Spiller asked to be diverted to clearer weather. He was informed that Burlington, the picturesque college town straddling Lake Champlain 67 miles to the north, had radar contact and 15 miles visibility. He headed there.

At 5:20 p.m., when he couldn't maintain 5,500 feet altitude because of ice, Spiller declared an emergency. He was given permission to descend to 2,000 feet, where ice began coming off the windshield. Then it iced up again, and the Burlington control tower turned the runway lights up.

''I was in the front seat with my dad when he called an emergency,'' Larry Spiller remembered. ''My mom said, 'Switch seats with me. I want to be up front to help your father.'''

Larry moved to the second row of seats, which pointed backward. His brothers were facing him. Behind them was the luggage compartment.

At 5:40 p.m., the pilot radioed again. ''The runway is clear now. I can see it clearly. Thank you.''

All seemed fine. One minute later, Paul Spiller radioed again and was cut off midword.

''I just experienced what I think to be wind sh—''

The plane plummeted 200 feet to the ground and slid another 100 feet. It briefly caught fire, but emergency workers—stationed nearby because of the emergency call—quickly extinguished the flames.

Workers found Larry, conscious, with the luggage. They took him and his unconscious brothers to the Medical Center Hospital of Vermont.

Spiller could not recall the crash when he woke up in the hospital and saw his mother's brother, Morton Kimmel.

''When I told him, [about the accident] he didn't believe it,'' Kimmel said. ''I said, 'It's true.'''

Larry visited his brothers, who never regained consciousness.

''I think about [my family] pretty much every day, even if it's just for a second,'' Larry said. ''They're * * *.

SPILLER GETS A NEW FAMILY

With the crash, Morton Kimmel lost his sister, two nephews and a brother-in-law who was his law partner.

But he gained a son, when he took Spiller into his family.

Kimmel and wife, Marcia, eventually became Spiller's legal guardian. His cousins—Wayne, now 27, Michell, 24, and Karen, also 18—became his new siblings.

''They took me in and I was just part of their family,'' Spiller said. ''Ever since then, I've been calling them my parents and my brothers and sister.

''It's really a very normal life. I didn't change schools. I didn't change sports.

''My first father coached me in every sport. My present father now coaches everything, too. Few things changed except the people I was living with.''

Larry's grandparents, Benjamin and Bebe Spiller, now living in Pompano Beach, Fla., lost their son, daughter-in-law and two grandsons. Larry gave them a lifeline, Benjamin Spiller said.

''We survived because of him.''

'CAN I CALL YOU MOM?'

On his first night with his new family, 9-year-old Larry Spiller, a boy with his whole life ahead of him but the lives of his immediate family members behind him, tentatively asked his aunt, Marcia, ''Can I call you mom?''

Feeling it was too soon, and not wanting Larry to forget his real parents, she responded, ''Let's just wait.''

The following New Year's Eve, one year to the day after the crash, he asked again.

''I was tucking him into bed,'' she said, ''and he said, 'It's been a year', and asked again. We have family meetings every week. I said, 'This would be a big change,' but I knew it would be all right. We talked about it at our next family meeting and said, 'We'd love to do this.'''

Stripped of the security of his immediate family, Larry had every reason to feel alone. He never did.

''Our families were so close,'' said Spiller, who was a Tower Hill third-grader at the time of the crash. ''We were together all the time anyway before the crash. I never felt alone at all, there were so many people around me.''

One of the most important was Karen, a cousin eight months younger than Larry.

''Everybody was walking on eggshells,'' Mort Kimmel said of Larry's first fragile days with his ''new'' family. ''Except Karen. Karen gave him her room. Karen brought him back into reality.''

At Tower Hill, classmates marveled at Spiller's strength.

''I remember when he came back to school,'' said longtime pal Chip Goodman. ''His leg was in a cast and part of his head was shaved. But that was all there was to tell you what had happened.''

As Spiller developed into an athlete, his new family cheered him on. He would up scoring more than 1,100 points as a Tower Hill basketball player, the third-highest total in school history.

A pitcher and infielder in baseball, he batted .375 as a junior and .351 this spring, securing All-State recognition both years. He'll play in Saturday's annual Blue-Gold Senior All-Star Game, and made the Delaware South roster for this month's Phillies-sponsored Carpenter Cup tri-state tournament at Veterans Stadium. This summer, he's again playing for the defending state champion R.C. du Pont American Legion baseball team.

GIVING AWAY HIS INHERITANCE

On Aug. 5 last summer, Larry's 18th birthday, his biological parents' financial holdings and life insurance benefits, which had been held in trust, became Spiller's. The amount, he said, ''is substantial.''

He's giving it away. Along with his present parents, Larry has set up the Kimmel Spiller Charitable Foundation. The first grant will likely be worth $30,000 Mort Kimmel said.

''It's a fund for sick kids or people injured or with disabilities,'' Spiller said. ''There's really no need for me to have it. I want to work for my own money as a lawyer, which I'll probably do, and my parents will support me through college. It could help other people.

''I definitely consider myself lucky,'' Spiller said again. ''Just switching seats with my mom. If I hadn't done that, there's no way I would have had a chance to survive.

''I'm lucky to be here. I'm lucky I could just move into another family and be so stable. I was always happy to have a second chance.''

Mr. BIDEN. Mr. President, let me conclude by saying that I know there are thousands of other families who made the same kind of sacrifices. When we talk about family values, this is what I mean by family values, family values that reflect a common consensus about sacrifice to make things better for everyone else in the family.

Mr. President, I am proud to know the entire Kimmel family, and I am proud that one of the young children in that family—not quite so young anymore, she is still very young by our standards—is down here making her contribution to her Nation by working on the staff of one of our colleagues from Florida.

Mr. President, with the Chair's permission, I would like to move onto a different subject, the subject spoken to by my friend from Alabama. If my friend, Senator DURBIN, is ready to move on his, I will withhold that until the next lull we have and respond to my friend from Alabama on the issue he raised regarding youth violence.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT OF 1997

The Senate continued with the consideration of the bill.

Mr. DURBIN. Mr. President, it is my understanding we are considering the foreign affairs bill. I have several amendments to offer in reference to that legislation.

The PRESIDING OFFICER. The Senator is correct. The Senate is on S. 903.

AMENDMENT NO. 377

(Purpose: To express the sense of Congress regarding United States citizens imprisoned in Peru)

Mr. DURBIN. Mr. President, I offer an amendment for consideration by the Senate which I have discussed with Senator BIDEN's staff as well as Senator HELMS' staff.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 377:

The amendment is as follows:

At the end of title XVI, add the following (and conform the table of contents accordingly):

SEC. . SENSE OF CONGRESS REGARDING UNITED STATES CITIZENS HELD IN PRISONS IN PERU.

(a) FINDINGS.—Congress finds the following:

(1) The Government of Peru has made substantial progress in the effort to restrict the flow of illicit drugs from Peru to the United States.

(2) The Government of Peru has cooperated greatly with the United States Government to stop individuals and organizations seeking to transport illicit drugs from Peru to the United States and to jail such drug exporters.

(3) Any individual engaging in such exporting of illicit drugs and convicted in a court of law should face stiff penalties.

(4) Any such individual should also have a right to timely legal procedures.

(5) Two United States citizens, Jennifer Davis and Krista Barnes, were arrested in Peru on September 25, 1996, for attempting to transport illicit drugs from Peru to the United States.

(6) Ms. Davis and Ms. Barnes have admitted their guilt upon arrest and to an investigative judge.

(7) Ms. Davis and Ms. Barnes have volunteered to cooperate fully with Peruvian judicial authorities in naming individuals responsible for drug trafficking and several have been arrested.

(8) More than 7 months after their arrest, Ms. Davis and Ms. Barnes have not been formally changed with a crime.

(9) Peruvian domestic law mandates that formal charges be brought within 4 to 6 months after arrest.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government of Peru should respect the rights of prisoners to timely legal procedures, including the rights of all United States citizens held in prisons in Peru.

Mr. DURBIN. Mr. President, this is a sense-of-the-Senate resolution involving a very sad situation. This amendment expresses the sense-of-the-Senate that the Government of Peru should respect the rights of prisoners to timely legal procedures, including the rights of all United States citizens currently being held in prison in Peru.

This amendment was included in the State Department authorization bill that has been enacted by the House of Representatives. It was offered in that Chamber by my colleague from Illinois, Congressman TOM EWING. It was accepted as part of the chairman's en bloc amendment.

The purpose of this amendment is to encourage the Government of Peru to bring to trial two young Americans who have been held in prison in Peru for more than 7 months without being formally charged or brought to trial. These two young Americans have received a lot of publicity in the United States. One from the State of Illinois, Jennifer Davis, and another, Krista Barnes of California, have admitted their guilt to a serious crime. They were arrested in Peru when they were 19- and 20-year-olds, respectively, after being recruited by drug smugglers in attempting to carry powdered cocaine out of Peru.

These two teenagers made a tragic mistake. They are prepared to accept the legal penalties for their actions. And it will be a harsh penalty. They and their parents are only asking that they be brought to trial by Peruvian authorities and convicted so that they can be extradited to the United States to serve their sentences.

The physical conditions under which Jennifer and Krista are being held are in violation of the basic spirit and letter of international human rights agreements, to which Peru is a signatory. I have spoken to their parents. The prison where they are being held is extremely overcrowded. Basic health care is not provided. Nourishment is inadequate. There is sexual and other violence taking place. The shared bathroom facilities have no running water and are extremely filthy, and disease is rampant.

The amendment specifically states that any individual engaged in the export of illicit drugs and convicted in a court of law should face stiff penalties. But the amendment also states that individuals engaging in the export of illicit drugs should have the right to a timely trial.

I know this is an important matter to many families in Illinois who are friends of Jennifer Davis. They understand the serious mistake she has made. They understand that she will pay a price for it that she will never, ever forget. All they are asking for is humane treatment, that she be brought to trial and, if convicted, we can then apply for extradition to the United States.

What we are asking of Peru is nothing new. The government of that country has already signed international agreements saying that they will treat all prisoners in a humane way, and that they will bring prisoners to trial. So I hope my colleagues in the Senate will join me in the approval of this sense-of-the-Senate resolution as an amendment to the Foreign Affairs bill which is presently under consideration.

At this point, I yield the floor.

Mr. BIDEN. Mr. President, does the Senator have a second amendment?

Mr. DURBIN. I have another amendment, and Senator GORTON of Washington has a companion. If we can deal with the Peruvian amendment first, and hope he comes to the floor momentarily?

Mr. BIDEN. With the permission of the chairman, I think we can deal with this. There is no real objection to what the Senator is suggesting. It makes sense.

There is another one of our colleagues who wishes to deal with a similar circumstance in Peru. Maybe the Senator could withhold seeking action on this and see if we can accommodate this all in one amendment, and possibly move to a second amendment.

Mr. DURBIN. I am learning in the Senate that accommodation is a good idea if your amendment is well received. I sense the amendment is well received.

Mr. BIDEN. Mr. President, I say to my friend, that is the case. The question is whether or not we can accommodate another one of our colleagues as well. It is always better than to have a rollcall vote.

If the Senator will seek to lay aside this amendment temporarily and possibly proceed to his next amendment, maybe we can accommodate both at the same time.

Mr. DURBIN. Yes. I would be happy to.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, the amendment is set aside.

AMENDMENT NO. 378

(Purpose: To designate additional countries as eligible for NATO enlargement assistance)

Mr. DURBIN. Madam President, I have a second amendment that I would like to present for consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself and Mr. GORTON, proposes an amendment numbered 378.

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

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . DESIGNATION OF ADDITIONAL COUNTRIES ELIGIBLE FOR NATO ENLARGEMENT ASSISTANCE.

(a) DESIGNATION OF ADDITIONAL COUNTRIES.—Effective 180 days after the date of the enactment of this Act, Lithuania, Latvia, Estonia, and Romania are each designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994 and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act, except that any such country shall not be so designated if, prior to such effective date, the President certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the country fails to meet the criteria under section 203(d)(3) of the NATO Participation Act of 1994.

(b) RULE OF CONSTRUCTION.—The designation of countries pursuant to subsection (a) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994—

(1) is in addition to the designation of other countries by law or pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act; and

(2) shall not preclude the designation by the President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act.

Mr. DURBIN. Madam President, I hope in designating this amendment, it will designate as my cosponsor Senator GORTON of Washington. He and I are cosponsoring similar amendments, and I think he will be on the floor momentarily to discuss his amendment, but I would like to discuss this amendment directly.

This amendment designates Lithuania, Latvia, Estonia, and Romania as eligible to receive assistance to prepare for future NATO membership.

This amendment does not require that any nation be invited to join NATO. It simply makes Lithuania, Latvia, Estonia, and Romania eligible to receive assistance to prepare for NATO membership in the future. A similar amendment was in the House-passed version of the State Department authorization bill.

I say to my colleagues, this last February, I visited Lithuania, the homeland of my mother, for my fourth visit. I found, much to my amazement, that no matter where I traveled in this small country, no matter what official I sat down to meet with, people had on their mind one thing and one thing only: NATO membership.

The Baltic States, particularly Lithuania and Latvia, believe that NATO membership is crucial to their survival. They are surrounded, in many instances, by questionable circumstances, Russian troops and a lot of question marks that leave them uncertain about their future.

I said to them at that point that when I returned to the Senate, I would do everything in my power to inform

and educate my colleagues about this deep, heartfelt feeling in the Baltics, that their membership in NATO is where they want to be in this next century, looking to the West, looking to democracy, being part of our security alliance which was so crucial for half a century in Western Europe.

This amendment is consistent with current laws and programs to assist the new democracies of Central and Eastern Europe to prepare for future NATO membership. It includes, obviously, the Baltics States and Romania. The NATO Participation Act of 1994 authorized the President to establish a program to assist emerging democracies in Central and Eastern Europe to prepare for future NATO membership. The NATO Enlargement Facilitation Act of 1996 designated Poland, Hungary, the Czech Republic and Slovenia to receive assistance to prepare for future NATO membership, and the act directed the President to designate additional democracies in Central and Eastern Europe if they met certain criteria.

It is clearly in the interest of the United States to support democracy, free-market reform and security in the Baltics and Romania. There is no better way to do this than to help them prepare for NATO membership. Lithuania, Latvia, Estonia and Romania are doing everything asked of them—and more—to prepare for future NATO membership. They should be designated as eligible to receive assistance under the NATO Enlargement Facilitation Act of 1996.

Examples of how the Baltics and Romania are meeting the criteria established by this act for assistance to prepare for NATO membership:

They have made courageous choices and painful sacrifices to reestablish their freedom and rebuild their democracies and free-market economies. It is hard to imagine, the Baltic States and other Eastern European countries, once members of the Warsaw Pact, which were subjugated to Soviet rule for 50 years, this blanket of Soviet hegemony virtually snuffed out the initiative, creativity and energy of these great nations, but they survived. And not just survived, they came out of it determined to rebuild, rebuild with a face to the West.

All of these nations have applied for NATO membership.

They have made significant progress toward establishing civilian control of their militaries, police and intelligence services.

They are adhering to the rule of law.

They are respecting the values and interests shared by other NATO members.

They are accepting the obligations, responsibilities and costs of NATO membership.

Their parliaments are making financial commitments, many times at great sacrifice, to prepare for NATO membership, significantly increasing their support for national defense and Partnership for Peace activities.

My vision, and I hope one shared by my colleagues, is that an enlarged NATO will put Europe in a position to deal with its own problems in a better fashion. We are now deeply committed in Bosnia, as we should be, to bring peace to that region. But if there were a strong NATO encompassing so many more countries in Europe, I think we can envision a day when that sort of a dispute and that sort of a problem will be dealt with primarily, if not exclusively, by NATO members in European States.

This suggestion of enlarging NATO eligibility is a step on a path that could lead us to that favorable conclusion.

These countries have demonstrated they are fully committed to sharing the responsibilities of NATO membership.

They are building their defense forces in accordance with NATO planning standards.

They are improving their communication and information systems, command and control, and English training.

They are active participants in the Partnership for Peace Program.

They have participated in joint exercises, training programs, and peacekeeping operations led by NATO and the United States.

It was, I guess, incredible to me to consider that a tiny country like Lithuania would send a small group to IFOR in Bosnia to participate in peacekeeping. Tragically, one of the Lithuanian soldiers was one of the early casualties because of the detonation of a mine. The Lithuanian Parliament might, at that point, have had a vigorous debate and decided they made a mistake, that they were not ready to get involved. They decided just the opposite. Even having lost a Lithuanian soldier in a joint effort with the United States and other NATO countries to bring peace to Bosnia, the Lithuanian Parliament voted overwhelmingly to commit even more troops in their peacekeeping effort to demonstrate to Europe, to the world, and all the NATO members they are serious about making this kind of a participation a reality.

I learned last week from the Prime Minister of Latvia that the same type of commitment was made. They have participated in NATO's peacekeeping mission. They have increased their troop commitments, and it is clear that they are sincere. They are strategically significant to an effective NATO defense, and they are likely to be in a position to further the membership of NATO and contribute to the security of the North Atlantic area in the near future.

