have just outlined, the so-called 3-plus-3 approach.

There are other threats, as my good friend from Mississippi has pointed out. There are lots of threats, lots of terrorist threats we face, including threats that could come in a suitcase, threats that could come in trucks, threats of

chemical weapons, threats of biological agents, and we must spend a lot more time and more resources addressing terrorist threats. We have to rate these threats in terms of likelihood.

The head of the CIA, John Deutch, has ranked threats, and when he ranked the threat of terrorists using weapons of mass destruction, whether chemical or biological weapons or nuclear weapons, with the threat of ballistic missiles delivering nuclear weapons or other weapons of mass destruction by rogue states, he listed the missiles delivering the weapons as a far distant third. And so we, too, must make decisions on allocations of resources, based on the likelihood of the threat. That is part of our job in Congress.

Now, the CBO has estimated this Dole-Gingrich missile defense system could cost \$60 billion, roughly. The CBO estimate apparently is not accepted by the folks who insist that we accept CBO estimates on everything else. I think it is obvious why there is the inconsistency here, and it is an inconsistency. If there is an estimate of a certain amount by CBO, it seems to me that we ought to be consistent and say, OK, if we are going to accept the CBO numbers in terms of budget deliberations, the estimates should be given some kind of a prima facie credibility in terms of other areas as well.

So there is a significant cost here. Is it worth it? We do not know yet. The answer is that it may be, but may not be. If it creates a system which can effectively defend us from incoming missiles, and if there is a real threat of those missiles coming in, and that system will not create worse threats than the ones we are considering, it may well be. So we have to weigh the likelihood of the threat.

When is the threat likely to emerge? The CIA estimate is not in the next 15 years, in terms of any new states having the capability to hit the continental United States, other than Russia and China. And so we have to weigh the likelihood of those threats and the cost of defending against those threats against all the other aspects that go into this kind of a decision.

We have other ways to defend ourselves. We have arms control and threat reduction efforts, like the START I and START II treaties and the Nunn-Lugar Cooperative Threat Reduction Program that are leading to massive reductions of former Soviet nuclear weapons. We have deterrence, which is a very critical way of defending ourselves—frequently not even considered anymore, but still it was the heart of the ABM Treaty. So there are other ways in which we can and want to and must defend ourselves, in addition to having some kind of an anti-ballistic missile system, as we clearly see in the case of Russia.

There are two nations that already have such ballistic missiles: Russia and China. The Russians are now reducing their nuclear weapons under the

START I Treaty, and once the START II Treaty enters into force Russia will make even greater reductions. These two treaties will result in the reduction of two-thirds of the nuclear weapons that the Soviet Union deployed at the end of the cold war. That is a huge increase to our security—a two-thirds reduction in nuclear weapons. Mr. President, I want to emphasize that the reductions we expect from START I and START II will be some 6,500 nuclear weapons that were deployed as recently as the end of 1991—far more nuclear weapons than those of all the other nations combined that possess nuclear weapons.

In addition to these reductions, the United States and Russia have de-targeted their missiles. That means that if there were an accidental launch of a Russian missile—which the intelligence community estimates to be a very very remote possibility—the missiles would land in the ocean and not on each other's territory. So we have already taken the most important step to reduce the risk of an accidental launch of a Russian missile by de-targeting our missiles.

Mr. President, Americans are understandably far more concerned about the threat of terrorists bringing weapons into the United States. Here are some polling results: 67 percent believe that it is more likely that the United States will be attacked by terrorists bringing weapons into the country than being attacked by nuclear ballistic missiles. Only 3 percent of those polled thought the threat of ballistic missile attack was more likely than terrorist attack.

Our intelligence community has the same assessment of the relative likelihood of threats to our Nation. It views the threat of a terrorist attack in the United States using chemical or biological weapons as more likely than a ballistic missile attack. In testimony before the Governmental Affairs Permanent Subcommittee on Investigations earlier this year, Director of Central Intelligence John Deutch said that terrorists would be most likely to use chemical weapons to attack the United States, than biological agents, and finally nuclear weapons. Director Deutch said that "chemicals are the weapon of choice for a terrorist group." Nothing in this Dole-Gingrich legislation would do anything to prevent a terrorist attack, such as the Tokyo subway gas attack. This bill focuses exclusively on the much less likely prospect of a ballistic missile attack against the United States.

And on the view of the threat and appropriate funding level, the senior military leadership believe there are higher priorities that should be funded ahead of unrequested missile defense funds. For example, at the beginning of this year the Joint Requirements Oversight Council, which is made up of the Vice Chairman of the Joint Chiefs of Staff and all the Vice Chiefs of Staff, sent a memorandum to the Under Sec-

retary of Defense for Acquisition and Technology stating their views on prioritizing and funding missile defense programs. The memorandum states:

This memorandum is to inform you of the Joint Requirement Oversight Council's (JROC) position of prioritizing a Theater Missile Defense (TMD) capability over a National Missile Defense (NMD) capability.

The JROC believes that with the current and projected ballistic missile threat, which shows Russia and China as the only countries able to field a threat against the U.S. homeland, the funding level for NMD should be no more than \$500 million per year and TMD should be no more than \$2.3 billion per year through the FYDP [Future Years Defense Plan]. Those funding levels will allow us to continue to field critical TMD/NMD systems to meet the projected threats and, at the same time, save dollars that can be given back to the Services to be used for critical recapitalization programs.

We believe the proposed TMD/NMD acquisition levels are balanced and proportional and offer great potential for achieving an affordable ballistic missile defense architecture that meets our joint warfighting needs.

So these are the views of the senior military leaders. They know the threat and they know what is a reasonable and prudent response to the threat. They also know that there are more pressing defense needs on which to spend our limited resources than committing to spend tens of billions on a missile defense system in carrying out a commitment to deploy a system by 2003, without even knowing the results of development and testing. That is why they recommended these more prudent levels of spending, which is consistent with what the Defense Department requested this year.

The (DOD) plan is to develop our missile defense technology so that we can make a deployment decision in 3 years if needed, and then be able to deploy a system after 3 more years, as early as 2003, if there is a threat that warrants deployment and if it is cost-effective. This so-called "3 plus 3" plan makes no commitment now to deploy. It commits us to improve significantly our missile defense technology and capability so we could deploy if and when that makes sense in terms of threat and costs.

By committing now to building a system that will be operational in 2003, the Dole bill could lock in the least capable technology and provide us with what the Pentagon terms a very "thin" system. It would thus deny us the ability to pick the best technology available in case a serious threat does emerge. The Defense Department has testified to Congress that for each year beyond 2003 that we wait before deploying a system we will increase the capability of the system we might not prematurely commit, but develop it properly and eventually build. Since there is no threat now from rogue nations, we should take the time to get it right in case we need to deploy. That is the Pentagon's plan and we should support it and reject the Dole-Gingrich plan.