I have nothing further on this amendment. I defer to the chairman or minority spokesman as to whether they would like to consider the amendment at this point or wait for Senator GORTON to come to the floor with his companion amendment.

Mr. HELMS. Madam President, I suggest we await the arrival of Senator GORTON so we can see the whole picture at one time, if that suits the Senator.

Mr. DURBIN. That is fine.

Mr. BIDEN. Madam President, I agree, but if he will yield for me to make a comment, if I may, to my friend. The Senator has made the case for the Baltics and for Romania. As to the Baltics, it seems to me, the case is obvious. With regard to Romania, that important country has made significant strides in the last 6 months.

I want to make clear so that we all know, what we are talking about is the NATO Enlargement Facilitation Act, which was passed in 1996. Basically, what the act does, Madam President, as you well know, is that it says there are newly independent states, which formerly were satellite states of the Soviet Union, who are seeking membership or may seek membership in NATO. It is kind of a two-stage process. We did the same thing for Hungary, we did the same thing for Poland, we did the same thing for the Czech Republic, and last year we added Slovenia. We basically said, look, we, the Congress and the President, will come up with some money to help you begin to organize yourself to meet the criteria for admission into NATO. This is not a club that you join because you like it, or join because you simply want to join. This is a deal where everybody has to carry their own weight proportionately within the club, and we are not going to admit anybody who cannot do that. But it requires some expenditure of money on the part of these countries to essentially do the political, economic, and military inventory they need to be able to determine whether or not they can meet the criteria. This is what it is. This is prep money to get them up and running to make their case.

So, we are going to be doing here for the Baltics—and I share my friend's view—and for Romania, what we did for Slovenia, for Hungary, for the Czech Republic, and for Poland.

I respectfully suggest, now that our friend from Washington is on the floor as well, that there be consideration of amending their amendment to add Bulgaria. Let me explain why.

I stated earlier on this floor that I was pleased that the Clinton administration decided to support the first three countries mentioned in the first round. In our meetings we had an opportunity to make our case to the President as to who we thought should be invited to final accession negotiations at Madrid next month. I was disappointed, quite frankly, that the administration decided not to push Slovenia in the first round. After discussion with the President and his advisers, however, I am absolutely confident that Slovenia will make it in the second round, and I am confident that Romania will too.

For everybody to understand, we are not just talking about a one-time

event. NATO enlargement is an evolving process. Every European democracy, theoretically, is eligible. Probably the Baltics elicit more support than any other area of Europe, for the reasons stated by my friend.

With that in mind, the Senator's amendment designates Lithuania, Latvia, Estonia, and Romania to join Poland, the Czech Republic, Hungary, and Slovenia to be eligible for receiving assistance to prep them for future membership in NATO. They have established democracies, made courageous reforms to create free-market economies, are putting their armies under civilian control, and deserve our support.

Another Eastern European country that deserves inclusion in this amendment to let them get prepped and make their case is Bulgaria. After having gotten off to a very slow start toward democracy after the Wall came down, it has now voted the post-Communists out of office. The new Bulgarian administration has begun free-market economic reforms, and recently the Bulgarian Parliament went on record as naming NATO membership as its primary foreign policy goal.

Madam President, over the centuries, Bulgaria has been the most pro-Russian country in Europe. So these changes are truly noteworthy. Bulgaria is not as far along the path to NATO membership as the other four countries named in Senator DURBIN's amendment, but they have made a definitive break with the past, and the democrats in Sofia, I think, deserve our support and encouragement to move further.

I will not push my second-degree amendment now. Before we vote on this, however, or before the chairman makes a decision, I would like them seriously to consider, while the Senator from Washington is making his case, whether or not we should include Bulgaria.

As the Senator found in traveling to the Baltics, what I found, whether I was in the Balkans or whether I was in Central or Eastern Europe, that the prospect of becoming a member of NATO has a significant positive impact on whether they establish a market economy, whether they move away from the Communist-controlled apparatchiks who are left over, and whether or not they embrace a foreign policy that looks to the West rather than to the East.

So I would ask for his consideration.

Mr. DURBIN. Would the Senator yield?

Mr. BIDEN. Yes.

Mr. DURBIN. There was a Senator from Illinois many years ago named Everett Dirksen who said on another totally unrelated issue that ''There is nothing more pregnant than an idea whose time has come.'' The idea of NATO expansion, the idea of involving former Soviet clients, allies and republics into a new peace-seeking alliance is an idea whose time has come.

I would certainly defer to the Senator's request and be happy to add an amendment in the second degree and hold my amendment at the desk until we accomplish that. The inclusion of Bulgaria would be a very positive addition.

Mr. BIDEN. I thank the Senator from Illinois.

I will check with my chairman to see if he agrees with that.

In the meantime, I see our friend from the State of Washington is here, so I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. What is the question before the Senate?

The PRESIDING OFFICER. Before the Senate is the Durbin amendment No. 378.

AMENDMENT NO. 379

(Purpose: To express the sense of Congress that Estonia, Latvia, and Lithuania should be integrated into the North Atlantic Treaty Organization)

Mr. GORTON. Madam President, with the indulgence of the Senator from Illinois and the two managers of the bill, I should like to ask unanimous consent to set that amendment aside and send up another amendment sponsored jointly by the Senator from Illinois and myself, simply in order to broaden the discussion of this present subject as it is on the present subject with the hope of eventually following the suggestion of the Senator from Delaware and perhaps consolidating this set of ideas into a single amendment.

The PRESIDING OFFICER. Is there objection?

Mr. GORTON. With that, Madam President, I ask unanimous consent that the present amendment be set aside and that the amendment I send to the desk be immediately considered.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for himself, Mr. DURBIN, and Mr. D'AMATO, proposes an amendment numbered 379.

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

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

The amendment is as follows:

At the end of title XVI, insert following:

SEC. . ADMISSION OF ESTONIA, LATVIA, AND LITHUANIA INTO NATO.

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

(1) The Baltic countries of Estonia, Latvia, and Lithuania are undergoing a historic process of democratic and free market transformation after emerging from decades of brutal Soviet occupation.

(2) Each of the Baltic countries has conducted peaceful transfers of political power since 1991.

(3) The governments of the Baltic countries have been exemplary in their respect for human rights and civil liberties and have made great strides toward establishing the rule of law.

(4) The governments of the Baltic countries have made consistent progress toward establishing civilian control of their military forces and, through active participation in the Partnership for Peace and the peace support operations of the North Atlantic Treaty Organization (in this resolution referred to as ''NATO''), have clearly demonstrated their ability and willingness to operate with the forces of NATO nations and under NATO standards.

(5) Each of the Baltic countries has made progress toward implementing a free market system which has and will continue to foster the economic advancement of the people of the Baltic region.

(6) The Baltic region has often been a battleground for the competing territorial designs of nearby imperial powers which, along with other factors, has contributed to a history of insecurity and instability in the region.

(7) NATO has been a force for stability, freedom, and peace in Europe since 1949.

(8) NATO has indicated it will begin to invite new members in 1997.

(9) Estonia, Latvia, and Lithuania, exercising their inherent right as participating states in the Organization for Security and Cooperation in Europe, have voluntarily applied for membership in NATO.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Estonia, Latvia, and Lithuania are to be commended for their progress toward political and economic liberty and meeting the guidelines for prospective NATO members set out in chapter 5 of the September 1995 Study on NATO Enlargement;

(2) Estonia, Latvia, and Lithuania would make an outstanding contribution to NATO if they become members;

(3) eventual extension of full NATO membership to Estonia, Latvia, and Lithuania would make a singular and lasting contribution toward stability, freedom, and peace in the Baltic region.

(4) upon satisfying the criteria for NATO membership, Estonia, Latvia, and Lithuania should be invited to become full members of NATO at the earliest possible date; and

(5) Estonia, Latvia, and Lithuania should be invited to attend the NATO summit in Madrid on July 8 and 9, 1997.

Mr. GORTON. Madam President, the thrust of this amendment is to encourage the inclusion of the three Baltic Republics, Estonia, Latvia, and Lithuania, in the North Atlantic Treaty Organization at the earliest practicable date. It is similar to the proposal already made by the Senator from Illinois, which is directed more at the time of preparation; this one, with that ultimate goal.

I think that, in the most profound sense, this is not a highly controversial matter. The President has stated that the goal of the United States in the present round is to admit three highly qualified nations, the Czech Republic, Poland, and Hungary, to NATO. I want simply to say at this point that I enthusiastically support that policy on the part of the President and will certainly vote to ratify any treaty to that effect.

I share some of the disappointment of the Senator from Delaware, with whom I previously discussed this subject in private, that the first round is not more expansive than it seems likely to

be. I tend to fall on the side of those European allies of ours who would admit Slovenia at the very least and perhaps Romania as well. Nevertheless, any step forward in bringing thoroughly into the fold of the North Atlantic Treaty Organization and therefore into first class membership in the basically Western European and North Atlantic community is a consummation that is devoutly to be sought by all of us.

My particular amendment, and that of the Senator from Illinois, is focused on three nations collectively, not as large in population as the smallest of the three nations that are about to be admitted to NATO.

The three Baltic nations have a unique role in European history, in some respects a uniquely tragic role in that each of them in modern times stood as an independent nation only for roughly 20 years. Between the end of World War II, 1939, 1940, they lost their independence until each of them regained that independence in the early 1990's.

They are unique as well, madam President, in the sense that it is greatly to the credit of the United States of America that this Nation almost alone of all of the nations of the world never formally recognized the incorporation of Estonia, Latvia, and Lithuania into the Soviet Union. For the better part of half a century, there were tiny embassies here in Washington, DC, representing what seemed, I suspect, to most the vain hope that at some distant future day those nations would once again meet their own aspirations and become independent.

I always agreed with this policy. It was policy that was followed by President Franklin Roosevelt, by President Truman, by President Eisenhower, by President Kennedy, by President Johnson, by President Nixon, by President Ford, by President Carter, by President Reagan, into the administration of President Bush, at which point that independence and freedom became a reality.

I had the great honor, Madam President, a number of years ago of having been invited to address the Congress of Estonia, the first, and illegal under Soviet law, calling together a group of people in Estonia to begin that process of independence. It is a mark of the opposition in the then Soviet Union to that independence that I was not granted a visa and was unable to make that speech in Tallinn. I made the speech, however, from the floor of this United States Senate, Madam President, and sent the videotape to Estonia. As I was told afterward, it made a greater splash, greater showing than if I had actually been able to be there in person.

So I have this particularly close feeling for the people of Estonia and for its independence. It was several years later that I was first able to visit that country. But I know what each of these other Senators on the floor knows, that the people of those tiny nations regard themselves as integral parts of our Western European North Atlantic civilization.

Their foreign policy can be summed up in a desire to join the North Atlantic Treaty Organization. Yes, a major part of this is a feeling that their physical security will be enhanced by being a part of NATO. And, yes, in some sense it will be. But I believe more than that, the psychological value felt by the people of those nations, freed after almost half a century of being occupied, frozen in place by a Soviet dictatorship, is equal to whatever the formal security arrangements will be.

I believe that nothing could be more in the tradition of the United States of America, that from 1940 until early in the 1990's never recognized that these nations had lost their independence, than to invite these three small nations as quickly as possible to be a part of the North Atlantic Treaty Organization.

Obviously, they are not on this list for the first round. If in fact a second round is limited to, say, Slovenia and Romania, they will not be a part of the second round either. I do believe, however, Madam President, that it is important for us here in the U.S. Senate to recognize that these aspirations take place because of the tremendous admiration the people of those countries have for the United States and for all we have stood for during their long decades of darkness.

So I hope, and I hope fervently, that in the course of the next 24 hours the group of Senators here on the floor can reach an accommodation pursuant to which that aspiration on the part of the people of these three small nations will be recognized in this bill by the time that we have passed this bill. The House of Representatives has already done so in slightly different language than my amendment or the amendment from the Senator from Illinois.

One of my suggestions might be that we try to create parallel language so that each of the Houses of Congress has passed exactly the same thought.

I am, however, quite flexible on how we go about granting this degree of recognition and support. But I do think that for the future of democracy, for the future of small countries who so long aspired to be free, and now with our help are free, that this recognition should be granted.

Mr. DURBIN. Will the Senator yield?

Mr. GORTON. Yes.

Mr. DURBIN. I am a cosponsor of the Senator's amendment. I spoke to this issue before his arrival on the floor, and I will not belabor the point. I will say, for colleagues who are wondering what role the smaller states play, Senator GORTON and I coauthored two amendments. My amendment asks that the Baltic States and Romania be considered in terms of funds for preparation to be part of NATO. The amendment then, coauthored by the Senator and myself and presently pending before the Senate, says—and I think this is important—''upon satisfying the criteria for NATO membership, Estonia, Latvia, and Lithuania should be invited to become full members . . .'' So it is a two-step process.

I think both amendments are consistent, coauthored by the same two Senators, because we believe that given the funds, given the opportunity, the Baltic States, Romania, and perhaps Bulgaria added by amendment, could certainly then apply as eligible for membership.

I join with my colleague from Washington in saying that at this moment I hope the United States will lead the way in saying that the Baltic States, subjugated to Soviet tyranny for half a century, would have that moment they are praying for, full membership in NATO.

I thank the Senator for yielding and including me in this important amendment.

Mr. GORTON. I thank my friend from Illinois. He has put this case extremely eloquently both in private and in public. I am delighted to be joined with him.

I hope that the two managers of this bill will be in some form able to accommodate the thought that I believe is very widely held in this body and throughout the United States.

The PRESIDING OFFICER. The Senator from North Carolina.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SARBANES. I understand there are amendments pending. I ask unanimous consent the pending amendments be laid aside so it will be in order for me to offer an amendment.

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

AMENDMENT NO. 380

(Purpose: To delete section 1145, which limits the remedial authority of the Foreign Service Grievance Board)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Mr. SARBANES] proposes an amendment numbered 380.

The amendment is as follows:

On page 96, delete lines 1 through 12.

Mr. SARBANES. Madam President, this amendment would delete section 1145 in the bill, the section which purports to clarify the remedial authority of the Foreign Service Grievance Board, but which in effect limits the remedial authority of the Foreign

Service Grievance Board. I am frank to say I hope we will not do that.

The section in question would expressly limit the remedial authority of the Foreign Service Grievance Board to those actions specified in section 1107(b) of the Foreign Service Act.

Now, as I understand the Department's thinking in this matter, they believe it is necessary to prevent the Board from relying on other statutes as authority for directing remedies that are not contained within section 1107(b) of the act. Those would include the award of liquidated damages in cases that fall under the Fair Labor Standards Act, and compensatory damages in discrimination cases.

Section 1101(a) of the Foreign Service Act provides the Grievance Board with jurisdiction in cases alleging the violation, misinterpretation, or misapplication of applicable law. Thus Congress has given the Foreign Service Grievance Board the authority to decide grievances under other laws, including the Fair Labor Standards Act and the equal employment opportunity laws.

It would seem to me that if we have given them the authority to decide grievances under these other laws, that it was our intention that the Board would have the authority to provide the remedies available under those laws. And those remedies, in particular, are the liquidated damages available under the Fair Labor Standards Act and the compensatory damages under the EEO laws.

In other words, the Grievance Board ought to retain the authority to provide remedies under the laws over which it has jurisdiction.

Of course, first a grievant must be successful in pressing a claim. The question is, having won the grievance, what remedies are available?

Now, the Foreign Service Grievance Board's own regulations provide broad remedial authority. If the Board finds that a grievance is meritorious, the Board is authorized to ''take any corrective action'' it deems appropriate that is not contrary to law or the applicable collective bargaining agreement.

Furthermore, the act requires the Foreign Service Grievance Board to apply the substantive law that would be applied by the Equal Employment Opportunity Commission for all grievances alleging a violation of the equal employment opportunity laws.

If the Grievance Board is directed to apply the substantive law that would be applied by the EEOC, I see no reason in the world why it would not be able to apply the remedy that would be available to an EEO action. In other words, I am just trying to ensure that the Grievance Board is able to provide appropriate remedies.

These remedies, liquidated damages and compensatory damages, are available under the Fair Labor Standards Act and the EEO laws, and those laws have no exemption in them for the Department of State or other foreign affairs agencies. Nor do they provide any rationale for excluding the foreign affairs agencies from laws with which that every other Federal agency must comply.

I am fearful that by denying or limiting the remedial authority of the Foreign Service Grievance Board, the effect of section 1145 would be to require those with grievances to go into court, or through the EEOC, rather than through the grievance procedure, because the grievance procedure would not be able to provide them full relief. I can't believe that this is the kind of arrangement we want to have.

It seems to me that it makes eminent good sense that the Grievance Board, which has the authority to apply these other statutes in its substantive determinations, ought to have the authority to provide remedies to correct violations. The limitation that is sought to be placed on the remedial authority of the Board would unfairly disadvantage foreign service officers with grievances, whose cases may be quite legitimate.

This is an important issue for people with grievances, and I think we must be careful in working out the statutory arrangements by which they have their grievances resolved. For the life of me, I don't understand why we would deny to the Board the remedial authorities that I have outlined here. I hope that the managers of the bill will find this amendment acceptable.