Mr. President: Let me cite the provisions of this legislation that are of greatest concern:

Section 3 states:

It is the policy of the United States to deploy by the end of 2003 a National Missile Defense system that —

(1) is capable of providing a highly effective defense of the territory of the United States against limited, unauthorized, or accidental ballistic missile attacks; and

(2) will be augmented over time to provide a layered defense against larger and more sophisticated threats as they emerge.

Section 4 states:

(a) To implement the policy established in section 3(a), the Secretary of Defense shall develop for deployment an affordable and operationally effective National Missile Defense (NMD) system which shall achieve an initial operational capability (IOC) by the end of 2003.

(b) The system to be developed for deployment shall include the following elements:

(1) An interceptor system that optimizes defensive coverage of the continental United States, Alaska, and Hawaii against limited, accidental, or unauthorized ballistic missile attacks and includes one or more of the following:

(A) Ground-based interceptors.

(B) Sea-based interceptors.

(C) Space-based kinetic energy interceptors.

(D) Space-based directed energy systems.

I would point out, Mr. President, that all of the last three of these elements are strictly prohibited by the ABM Treaty.

Finally, Section 7 states:

... Congress urges the President to pursue high-level discussions with the Russian Federation to achieve an agreement to amend the ABM Treaty to allow deployment of the national missile defense system being developed for deployment under section 4.

Mr. President, it seems clear to me that when the bill states that the President would need an amendment to the ABM Treaty "to allow deployment of the national missile defense system being developed for deployment under section 4", as this bill does, it is an abundantly clear indication that the bill envisions a system that would not be permitted by the ABM Treaty. That is exactly what this bill is about. The administration sent to Congress yesterday its statement of administration policy concerning this bill. I will quote the first sentence of this administration statement. "If S. 1635 were presented to the President in its current form, the President would veto the bill." Mr. President, yesterday was a historic day for U.S. and international security. We learned that the last of the nuclear weapons left over from the former Soviet Union have been removed from Ukraine. So Ukraine is nuclear weapon-free, as it promised. When the Soviet Union collapsed it gave rise to four nations with nuclear weapons on their soil: Russia, Ukraine, Belarus, and Kazakhstan. In addition to Russia, there were suddenly three new nuclear weapon states that had more nuclear weapons than the rest of the other nuclear weapon states—Britain, France and China—combined. Through hard work and cooperation, we are on the path to making those three states nuclear weapon free. Ukraine is to be commended for this

action. But this kind of cooperative threat reduction is not possible when we threaten to unilaterally violate a key treaty with Russia, or take actions that will jeopardize the huge reductions in former Soviet nuclear weapons. If we want to increase America's security, we should support cooperative threat reduction efforts—not threaten them. The Senate should reject this Dole-Gingrich legislation that would reduce America's security.

Mr. President, in closing, I ask unanimous consent that three documents be printed into the RECORD at this time. One is the letter which I have made reference to from General Shalikashvili, which I have quoted. Next is the document from the Joint Requirements Oversight Council [JROC] which has prioritized and recommended an appropriate level of funding for the theater missile defense and national missile defense programs, and other aspects, which are relevant to this debate. Last is a statement of administration policy regarding the Dole-Gingrich bill.

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

CHAIRMAN OF THE  
JOINT CHIEFS OF STAFF,  
Washington, DC, May 1, 1996.

Hon. SAM NUNN,  
U.S. Senate, Committee on Armed Services,  
Washington, DC.

DEAR SENATOR NUNN. In response to your recent letter on the Defend America Act of 1996, I share Congressional concern with regard to the proliferation of ballistic missiles and the potential threat these missiles may present to the United States and our allies. My staff, along with the CINCs, Services and the Ballistic Missile Defense Organization (BMDO), is actively reviewing proposed systems to ensure we are prepared to field the most technologically capable systems available. We also need to take into account the parallel initiatives ongoing to reduce the ballistic missile threat.

In this regard, efforts which suggest changes to or withdrawal from the ABM Treaty may jeopardize Russian ratification of START II and, as articulated in the Soviet Statement to the United States of 13 June 1991, could prompt Russia to withdraw from START I. I am concerned that failure of either START initiative will result in Russian retention of hundreds or even thousands more nuclear weapons thereby increasing both the costs and risks we may face.

We can reduce the possibility of facing these increased cost and risks by planning an NMD system consistent with the ABM treaty. The current National Missile Defense Deployment Readiness Program (NDRP), which is consistent with the ABM treaty, will help provide stability in our strategic relationship with Russia as well as reducing future risks from rogue countries.

In closing let me reassure you, Senator Nunn, that I will use my office to ensure a timely national missile defense deployment decision is made when warranted. I have discussed the above position with the Joint Chiefs and the appropriate CINCs, and all are in agreement.

Sincerely,

JOHN M. SHALIKASHVILI.

THE VICE CHAIRMAN OF  
THE JOINT CHIEFS OF STAFF,  
Washington, DC.

Memorandum for the Under Secretary of Defense for Acquisition and Technology.  
Subject: National missile defense.

1. This memorandum is to inform you of The Joint Requirements Oversight Councils (JROC) position of prioritizing a Theater Missile Defense (TMD) capability over a National Missile Defense (NMD) capability.

2. The JROC believes that with the current and projected missile threat, which shows Russia and China as the only countries able to field a threat against the US homeland, the funding level for NMD should be no more than \$500 million per year and TMD should be no more than \$2.3 billion per year through the FYDP. These funding levels will allow us to continue to field critical TMD/NMD systems to meet the projected threats and, at the same time, save dollars that can be given back to the Services to be used for critical recapitalization programs.

3. We believe the proposed TMD/NMD acquisition levels are balanced and proportional and offer great potential for achieving an affordable ballistic missile defense architecture that meets our joint warfighting needs.

W.A. OWENS,  
Vice Chairman of the  
Joint Chiefs of  
Staff.

THOMAS S. MOORMAN, JR.,  
General, USAF, Vice  
Chief of Staff.

J.W. PRUEHER,  
Admiral, US Navy,  
Vice Chief of Naval  
Operations.

F.D. HEARNEY,  
Assistant Com-  
mandant of the Ma-  
rine Corps.

RONALD H. GRIFFITH,  
General, US Army,  
Vice Chief of Staff.

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT  
AND BUDGET,

Washington, DC, June 3, 1996.

STATEMENT OF ADMINISTRATION POLICY

[THIS STATEMENT HAS BEEN COORDINATED BY  
OMB WITH THE CONCERNED AGENCIES.]

S. 1635—*Defend America Act of 1996*—(Sen. Dole  
(R) KS and 23 cosponsors).

If S. 1635 were presented to the President in its current form, the President would veto the bill.

S. 1635 would commit the United States now to deployment by 2003 of a costly system for national missile defense (NMD) to defend the United States, inter alia, from a long-range missile threat from countries other than the major declared nuclear powers. For the reasons explained below, committing the United States now to such a deployment is not only unnecessary, but could be harmful to our broader national defense interests.