Mr. BIDEN. Madam President, I apologize to my colleague. I was on the phone. If he could give me a second to catch up with my staff on what the Senator just had to say before I attempt to answer him. I apologize for not being here while he spoke. If he has a second amendment, he can go ahead and we may be able to work this out. Let me check.

Mr. SARBANES. I appreciate the response of one of the managers of the bill.

Mr. BIDEN. Madam President, rather than take the time of the Senate, I think the suggestions made by the Senator are appropriate, and I would be happy to—and my colleague from North Carolina indicates he would also—accept the Senator's amendment.

Mr. SARBANES. I appreciate that.

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

The amendment (No. 380) was agreed to.

Mr. HELMS. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. SARBANES. Madam President, I ask again that the pending amendments be set aside in order to be able to offer an amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 381

(Purpose: To clarify which management officials are prohibited from participating in collective bargaining)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Mr. SARBANES] proposes an amendment numbered 381.

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

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

The amendment is as follows:

Add at an appropriate point in the bill a new section as follows:

SEC. . LIMITATIONS ON MANAGEMENT ASSIGNMENTS.

Section 1017(E)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4117(e)(2)) is amended to read as follows:

''(2) For the purposes of paragraph (1)(A)(ii) and paragraph (1)(B), the term 'management official' does not include chiefs of mission, principal officers or their deputies, administrative and personnel officers abroad, or individuals described in section 1002(12) (B), (C), and (D) who are not involved in the administration of this chapter or in the formulation of the personnel policies and programs of the Department.''.

Mr. SARBANES. Mr. President, this amendment would add a section to the bill to clarify a previous action taken by the Congress, which, in effect, was too broad, too expansive, and caused unnecessary difficulties. I support the general purpose of the existing law, which was to prevent conflicts of interest in negotiating management-labor disputes. I am in favor of trying to deal with that problem. But it now appears that we went too far in trying to do so.

The amendment I am now offering would narrow the definition of ''management official'' to a more appropriate group. A similar provision, I believe, was included in the companion to this bill recently adopted by the House of Representatives.

Let me briefly try to outline the situation. In the early 1990s, the Congress amended the 1980 Foreign Service Act, placing restrictions on the movement of foreign service personnel between certain positions in the American Foreign Service Association, which is the organization that represents foreign service employees, and management jobs in the foreign affairs agencies. The Act was amended to prohibit any individual who served as an agency management official or confidential employee during the preceding 2 years from participating in the management of the American Foreign Service Association for the purposes of collective bargaining or representing them in such bargaining. And, conversely, any individual who had participated in AFSA management for the purposes of collective bargaining, or who represented AFSA at the bargaining table,

is precluded, for 2 years, from serving as a management official or confidential employee. So for 2 years, such officials could not move in either direction.

I have no quarrel with the purpose of that amendment, which was to prohibit a foreign service employee from moving from one side of the table to the other in labor-management negotiations. However, I think the definition of ''management,'' as we try to deal with this problem that is currently in the law, is too broad because it can encompass officials who play no role in labor-management relations or the formation of personnel policy.

This broad definition creates an obvious problem for people who might otherwise want to participate in the American Foreign Service Association and hold responsible positions in that organization. If they become officers in AFSA, and then in that capacity participate in labor-management relations—which in many instances is part of the job—they would be precluded from a whole range of potential posts within the agencies.

The amendment I am offering would narrow the definition of ''management official'' by exempting chiefs of mission, principal officers or their deputies, administrative and personnel officers abroad, who are not involved—I emphasize ''not involved''—in the formulation of the personnel policies and programs of the Department.

In other words, we would continue the protection against conflicts of interest by covering only those officials who are involved in labor-management relations or personnel policies and programs. And so a foreign service officer who is in any way involved with those issues on behalf of the Department may not move into an AFSA position involving those issues for 2 years.

Likewise, someone who has served in an AFSA position that involves labor-management relations may not take a management position in a foreign affairs agency for 2 years that would involve these issues. But this amendment would not prohibit, for instance, someone who was an officer in AFSA from becoming a Deputy Assistant Secretary in a regional bureau that has nothing to do with developing personnel policies or programs.

At the moment, the broad limitation has a rather chilling effect on people who are willing to assume a responsible role in AFSA. They say to themselves, ''If I do that, for 2 years I am blocked out of taking a whole host of positions in the foreign affairs agencies.'' Of course, AFSA represents the employees in all of the foreign affairs agencies. Its officers are being prevented from taking a wide range of subsequent assignments.

I don't think this was the intent of the statute. I agree with the basic effort to preclude any conflict of interest, and this amendment in fact accepts the proposition that you ought not to be able to go from one side of the bargaining table to the other. But my amendment seeks to limit the current provision's coverage so that it does not exclude former AFSA officers from responsible positions in the foreign affairs agencies that really don't involve the bargaining table. That is the amendment.

Mr. BIDEN. Mr. President, I think the point my friend makes is a valid one. I don't think it was our intention to have this blanket exemption. As I understand the Senator's amendment—and, obviously, the chairman is checking this out himself for his position—from my perspective, it seems to make sense.

I want to ask a question. Where there is the potential for a direct conflict—that is, if I were representing the employees on one side of the table, then I were to shift to a policy position or a management position that had jurisdiction over the very issues I was negotiating, I would still be precluded from taking that management position; but if I were to go off to be the economic counselor to the Embassy in Paris, or in Beijing, I would not be precluded, is that right?

Mr. SARBANES. That's right. You would be prohibited, for 2 years, from shifting over into a position that involved labor-management relations or developing personnel policy. So you could not just go over to the other side.

Mr. BIDEN. What is happening now, as I understand what the Senator is saying, is a very talented, hopefully ambitious, Foreign Service officer who may very well want the opportunity to have those positions filled—for example, the economic consular in the Embassy in Beijing—may not take the time to fill the position representing the union; that he or she would be precluded from any reasonable prospect for advancement for 2 years after they leave that position for a practical matter.

Mr. SARBANES. That is the basic thrust of it. I am not sure the economic counselor is the right example because I don't think that is covered right now. But currently, as I understand it, you couldn't become a chief of mission or deputy chief of mission.

Mr. BIDEN. That is correct.

Mr. SARBANES. Which is, of course, a very important stepping stone on the career of a Foreign Service officer. I take it that currently, the DCM is regarded as a ''management official.'' Even though the deputy chief of mission is not involved in labor-management negotiations, or in developing department-wide personnel policies, he or she does administer an Embassy.

So the question then is, should you keep someone who has been an officer in the Foreign Service Association from being able to accept such a position? I don't think we should. I do think they should be prohibited from becoming involved with labor-management negotiations.

Mr. BIDEN. Based on what I understand the amendment intends to do, as the staff informs me, I personally don't have any objection, nor I am told does the chairman.

So I urge that we accept the Senator's amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 381) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. SARBANES. I thank the manager of the bill for his courtesy.

I yield the floor.

Mr. LUGAR addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

AMENDMENT NO. 382

(Purpose: To provide a substitute for title XXII relating to United Nations arrears payments)

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

The PRESIDING OFFICER. Without objection, the pending amendment is set aside, and the clerk will report.

The legislative clerk read as follows:

The Senator from Indiana (Mr. LUGAR) proposes an amendment numbered 382.

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

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

The amendment is as follows:

Beginning on page 180, line 1, strike all through page 198, line 20, and insert the following:

TITLE XXII—ARREARS PAYMENTS AND REFORM

CHAPTER 1—ARREARAGES TO THE UNITED NATIONS

SEC. 2211. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Department of State for payment of arrearages owed by the United States to the United Nations and its specialized agencies as of September 30, 1997—

(1) $409,500,000 for fiscal year 1998; and

(2) $409,500,000 for fiscal year 1999.

(b) LIMITATIONS.—Amounts made available under subsection (a) are authorized to be available only—

(1) to pay the United States share of assessments for the regular budget of the United Nations (excluding the budgets of the United Nations specialized agencies);

(2) to pay the United States share of United Nations peace operations; and

(3) to pay the United States share of United Nations specialized agencies.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

(d) CONGRESSIONAL NOTIFICATION.—Before the disbursement of funds under this section, the Secretary of State shall notify the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

Mr. LUGAR. Mr. President, the amendment that I have offered strikes Title XXII, which is the portion of the

legislation that deals with payments of arrears to the United Nations and reform of the United Nations.

I offer this amendment fully respectful and cognizant of the remarkable work achieved by the Chairman of the Committee, Senator HELMS, and the Ranking Member, Senator BIDEN, in negotiating on behalf of members of the committee a comprehensive bill with regard to the organization in the State Department and other foreign affairs agencies, in addition to the matters relating to the United Nations that are the subject of my amendment.

Mr. President, I want to discuss very broadly today why I take this occasion to offer this amendment because the timeframe for consideration is necessarily very short. The markup in our committee occurred just last Thursday. The debate today on the floor is occurring on Monday, and presumably we will have votes on these and other issues on Tuesday, tomorrow. Therefore, Senators and their staff will need to understand issues quickly in order to make a judgment on what I believe is a monumental turning point in American foreign policy, and perhaps one of the most serious foreign policy debates that we will have this year.

I ask, first of all: Why have we come to such a point? By that, I mean why and how could the United States have come to owe hundreds of millions of dollars to the United Nations? It did not occur overnight. As I will illustrate in the course of my remarks, the amounts we owe are, in most respects, not to the United Nations organization per se. Indeed, again and again I will reiterate that only about 5 percent of our arrears are actually owed to the United Nations. Well over $650 million of the money is owed to other countries in which the United Nations is merely a passthrough largely to these countries for reimbursement of past peacekeeping expenses.

So the debts that we owe are to Great Britain, to France, to Germany, to Italy, and to a host of friends and allies of the United States. We have accumulated debts to them largely because of their peacekeeping activities that we voted for. Our country frequently took the position that we were not in a position nor did we wish to send Armed Forces to various areas in which the United Nations, with our votes, decided to try to keep the peace. Therefore, our agreement in these cases was to pay money while other nations sent their forces, and on some occasions contributed money also.

I mention this point because for several years there has been an assumption on the part of many Members of this body and of the House—perhaps even of the Presidential administration—that the U.N. had very great problems. As a matter of fact, many Members from time to time have suggested a lack of general support for the United Nations, suggesting that it impinged on our sovereignty, and on our ability to conduct foreign policy in a straightforward way. In fact, Mr. President, I submit that a great number of Americans not confined to this Chamber have come to a psychology that the United Nations has been preying upon us; that somehow an organization located in our country, in New York City, has been imposing insuperable demands upon us and they resent that. And, because of our resentment, so this argument goes, we ought to reform the U.N; we ought to teach it a lesson; we ought to deprive it of money; we ought to make editorial views of those activities we think are not very good, even those that we have voted for; and that by depriving the United Nations of money change its course, we indicate that we really do not wish to participate at all.

Mr. President, I think we are coming to a much more crucial point in this debate than simply whether we will pay the arrears—the money that we owe. I think Senators will fundamentally have to determine: Should we continue to be a part of the United Nations? Because, if in fact the United Nations is deprived of the funds that we owe and other nations take our lead and are not prepared to pay either for diverse reasons of foreign policy it is apparent that the United Nations will be severely weakened. As a matter of fact, it will be less and less effective, if effective at all.

So, Mr. President and Members, I think at the outset as we come to an understanding of how we got to this point, we have to decide: Do we really want the United Nations to be a forceful advocate for peace, for justice, an instrument of our foreign policy, and a group of nations in which we play a vital role as members of the Security Council with veto power from the beginning of the San Francisco Charter? Do we want this? If we do, we are going to have to not only try to shape up the United Nations but shape up our own views and our own activities as a member State—our own leadership, as a matter of fact—if the United Nations is to be effective.

I come out on the side of one who believes that we ought to be active and vital in the United Nations; that, as a matter of fact, the United Nations plays an important part in our foreign policy; that it is extremely important to our overall security in the world; and, that it is an organization in which we play a leading role which ought to be supported by us as opposed to constricted by us, demeaned by us, and criticized by us. Given an opportunity, it seems, that the Congress has again and again not only tried to inhibit the United Nations but, as a matter of fact, may finally succeed in killing it off, if we are not thoughtful.

Mr. President, if Members believe that these are the views of their constituents in a representative democracy, eventually the U.N. will receive the brunt of those attacks. But I would suggest that the American people have different views. As a matter of fact, Members will be interested in polls taken by the Wirthlin group and other polling groups for the United Nations Association. And one question that I found relevant was this one:

Considering the problems we are likely to face in the coming years, how important is it for America to be an active part of the United Nations—an active part—very important, somewhat important, or not important that America be an active member?

Fifty-four percent of Americans said it is very important that we be an active member. Another 28 percent said it is somewhat important that we be an active member. Only 12 percent said it is not important, and 6 percent had no answer.

That is a rather extraordinary breakdown.

Mr. President, of 82 percent of Americans, 54 percent are saying it is very important to be very active in the United Nations.

Then in a Times Mirror poll, they asked: Do you agree or disagree with the following statement: The United States should cooperate fully with the United Nations?

On that kind of a question, 65 percent say we should cooperate fully. Twenty-nine percent disagree with that proposition.

Another question asked: Do you favor or oppose legislation that would have the United States withdraw completely from the United Nations? The Wirthlin group found again: 22 percent favor withdrawal, 71 percent oppose withdrawal, and 7 percent had no answer.

On still another quesiton, overall, do you think that in the long run efforts to strengthen the U.N. would be a good investment or not a good investment? This is the program on international policy attitudes poll.

Sixty-eight percent of Americans said good investment, and 28 percent, not a good investment.

Now we come to the crux of our issue today, Mr. President.

The question posd was: Do you favor or oppose the United States paying its U.N. dues in full? Do you feel that way strongly or somewhat strongly?

Thirty percent favor strongly our paying our dues in full. Twenty-eight percent favor somewhat. Thirteen percent oppose somewhat, and 16 percent oppose strongly.

Adding together those figures, Mr. President, you once again get about the same 2-to-1 ratio. Fifty-eight percent believe that we ought to pay in full, and 29 percent do not.

By 2 to 1 the American public believe that we ought to be paying our fair share and our full share.

Interestingly enough, another qustion asked: Do you believe that U.N. member states should always pay their full dues to the U.N. on schedule, or should a state hold back its dues to pressure other members to agree to changes that it believes are needed? Again, the Wirthlin poll. Mr. President,

in 1989, 60 percent of Americans said we should always pay. In April 1996, 78 percent said members should always pay.

I find that interesting, Mr. President.

The evolution of the American people with regard to the United States meeting its obligations has led to a much higher percentage of Americans saying that member states should always pay.

Honor U.N. peacekeeping—the basic reason that we are here today, as a general rule, when it is necessary to use military force to deal with trouble spots in the world—Do you feel more comfortable having the United States contribute to a U.N. military action or for the United States to take military action by itself?

Sixty-nine percent said U.N. military action while 24 percent said U.S. action alone.

Do you think peacekeeping should be a high priority of the United Nations' system; somewhat of a priority; or not a priority? The Wirthlin group poll again: 75 percent of Americans in April 1996 said a high priority, somewhat of a priority said 17 percent, and not a priority, only 6 percent.

Mr. President, I shall not recite further polling data except to make the observation that by fairly large ratios of about 2 to 1, or larger than that, Americans believe that we ought to participate in the U.N.; that we ought to pay our dues on time; that all nations should pay their dues on time; that peacekeeping operations are very important for the United Nations to conduct.

I mention that because it appears to me that most Members may not be aware to whom we owe the money.

I would just simply point out, Mr. President, and I take this opportunity to cite precisely the countries to whom we believe we owe money. They may have different views as to how much we owe, but there is general agreement between the administration and the Foreign Relations Committee to have come up with the figure of $819 million to be authorized and appropriated in one form or another. We have agreed that the U.S. portion of that debt is more than one-third.

Using that ratio, France is owed by the United States $60.1 million; Great Britain is owed $41 million; the Netherlands, $21.3 million; Pakistan, $20.1 million; Germany, $18.3 million; Belgium, $17.3 million; Italy, $17.2 million, $16.1 million to India; $14.2 million to our neighbor Canada, and a long list of countries with smaller sums than that, all owed by the United States, with the United Nations merely a passthrough to them.

Mr. President, it is clear, at least in my judgment, that we owe the money, that it is clear to whom we owe the money, but it is not at all clear whether the money is likely to be repaid.

Now, I mention this because we had a debate in the Foreign Relations Committee markup on Thursday and the assertion was made essentially, and the press has picked up this story largely intact, that however you look at this, this provision entails a significant change in the course of American foreign policy. Essentially there is now agreement on the part of the United States to pay a part of the money we owe.

Following the Foreign Relations Committee meeting, Nick Burns, on behalf of the administration, was asked: ''What are you saying to Senator LUGAR who says that the arrears are contractual obligations of the United States and should not be the subject of conditions?'' Mr. Burns punts the issue, in my judgment. He says:

> Well, I think President Clinton and Secretary Albright have been very clear for as long as they have been in office that we do not like being the largest donor—that is, debtor—to the United Nations. In fact—

Mr. Burns says, and I am quoting—

> we have called ourselves publicly the largest deadbeat debtor to the United Nations. We don't like that. The American people don't want their Government to be in arrears to any institution, much less the United Nations, but we have an opportunity here to make sure that while we take steps that are costly for us to pay off our arrears, we send forward a very strong signal that reform is important and the reform ought to be followed through.

Mr. Burns continues.

> We have taken the opportunity and we have not been met with a fundamental objection by Secretary General of the United Nations, Kofi Annan. He has welcomed the progress that has been made this week. He has put forward his own reform proposal. So we don't have a problem with the Secretary General and we certainly would look forward to the continued support of Senator Lugar in this effort.

Mr. President, I am not certain what that means. Clearly Mr. Burns does reflect the thought of the administration and most Americans. We do not like to be thought of as a deadbeat country, but he is suggesting, I suppose, that somehow all of that has been finessed this week—a certain amount of reform, a certain amount of payment, the Secretary General not giving fundamental objections and a hope that somehow I might be pacified.

I was even more intrigued by reports on Saturday in the Washington Post and the Washington Times after our Ambassador to the United Nations, Bill Richardson, was accompanied by the distinguished Senator from Minnesota, ROD GRAMS, a member of the Foreign Relations Committee and chairman of the subcommittee dealing with international organizations. Senator GRAMS and Ambassador Richardson went to New York and had a press conference. I quote from the story by John Goshko in the Saturday, June 14, issue of the Washington Post.

John Goshko said:

> They denied Congress wants to micromanage the United Nations and they insisted the plan is not a take-it-or-leave-it proposition. Instead, they said, it is a set of suggestions aimed at helping the United Nations become, as GRAMS said, the best United Nations it can be.
>
> The two officials' assertions that conditions or so-called benchmarks in the plan are only suggestions ran counter to remarks by Senator Helms on Thursday.

Senator HELMS is quoted in the story.

> ''This bill will prohibit the payment—prohibit the payment—''by the American taxpayers of any so-called U.N. arrears until these congressionally mandated benchmarks have been met by the U.N.,'' Helms said.

Quote again.

> The message to the U.N. is simple but clear: no reform, no American money for arrears.

On another key point, Mr. Goshko says:

> Washington desires to cut the U.S. share of the U.N. operating budget from 25 percent to 20 percent. Richardson said it would be his job to negotiate with the other members to win such a change. But——

Says Mr. Goshko—

> Helms used language implying that attainment of that goal is not subject for negotiation.

Mr. President, let me just say that clearly at some point or other in this debate or on some other occasion, we will have to make up our minds. It will be impossible for Ambassador Richardson or my distinguished friend, Senator GRAMS, to go to New York and indicate, as the Washington Times said, and they quote Senator GRAMS:

> ''These are broad suggestions.'' At a press conference both men took pains to soften the edges of a bill most here see as a nefarious ''take it or leave it'' offer. Mr. Grams said he plans to spend time at the United Nations this summer selling the package to foreign envoys.

But at this stage, whether one has the hard version or the soft version, my basic question is: is it likely the money will be repaid at all? And that is fundamental. If you buy my premise the United Nations is important, that it is important for us to make sure it is beefed up, is stronger, is viable as a part of our foreign policy, then, at a minimum, this means we must pay our arrears. And those arrears are only slightly owed to the U.N. superstructure. Most is owed to our allies with whom we have dealings in many other fora.

If, in fact, we pass legislation—and I believe the legislation that came out with regard to Title XXII, the arrears section we are discussing, leads to so many stipulations, not only micromanagement but conditions to a fault, that the likelihood of very much money passing to our allies or to the U.N. is very small.

The Washington Times article and writer counted as many as 20 conditions that would be required. My staff, in analyzing title XXII, has found at least 38. I have discussed briefly some of the major conditions, and these are major decisions for the United Nations must make to get its money and to make possible our payment of the arrears to our allies. But it is quite a change from dues in which we pay 25 percent of the U.N. budget to 20 percent and is quite a move for us to get 31 percent dues for peacekeeping down to 25.

There are many Americans, not simply Senators in this Chamber, who would rather pay less. So I suspect there will not be an argument that, given your druthers, it would have been fine if our statesmen negotiated a long time ago a U.N. debt for dues for us of 20 percent as opposed to 25, or for 25 percent for peacekeeping as opposed to 31.

Mr. President, I think we have to recognize that we are saying in this legislation is that unless the rest of the world, the other 183 countries, acquiesce to the United States and arbitrarily lower our dues, we will not pay. There may be a suggestion somehow that money is going to come forward, but unless those two requirements are met, it does not appear to me possible that payment is likely to occur.

Now, we add on a number of other conditions such as the fact that U.N. conferences can occur in only four cities in the world and the rest of the world will have to accept that because we put it in this bill and we have said, in essence, we are not going to pay unless each of these conditions is met. Perhaps Ambassador Richardson and Senator GRAMS read this legislation in a different way and saw all of this legislation as merely suggestions, sort of ideas that might be kicked around up there at the U.N. with our friends. That is not the way the bill reads. It says you meet our requirements or there is no money to pay our past dues. And the distinguished chairman of the committee has underlined that view in his own remarks last Thursday.

So, Mr. President, is the money likely to be paid? Probably not. And that means that the debate we are having today is likely to linger. The problem is there will not be as good a time to finally take care of this problem than there is presently. The Budget Committee, those who have been working on the overall reduction to zero deficit in 5 years, set aside the money and their plan is for us to pay off. If we do not authorize the money to do that, then it disappears from the table. It is unlikely to appear again. I do not suspect that the Congress will be involved in another 5-year plan for deficit reduction soon. We will have adopted one. We will be in the plan. We can choose to authorize the money and appropriators can finally decide whether to appropriate it. But at this point we come up with an option, under 20 conditions or 38 conditions, or however many you may be able to derive from Title XXII, that if we decide not to pay any money, we are going to have a problem, and that is what I want to discuss.

Now, what are the problems if we don't pay? I think the problems are not only the inevitable weakness of the U.N., but the quality of our relationships with our allies in the world. Americans may not realize that is the problem we are talking about, our relations with Germany, Great Britain, Italy, with our NATO allies. At other times in other fora we are discussing NATO expansion, we are discussing new obligations, and arguing how extensive those will be. And most Americans, including myself, who have argued for NATO expansion have pointed out that we anticipate our obligations will be relatively small. I accept the estimate of the President of the United States in his London press conference with Prime Minister Blair that we will be paying $150 million to $200 million a year. But this implies that our European allies will be paying a lot more. The countries coming in will have to pay a great deal to bring their infrastructure up to speed to meet the common defense principles. Essentially, the United States will take the position with regard to NATO expansion that burdensharing means a very large burden taken on by our European allies for their defense, for the defense of Europe, and we will argue that that is perfectly logical; they are the countries most in harm's way and that we already have provided substantial infrastructure in Europe. But the stakes are very high and the money sums are very large that we are going to ask of European allies. Now, what if, in the midst of that argument, we still have the U.N. arrears situation? There are Members of the Senate arguing: We don't like the United Nations. We think it's top heavy with bureaucrats, that these people are inefficient, that too many come from countries other than our own, that essentially they hold too many conferences in strange cities all over the world, and we will not pay either the United Nations or our European allies until all of this is terminated—ad seriatim, as you go through and read Title XXII.

Those negotiations for NATO expansion might be very difficult. I suggest a whole set of other negotiations may be very difficult. I had in my office this afternoon a distinguished Austrian statesman. We have a lot at stake in negotiating on agriculture with Europe, enormous sums, in terms of whether we come to agreement on technology, science and on export subsidies and export taxes. There is a lot at stake for a lot of Americans. Those negotiations are very tough. We are coming up to another GATT round in 1999 on agriculture. It is not at all certain how much headway we shall make. But it makes an enormous difference, in billions of dollars of exports, that we make a lot of headway and that we be negotiating with friends in good faith.

How in the world can we anticipate useful negotiations on NATO or the European agriculture plan or the GATT situation with the very same countries to whom we are, in essence, saying: Sorry, we are not going to pay because a number of Senators don't like the United Nations? They still have a billboard mentality which says, ''Get us out of the United Nations.''

Some of us are going to have to say on this floor, ''Not only keep us in, but make the U.N. work.'' I certainly subscribe to every reform proposal that makes sense at the United Nations, and the Secretary General, who is a friend of the United States, subscribes to much of that. I have no doubt if we are a vigorous player in the United Nations, as opposed to taking the thought that we are being preyed upon by a group of nations over whom we have no control. If we are a vigorous player, we are going to be able to negotiate changes that are substantial, and we are going to have to do that in the European Community with the agricultural plan and with NATO. There is no free lunch in this business. The idea that we can, with an ultimatum, say, ''Take it or leave it,'' and that somehow the United Nations will make these changes to accommodate us, I believe is unrealistic.

Mr. President, let us take, hypothetically, one more situation suggested by the distinguished junior Senator from Massachusetts, Senator KERRY, during the markup in the Foreign Relations Committee. Senator KERRY said, from his experience in dealing with U.N. reform, and he has had substantial experience on this topic, he thinks there is a possibility that all the other 183 countries will acquiesce. They will finally read Title XXII as the Foreign Relations Committee adopts it and grudgingly, and with great passion and recrimination and so forth, understand that it's lights out for the United Nations if they don't acquiesce to the United States, which they will describe as a bully, as a country operating totally outside international norms, as a country that did not recognize its obligations.

That is still another scenario. I gather proponents of the bill think that is the best scenario. The United States wins. We reduce our dues unilaterally and our peacekeeping moneys. We managed to bully every other nation on Earth into acquiescence on the basis that a United Nations without us would be unthinkable. I would say, under those circumstances, we still have ahead some mighty rough sledding with regard to any other international organizations or negotiations on trade, or NATO, or whatever.

The amendment I have offered is a simple solution. It says, in essence, that we owe $819 million. We ought to pay it in 2 years, two equal installments with no conditions, because we owe it to other countries, essentially. We owe it to some international organizations such as the Food and Agricultural Organizations, the FAO. We are about $100 million behind in our dues payment to them. We are about to lose our seat and our vote, even while those of us in agriculture feel it is very important we be at the table. There are consequences for being a deadbeat, for trying to stiff other countries. We ought not do it. We ought to affirm that the United Nations is important, that we are a leading player, that we are the leading player in terms of confidence building in international diplomacy, in security arrangements which the United Nations represents.

I have offered this amendment as a substitute for the entirety of 18 pages that contain all of these conditions, an extraordinary array of pages and language. I am hopeful Members and their staffs will read this before they commit themselves to a vote in favor of this provision.

I rise today simply to offer Members an alternative. The distinguished Senator from Delaware, the ranking member of the committee, has argued with a great deal of skill in the Foreign Relations Committee markup, that even if my position is right, even if there is some logic to what I have to say, the fact is the alternative was never my position. The fact is, the very best situation that he was able to negotiate with the distinguished chairman of our committee was for 18 pages of title XXII as they now exist. In essence, we are faced with the situation, as I read the logic of the distinguished Senator from Delaware, of a take it or leave it with the Senate, quite apart from a take it or leave it with the rest of the world. The implication is, if we do not adopt title XXII as negotiated, there is likely to be no money, zero money, for the United Nations.

But I am suggesting that the outcome of adopting title XXII may very well be zero money for the United Nations, that you get to zero either way, that we have not solved the arrears problem, that the headlines that somehow or another the United Nations is about to be revived are premature. Or, to state Senator KERRY's position, as I have already: Somehow, the United Nations gets the money, they go through all the hoops and with all of the resentments, recriminations, and difficulties we have around the world, we pay dearly, a multiple of whatever has been squeezed out of this process.

It is not an easy choice for Senators to make. But that is why I pose it in these terms and why I believe it is fundamentally one of the most important debates that we shall have about foreign policy. It gets to the heart of our relationship with our friends, with the rest of the world, and with the United Nations.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I, myself, am in the strangest position I have found myself in, probably, in the 25 years I have been here. I don't disagree with a single thing that my friend from Indiana has stated.

Let me review the bidding, as I understand it, very, very quickly. No. 1, we have to decide, is the United Nations useful? Is the United Nations an important instrument in dealing with crises and conflicts in the world? Should we be a part of it? Does it augment our foreign policy? Is it important? Is it vital?

In my view, the answer to every one of those questions is a resounding yes. As a matter of fact, I went so far, as the fellow with whom I engaged in a political campaign last year repeatedly pointed out—I wrote a very long paper, not too long ago, about 4 years ago, where I wrote that I believed we missed an opportunity for making the United Nations the centerpiece for the architecture of peace well into the next century. I think it has a capacity far beyond that which we are asking of it, and I think it has a capacity that is unparalleled by any other potential organization existing or one that I can contemplate.

I think we do not spend nearly enough time pointing out what my friend from Indiana has, that 80 percent of the U.N.'s work is helping developing countries help themselves. The fact of the matter is, their work includes promoting and protecting democracy and human rights, developing effective food distribution and food cultivation strategies, assisting disaster victims, helping nations avert military threats by providing a diplomatic floor for dispute resolution. Who else does that besides the United Nations? Where else in the world—where in the world can we possibly go to have any of those functions undertaken?

Some would say the United States should do that. The very people who say the United States should do that are the very people who, when the rubber meets the road, say, ''No, no, no, no, we should not be involved. We, the United States, should not be involved. We can't be the world's policemen. We can't be expected to do everything.'' I find it ironic, the same people say the United Nations isn't worth the powder to you know what.

So much—all of what the United Nations does, frankly, even though it is exasperating and time consuming and frustrating sometimes, is clearly in our interest. We rely on the United Nations to provide humanitarian assistance to millions who otherwise would have no source of food or shelter. We rely on the United Nations to eradicate disease and improve health around the world. And particularly, it is the United Nations that leads the world in helping children by providing food and shelter and by protecting them from the scourge of disease that threatens their health in many parts of the world.

We, the United States, rely on the United Nations to handle the increasing flow of refugees across borders and to prevent refugees from devastating and destroying neighboring economies, security, and the environment. We rely upon the United Nations to counter global crimes. The United Nations coordinates the international cooperation to fight terrorism, to counter drug trafficking. We rely on the United Nations to facilitate and maintain peace. In short, we rely on the United Nations in a way that we rely on no other organization. It is indispensable.

So, that is the place from which we both start. I think it is fair to say our voting records for the last 20 years or so have been almost identical relative to the United Nations. I have not been one who has voted to cut the United Nations.

The point that the Senator has made repeatedly and I have made repeatedly is the average American thinks, when we talk about arrearages we owe the United Nations, they think we owe money to a bloated bureaucracy out there that is wasting our money with all of these ghost employees who are doing nothing but subsidizing the economy back home and wasting our money and then voting against our interests, and that is where the money goes.

Hardly any of the money that we owe goes to the Secretariat, goes to pay salaries at the United Nations, or goes to turn the heat and light on. The bulk of the money we owe, we owe to our friends for the reason my friend said. We said: Hey, we ain't sending GI Joe. You send your guys. You send your guys. We can't be expected to be everywhere. And we vote. We have a vote in the U.N. Security Council. If we don't want to vote to send anybody there, we can say no, and they don't go. But we vote yes because we view it to be in our policy interests, our foreign policy interests. So, who do we owe? We owe France, we owe England, we owe Belgium. I have a list right here. I will repeat it. It bears repeating: France, Great Britain, The Netherlands, Pakistan, Germany, Belgium, Italy, India, Canada. That is where the bulk of the money is we owe—for peacekeeping.

I say to my friend from Indiana, one of the things I tried to note in negotiating this is: I'll tell you what, why don't we just pay all the peacekeeping stuff up front? We can sell that to the folks here. Even the those that don't like the United Nations, they like Great Britain, they like Germany. Even the folks that don't like the United Nations acknowledge France is an ally. Why don't we just pay them, no strings, nothing, pay what we owe, bingo.

I even tried to put in an amendment. The Senator used the phrase, ''pass through.'' In a sense, the United Nations is passing through that money to them. I even came up with language—I should say this young man on my staff came up with language—to say: Guarantee that the money just passes through, cannot be diverted to go anyplace else: Pass through, pay France; pass through, pay Belgium, pass through—et cetera.

Tried that route. As was pointed out accurately by my friends with whom I was negotiating, ''Hey, look, we realize if you pay our friends, then the pressure is relieved. The pressure is relieved. We're not likely to get these changes we want in the United Nations.''

So you are right, this is pressure; you are right. We finally, after all these negotiations, which included the administration, said, ''OK, what do we do? Do we end up essentially emasculating the United Nations, causing its further''—talk about resentment—''further resentment?''

Let me back up. I apologize to my friend for him having to hear this for the third time from me. I have heard from him as well three times, and I welcome hearing 10 more times, because he is right on the merits. I was asked if I would have a meeting with the President of the General Assembly. I forget how many people he brought along with him, three or four folks representing their countries in the United Nations, their Ambassadors.

They came down to see me—I am paraphrasing as was stated by the spokesperson for the President—as a friend of the United Nations seeking my help. We sat around the conference table in my office for, I don't know, an hour, hour and a half. I listened to what they had to say.

I said, basically, ''You're right.'' I said, ''Let me get this straight now. You are saying three things to me: One, you acknowledge the United Nations needs some reform and you want that reform to take place anyway and you're going to initiate it. But if we even request, if Senator HELMS' benchmark includes any of the reforms you have already contemplated you want to do, if it did, then it would make it harder for you to do them because people would resent the fact that we were telling you you had to do them.'' I said, ''Do I have that straight?''