The costly deployments required by S. 1635 would divert vital defense funds from other more pressing defense needs. The bill encourages deployment of space-based laser satellites that would cost billions and would violate the ABM treaty. The CBO has estimated that such an NMD would cost \$31-\$60 billion through 2010. These amounts do not even include the costs of operating and supporting such a system. Such unnecessary NMD spending—within the defense budget levels proposed by the Administration through 2002—would jeopardize modernization efforts for other, more pressing defense missions. Moreover, the budget resolutions

passed by the House and Senate would provide \$10 to \$16 billion less in 2001 and 2002 for defense than the Administration's budget plan. Proceeding with the NMD program envisioned by this bill, under these defense budget levels, would cripple modernization.

The immediate commitment to a specific system to defend against a threat that does not now exist is both imprudent and dangerous. By mandating an NMD deployment decision now, the bill would force the Department of Defense (DOD) to commit prematurely to a technological option that may be outdated when the threat emerges. The bill embraces much of the failed "Star Wars" scheme, which depends on advances in technology that are at least a decade away.

The Administration's Deployment Readiness Program will continue to develop national missile defense technology for three years—the minimum time needed to develop a workable defense—after which time the United States can make an informed decision to deploy a system by 2003 if so warranted by the threat. The Intelligence Community has estimated that there will be sufficient warning time to make this timetable possible. This "3+3" approach to national missile defense ensures that a system will be fielded with the best technology available if and when the threat emerges. The Administration approach also preserves the correct priority in the Ballistic Missile Defense program. This program fully funds Theater Missile Defense to defeat a threat that is here and now, and complements a comprehensive defense against weapons of mass destruction that includes prevention, deterrence, and defense.

Finally, by setting U.S. policy on a collision course with the ABM Treaty, S. 1635 would put at risk continued Russian implementation of the START I Treaty and Russian ratification of START II. These two treaties together will reduce the number of U.S. and Russian strategic nuclear warheads by two-thirds from Cold War levels, significantly lowering the threat to U.S. national security.

The PRESIDING OFFICER (Mr. ASHCROFT). Who yields time?

Mr. NUNN. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, the time during the quorum will be charged equally to both sides.

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. MURKOWSKI. Mr. President, I rise today to voice my strong support for the Defend America Act. I won't comment on every aspect of this important legislation, but there are certain issues which bear highlighting.

Although we in Alaska may sometimes wish we were further away from Washington, DC, I think the citizens in my State would be shocked to learn that this administration apparently dismisses the strategic importance of Alaska, the other noncontiguous State, Hawaii, and U.S. territories. Have President Clinton and his advisers forgotten which State Japan chose to strike first, and what event drove us into World War II?

President Clinton has said, "The possibility of a long-range missile attack on American soil by a rogue state is more than a decade away." This statement ignores testimony in 1994 by John Deutch, then Deputy Secretary of Defense, "If North Koreans field the Taepo Dong 2 missile, Guam, Alaska and parts of Hawaii would potentially be at risk." Does the President really mean that Alaska is not American soil?

As President Clinton's first Director of the CIA, James Woolsey, stated,

[T]he contiguous 48' frame of reference for this NIE (National Intelligence Estimate), if the document is used as a basis for drawing general policy conclusions, can lead to badly distorted and minimized perception of the serious threats we face from ballistic missiles now and in the very near future—threats to our friends, our allies, our overseas bases and military forces, our overseas territories, and some of the 50 states.

Very few of those in opposition to this bill give much thought to the actual nature of the threat that currently exists. As I've mentioned, the intelligence community has documented that the North Koreans are developing the capability to strike my State of Alaska with intercontinental ballistic missiles. That is not to mention those nations with adequate current capability such as Russia and China or those nations racing to gain such technology such as Iraq, Iran, and Libya.

I have heard several of my colleagues dismiss the threat from North Korea because that country is on the verge of collapse. I would remind my colleagues of some historical facts. First, North Korea has a history of reckless, irrational acts. This is the country which launched the invasion of South Korea in 1950 resulting in the deaths of 3 million of her countrymen and more than 33,000 American troops; a country whose agents detonated a bomb in Rangoon killing 16 South Korean officials; a country whose agents blew up a Korean Airlines flight killing 115 passengers and crew; and a country whose military hacked American personnel to death in the DMZ. Using missile blackmail may be just the type of desperate act North Korea might try to get the United States to start talking about a separate defense treaty, something that country has sought for years.

Third, if anything, the United States is extending the life of the North Korean regime by providing vast sums of free oil and expensive nuclear reactor technology under the terms of the agreed framework.

So I would not be so quick to dismiss North Korea as a threat.

An extremely important aspect of this bill is that it would allow the United States to act in its best interests abroad without the fear of having U.S. cities held hostage by hostile nations possessing intercontinental missiles. For instance, during the recent series of Chinese missile tests off the coast of Taiwan, President Clinton rightly sent in United States warships

to stabilize the situation. During the crisis, a high level Chinese diplomat stated in a thinly veiled threat of nuclear missile blackmail that the United States would not come to the aid of Taiwan because it was more worried about Los Angeles than Taipei.

And although we are not debating this particular aspect of missile defense right now, I believe Majority Leader BOB DOLE was exactly right in his recent speech on Asia when he called on President Clinton to begin to work with Japan, South Korea, and our other Asian allies in developing, testing, and deploying ballistic missile defenses—a Pacific democracy defense program. I believe this concept should be extended to Taiwan, which we know from the recent Chinese tests of missiles just off Taiwan's shores, is vulnerable to missile blackmail. The United States is committed by law to providing for Taiwan's defense, but thus far, we leave her defenseless to this significant threat.

Mr. President, the United States is a global power with vested interests both politically and commercially all over the world. We simply cannot allow U.S. policy to be determined by those who would practice missile blackmail.

It is a fact that today in 1996, with the Soviet Union and the specter of communism no longer casting a shadow over global peace, the world is in many ways even more dangerous than when the cold war raged.

In place of a global struggle between the West and expansionist communism, we now have the proliferation of weapons and missile technology that has the potential to make every nation hostile to the United States and our allies a serious threat by virtue of simply buying what they need on the open market. Despite very detailed arms control treaties that are in place, we have seen time and again, that nations determined to get weapons technology usually do.

Let's take a look at Iraq, the world's most heavily inspected country, where United Nation's teams have been on the ground for years, and where we are constantly surprised by new revelations of Iraqi efforts to rebuild their offensive capabilities.

During the days of the cold war, the policy of both the United States, and the Soviet Union was called MAD, or mutually assured destruction. This policy was based on mutual fear. Should the Soviets launch an attack on the United States, our response would have been reciprocal in nature. Essentially, if you attack us, we will attack you. The Defend America Act seeks to move us away from such a hair trigger defensive posture. Indeed, according to the Washington Post "both countries have more to fear from rogue nations than each other."