They said, ''Yes, that's right.''

I said, ''Let me get the second point. The second point is you desperately need a demonstration of the board of findings of the United States that we're going to pay our debt, and that you can't wait another year on promises. It is no longer good enough you have a President who says he is with you and you have a minority of Senators who say they are with you, you need something tangible right now.''

''Yes, that's my second message, Senator.''

''But your third message is: Give us the money with no strings now, even if it is not all of it, in order for us to be able to get things underway to demonstrate we will reform in order for you then to have enough votes to produce the rest of the money.'' I said, ''So you acknowledge it is going to have to be staged, right?''

''Yes.''

I said, ''I agree with you, but before you leave, let me ask you a question. Given your choice, no money and no conditions this year or conditions that are consistent with the things you say you want to do anyway and you are willing to attempt to do, and significant money this year with a significant commitment for the bulk of the money the next year and the remainder the third year, which do you pick?''

They said, ''We pick the conditions and money rather than no money, no conditions.''

So I sat down with the administration and I said, ''OK, folks, you sent up here a proposal for over a billion dollars in 1 year. Got anybody to support it besides me?''

''Yeah, we got some other people to support it,'' and named, I believe your name was taken in vain, I say to Senator LUGAR, and a few others.

I said, ''Do you think you have enough votes to get that done?''

They said, ''No, we don't think so.''

''What do you want me to do? Well, let's see what we can get done.''

So I met with the Secretary, and I met with our U.N. Ambassador, our former colleague from the House. I said, ''You have to tell us your drop-dead number''—excuse the expression. ''What is the bottom line on this? If I can't get all you need, what is the bottom line on all this? And I want to tell you what the conditions are here that Senator HELMS wants. I don't want any of those conditions, but what ones can you live with and what can't you live with?'' And we began a long, long process of negotiating.

The end result is what you see here. The end result is the administration, whether they are right, wrong or indifferent, told me on this part of the U.N., they want more. They don't like the conditions. They believe the minimum number should be $1.21 billion. They don't believe we owe, by the way, 1 billion 4. They don't agree with that. They don't think we owe that, which is the number everybody uses. They say we don't owe that.

When the day was done, the Senator from North Carolina made some significant concessions. That left the Senator from Delaware in a position to say, ''OK, the U.N. says, bottom line, they would rather run the risk of not risking another year of nothing,'' notwithstanding the fact it will cause them serious problems. In turn, I think the Senator is right; it is going to cause us additional problems. The administration says we can do it on this amount of money and we can make those conditions work if you stagger the conditions to the end. ''Give us the bulk of the money upfront and make the hard conditions at the end.'' That is what they said.

So we go back to the threshold question: Is the United Nations in our interest? I believe deeply that it is essential—essential—to the ability to carry a sound foreign policy for this country into the next decade and beyond. OK.

Now, what is the best chance of the U.N. continuing to be viable? Take a chance on something that the President of the General Assembly doesn't like but acknowledges, given two bad choices, would rather have, take the position the President does not like, our U.N. Ambassador does not like but believes can get the job done if that is what it has to be, or go back to square one, which is debate this on principle—and I am not belittling and I am not being a smart guy saying that—debate the principle of this for another 4 months or 2 months or 6 months or a year and leave Ambassador Richardson totally empty-handed, with no money, not give the Secretary General anything to demonstrate that we have other than a minority of us and the President saying we will pay, the check is in the mail, or go ahead and do what is proposed in this legislation?

I honestly believe, unless the administration is fundamentally wrong in their calculation, this is in the absolute best interest of the United States of America and has the greatest prospect of continuing to have the United States viable than any other alternative I can come up with.

The next question, it seems to me, is reasonable to ask: OK, BIDEN, geez, you agree with Senator LUGAR, he is your ally, you are in the same boat on this thing, you agree with the principle he is saying, you got this much, why not go along with him and raise it? Maybe if you speak up now, you may get enough votes to get 51 people in this body to vote up that number.

There is a simple answer to that. It may not be a good answer in the minds of most people. The editorial boards of the New York Times and others won't like it, but if I do that, there is no deal. Then we go back, not negotiating between 819 and 1 billion 21 or whatever the Senator's amendment is going to say precisely, or saying we pay all the 819 without any conditions and whether we pay the 819 with conditions, we go back to zero versus 1.021, or zero versus 819 and no conditions.

I don't suggest that I know any more than my friend from Maryland, Senator SARBANES, and my friend from Indiana, Senator LUGAR, but I do suggest I don't know any less about how this place works. I do suggest that paying this over 2 years will be better than over 3, but the issue is whether it is over 5 or none when we started this. I do suggest it is better to have no conditions than the conditions we have in here, but I suggest it is much worse to have the original conditions than the conditions that are in this bill.

I have a vast amount of respect for both my colleagues. As my friend from Indiana will tell you, when I thought that the Senator from North Carolina was unwilling to raise the level to the amount that the administration said they needed, I picked up the phone and I called the Senator from Indiana, and I called two other of my Republican colleagues on the committee, and I said, ''If I offer an amendment to fully fund this,'' or if we offer it, ''can we get it adopted?''

In the case of two other Republican Senators, I said, ''If I offer it, will you vote for it?''

In the case of the Senator from Indiana, I said, ''If we offer it, what do you think our chances are?''

In the meantime, the Senator from North Carolina, the chairman of the committee, said, ''All right, I will go to the minimum number that the administration says they need, but I won't go any further.''

In addition to that, we also were able to get the number up for the international organization account for this year's State Department authorization

and a lot of other things that the administration wanted.

So here we are. I will end where I began, where the Senator from Indiana began. This is one of the most important decisions we are going to make. The viability of the United Nations and our influence on that organization is critical to American foreign policy interests, to the interests of the United States over the next several decades.

Strategically, we have not one bit of difference. Tactically, is it better to get what the administration says they can make work, what the Secretary General says he appreciates—the attempt we are making and doesn't know if he will get funding from, but thanks for the effort, and what the President of the General Assembly says he would rather have, given two bad choices. Is it tactically better to go that route, to ''save the U.N.'' and us in it, or is it tactically better to not go this route, go the route of the amendment of my friend from Indiana, and if we win, hope that my friend from North Carolina says, ''Well, I lost here on the floor, that's OK by me''? I choose the first tactical option for the same strategic reason the Senator from Indiana chooses the second.

I had one of my colleagues say, ''You know, you got the chairman to go up to 819. The trouble with you is you just didn't have a tough enough bargain. You could have gotten him to go higher. If you just held faster, he would have gone higher.''

I respectfully suggest, name me someone else who got the chairman up to 819 or even remotely close.

There is one other provision I am almost reluctant to raise here, but one of the provisions the chairman has in this mark is that we get paid money for our peacekeeping.

The administration believes there are moneys owed us as well and believes the U.N. owes us about $107 million. That is not part of this legislation, but it is part of the calculus. It may end up being a fight between OMB and the administration—I mean, within the administration. It may be a fight in some other place if the administration really cares about this. Do not come to me and tell me it is easier to get another $107 million from my good friend here and a majority of his colleagues, our colleagues who are his allies, if they cannot work out an internal problem within the administration.

So we are at least theoretically talking about $925 million versus $1.021 billion. We have all been in this business long enough. If, in fact, our Ambassador to the United Nations—probably the most skilled negotiator we have ever had in that spot in the history of the United Nations—if he cannot figure out the difference over 3 years for roughly $90 million, then he is not the fellow I worked with in the last decade and a half.

Like I said, as one of my colleagues said to me, ''Joe, I've been here too long. I'm not doing this on anything other than on pure principle anymore.'' Well, that is great. That is great. My honest opinion—and that was not said by my friend from Indiana, although he is an incredibly principled guy—in my view, tactically, this is the single best thing that can happen to enhance and give the greatest prospect for the outcome that I desire occurring, and that is, a viable United Nations, with the United States playing a vital role and the United Nations playing a vital role.

Again, every argument made by my friend from Maryland in the committee and my friend from Indiana in the committee, and here, is accurate as it relates to whether or not we are imposing on the United Nations. We are. I might add, I do not know how they voted, but we voted on legislation that imposed on the United Nations an IG, an inspector general. We imposed that on them. I did not hear anybody standing on the floor then saying, ''We are imposing on the United Nations.'' Maybe somebody did. It sure did not reach this level. It is not new.

Some may recall in a previous Republican administration, the Secretary General discussed with us reducing our share to 20 percent—actually, below 20 percent, between 10 and 15 percent—and the then Republican Secretary of State said, ''No, we don't want to go that low. It will diminish our influence.'' So it is not like we are coming out of the blue with a number that cannot possibly be met.

Agreed, I do not like doing business this way. If I sign on to a contract, even though the terms turn against me, I stick with the contract until—as our friend from Mississippi, Senator Stennis, used to say every time you would look at him—I have one of his letters he sent me. He said, ''You got to plow the field to the last furrow, to the end of the road.'' Well, that is how I think contracts work. You plow the field to the last furrow, to the end of the road, then negotiate next year's crop, then negotiate how many furrows next year. That is the better way to do it. That is how I am used to doing business.

Personally, as a Senator, as a legislator, as a man—as a man—this field is not going to have any crops. It is not going to grow anything because there is no plow in the field right now. We may not have enough of a plow to plow the field to the last row, to the last furrow at the end of the row, but, boy, we have 99 percent of the field covered.

Then, as I said earlier—and I will yield the floor with this—in a slightly different context today I said, you know, I am a Senator. That means I am an optimist. To be a Senator, it seems to me, you have to be an optimist. You would not choose this job knowingly if you thought things were not going to turn out.

Well, look, 3 years is a long time. Kofi Annan, the Secretary General, called me on Friday. I realize that is nothing unique. I am not the only guy that has spoken to him. But he called me. I happened to have known him in his former incarnation in the United Nations. He is one heck of a guy. And he called and said, ''Joe, I want to thank you for the try.'' He did not say, ''I called and said I think it is a good deal.'' He said, ''I want to thank you.'' I do not recall whether he said it or I said it, but he will hear it, so he will correct me if I am wrong. My recollection was that one of us said off the other's sentence, ''Three years is a long time.'' And then he said, ''I hope by the end of this year many of the very proposals and reforms you're asking for will already be done and maybe that will change some people's minds.''

The administration only asks for $100 million in fiscal year 1998, and this gives them $100 million in fiscal year 1998. The conditions they have to meet are basically zero. They have to promise our sovereignty is not in jeopardy, essentially. The second year, the $400 million and some, the conditions get a little tougher—not very tough. The third year, the last $244 million, that is where the rubber meets the road.

The Senator did not want to do it that way. The Senator wanted the rubber to meet the road the first date.

Is that a fair statement, I say to my friend from North Carolina?

He has actually made some genuine, serious concessions. I said, let us keep this ball in play. That is my plea. Let us keep the U.N. in play. Get them money now. Start to pay back our debts now. Get it underway now. As I am one of those guys that thinks once you put the ball in play, we win—we will reach the appropriate outcome.

My concern with the approach taken by my friend from Indiana—and he, as I said, has been here almost as long as I have; he is a skilled politician in the best sense of the word, as well as a principled, knowledgeable legislator—he could be right that the route I am taking you down tactically will not get us to the strategic objective, and maybe the way to do this is call the bluff, call the bluff. But I doubt whether or not even he believes that if we were to prevail, or if I were to abandon this fairly reached deal, that we would likely, at the end of the process, be any further along than we were the end of last year.

Keep in mind—I want to say it again because I have been absolutely, completely straight with my friend from North Carolina—if we go to conference and they have no money—by the way, unless something happened in the last couple days, they have zero, nothing, for the U.N., zero—if this means we go to conference and BIDEN is expected to go from $819 million to $408,500,000, they have the wrong guy. My bottom line is $819 million.

So we may not get to there from here even if we do it my way—not my way, the way suggested in this legislation. But I respectfully suggest no one has laid out for me, and I am anxious to hear it, how we get from here to there.

And the ''there'' is preserving the United Nations, our position within it, its viability, credibility, and ours as well.

I cannot believe, if the Senator from Indiana were President—and he would have made a good one—and I were the Secretary of State—I doubt he would have picked me—I cannot believe, if he said, ''JOE, you go see Chirac, you go see Blair, you go see Kohl, you work out something on this arrearages deal with them.'' I cannot believe I could not get that done for him without damaging my relationship with them and figuring out a way at the end of the day—the end of the day, whether that means 3 years or 5 years or 7 years—to pay what we owe.

But I do not know how to get from here to there. Were he President and I Secretary of State, and he said, ''JOE, go work out a deal with those guys. And, by the way, you have no money. We can't come up with a nickel. You go work it out.'' I do not know, folks—I do not know. I think I have a little bit of a greater faith in this administration than my colleagues do, and a little greater faith in the ability of our Ambassador to the United Nations to make this work without suffering the consequences that could and may be suffered if this were to pass. But like I said, I have not heard any other idea. And I have been working with this too long to fall on my sword.

I again close where I opened. I think on the merits—my friend from North Carolina knows how I feel—I think on the merits my friend from Indiana is correct. But I think the merits and the friendship of the Senator from Indiana may get me into the girls State championship basketball game in Indiana, maybe, but it will not get me much further—probably will not even get me there.

I yield the floor.

Mr. SARBANES addressed the Chair.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Since the Senator sought the floor——

Mr. SARBANES. Go ahead.

Mr. HELMS. I will be glad to yield.

Mr. SARBANES. No.

Mr. HELMS. How long does the Senator wish?

Mr. SARBANES. I will yield to the chairman, obviously.

Mr. HELMS. I understand that. But I respect the Senator from Maryland. I want him to have his say.

Certainly, Mr. President, I am not going to criticize Senator LUGAR. I think and hope we have been friends ever since he came here. I have made several statements publicly in his advocacy. I think he will acknowledge that. But he is not in a position in which he has to make judgments that will lead to either a successful piece of legislation or an unsuccessful one, depending on which decision is made.

Senator BIDEN has very eloquently and accurately described the process by which the committee brought in a lot of views and a lot of people, including the distinguished majority leader, TRENT LOTT, and the relevant appropriations subcommittee chair JUDD GREGG. As I said in my statement earlier, this bill will not represent every provision that I want, but I think it is the best legislation for the American people. I do not need any pollster to tell me that; in fact, I have found out that the results often depend on who the pollster is taking a poll for and what the people who paid for the poll want to accomplish with the poll. That certainly is a game that is played in politics constantly.

But let me say that speaking, I think, for a sizable percentage of the American people—and not having a poll except the ringing of the telephone in my office and the fax machine grinding constantly and the mail by the sackfuls—we do not owe it to the rest of the world to pay the so-called arrearages to the United Nations for peacekeeping, and we certainly do not owe these nickel and dime amounts to our allies or to anyone else, for that matter.

Let me set the record straight just a bit. I do not say this with any hostility, but if you think the American people have not been socked with enough taxes to support whatever project or institution that is supported at the moment, let's look at the facts. Since 1950 the United States—that means the American taxpayers—has given other countries (free of charge) $120 billion in military assistance through grants and loans. In just the past 10 years, the United States paid $40.4 billion in military assistance to another set of countries. I have heard no moaning and groaning on this floor about what we owe, but nothing about all of the support the U.S. has given.

When you add up the low-cost and no-cost loans to the total assistance that the American taxpayers have been forced by their Government—by this Senate, by the House of Representatives, by the President sitting in the Oval Office on Pennsylvania Avenue—the total assistance that the American taxpayers have given out since 1950 amounts to at least $161 billion—and mind you, that does not include interest that has been forgiven when we didn't seek repayment of loans.

In addition, every dime of this has been given away in years when we did not balance the budget. These costs are part of the reason that we have a $5.400 trillion federal debt today. So let me be clear—we long have bankrolled the world, and I will cry tomorrow for those ambassadors from France and Germany, and even Poland, who say that they do not like what JESSE HELMS is doing in the Senate. Well, JESSE HELMS does not like to have to do it, but some of us have reached the point that we have to hold hands tight and work out a deal that will achieve long overdue reforms.

Now, this pending bill is the proposition that has been agreed to by the President of the United States, by the Secretary of State, by JOE BIDEN—who is the ranking Democrat on the Foreign Relations Committee—and by countless other distinguished Americans whom we have consulted and with whom we have worked.

Now, let me tell you something. It is easy to sit back and say, ''Well, we have got to pay our debts.'' With what and on what schedule? Are you going to add it to the federal debt? What are you going to cut out of the budget which we have been unable, thus far, to get balanced in this body and in the House of Representatives and then signed by the President?

We all hear that there is a coalition of interests, but my primary interest happens to be the people who pick up their lunch pail and go to work every morning, who do not know much about Congress. They are trusting us to protect their future and the futures of their children and grandchildren. Now, every campaign they are celebrated as the reason Joe Candidate and Mary Candidate are running for office, looking for votes. But as soon as the election is over, you do not hear much more except a political speech now and then.

Now, I have been on the Foreign Relations Committee quite a while. JOE BIDEN and I held up our hands to take the oath of office on the same day—January 3, 1973, right over in that corner. We have been in the Senate the same length of time. I have enjoyed serving with Senator BIDEN because although he and I seldom agree on fundamental issues, he always shoots straight with me—and I think that he will say that I have shot straight with him. I am a conservative and I am unabashed about it. And JOE, no doubt about it, is a liberal. That is the way it goes in this body.

But also on the Foreign Relations Committee some years ago, I think in the mid-1980s, one of the bad ladies who served on the committee—now, I am not even going to joke about it. She is one of the sweetest ladies I have ever known, one of the brightest ladies I have ever known, and one of the most unyielding ladies I have ever known—and her name was Nancy Kassebaum. It is now Nancy Kassebaum Baker because she is the bride of Howard Baker, the former majority leader of this Senate.

Now, it was, I believe, 1986 an amendment was enacted into law in the State Department Authorization Act. And by the way how many authorization bills have been passed since that year? Not many, not many. So the affairs of the Senate Foreign Relations Committee, Mr. President, have been handled by the Appropriations Committee until this year and we are endeavoring to have the Foreign Relations Committee resume its rightful place in the conduct of foreign affairs. I do not think it ought to be conducted by the Appropriations Committee.

But in any case, our former colleague from Kansas, the then Nancy Kassebaum, used a very interesting approach more than a decade ago in trying to get a budget reform at the United Nations. She was so disappointed and so was I with the way the United Nations was being operated. Her amendment was enacted into law for the authorization act for fiscal years 1986 and 1987. It explicitly and unilaterally withheld 20 percent of the U.S. contribution to the United Nations and its specialized agency until voting reforms took place at the U.N. Now, I must ask, what is so unusual about this bill? We are including provisions that require reforms in the same way—by withholding U.S. contributions. I do not know whether Senator LUGAR was chairman of the Foreign Relations Committee at that time. If he was, I doubt that he very strongly opposed Senator Kassebaum.

But the point is we have so many people who have responsible roles to play in this matter. We are hearing from the President and former Presidents, we are hearing from Secretaries of State and former Secretaries of State, et cetera, et cetera, et cetera, as Yul Brenner said in ''The King and I.''

I have a letter from Bob Dole supporting this plan. I ask unanimous consent it be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. HELMS. I appreciate the remarks that Senator LUGAR has made. But I just wish there would be some understanding of what our options are. Sure, we could watch Senator LUGAR talk about it, but we will end up with the Appropriations Committee running for the Senate our role in the foreign policy apparatus.

I admire Senator LUGAR, always have, always will, and I refuse to get in a fuss with him. His amendment is dictating to all those who have worked for months to arrive at a consensus piece of legislation how to do things when he does not have any workable alternative. I will still respect him, but I say that the Foreign Relations Committee, and the Senate, has for the first time in a long time the opportunity to take its rightful place in the procedure of determining the foreign policy apparatus of this country.

I will have more to say, if necessary, as time goes by, but I hope the Senator will not press his amendment.

I thank the Chair. I yield the floor.

EXHIBIT 1

JUNE 12, 1997.

Hon. JESSE HELMS,
Chairman, Committee on Foreign Relations, U.S. Senate, Senate Dirksen Office Building Washington, DC.

DEAR JESSE: I want to take this opportunity to commend you for a job well done on your United Nations reform legislation. I know you have spent many hours ensuring that our national interests—and the interests of American taxpayers—are better protected at the United Nations.

As you know, I have long supported efforts to achieve reforms in United Nations peacekeeping and in the other areas of U.N. operations. The personnel, budgetary and organization reforms your legislation requires before additional U.S. funds go to the U.N. are comprehensive and long-overdue. I am pleased to see your legislation effectively precludes U.N. efforts to create a standing army, impose taxation or control U.S. property. I am particularly supportive of the provision which requires U.N. reimbursement for all costs associated with U.S. support for U.N. peacekeeping, and the provision which lowers the U.S. annual assessment for the U.N. budget. If such provisions had been in place in 1993, U.S. taxpayers would have saved literally billions of dollars.

You have put together an impressive piece of legislation. I congratulate you for leading a difficult effort that will result in a more efficient and more limited United Nations, and help ensure that American interests come first in our policy toward the United Nations.

I am writing this letter solely on my own behalf and the opinions expressed herein are my own.

Sincerely,

BOB DOLE.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. I commend the very able Senator from Indiana for offering this amendment and for, in effect, crystallizing this issue on the floor of the U.S. Senate.

I share his view that this is an extremely serious matter and that the American commitment to the United Nations, despite various assertions we are hearing to the contrary, in fact may be in the process of being seriously eroded. This is a very important amendment.

It is my own strongly held view that the interests of the United States have been served by our Nation's active participation in the United Nations and the U.N. system. Over the years, since the end of World War II, the U.N. often has been an effective means of promoting U.S. foreign policy interests. When we work with and through the United Nations, we can leverage our resources and our influence in order to achieve a much greater impact than we could unilaterally.

Why do we go to the U.N. and seek these resolutions to sanction various actions we take around the world to serve and protect our national security interests? Because it gives us an international mandate to pursue a course of action, and frequently elicits contributions from other countries. Sometimes, in fact, the other countries are the ones who put their troops on the line, not the United States, in order to accomplish objectives that we regard as important.

Now, in the last decade, our status as the U.N.'s biggest debtor has affected our credibility and undermined our leadership with our allies and within the international community. The United States owes over $1 billion to the U.N. for regular activities and peacekeeping, more by far than any other country. Our arrearages are nearly two-thirds of the total amount owed by all countries to the United Nations.

There has been a misperception that the U.N. can somehow dictate policies to the United States and force us to undertake actions that do not serve American interests.

This is simply not the case. Nothing could be further from the truth. U.N. peacekeeping operations cannot be established without the concurrence of the United States. Of all of these various peacekeeping operations, none of them could have happened without American concurrence in their going forward.

As a key member of the Security Council, we are one of five countries with veto power over all resolutions that are considered by the council. We have a veto power that, in effect, can prevent any action of which we disapprove from taking place.

As a country, we pride ourselves for following the rule of law and holding our citizens responsible for meeting various legal obligations. In fact, we try to get other countries to follow our example and live up to those standards, both domestically and internationally. It is frequently a tremendous challenge to get countries to respect the basic rights of their citizens and to act in accordance with international law.

We ourselves are not now meeting those high standards, as they relate to the United Nations. We undertook commitments under the U.N. Charter, and we have a responsibility to make good on them. The starting point here must be a recognition that this is an obligation that we freely undertook, upon which we have defaulted. We have not met our responsibilities.

Now, this legislation, first of all, does not provide money to meet all of our arrears. There has been a negotiating process between Members of the Congress and the administration. The United Nations says, well, this is what we think the United States owes—$1.3 billion and some. The administration says, no, we think we owe just over $1.0 billion. This legislation has in it just over $800 million. It does not even have the figure which the administration states is what we owe to the United Nations, let alone the figure which the United Nations asserts that we owe.

The gap between the United Nation's assertion and the administration's position is largely the consequence of a unilateral action by the United States lowering its peacekeeping assessment from 31 percent to 25 percent. We just came along and said to the organization, well, we are going to cut it, just like we are doing here now on regular assessments. This is an organization with clear procedures for working out these responsibilities, and we are simply telling them what the situation is going to be.

Now, I have no doubt that if some other country, delinquent in meeting its obligations, showed up with the demands that we have put in this legislation, we would be absolutely outraged. We would say, who do they think they are and what do they think they are doing? They had these obligations and now they are coming in and rewriting

them unilaterally and imposing these conditions.

These are conditions on past obligations. This is not looking to the future. This isn't saying, well, we rethought the matter and we don't really want to be part of this organization, unless it does such and such and so and so in the future.

These are past obligations. These are instances in which many countries have gone out and have put their people at risk, at our encouragement as a matter of fact, and now we come along and we refuse to pay the bill. We are refusing, in effect, to reimburse other countries for sending their troops on peacekeeping missions that we have voted for. Many countries have done that. They have gone and sent their troops, put their troops' lives on the line in order to accomplish these objectives. Our responsibility in most of those instances was to provide the money to cover the activities, activities they were performing for us and for the entire world. Those missions have been accomplished. The bill has not been paid.

The approach taken by Senator LUGAR would seek to address our previous obligations in a very straightforward manner, and he also, as I understand it, has a proposal to fully meet current obligations, thereby enabling us to break out of the cycle of growing debts and waning influence.

Now, it is asserted here that we are not trying to micromanage the United Nations. We just went through this tremendous struggle at the United Nations to get a new Secretary General. The United States was a moving force in that effort and, from all indications, was happy with the change that took place. Now we are throwing a burden on the new Secretary General which I have serious concerns that he can sustain.

I want to go through just a few of the kinds of conditions that are going to be imposed here. I urge my colleagues to take a copy of S. 903 and go through it to see the kind of regime it establishes. Ask yourselves whether this is consistent with our Nation's participation in the U.N. for over 50 years now, as governed by the charter.

First of all, we say that $80 million can only be made available semiannually every year on a certification that the United Nations hasn't taken any actions that raise their budget over what had been projected. What happens if we get a new peacekeeping responsibility? What happens if there is an outbreak of hostilities somewhere, and finally to help bring it under control the United Nations takes action, as it has done in other places, and there are costs associated with that action? Well, I take it, if they do that without finding an offset—even with our support—we must withhold the money.

Twenty percent of the funds made available each fiscal year are going to be withheld to comply with a certification that is contained on pages 158 and 159; $50 million is going to be withheld from disbursement until the Secretary of State certifies that they have cut a thousand posts from the United Nations—995 won't do it; you have to have 1,000. Then the following fiscal year we will withhold $50 million from disbursement until there is a certification that the United Nations is running a vacancy rate of not less than 5 percent.

Now, this isn't negotiated with the United Nations. This is not the outcome of extended discussions as to what the United Nations is going to do. This is the Congress telling the United Nations that this is what it must do. So, in effect, we are saying that we are going to run your organization and all you other countries who pay the bulk of the cost will have to live with it. I would note that even with our large assessments, we are still a minority payor in the U.N. overall.

Then there is a provision, which I hope to address later, that provides for our withdrawal from the United Nations. We have finally come to the point in this legislation where there is a serious proposition for withdrawal of the United States from the United Nations—not an argument about how much we ought to pay, not an argument about how fast we pay the arrearages, but provisions that set out a process for withdrawal. I am frank to tell you that I never thought I would see the day we would be facing this. We ought to confront this challenge head on. If that is the agenda that is behind all of this, we ought to fight it out on the floor of the U.S. Senate.

There are additional conditions that appear in different places throughout this legislation. It is not until you identify them all and look at them all—they are not all in one place—and go through them that you begin to appreciate how heavy a burden is being created here. This bill provides, as the newspaper stories explain today, that if the U.N. does not meet all the benchmarks, they don't get the money.

There was a press conference up in New York where some suggested that these ''benchmarks'' were only guidelines. But, clearly, they are not simply guidelines. In fact, they are written as binding conditions which, if adopted by the full Congress, will become U.S. law. So this legislation moves beyond suggestions, recommendations, or proposals. These conditions would be mandatory elements of U.S. law, and would have to be carried out.

Now, there is another provision here that, in the next fiscal year, in order to release the money, there has to be a certification by the Secretary of State that the assessed contributions of the United States for the regular budget of the United Nations have been cut from 25 to 22 percent and the following year from 22 to 20 percent. Now, I think trying to negotiate such a reduction is acceptable as a goal or an objective of U.S. policy. But this isn't negotiating a reduction, this is a unilateral condition on which the payment of our arrearages depends.

Here is what we are doing. We are coming along and we are saying we are not going to pay all of our arrearages. We are not even going to pay the amount that our own Government has said we owe. We are going to fall short on that score. Moreover, we are going to create new arrearages. So it is not as though we come in and say, yes, we are going to pay all of our arrearages, we will pay our current assessment in full. We do neither of those two things.

Then we provide those partial repayments under a whole set of conditions, including that the United Nations reduces our assessment—a matter which, under the U.N. process, needs to be negotiated and arrived at by consensus.

I ask Members again to stop and think what their reaction would be if another country showed up in this heavy-handed way and started insisting that this is what would have to be done in order for them to pay up the obligations which they owe. I daresay we would not give them the time of day. So we fall short on meeting the arrearages, we fall short on the current payment, and then we tie these payments to a whole set of conditions. In effect, we say to the United Nations: Well, if you want to get any of this money, you have to do all of this.

Now, I think we must proceed on the basis of careful consideration of the United Nations and its role and its importance. If there are those who don't think we ought to stay in the United Nations, we ought to have that debate. As I have indicated, I think the United Nations overall has served our interests. That doesn't mean we agree with every single thing they have done or we necessarily think that it has been run in an exemplary fashion. It has had its ups and downs, no question about it.

But the real question is: How did the United States approach the U.N.? How is the United States going to exercise its international leadership in the post-cold war-period? Is the United States simply going to dictate, to simply throw its weight around, and say, ''Well, we are going to make these unilateral judgments. Congress discussed this; now we are going to bring it to the United Nations, and you had better take it, or else?''

They held a press conference in New York the other day. Our Ambassador and one of our colleagues at the outset of this press conference tried in effect to portray the benchmarks as mere suggestions. But that portrayal comes at odds with what Senator HELMS said in introducing the bill. He said, and I quote from his statement, ''Most importantly, this bill would prohibit the payment by the American taxpayers of any so-called U.N. arrears until''—with the ''until'' underlined—''these congressionally mandated benchmarks have been met by the U.N.''

He continues, ''The message to the United Nations is simple but clear: no reform, no American taxpayer money

for arrears.'' That doesn't sound like a suggestion.

So that is where we find ourselves. I mean we are now at the point where we are going to dictate these conditions. I think it is going to cause us great difficulty at the United Nations. In fact, I think the committee's approach of seeking unilaterally to impose an American position on the United Nations may well alter the very nature of our relationship with the U.N. to our own detriment, let alone to our relationship with some of the major actors at the U.N. Many of them are our closest allies over the years and are very much interested in how the United States revolves this matter.

So I commend the Senator from Indiana for bringing this issue forward.

The U.N. has been a favorite target of criticism and abuse. But it has done good work over the years, and I think we certainly need it. We need it to continue to function, hopefully in a strengthened position. The benchmarks or preconditions in this legislation—there are close to 40 of them of one sort or another in this legislation, not all in the same place—will not accomplish that.

The decision to join the United Nations made at the end of World War II was one of the most significant and momentous decisions made in this century. It came on the basis of a great deal of history which had concluded that the American failure to participate in the League of Nations was a very serious error, and that World War II might have been prevented had the United States undertaken an active international role.

The effective workings of the United Nations, as it was envisioned by those who planned it during World War II and in the immediate aftermath, were in effect brought to a standstill by the cold war and the consistent exercise by the Soviet Union of its veto at the security council. The veto, of course, as I have indicated, the United States also has, and has had from the very inception of the United Nations.

With the implosion of the Soviet Union and a change in the whole nature of the international arena, the opportunities for the United Nations to carry forward and carry out many of the responsibilities which had been envisioned for it at the time of its founding reemerged in this decade.

It is difficult because many of the problems they try to contend with are extremely complex involving enmities and hostilities of long standing. Neither the U.N. nor anyone else has a magic wand they can wave over those conflicts. But there is an opportunity for the United States, working through the United Nations and with the United Nations, to make a major contribution to world peace and to world prosperity. But to do that we need to be full members of the organization. And we need to step up and assume our responsibilities. We are not doing that in this legislation.

I am very concerned at what the reaction will be over time. Will they simply swallow it with great resentment? Will they feel when all the certifications can't be made that they really have not been dealt with fairly? Will we be up there managing it in a very detailed way because condition 21 or condition 32 has not been complied with? What do we do when we try to get nations to work with us in a particular direction? We can't compel them to do it.

We exercise our leadership in a sense by developing a consensus to support our position because we think it is the right position. And here we are taking a position which is the wrong position because we are failing to do a very basic thing, and that is simply meet our obligations. These are past responsibilities—not future responsibilities. We are using the fact that we failed to meet past responsibilities, and now are talking about meeting some but not all of them to impose a whole string of conditions and requirements on the United Nations. Otherwise you say, ''Well, we simply won't abide by what our obligations were.''

I am frank to tell you that I don't think that is the way a great power ought to behave. The United States is a great power. The United States is the great power in the world today. And with that role come important responsibilities in how we exercise that power. In my judgment, we are failing here to exercise those responsibilities in a manner that will strengthen our posture in the international community. I hope but I fear we may find that this effort has in the end altered the nature of our relationship with the U.N. to the detriment of the United States.

Mr. President, I yield the the floor.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I have had several inquiries about how late we are going. My response has been, of course, that that is up to the leadership of the Senate. For the time being, I hope that the distinguished Senator from Ohio would be recognized to offer an amendment, and that the pending amendments be laid aside temporarily, at the conclusion of which I would appreciate the Chair recognizing me for any further comment that I may have received from the majority leader in regard to how late we will stay here tonight.

The PRESIDING OFFICER. Is there objection?

Mr. LUGAR. Reserving the right to object, Mr. President, is it the intent of the distinguished chairman to continue debate on my amendment? The request has been made to lay the amendment aside.