Many of those wanting to acquire ballistic missiles today, not only lack the stability of our old nemesis, but have actually used weapons of mass destruction on their neighbors and their

very own citizens. These same countries have also stated very publicly their desire to purchase weapons technology that would allow them to reach the United States. Libya's Mu'ammar Qadhafi has often spoken of his desire to "have missiles that can reach New York" to serve as a deterrent to United States diplomatic action.

Most Americans will remember watching Iraqi Scud missiles rain down on Israel and Saudi Arabia during the gulf war. In fact, the greatest single loss of American life in the gulf war occurred during a Scud missile attack.

The situation is so dire that the Secretary of Defense, William Perry, recently issued a report declaring that the proliferation of missile technology "presents a grave and urgent risk to the United States and our citizens, allies, and troops abroad."

The need for a missile defense system is obvious. It would provide a limited defensive capability to defend the United States against a limited attack by a rogue nation, accidental or unauthorized launch against the United States.

Lastly, I would like to address the issue of cost. This is very important because the opponents of this bill are making claims that have little to do with reality. The Congressional Budget Office did indeed issue a report saying that a particular configuration of a missile defense system could cost upward of \$30 to 60 billion. However, if one were to actually read the bill, it does not mandate any particular type of system configuration. In the letter accompanying the report, CBO Director June O'Neill stated that the costs for such a system "would be \$10 billion over the next five years, or about \$7 billion more than is currently programmed for national missile defense."

The Washington Times in an article last month wrote that the difference of \$3 billion is a hedge amount used by the CBO against technical or schedule risks that are typically associated with such an undertaking. The \$31 to 60 billion numbers are for something far more grandiose than the bill envisions.

I would also like to pose one question to my friends in opposition to this bill: What price would they place on Anchorage? Or Los Angeles or New York or any American city? What is the price we are ready to pay to protect ourselves from some maniac who finds himself in charge of nuclear, biological, or chemical weapons and the means to deliver them?

I guarantee that, God forbid, should an American city ever be hit like the Israeli cities were during the gulf war, there would be a hue and cry across this land asking why we do not put up even a limited defense capability when we clearly had the know-how.

To paraphrase Oscar Wilde, the opponents of this bill seem to know the price of everything and the value of nothing. This bill will give the United States a limited capability to defend itself at a modest cost in an increasingly unstable world and should be passed.

Thank you Mr. President, I yield the floor.

Mr. HARKIN. Mr. President, I rise today to speak in opposition to S. 1635, the so-called Defend America Act. I know supporters call it the Defend America Act, but I'm going to call it what it is—the De-Fund America Act.

Why do I call it that? Because its main effect will be to add tens of billions of dollars, if not more, to the deficit over the next 15 years, without increasing the security of the United States one bit.

As a strong supporter of a balanced budget amendment to the Constitution, I cannot support this bill. I do not know how anyone can bring this fiscal black hole to the floor, and with a straight face bring up consideration of the balanced budget amendment in the same week. Something is wrong with that picture.

As an editorial in the Des Moines Register said on May 6, 1996, “[b]ackers [of this version of National Missile Defense] find it most profitable to start with a few billion, and when it's gone, point to the past expenditures as justification for future shovelings down the same rathole.”

The same editorial says that De-Fund America Act booster, Representative CURT WELDON, told industrial supporters, “[i]f you keep relying on the facts and logic, then we're going to lose this battle.” I couldn't agree more.

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

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

Mr. HARKIN. According to the CBO, the ballistic missile shield mandated by the De-Fund America Act will cost between \$30 and \$60 billion just to develop and deploy. Ironically, the very same people who insisted that President Clinton rely on the CBO in the budget negotiations are the ones now claiming that the CBO can't be trusted on the De-Fund America Act.

The defunders think the CBO numbers are too high. I should state here that I don't necessarily trust the CBO numbers either—I think the numbers are way too low.

For one thing, the CBO has not yet come out with specific numbers on how much this technology will cost to operate, but it has told my staff that the operational cost will be an additional “hundred of millions dollars a year during the early stages.” I suspect the total figure will exceed \$100 billion once all of the costs are calculated.

Mr. President, we've already spent about \$100 billion in 1996 dollars to build a technological defense against ballistic missiles. During the Reagan star wars years alone, the United States taxpayers forked over \$38 billion. Proponents of this act are quick to point out that it is not star wars. And I agree. It is not even star wars. Like most sequels, this one is not as good as the original, and the price of admission has increased. The pro-

ponents of the De-Fund America Act want the taxpayers to fritter away another \$100 billion on a still unrealistic but wimpier version of President Reagan's fantasy.

The defunders also claim we have no defense against intercontinental ballistic missiles. Mr. President, it is true that we do not have a way to shoot down intercontinental missiles after they have been launched. But we do have a demonstrated cost-effective means of eliminating them.

Existing arms control agreements have already resulted in the destruction of over 300 intercontinental ballistic missiles and over 800 ballistic missile launchers, and the removal of over 3,800 nuclear warheads from deployment. Furthermore, these agreements have persuaded Kazakhstan, Ukraine, and Belarus to give up nuclear weapons altogether. In fact, just yesterday President Clinton announced that the last nuclear warhead was removed from the Ukraine.

The De-Fund America Act is like a million-dollar mansion consisting of a leaky roof but no walls. It may provide very expensive protection from sky-diving intruders, but it leaves the occupants unprotected from the more mundane threats. Mr. President, Americans know all too well that weapons of mass destruction are more likely to arrive by rented truck than ICBM. Wasting \$60 to \$100 billion on this not-even-star-wars program is fiscally irresponsible.

I urge my colleagues to oppose S. 1635, the De-Fund America Act.

#### EXHIBIT 1

[From the Des Moines Register, May 6, 1996]

#### “DEFRAUD AMERICA WEEK”

Somebody forgot to tell Congress that the Cold War ended.

Somebody also forgot to tell Congress that even if Russia were still a superpower with the demonic intention of destroying the United States, a “Star Wars” system would offer little if any defense.

Somebody forgot to tell Congress that the nation is trying to face up to its deficit problems, trying to economize by dumping wasteful, illogical, unworkable projects.

But congressional Republicans are sailing blithely onward, their vision apparently clouded by the same hypnotic hype that put Star Wars on the drawing boards 12 years and 29 billion wasted dollars ago.

They have launched an effort to deploy a national missile defense system by 2003. A spending bill comes up for consideration next week.

Total cost is unknown. Backers find it most profitable to start with a few billion, and when it's gone, point to past expenditures as justification for future shovelings down the same rat hole.

Whose missiles will it defend us against? Questions like that are out of order. According to a publication of the Union of Concerned Scientists, Pennsylvania Congressman Curt Weldon, organizer of the Congressional Missile Defense Caucus, told industrial supporters last year, “If you keep relying on the facts and logic, then we're going to lose this battle.”

The Star Wars pushers are calling next week “Defend America Week.” A wag suggests “Defraud America Week.”

Mr. McCAIN. Mr. President, the Defend America Act would put the United

States on the right track to defending Americans against the threat of ballistic missile attack.

Despite the claims of the opponents of this bill, the threat to U.S. citizens from ballistic missiles today is real. China and Russia currently possess nuclear-tipped ICBM's which could strike major United States cities. Press reports indicate that China is also seeking to increase its ICBM force by acquiring some of Russia's SS-18 ICBM's. More than 25 countries have or are in the process of acquiring weapons of mass destruction and the means to deliver them.

Yet today, America has absolutely no means of protecting our citizens from a ballistic missile strike. Even after a high-ranking Chinese official voiced a veiled threat of nuclear attack on Los Angeles, no one seriously believes China, or any other nation, today intends to launch such an attack. But the fact remains that we cannot defend our population from the devastating effects of an accidental launch of a single ballistic missile from China or Russia.

If we do not act now, we will have no capability to protect the citizens of Alaska and Hawaii if North Korea were to launch its newest missile, the Taepo-Dong II, which may be operational in 3 to 5 years. And we are not taking effective action to defend against the proliferation of missiles and technology to rogue nations who are actively seeking to acquire them, including Iran, Iraq, Syria, and Libya.

Mr. President, ballistic missiles are the only offensive weapons in the world against which our country has deliberately chosen not to defend itself. Why do we have no defense against the most devastating offensive weapon in the world today?

There are several good reasons for deploying defenses against ballistic missiles. The potential for an accidental ballistic missile strike on the continental United States exists today, and future threats are emerging. Providing a credible defense against missile attacks would serve as an additional deterrent against their intentional use. In addition, defenses would help stem proliferation by making ballistic missiles less attractive to potential adversaries.

Senator DOLE recently called on President Clinton to apply to East Asia what the President recently discovered about Israel: missile defense is essential to our allies' security. Senator DOLE urged the formation of a new Pacific democracy defense program with Japan, South Korea, and our other Asian allies to develop, test, and deploy ballistic missile defenses. With American leadership and know-how, we can create an allied missile defense network that provides protection for people and territory from the Aleutians to Australia. The Defend America Act would provide the same protection for Americans at home.

Mr. President, the Clinton administration has tried to downplay the

threats from ballistic missiles and the advantages of defenses by issuing intelligence estimates that conclude that no new missile threats will exist for 10 to 15 years. This is simply wishful thinking that ignores current reality.

President Clinton has stymied every effort of the Republican-led Congress to build a missile defense system for our Nation. He vetoed last year's defense authorization bill which included a provision that would have focused the Defense Department's missile defense program on building a limited defensive capability for the United States as rapidly as possible. President Clinton has also refused to consider meaningful changes to the ABM Treaty of 1972 which would permit the deployment of effective missile defenses for America.

Now, the Senate Democrats refuse to allow a full debate on Senator DOLE's bill, the Defend America Act, which would put the United States on a rapid track toward deploying a system to defend the American people against limited, accidental, or unauthorized ballistic missile attacks. The American people should hear a full debate on this matter.

As a fiscal conservative, I believe we must balance the clear need for missile defenses with our ongoing efforts to balance the Federal budget. We must focus on deploying an effective missile defense system that is affordable within the constraints of a limited defense budget and which is balanced against other high-priority defense programs. But we must remember that being a day late and a dollar short in addressing the ballistic missile threat to this Nation could cost far more than money.

Mr. President, the fact is that an effective defense against a limited missile attack is both feasible and affordable. Opponents of any type of national missile defense have purposely misconstrued a recent Congressional Budget Office cost estimate of the Defend America Act. They have chosen the highest figure contained in the CBO report and are claiming that it is the cost of the missile defense system supported by Senator DOLE and Republicans in Congress. That is patently false.

Senator DOLE's Defend America bill says that the United States should have a highly effective system to defend against limited ballistic missile strikes. The bill does not specify all of the components of such a system; it leaves that to the experts at the Pentagon.

The CBO estimated that the missile defense system required in the Defend America Act would cost less than \$14 billion over the next 13 years—or about a billion dollars a year. That is less than one-half of 1 percent of the annual defense budget, now about \$267 billion. Compared to the cost of the *Seawolf* submarine, \$2.5 billion per submarine, or the B-2 bomber, over \$1 billion per aircraft, \$1 billion a year to defend all

of America from the devastation of a ballistic missile strike is clearly affordable.

The Pentagon has also proposed some very cost-effective initial missile defense systems. The Air Force has proposed a 20-interceptor system that would cost about \$2.25 billion and could be deployed in just 4 years. The Army has a more extensive 100-interceptor system that would cost about \$5 billion. Last year, the Clinton administration's Secretary of Defense said it could be done for about \$5 billion.

The Defend America Act does state that, as threats emerge in the future, the United States should have a more capable, layered missile defense system. CBO estimated the cost of a robust layered system at \$31 to \$60 billion. That estimate assumes we would decide to deploy space-based interceptors, space-based lasers, and just about every other possible technology. But nothing in the bill requires those technologies to be included in a missile defense system, unless the threat clearly justifies their deployment.

Mr. President, the Clinton administration's false confidence that America is safe from missile attack jeopardizes the safety of all Americans. The Republican Congress, led by Senator DOLE, is prepared to provide for America's common defense, a duty set forth in the Constitution. It is time we deployed a system that will defend Americans at home.

Mr. DOLE. Mr. President, it is unfortunate that we need to vote on a motion to proceed to legislation dealing with an issue so critical to America's future as national missile defense. In his speech to the Coast Guard Academy, the President stated that he supports missile defense. Yet, today I expect that a majority of the other side of the aisle—at the Clinton administration's request—will vote against the motion to proceed to the Defend America Act. The fact is that the President speaks of his support for national missile defense, but acts in opposition to it. Last year the President vetoed the Defense authorization bill specifically citing the provision making it U.S. policy to deploy a national missile defense system by 2003. Many of my colleagues on the other side of the aisle also profess their support of missile defense but are quick to add that they cannot support this bill. It is hard to understand their reasons. They cite technological questions, mention costs, but ignore the fact that this bill puts the very decision of what system is chosen in the hands of President Clinton's own Secretary of Defense. That leads me to one conclusion: The Clinton administration and its allies seek to avoid debate on defending America. This is unfortunate and irresponsible. I believe that an open debate and discussion on this national security issue is vitally important because there are many misconceptions—about the threat our Nation faces, about the present state of our missile defense programs, about

the cost of an effective national missile defense system.

The greatest misconception held by a majority of the American people is that the United States can defend itself against ballistic missile attack. Most Americans think that if a ballistic missile is fired at the United States, we can shoot it down. The truth is, we cannot. We have no defense—I repeat—no defense against ballistic missiles.