Mr. HELMS. Certainly, as long as the Senator from Indiana wishes to stay. But I did not recognize the very distinguished remarks of the Senator to be pro or con on his amendment, at least as they were written. But to respond to the Senator's question, I will stay here as long as he will.

Mr. LUGAR. I thank the Senator. I would like to be heard again on my amendment.

Mr. HELMS. Very well.

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

The Senator from Ohio is recognized.

Mr. DEWINE. Mr. President, I thank my colleague from North Carolina, and I thank the Chair.

AMENDMENT NO. 383

(Purpose: To exclude from the United States aliens who have been involved in extrajudicial and political killings in Haiti)

Mr. DEWINE. Mr. President, on behalf of myself and my distinguished colleague from Florida, Senator GRAHAM, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio (Mr. DEWINE), for himself, and Mr. GRAHAM, proposes an amendment numbered 383.

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

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

The amendment is as follows:

At the end of title XVI of division B of the bill, insert the following new section:

SEC. . EXCLUSION FROM THE UNITED STATES OF ALIENS WHO HAVE BEEN INVOLVED IN EXTRAJUDICIAL AND POLITICAL KILLINGS IN HAITI.

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

(1) At the time of the enactment of this Act, there have been over eighty extrajudicial and political killing cases assigned to the Haitian Special Investigative Unit (SIU) by the Government of Haiti. Furthermore, the government has requested that the SIU investigate on a ''priority basis'' close to two dozen cases relating to extrajudicial and political killings.

(2) President Jean-Bertrand Aristide lived in exile in the United States after he was overthrown by a military coup on September 30, 1991. During his exile, political and extrajudicial killings occurred in Haiti including Aristide financial supporter Antoine Izmery, who was killed on September 11, 1993; Guy Malary, Aristide's Minister of Justice, who was killed on October 14, 1993; and Father Jean-Marie Vincent, a supporter of Aristide, was killed on August 28, 1992.

(3) President Aristide returned to Haiti on October 15, 1994, after some 20,000 United States troops, under the code name Operation Uphold Democracy, entered Haiti as the lead force in a multi-national force with the objective of restoring democratic rule.

(4) From June 25, 1995, through October 1995, elections were held where pro-Aristide candidates won a large share of the parliamentary and local government seats.

(5) On March 28, 1995, a leading opposition leader to Aristide, Attorney Mireille Durocher Bertin, and a client, Eugene Baillergeau, were gunned down in Ms. Bertin's car.

(6) On May 22, 1995, Michel Gonzalez, Haitian businessman and Aristide's next door neighbor, was killed in a drive-by shooting after alleged attempts by Aristide to acquire his property.

(7) After Aristide regained power, three former top Army officers were assassinated: Colonel Max Mayard on March 10, 1995; Colonel Michelange Hermann on May 24, 1995; and Brigadier General Romulus Dumarsais was killed on June 27, 1995.

(8) Presidential elections were held on December 17, 1995. Rene Preval, an Aristide supporter, won, with 89 percent of the votes cast, but with a low voter turnout of only 28 percent, and with many parties allegedly boycotting the election. Preval took office on February 7, 1996.

(9) On March 6, 1996, police and ministerial security guards killed at least six men during a raid in Cite Soleil, a Port-au-Prince slum.

(10) On August 20, 1996, two opposition politicians, Jacques Fleurival and Baptist Pastor Antoine Leroy were gunned down outside Fleurival's home.

(11) Other alleged extrajudicial and political killings include the deaths of Claude Yves Marie, Mario Beaubrun, Leslie Grimar, Joseph Chilove, and Jean-Hubert Feuille.

(12) Although the Haitian Government claims to have terminated from employment several suspects in the killings, some whom have received training from United States advisors, there has been no substantial progress made in the investigation that has led to the prosecution of any of the above-referenced extrajudicial and political killings.

(13) The expiration of the mandate of the United Nations Support Mission in Haiti has been extended three times, the last to July 31, 1997. The Administration has indicated that a fourth extension through November 1997, may be necessary to ensure the transition to a democratic government.

(b) GROUNDS FOR EXCLUSION.—The Secretary of State shall deny a visa to, and the Attorney General shall exclude from the United States, any alien who the Secretary of State has reason to believe is a person who—

(1) has been credibly alleged to have ordered, carried out, or materially assisted, in the extrajudicial and political killings of Antoine Izmery, Guy Malary, Father Jean-Marie Vincent, Pastor Antoine Leroy, Jacques Fleurival, Mireille Durocher Bertin, Eugene Baillergeau, Michelange Hermann, Max Mayard, Romulus Dumarsais, Claude Yves Marie, Mario Beaubrun, Leslie Grimar, Joseph Chilove, Michel Gonzalez, and Jean-Hubert Feuille;

(2) has been included in the list presented to former president Jean-Bertrand Aristide by former National Security Council Advisor Anthony Lake in December 1995, and acted upon by President Rene Preval;

(3) was a member of the Haitian presidential security unit who has been credibly alleged to have ordered, carried out, or materially assisted, in the extrajudicial and political killings of Pastor Antoine Leroy and Jacques Fleurival, or who was suspended by President Preval for his involvement in or knowledge of the Leroy and Fleurival killings on August 20, 1996; or

(4) was sought for an interview by the Federal Bureau of Investigation as part of its inquiry into the March 28, 1995, murder of Mireille Durocher Bertin and Eugene Baillergeau, Jr., and were credibly alleged to have ordered, carried out, or materially assisted, in those murders, per a June 28, 1995, letter to the then Minister of Justice of the Government of Haiti, Jean-Joseph Exume.

(c) EXEMPTION.—This section shall not apply where the Secretary of State finds, on a case by case basis, that the entry into the United States of the person who would otherwise be excluded under this section is necessary for medical reasons, or such person has cooperated fully with the investigation of these political murders. If the Secretary of State exempts such a person, the Secretary shall notify the appropriate congressional committees in writing.

(d) REPORTING REQUIREMENT.—(1) The United States chief of mission in Haiti shall provide the Secretary of State a list of those who have been credibly alleged to have ordered or carried out the extrajudicial and political killings mentioned in paragraph (1) of subsection (b).

(2) The Secretary of State shall submit the list provided under paragraph (1) to the appropriate congressional committees not later than three months after the date of enactment of this Act.

(3) The Secretary of State shall submit to the appropriate congressional committees a list of aliens denied visas, and the Attorney General shall submit to the appropriate congressional committees a list of aliens refused entry to the United States as a result of this provision.

(4) The Secretary shall submit a report under this subsection not later than six months after the date of enactment of this Act and not later than March 1 of each year thereafter as long as the Government of Haiti has not completed the investigation of the extrajudicial and political killings and has not prosecuted those implicated for the killings specified in paragraph (1) of subsection (b).

(e) DEFINITION.—In this section, the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

Mr. DEWINE. Mr. President, my amendment really is a very simple amendment. The amendment that Senator GRAHAM and I have offered would deny entry into the United States to anyone who has been credibly alleged to have ordered or carried out extrajudicial and political killings in the country of Haiti.

Mr. President, to an extent almost unimaginable to us who live in the United States, the history of Haiti has been a sad chronicle of brutal and repeated acts of political violence. Some of these extrajudicial killings occurred while former President Aristide was in exile. Some of these killings occurred after he returned to power. And tragically they have continued to occur after Mr. Aristide left office and President Preval became President.

During Mr. Aristide's exile, the victims included Mr. Aristide's financial support, Antoine Izmery, who was killed on September 11, 1993; Guy Malary, Mr. Aristide's Minister of Justice, who was killed on October 14, 1993, and Father Jean-Marie Vincent, an Aristide supporter who was killed on August 28, 1992.

Mr. President, after President Aristide regained power, it was the other side's turn.

On March 28, 1995, a leader of the opposition to Mr. Aristide, attorney Mireille Durocher Bertin, was gunned down in her car. One of her clients, Eugene Baillergeau, was also killed in the shooting.

On May 22, 1995, Michel Gonzalez was killed in a drive-by shooting—after alleged attempts by Mr. Aristide to acquire his property.

Three former top army officers were assassinated: Col. Max Mayard, killed on October 3, 1995. Col. Michelange Hermann, killed on May 24, 1995. And Brig. Gen. Romulus Dumarsais, killed on June 27, 1995.

Since the inauguration of President Preval, further killings have taken place.

On March 6, 1996, police and ministerial security guards killed at least six men during a raid in Cite Soleil in Port-au-Prince.

On August 20, 1996, two opposition politicians—Jacques Fleurival and Pastor Antoine Leroy—were gunned down outside Mr. Fleurival's home. And the death toll goes on and on: Claude Yves Marie. Mario Beaubrun. Leslie Grimar. Joseph Chilove. Jean-Hurbert Feuille.

The Haitian Government has assigned over 80 extrajudicial and political killing cases to the so-called Special Investigative Unit, the SIU. The Haitian Government says that they have fired several government employees who are suspects in these killings. But the sad fact remains that there has been no substantial progress made in these investigations. With the exception of one case that did go to trial where there was an acquittal, no one else has been tried. No one else has been convicted and no one has been punished for any of these assassinations.

Clearly, Mr. President, we need to do everything in our power to encourage the Haitians to bring the killers to justice. We as a nation have made a substantial investment in the building of Haitian democracy. And the plight of Haitian boat people demonstrates very clearly and dramatically that moving Haiti into some level of stability is clearly in our national interest.

But peace, democracy, and stability will not set down firm roots in Haiti unless and until the Haitian people themselves finally believe that power in their country can no longer be won at gunpoint.

The days when political murders can be carried out with impunity must be brought to an end. This amendment that my colleague, Senator GRAHAM, and I are now offering tells the Haitian people that political murder is no longer business as usual as far as the U.S. Government is concerned. In our view, it is time to stop adding names to the death toll of Haitian politics.

The premise behind this amendment is that visiting the United States is a privilege, one that should not be taken for granted. By not allowing these Haitian political murderers into our country, we send a strong message to them and to all people that political violence in Haiti will not be ignored by the United States.

This amendment does exempt persons on a case-by-case basis for medical reasons and cases in which the person has cooperated fully with the investigation of these political murders. This amendment also includes a reporting requirement. Our administration would be directed to submit to the appropriate

congressional committees:) a list of those who have been credibly alleged to have ordered or carried out the extrajudicial and political killings;) a list of those who have been refused entry to the United States as a result of this provision; and a report on this matter to be submitted once each year until such time as the Government of Haiti has completed the investigation of the extrajudicial and political killings and has prosecuted those implicated in the killings.

This amendment really is a very practical expression of our solidarity with the Haitian people, our solidarity with the Haitian people, as they aspire to real and true democracy and as they aspire to a peaceful civil society based on the rule of law instead of brutal violence.

For too long, for tragically too long, violence, political violence has been the way of life in Haiti. Whether the government is led by General Cedras or President Aristide or President Preval, one sad truth remains: Too many Haitians die, too many Haitians die due to political violence.

In past remarks on this Senate floor, I have outlined some of the measures the United States has taken and is taking to help the Haitian people break the cycle of violence. We are helping to train and provide resources for the SIU detectives who I talked about a moment ago, and we have sent experienced U.S. police officers to help mentor the young civilian police.

As I have said on this floor on several occasions, one of most heartening things as I have visited Haiti now four times in the last several years is to see the young American, big-city police officers, Creole-speaking, Haitian born but United States citizens who are down there, trying to make a difference with this young police force. So there are things that are happening. Progress is being made. There is some good news. Haitians are making progress in a very tough, uphill battle.

The adoption of this amendment will not solve their problems. It certainly will not solve their problems overnight, but I believe it will help. It will tell the Haitian people that we in the United States are on the side of everyone in that country who wants to create jobs, who wants to create hope; we are on the side of everyone in Haiti who wants a peaceful life, and we are on the side of everyone in Haiti who wants justice.

When a country tries to move to democracy, we always look to see whether there is peaceful transition of power. We look to see whether or not there are elections and whether they are free and fair elections. We sometimes forget that that is not the only indicator of democracy and certainly is not the only indicator of whether or not that country will be able to preserve a fragile democracy.

The other thing we have to look at is whether or not people feel they can have redress in the courts and whether or not, if someone, tragically, is murdered, or someone is injured, they have the opportunity or there will be the opportunity for their assailants to be brought to justice. This amendment deals with that and I believe will help the Government of Haiti and help the people of Haiti continue to progress towards the democracy that we want them to have and that they want. And the understanding must be that democracy is not just about elections, however important they are, but it is also about redress in courts. It is also about justice. It is also about a judicial system in which the general population can have confidence and faith. The solving of some of these high-profile political murders will go a long way to bringing about that type of confidence for the people of Haiti and will go a long way to creating the climate that we know must exist in Haiti if democracy is, in fact, to flourish and to survive.

I ask, as I conclude my remarks, unanimous consent to insert at this point in the RECORD a letter which is referenced in this amendment. It is a letter bearing the date of June 28, 1995, from the Justice Department of the United States to the Minister of Justice of Haiti. I ask unanimous consent this letter be printed in the RECORD.

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

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Industrial Park, Haiti, June 28, 1995.

JEAN JOSEPH EXUME,
Minister of Justice, Government of Haiti,
Port-Au-Prince, Haiti.

DEAR MINISTER EXUME: Following is a list of individuals the Federal Bureau of Investigation (FBI) intends to interview in the immediate future as part of its ongoing investigation of the assassination of Mireille Durocher Bertin and Eugene Baillergeau, Jr., on 3/28/95.

A. From the IPSF:
Maj. Dany Toussaint
Capt. Mendes Lesly Petion
Lt. Youri Latortue
Lt. Mignard Jean-Pierre
Lt. Ruguins Andre
Sgt. Fabien Lucien
Joel Jean (GTMO)
Leslie Sainton (GTMO)
B. From the National Palace:
Maj. Joseph Medard
Cpt. Richard Salomon
Col. Pierre Cherubin II
Lt. Col. Jean Marie Celestin

In addition to the interviews stated above, the following officers have agreed to take a polygraph examination as indicated below:

Lt. Pierre-Onil Lubin, 7/4/95, 1000 HRS.
Lt. Richard Cadet, 7/5/95, 1000 HRS.
Lt. Raynald St. Pierre 7/6/95, 1000 HRS.

The polygraph examinations will be conducted at the Light Industrial Couplex (LIC).

All appointments will be made by interviewing agents with Maj. James Jean-Baptiste for IPSF personnel and with Me. Francois Dormevil for those working at the palace. Thank you for your cooperation in this matter.

Sincerely,
RICHARD J. GIANNOTTI,
Supervisory Special Agent
Federal Bureau of Investigation.

Mr. DEWINE. I thank the Chair. I thank again my distinguished colleague, the chairman of the committee, Mr. HELMS from North Carolina.

Mr. HELMS. I thank the Senator.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I support this amendment and I have a hunch that most Senators will. I will be surprised if there are many Senators who will not support the amendment.

Since the United States returned Aristide to power in Haiti, there have been dozens upon dozens of politically motivated assassinations carried out by Haitian security forces trained by the United States. These people who have been assassinated in almost all cases, as I understand it, have been opponents of Mr. Aristide. Does the Senator agree with that?

Mr. DEWINE. If I could respond to my colleague, tragically, political murders have continued. We saw them before Aristide came to power, we saw them during the time he was in power, and we have continued to see them with the current President, President Preval. I believe it is very important that the people of Haiti must see that no matter who is in power, no one is above the law and supporters of someone in power are not above the law.

Mr. HELMS. Right. In any case, Mr. President, despite the American taxpayers being required to put up the money to prop up the Haitian Government with U.S. troops, and the expenditure of something like $2 billion, the Haitian Government has rebuffed all of the attempts by our Government to investigate these murders. The human rights situation has disintegrated to such a point that last year President Clinton had to rush diplomatic security officers to Haiti to protect Aristide's replacement, President Preval, from his own palace security guards whom the United States had trained and equipped.

Here is one example of so-called justice in Haiti today. Michel Gonzalez lived next door to Mr. Aristide. Mr. Gonzalez was gunned down in May of 1995 outside of his home after refusing to sell his property to Mr. Aristide. The Haitian Government claims that the autopsy report was lost and the Haitian Government refuses to turn over critical evidence to the U.S. Government.

One of those implicated in orchestrating the assassination is Dany Toussaint, who got a U.S. green card as an ''agricultural worker''—and I wish I knew how to put oral quotation marks around agricultural worker. In any case, he has been allowed to roam free in the United States, and in Haiti. It seems to me that spending $2 billion on a regime that protects murderers is bad enough, but allowing these assassins to come into the United States is quite another thing. It is not only asinine; it is breathtaking in its stupidity.

In 1993 and 1994, I took some flak as a Senator because I warned that when Aristide and his cronies were fully disclosed, the record would be clear that

they are or were anti-American thugs. There is no other way to put it. Aristide himself rose to prominence making hate-filled diatribes against the United States of America. He accused the United States of having some strange diabolic design on Haiti.

Now, I noticed in yesterday's Washington Post a report that Mr. Aristide is engineering a bid to resume power in Haiti even though it is against Haiti's Constitution for him to be President again.