As we enter the 21st century, there is no greater threat to our Nation, than that posed by the proliferation of weapons of mass destruction and the means to deliver them. The list of countries acquiring chemical, biological, and nuclear weapons, and ballistic missile technology numbers around 25 at present—and is steadily growing. President Clinton's former CIA Director, Jim Woolsey, testified at length to the Congress on the nature of the proliferation threat and was critical of recent intelligence estimates which were narrowly focused and based on questionable assumptions. You would not know from some of today's remarks by opponents of the Defend America Act that the cold war is over. The Soviet Union no longer exists. Yet, the Clinton administration, some on the other side of the aisle—and even some members of the press—are acting as if we are still in the 1970's and 1980's. They speak of star wars, space shields, mutual assured destruction. But, the world has changed. We must look to the future, not the past.

I would like to quote from one of the key Clinton administration arms control experts, Mr. Bob Bell. He is quoted in today's Washington Post defending changes being made to the Conventional Forces in Europe [CFE] Treaty, saying “\* \* \* were we going to take account of this change in the strategic situation over the last five years \* \* \*?”

That is what we are talking about here—taking account of the change in the strategic situation. This bill recognizes that the threat our country faces has changed and it seeks to respond to it in a measured and responsible fashion.

The Defend America Act does not require abrogation of the ABM Treaty. It urges the President to negotiate with the Russians on changes to the ABM Treaty—just as the administration has been doing with other arms control treaties only at the Russians' request. Which makes me wonder if the Russians asked for changes to the ABM Treaty would the Clinton administration have a different position?

As for our ability to defend America—there should be no doubt that we have the technological capability to effectively defend our citizens from the growing threat of ballistic missiles. What is needed is the will and leadership to deploy an effective national missile defense system by 2003. A national missile defense system cannot be built overnight. The development and production of new tanks, new

fighter planes takes years. And, when these new weapons systems, for example the Stealth fighter, are finally deployed they are not obsolete.

Finally, on the matter of cost. The CBO estimates are so wide ranging that they are almost irrelevant as a guide to decisionmakers. We need to look at our defense needs and affordability. And an effective national missile defense system can be deployed affordably. One can add any number of unnecessary requirements to a number of weapons system thereby making them unaffordable. This is no different than building a house. A family of four probably needs a three bedroom home—not a 10-bedroom mansion. This does not mean that a 10-bedroom house cannot be built—if one has the money.

Mr. President, let us get past the distortions and the hollow rhetoric and move toward a serious debate on defending America. I would like to quote from a great western leader, former Prime Minister Margaret Thatcher:

With the collapse of the Soviet Union there was also a dispersal of weapons of mass destruction and of the technologies to produce them. This has gone much further than we envisaged; and it now constitutes quite simply the most dangerous threat of our times. Yet there is still a conspiracy of silence among Western governments and analysts about it.

Mr. President, let us end the conspiracy of silence. The American people deserve better. The most basic responsibility our Government has to its citizens is to protect them from harm. To ignore the changing world and cling to past thinking is inexcusable.

Mr. GLENN. Mr. President, I rise today to present some brief remarks about the latest Republican missile defense proposal, the Defend America Act. Though I have spoken at some length on missile defense issues and the Anti-Ballistic Missile [ABM] Treaty—see CONGRESSIONAL RECORD, September 6, 1995, p. S-12659-12667, and August 3, 1995, p. 11253-11255—I want to take this opportunity to explain how it is not only possible for a patriotic U.S. Senator to vote against a bill bearing such a proud title, but to do so without hesitation.

In good conscience, I just do not believe that the national security interests of the United States would be advanced by this legislation and would like now to outline my reasons why I have come to this conclusion.

#### THE ABM TREATY

First, I believe the ABM Treaty is worth preserving. This bill sets a course that will lead inevitably to a U.S. departure from that treaty. This is reason enough to oppose this bill.

The ABM Treaty has advanced U.S. security interests and it has done so without unilaterally restricting America's ability to defend itself, as some of the treaty's critics have suggested. Critics forget that the treaty is bilateral and has substantially restricted Russia's freedom both to deploy its own defenses against or strategic mis-

siles and to proliferate strategic missile defense systems to other countries. The demise of the ABM Treaty would release Russia from those restrictions. The treaty has worked to help preserve and stabilize nuclear deterrence, which remains a vital element in maintaining our national security even in a post-cold-war world.

I do not believe that the treaty has unduly restricted U.S. missile defense options. We have already spent a fortune on missile defense and have little to show for it. A recent study by the Brookings Institution has concluded that America has already spent some \$99 billion dollars on missile defense since 1962, and contrary to the blanket claim by some of the proponents of the pending legislation, our Government is aggressively working to improve U.S. defenses against theater missile attacks. Indeed, it is the present administration that is spearheading our national effort to place theater missile defense at the forefront of our missile defense priorities. Because the ABM Treaty does not prohibit the United States from investing in theater missile defenses, the treaty is an inappropriate target of the repeated Republican attacks we have been seeing in recent years.

The ABM Treaty is not unchangeable. It has specific provisions for consultations leading to amendments of the treaty. These provisions do not include, however, the freedom for one side to pass legislation unilaterally reinterpreting key provisions of the treaty. The current bill, however, accelerates the deployment of antiballistic missile systems that have capabilities against strategic ballistic missiles. It also specifically includes air-based, space-based, and all ground-based interceptors as elements of the national missile defense architecture, despite the requirement in the ABM Treaty that such systems shall not be developed, tested, or deployed. I believe that America's interests are best preserved by sticking to the consultative procedures provided in the ABM Treaty and for adapting the treaty to changing conditions only via this process of mutual agreement.

#### COST

Enough has been said and written about the sky-rocketing costs of missile defense. I will not add much to this discussion other than to echo the concerns that people across the Nation have been expressing about the staggering \$99 billion that the Brookings Institution has estimated that the United States has already spent since 1962 on missile defense systems. This, coupled with the Congressional Budget Office's recent estimate that the Defend America Act will cost the U.S. taxpayer as much as another \$60 billion—and this does not include operation costs—leads to a form of "sticker shock" that comes close to rivaling GAO's estimated \$250 billion that will be needed to clean up our nuclear weapons complex.

It is worth noting here that the current U.S. funding levels and priorities for missile defense have been solidly and consistently supported by both the military and intelligence communities.

#### THE THREAT

Thanks to the leadership of this administration, we are focusing our missile defense expenditures on real threats, that is to say, theater missile threats, rather than nonexistent ICBM threats from so-called rogue nations that our entire national security establishment continues to define as long-term in nature. This threat definition has the support of the Secretary of Defense, the Director of Central Intelligence, the Chairman of the Joint Chiefs of Staff, and other top U.S. national security officials throughout the Government. Incidentally, it also has the overwhelming support of editorial opinion from newspapers from across the country.

The Defend America Act, however, operates from a fundamentally different set of assumptions. It assumes the present existence of a grave missile threat to America's homeland and it presumes that the best way to address missile threats is via expensive taxpayer-funded missile defense projects.

Nobody disputes that missile proliferation is a danger that America must take seriously in the years ahead, and indeed, it is a deep awareness of this threat that has driven a wide range of U.S. efforts aimed at the non-proliferation of ballistic missiles. Our approach is not driven narrowly by the dream of a technical fix—which will always remain out of reach—but a combination of technological, political, and diplomatic efforts not just to defend ourselves against imminent attacks, but more importantly, to prevent the acquisition of destabilization missile systems in the first place, to retard or reverse the growth of existing missile systems, and to eliminate outright missile systems via multilateral negotiations.

With respect to dealing with the missile proliferation threat, let me put it this way: the best Defend America Act is one that would strengthen export controls, strengthen sanctions, strengthen multilateral regimes, strengthen transparency of missile projects around the world, eliminate destabilizing missile systems, and improve U.S. capabilities to collect and to analyze data about missile proliferation. Yet there is absolutely nothing in this bill that addresses this integrated, global approach to the problem. Instead, the present bill proposes to force the President to throw vast sums of money to deploy technical fixes that are neither fixes nor based on proven technology.

Small wonder that proponents of the proposed legislation are finding themselves defending the Defend America Act rather than elaborating a new road map for addressing the missile threat in a more comprehensive manner. A legislatively mandated deployment of a



national missile defense system by the year 2003 would actually increase the threat to the United States—it would jeopardize the capabilities of our nuclear deterrent force, it would be accompanied by an expansion of the offensive nuclear arsenals of both Russia and the United States, it would probably mean the end of the START process of strategic arms reductions, it would eliminate all hopes of getting nuclear arsenals, and it could well jeopardize the Nuclear Non-Proliferation Treaty, as more and more countries come to realize that the nuclear weapon states are not serious about implementing their arms control disarmament responsibilities under the treaty. To this extent, the Defend America Act resembles more accurately an Attack America Act.

America has many options available to address the missile threat aside from the nostrums offered by star wars. Diplomatically, we are working to reduce and to reverse the proliferation of all weapons of mass destruction. Militarily, we are investing in the finest conventional military capabilities that exist anywhere on Earth, and they are backed up by the finest global intelligence capabilities on Earth. Why must we continually denigrate or short change these capabilities in congressional debates on missile defense? Advocates of the pending legislation appear sometimes to believe that America just has no option to address missile threats other than buying missile defense hardware. I believe we should be voting here today to expand our effort on the diplomatic front to address these threats, while maintaining our conventional military and intelligence capabilities, but there is nothing in this bill that would justify such a vote.

#### TECHNOLOGY

It is an extremely difficult and often underestimated challenge to use a missile to shoot down another missile. As I have mentioned earlier, the \$99 billion our country has already spent on missile defense has not yet produced any comprehensive or reliable defense against incoming strategic missiles. It is far easier to prevent missile attacks by eliminating missiles, preventing their proliferation, and developing multilateral sanctions and export controls, than it is to develop and deploy a magic missile shield that would span our vast country.

Even the theater missile systems—including THAAD, Navy Lower Tier, Navy Theater-Wide, and MEADS—that are called for in this legislation require substantial additional research and testing before any responsible deployment would be possible. PAC-III is the only one of the many systems identified for deployment in this bill that will be ready for deployment anytime soon.

The administration has its priorities straight and I believe these priorities are in line with what most Americans would regard as prudent—we must address current threats first and keep our

powder dry in the event future threats arise. We must redouble our diplomatic efforts to ensure that those threats do not arise. The current bill would not only aggravate the foreign missile threat, for the reasons I have discussed earlier, but would compel the President to deploy expensive and unproven missile defense systems.

#### CONCLUSION

For all the reasons above, I cannot support this legislation. Yet the debate today and various foreign and defense policy debates in recent months has revealed not only some severe shortcomings in this legislation. The debate also reveals the apparent inability of the Republican Party to come up with a comprehensive, integrated plan of action to guide America's military and diplomatic priorities over the course of the last Presidential term of this millennium.

Where does the Republican Party stand on nonproliferation? What does it have to offer to strengthen export controls?

What is it doing to toughen U.S. sanctions and ensure their implementation? Where are the Republican votes when we need them when it comes to strengthening sanctions and export controls?

What is it proposing to address proliferation threats arising from outside the narrow domain of Russia and the rogue regimes, a field of vision which features a blind eye as its prominent characteristic?

What is it offering to strengthen international organizations and regimes to prevent proliferation or to increase its costs?

While the administration proceeds with diplomatic efforts to curb North Korea's nuclear and missile programs, what besides SDI do the Republicans have to offer that stands a better chance of addressing these threats?

What does it propose to do about the ongoing arms race in South Asia involving nuclear weapons and missiles, and how will its SDI schemes protect our allies, including Israel, against threats from weapons of mass destruction that are not delivered by missiles?

What does it offer to address the grave threats posed from expanding international commercial uses of plutonium, one of the deadliest elements on Earth?

The answer, unfortunately, is absolutely nothing. I stand ready to work closely with my fellow colleagues on the other side of the aisle to join in forging effective responses to these threats. I know such cooperation is possible; indeed, none of the nonproliferation legislation that I have authored over the years would have been possible without it. But I hardly believe that there is anything in the Defend America Act [DAA] that offers any basis whatsoever for forging a bipartisan consensus.

Because of this, Mr. President, I believe that history will relabel the DAA as DOA.

Mr. DASCHLE. Mr. President, just 2 weeks ago, the Congressional Budget Office issued a \$60 billion cost estimate for the Defend America Act—an ill-advised Republican effort to resurrect the discredited star wars missile defense system. Several days later, House Republicans responded to this bloated price tag by doing the right thing. They pulled the bill from floor consideration, and a bad idea might have fallen by the wayside had not the majority leader picked up what his House colleagues rejected as imprudent and scheduled a Senate vote on it for today.

One can only speculate about the motivation behind this vote. But whether it is election-year politics or simply misplaced priorities, the Senate's course should be clear. The Defend America Act threatens our national security and undermines essential efforts to balance the federal budget. The Senate should vote it down.

The grossly misnamed Defend America Act would be more appropriately entitled the Jeopardize America Act. The bill would direct the Department of Defense to deploy by 2003 a national missile defense system that allegedly would defend the United States against limited, unauthorized, or accidental ballistic missile attacks. That system, according to its promoters, could be "augmented over time to provide a layered defense against larger and more sophisticated threats as they emerge."

Sound familiar?

The bill has a certain tinny ring about it. Look closely and you will see that the Defend America Act is really the fifth variant of Ronald Reagan's failed star wars experiment. To implement this proposal, the act calls for changing or withdrawing from the ABM Treaty in order to permit the deployment of a combination of ground-, sea-, and space-based components—a clear revival of the star wars program that disappeared with the end of the cold war.

All of this is particularly disturbing when you consider that enactment of this legislation is both harmful to United States-Russian relations and, according to our own military and intelligence experts, unnecessary to combat the threats we are likely to face in the next decade or more.

The Russians have been very clear in their views on unilateral tampering with the ABM Treaty to facilitate the deployment of a national missile defense system. In a May 1 letter to Congress, General John Shalikashvili, the Chairman of the Joint Chiefs of Staff, said:

Efforts which suggest changes to or withdrawal from the ABM Treaty may jeopardize Russian ratification of START II and . . . could prompt Russia to withdraw from START I. I am concerned that failure of either START initiative will result in Russian retention of hundreds or even thousands more nuclear weapons thereby increasing both costs and risks we may face.

Compounding the arms control concerns is the timing. The Senate vote on

Defend America is scheduled just 2 weeks before the Russian elections so crucial to that country's continued peaceful transition to democracy. We have to be concerned that the Defend America Act hands the Communists a pre-election gift with its distinctly unpropitious echo of cold war antagonisms.

What is worse, our military and intelligence experts say such risktaking is not warranted. According to public accounts of the National Intelligence Estimate, a classified consensus report by all of our intelligence agencies, "no country other than the major declared nuclear powers will develop or otherwise acquire a ballistic missile in the next 15 years that could threaten the contiguous 48 states and Canada."

The irony of a defense system that actually threatens our security is only part of the story. Immediately after the first vote on the Defend America Act, the Senate is scheduled to vote on the balanced budget amendment to the Constitution. That strikes many Senators on both sides of the aisle as an odd sequence of events. One moment we are voting on a constitutional amendment to balance the budget; the next we are raising the deficit by tens of billions of dollars.

Since the mid-1980's, Congress has spent nearly \$40 billion on ballistic missile defense, and all we have to show for it are canceled checks from defense contractors. The Congressional Budget Office estimate of an additional \$60 billion for this latest version of a highly complex, interwoven system is charitable. It covers only the costs to acquire the system. It fails to include either the costs to operate this system or cost overruns. And, if history is any guide, cost overruns alone for a system of this complexity could easily double the estimate.

Who will pay this tab?

Of course, in the long run it will be the American taxpayers. In the short run, however, either the deficit will be increased, spending will be slashed on important domestic priorities such as education and the environment, or the Defense Department will have to juggle its own accounts. To accommodate such a huge expense, more conventional defense priorities such as readiness, procurement and force structure may suffer.

There is a better, less expensive and more effective way to do the same job.

The President's national missile defense policy also meets any threat by 2003 but in a much wiser and far more fiscally responsible manner. It beats the Republican plan hands down on three counts.

First, it's superior common sense. The President believes that, as Senator SAM NUNN notes, we should "fly before we buy." At a minimum, we should look before we buy. Under the President's plan, we would continue to develop the technologies for a national missile defense system, then assess the situation, and deploy it only if it is needed.

Second, it's superior technologically. The President's policy would allow us to develop more capable and cost-effective defense systems that can meet the exact nature of the threat as it emerges.

Third, it's superior diplomatically. The President's approach would give us time and latitude to negotiate amendments to the ABM Treaty with the Russians that allow us to continue on the path of reducing Moscow's nuclear arsenal. It would not rush us headlong into an international arms control crisis.

Even the Republican revolutionaries in the House had the wisdom to see that this bill would commit our Nation to an unwise, unaffordable, and dangerous policy. They scrapped it because the Defend America Act is indefensible.

#### THE DEFEND AMERICA ACT

Mr. KENNEDY. Mr. President, today, the Senate is revisiting the star wars system of the 1980's, renamed for the 1990's as the Defend America Act. It was a bad idea then and it is a bad idea today.

The suggestion in the title Defend America Act is that to defend America requires nothing more than deploying a national missile defense. In reality, this legislation would pour exorbitant sums into building a missile defense system that would make our Nation more vulnerable to missile attack, while at the same time ignoring the more likely threats to our territory and citizens. The Defend America Act misses the point, and at no small cost to the American taxpayer.

The bill requires the Defense Department to deploy a national missile defense by 2003. This approach has several flaws. First, the threat from limited missile attacks against the United States is remote. Throughout the cold war, when the superpowers were antagonists and had far larger nuclear arsenals than they field today, we chose not to deploy missile defenses because the cost did not justify the protection they could provide.

Why should we decide to deploy missile defenses now, when the cold war is over, when we have far more cooperative relations with Russia, and when they have a much smaller superpower arsenal? The Secretary of Defense and the Joint Chiefs of Staff state that now is not the time to deploy a national missile defense. But the Republicans reject that advice and want to build this wasteful system.

The second flaw in this bill is that deploying a missile defense system now will put U.S. policy on a collision course with the Anti-Ballistic Missile Treaty. The bill promotes the use of ABM components prohibited by this important treaty. Moreover, the bill recommends formal withdrawal from the treaty if the Russians fail to agree within a year to re-write the treaty to permit a national missile defense. Provisions like these send a strong signal

to the Russians that cooperation to achieve nuclear arms reductions is not a United States priority. The passage of this bill would put other nations on notice that we do not take our treaty obligations seriously.

Members of the Russian Parliament have stated that they will oppose ratification of START II if the United States takes steps to develop or deploy ballistic missile defenses in violation of the ABM Treaty. By endangering the prospects for START II ratification by Russia, the Missile Defense Act will ensure that we will face many thousands more Russian nuclear weapons in the near future than if arms reductions are implemented. Discarding the ABM Treaty would reverse the logic of deterrence and arms control that Republican and Democratic Presidents have pursued for the last four decades.

Further, the current threat does not justify the multi-billion dollar expenditures required to field a national missile defense by 2003. The Congressional Budget Office estimates that the total acquisition cost of this program will range from \$31 to \$60 billion, and cost billions more to operate. At a time when we are trying to balance the budget and meet essential needs, it is impossible to justify this massive new defense expenditure.

Although this bill purports to defend America, it fails to address the most pressing threats to American security. The World Trade Center and Oklahoma City bombings remind us that terrorist use of nuclear, chemical and biological weapons on American soil remains a far greater threat than a ballistic missile attack by a foreign nation. Loose controls on nuclear material from the former Soviet Union raise the threat of nuclear proliferation by hostile nations or groups. The policies—and expenditures—contained in this bill in no way address these vital threats.

In contrast, the Clinton administration's defense policy addresses these varied threats. First, it takes specific steps to increase nuclear safety. In April in Moscow, the G-7, Russia, and Ukraine met at a nuclear safety summit to discuss means of increasing controls over nuclear materials and defending against nuclear smugglers. The Cooperative Threat Reduction Program, sponsored in Congress by Senators NUNN and LUGAR, achieved to the removal of thousands of nuclear warheads from former Soviet arsenals and the destruction of hundreds of missile launchers, and has safeguarded vulnerable stockpiles of nuclear materials.

The Clinton administration also addresses ballistic missile threats, but in a more sensible fashion. The Defense Department supports theater missile defense programs to defend our forces in the field. To deal with the possibility of a future ballistic missile threats to U.S. territory, the Pentagon supports an affordable level of spending on anti-missile defenses. This program, called 3+3, will ensure that 3 years from now, we will be able to decide