According to this article, and I quote from the Washington Post: ''Arrested is rallying his militants by blaming U.S. imperialism for the woes of Haiti's poor.'' That is some thanks, I guess, for the billions of dollars of American taxpayers' money spent in Haiti or on behalf of Haiti.

There is no getting around the fact that the lives of American servicemen and women were put at risk and billions of taxpayer dollars have been wasted to prop up a government run by corrupt cronies of Arrested—people who hate America and who sanction assassinations against political opponents.

Mr. President, it boils down to this: If the Haitian Government will not prosecute these assassins, the least we can do is deny them U.S. visas.

I wonder if Senator BIDEN is available. I would like to get the yeas and nays. I presume the Senator wants the yeas and nays?

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. I would like a rollcall vote, if we could.

Mr. HELMS. The distinguished Senator from Delaware will have to be on the floor in order to get them, but we will get the yeas and nays and have a rollcall vote, probably an early vote tomorrow morning.

I thank the Senator. I have received no further information from the leaders about how late we should go, so I think it is time to hear from the distinguished Senator from Indiana again, Mr. LUGAR.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

AMENDMENT NO. 382

Mr. LUGAR. Mr. President, I thank the Chairman and the Chair. Let me summarize. Earlier in the afternoon I offered an amendment to strike Title XXII from the legislation dealing with the United Nations. Essentially, I call for payment of our debt in 2 years, without conditions.

Title XXII, as we observe, contains 18 pages of conditions. That is the issue. Senator BIDEN, the distinguished ranking member of the committee, argued that he believed in principle that my arguments were correct. He argued that pragmatically, in the negotiation that he had encountered with the distinguished Senator from North Carolina, the chairman led him to believe that the amounts of money, $819 million, and the conditions that are imposed by Title XXII were the best arrangement that was possible under these circumstances.

The distinguished Chairman, Senator HELMS, has argued that the Foreign Relations Committee ought to take action, as opposed to allowing the appropriators to take action, as so often has been the case with matters before our committee in recent years. I certainly subscribe to that thought, that we ought to take action. Clearly this bill as a whole is an attempt to do so in a very comprehensive and positive way. But it is important that Members realize the gravity of the debate that we are having on the United Nations.

Senator SARBANES, I think correctly, in his remarks, mentioned that the very thought of withdrawal, which appears in this bill, is a very serious business. Earlier I suggested that it is not at all beyond conjecture that there will be no money paid to the United Nations given the severity and the number of conditions that are required; that Members, in casting a vote on this, have to consider that casting that vote imperils the United Nations, quite apart from our reputation for paying our debts to our allies who have been involved in peacekeeping operations which we supported.

These are serious matters. A basic dilemma is that the language is very complex. Many Senators may not have had an opportunity to read what the conditions are and all the reasons why this Senator argues it will be very difficult for the payments to be made. Senators may not have realized the implications of nonpayment, noncooperation, and nonleadership on our part could imperil the United Nations. If Senators are, in fact, of a mind that they really do not care or if they believe the United Nations has served its time and that this is an unusual backdoor way of finalizing the problem, that is one point. But if Senators believe, as do two-thirds of the American people, that the United Nations is important, that we ought to be taking leadership, that we ought to be paying our debts, then Senators will vote to do so. They will support my amendment.

It is not inconceivable that my amendment should pass and that we should proceed along this course of action. What has been argued this afternoon by the distinguished Ranking Member of the committee is that the distinguished Chairman disagreed with payment of very much money, and the distinguished Chairman insisted upon a large number of conditions. Apparently, he acquiesced and finally allowed some of the funds to be stricken from the legislation. That is the argument we are having. I would simply say that Senators must consider this, I believe quickly, because the timeframe of all this debate is very rapid. If there were more time, my guess is that around the Nation, members of the general public, editorial writers in newspapers, opinion leaders in foreign policy would agree, this is very serious. This is a moment of truth for the Senate with regard to the United Nations. There would be time for many people to reflect upon this, including Senators who must vote. And it is very possible that Senators would decide we really want to take leadership and we want to affirm the ties that we have with our allies to whom we owe the money.

As we have pointed out again and again, $658 million is owed to countries such as Great Britain, France, Germany, Italy and other friends and allies—not to the Secretariat of the United Nations or the structure that has been described as overblown. That is a red herring; just 5 percent of the money is owed to the United Nations per se. The real issue is whether we will meet our obligations to our friends, whether we will take leadership at the United Nations, whether we will assert that the United Nations should continue as an important part of our foreign policy.

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

Mr. LUGAR. Yes, I will be pleased to respond.

Mr. SARBANES. Are these obligations to our friends, to which the Senator has referred, those instances in which our allies undertook actions under the umbrella authority of the United Nations, often with the use of their own troops, to carry out activities which the United States supported, which the United States made the judgment served our own national security interests? Would that be correct?

Mr. LUGAR. The Senator is absolutely correct, that our interests were served. We voted for peacekeeping operations. Other nations stepped forward, and we agreed to pay our fair share of the money and not to send our troops.

Mr. SARBANES. If the Senator will yield further, in fact, in some of those instances, while we wanted the activity done, we were unwilling to commit our own forces directly in order to do it, and the problem was then resolved by the willingness of other countries to commit their forces in order to carry out these important activities; was that not the case?

Mr. LUGAR. The Senator is correct. Of course, one of the most vivid and recent experiences was that in Bosnia, to which our country for some time did not wish to commit forces, did not wish to commit NATO or get a vote of our NATO allies. So, as a result, other nations attempted to bring about peace in Bosnia largely because our Nation stood aside but indicated to them they ought to carry on.

Mr. SARBANES. If the Senator will yield further, in fact, if we cannot continue to work this way, I take it that if confronted with a crisis abroad, our choices would either be to do nothing or to become involved unilaterally and directly, by ourselves. We would lose what, it seems to me, has been a very

effective weapon for serving U.S. interests without necessarily committing the United States directly in the activity. Would that be correct?

Mr. LUGAR. The Senator has stated the options all too vividly; namely, we respond to security crises by ourselves or we say nothing is going to happen in the world. And worse still, we lose the option, if we do not have the United Nations, of going as we did to the Security Council, at the time the United States presided, during Desert Storm when we obtained a Security Council resolution that brought a number of nations to our side in a very, very important endeavor.

Mr. SARBANES. If the Senator will yield on that very point, it was my very strongly held impression that obtaining the resolution of the Security Council, in effect, gave legitimacy to the strongly driven U.S. action, in terms of international approval that otherwise would have been lacking or missing in the situation.

We treat these U.N. participations as though they don't count for very much. Yet, around the world, the fact that the United States has gone to the United Nations and gotten the United Nations to approve it, gives a legitimacy to the activity that might not be there, at least in the eyes of some countries, if the United States were simply to undertake it directly, without this approbation from the international community.

Mr. LUGAR. The Senator is correct. As the Senator will recall, we took this international legitimacy as a basis for our literally asking other nations all around the globe to pay the bulk of the moneys for Desert Storm. As I recall, over $50 billion was collected from Japan, from Germany, and from many of the nations that are being cited now as countries to whom we owe money in other peacekeeping endeavors.

Mr. SARBANES. I thank the Senator.

Mr. LUGAR. I thank the Senator for his questions.

Mr. President, during this debate, strangely enough, we have really not argued about the text of the 18 pages that I wish to eliminate with my substitute amendment. No Senator has risen to defend that language and the labyrinth of the conditions that are involved in it. Rather, we have had a suggestion that this was the best that could occur, given the players in the legislative drama. I say it is not good enough. As a matter of fact, I believe that very drastic circumstances not in our interest are liable to arise from this language. This is why I make a point of it.

I have not generally not offered amendments to this legislation. I believe the reorganization efforts and a good number of reforms that the committee has brought about in this legislation are important. But I believe the particular item we are talking about now with regard to continuation of the United Nations is a critical item and deserves underlining. It deserves attention, it deserves careful reading by all Senators prior to vote on my amendment or on final passage of legislation that will contain this arrears provision.

I conclude simply by saying that I believe the United Nations is important for our foreign policy. I believe we ought to be vigorous in taking international leadership, in making certain that the United Nations fulfills our aspirations in working constructively with other nations. I believe we ought to pay our obligations to other nations. I believe, as a matter of fact, if we do so, we are likely to be more effective in our negotiation with many of the same nations in other vital international negotiations that will continue on the expansion of NATO, on freer and fairer trade around the globe, and on a number of things that are very important to our security and bread-and-butter interests.

Mr. President, at the appropriate time, I will ask for the yeas and nays. As neither the Chairman nor Ranking Member are on the floor, I suspect the Chair may or may not be in a position to grant that.

I will ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. There is not a sufficient second.

Mr. LUGAR. I thank the Chair.

Mr. HELMS. Mr. President, what does constitute a sufficient second? I am carrying Senator BIDEN's proxy. Could we just have a gentleman's agreement on that?

Mr. LUGAR. I renew my request.

The PRESIDING OFFICER. There now appears to be a sufficient second.

The yeas and nays are ordered.

The yeas and nays were ordered.

Mr. HELMS. Thank you, Mr. President.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Maryland yield to the Senator from North Carolina?

Mr. HELMS. We have just one thing we would like to do——

Mr. SARBANES. Can I make a 30-second statement, and then I will yield the floor.

Mr. President, I simply commend the Senator from Indiana for sounding the alarm in the night, and I very much hope that Members will carefully read through the actual provisions of this legislation. It is very important that they do that. This is a very important issue. I thank the chairman.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 383

Mr. HELMS. Mr. President, on the same basis that we granted the yeas and nays on the question on Senator LUGAR's amendment, I ask for the yeas and nays on Senator DEWINE's amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Senator. We have one more thing that we need to do on Senator GORTON's amendment, which we will approve on a voice vote.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NOS. 378 AND 379, WITHDRAWN

Mr. GORTON. Mr. President, I ask unanimous consent, on behalf of myself, Senator DURBIN and Senator BIDEN, that amendments Nos. 378 and 379 be withdrawn.

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

The amendments (Nos. 378 and 379) were withdrawn.

AMENDMENT NO. 384

Mr. GORTON. Mr. President, I send an amendment to the desk on behalf of Senator DURBIN, myself, Senator HELMS, Senator ROTH, Senator BROWNBACK, and Senator BIDEN.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Mr. GORTON], for himself, Mr. DURBIN, Mr. HELMS, Mr. BIDEN, Mr. ROTH, and Mr. BROWNBACK, proposes an amendment numbered 384.

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

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

The amendment is as follows:

At the end of title XVI, add the following:

SEC. . DESIGNATION OF ADDITIONAL COUNTRIES ELIGIBLE FOR NATO ENLARGEMENT ASSISTANCE.

(1) DESIGNATION OF ADDITIONAL COUNTRIES.—Effective 180 days after the date of the enactment of this Act, Romania, Estonia, Latvia, Lithuania, and Bulgaria are each designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994 and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act, except that any such country shall not be so designated if, prior to such effective date, the President certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the country fails to meet the criteria under section 203(d)(3) of the NATO Participation Act of 1994.

(2) RULE OF CONSTRUCTION.—The designation of countries pursuant to paragraph (1) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994—

(A) is in addition to the designation of other countries by law or pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act; and

(B) shall not preclude the designation by the President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act.

(3) SENSE OF THE SENATE.—It is the sense of the Senate that Romania, Estonia, Latvia, Lithuania, and Bulgaria—

(A) are to be commended for their progress toward political and economic reform and

meeting the guidelines for prospective NATO members;

(B) would make an outstanding contribution to furthering the goals of NATO and enhancing stability, freedom, and peace in Europe should they become NATO members; and

(C) upon complete satisfaction of all relevant criteria should be invited to become full NATO members at the earliest possible date.

Mr. GORTON. This amendment, Mr. President, merges together two amendments related to NATO enlargement offered earlier by Senator DURBIN in the case of amendment No. 378, and myself and others in connection with amendment No. 379.

I understand, through the graciousness and thoughtfulness of the senior Senator from North Carolina and Senator BIDEN from Delaware, that this amendment has now been agreed to. It does express United States support for working toward the qualification of five nations for NATO—the three Baltic States, Lithuania, Latvia and Estonia, together with Romania and Bulgaria. The latter was suggested by Senator BIDEN and expresses the view of the Senate that when each of those nations has become qualified for that membership, that that membership ought to be granted.

I spoke earlier about my strong feelings, strong feelings with which I know Senator DURBIN particularly concurs, in favor of the Baltics after their long struggle through half a century of darkness to their independence and their growing democracies.

Romania, of course, has been suggested by a number of European countries for membership at the current time. It has had dramatic changes toward democracy and responsibility in recent years. Bulgaria, just in the last few months, now seems to be moving in that direction.

We all feel that as they qualify, they ought to be welcomed into this united group of Western European and North Atlantic nations into the North Atlantic Treaty Organization. Each of them will contribute to it, each of them will be strengthened by it, not just from the point of view of their physical security, but I might put it their moral security as well, their desire to be a part of the world from which they were excluded for so long by the Soviet Union.

This amendment is identical, with one exception, to an amendment already passed in the House of Representatives. The wording is precisely the same. Bulgaria, at the suggestion of Senator BIDEN, has been added.

With that, Mr. President, I think I speak for each of the sponsors and I thank Senator HELMS for his understanding and support.

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

The amendment (No. 384) was agreed to.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. HELMS. Mr. President, I ask unanimous consent that Senator D'AMATO be added as a cosponsor to the amendment which was just approved.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. HELMS. Mr. President, may I inquire, is Senator DURBIN's amendment No. 377 still pending?

The PRESIDING OFFICER. It is.

AMENDMENT NO. 377, WITHDRAWN

Mr. HELMS. Mr. President, I send an amendment to the desk on behalf of Senator DURBIN. This amendment modifies the amendment relating to the one filed earlier by him.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. HELMS. Did the Chair understand that the Durbin amendment is being withdrawn? Perhaps I didn't make it clear.

I ask unanimous consent that the Durbin amendment No. 377 be withdrawn.

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

The amendment (No. 377) was withdrawn.

AMENDMENT NO. 385

Mr. HELMS. Mr. President, now I send to the desk on behalf of Senator DURBIN an amendment on the same subject.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Carolina [Mr. HELMS], for Mr. DURBIN, proposes an amendment numbered 385.

The amendment is as follows:

At the end of title XVI, add the following (and conform the table of contents accordingly):

SEC. . SENSE OF SENATE REGARDING UNITED STATES CITIZENS HELD IN PRISONS IN PERU.

It is the sense of the Senate that—

(1) as a signatory of the International Covenant on Civil and Political Rights, the Government of Peru is obligated to grant prisoners timely legal proceedings pursuant to Article 9 of the International Covenant on civil and Political Rights which requires that ''anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release;'' and that ''anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful;'' and

(2) the Government of Peru should take all necessary steps to ensure that any U.S. citizen charged with committing a crime in that country is accorded open and fair proceedings in a civilian court.

Mr. DODD. Mr. President, I want to commend Senator DURBIN for calling attention to the problems with the judicial system in Peru. He has laid out some very specific cases of two United States citizens who are residents of his State of Illinois.

I would also like to call to the attention of my colleagues the case of Ms. Lori Berenson of New York. Ms. Berenson was convicted of treason by a secret military tribunal in January 1996. Since then she has been serving a very tough sentence under exceeding harsh conditions in the Yamamayo prison.

Mr. President, I do not know about the innocence or guilt of Ms. Berenson with respect to the crimes with which she has been charged. What I do know is that she was not accorded a fair and open trial which is a hallmark of any democratic legal system. On August 6, 1996, I joined with 19 other Senators in a letter to the President of Peru calling upon him to take all necessary steps to provide an open and fair proceeding in civilian court to Ms. Berenson. I ask unanimous consent that a copy of that letter be printed in the RECORD at the conclusion of my statement.

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

(See exhibit 1.)

Mr. DODD. Mr. President, the President of Peru, Alberto Fujimori never responded to that letter.

The pending amendment would once again call upon the Government of Peru to take all necessary steps to provide her with such a trial. I would hope that President Fujimori would take note of this amendment and act in this case and the others that Senator DURBIN has mentioned.

I commend the Senator from Illinois for his very thoughtful and timely amendment. I urge my colleagues to support this amendment.

EXHIBIT 1

U.S. SENATE,
Washington, DC, August 6, 1996.

President ALBERTO KENYO FUJIMORI FUGIMORI,
Palacio de Gobierno, Plaza de Armas s/n, Lima 1–Peru.

DEAR PRESIDENT FUJIMORI: We write to express our deep concern that Ms. Lori H. Berenson, a United States citizen, has not been afforded her rights of due process of

law. Ms. Berenson was recently convicted of treason by a military tribunal in Peru and is currently imprisoned in Yanamayo prison. The lack of due process at her trial leaves the question of her involvement in illegal activity unanswered.

We are particularly concerned that Ms. Berenson did not have an open trial; was not allowed to cross-examine witnesses or challenge evidence; and was tried in a military court by judges whose identities were concealed. Such practices preclude a fair trial. We urge you to take steps to ensure that she is retried before a civilian court which upholds internationally recognized rights of due process.

We note that Article 14 of the International Covenant on Civil and Political Rights, ratified by Peru on April 28, 1978, stipulates that:

''Everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. . . .

''[and is entitled] to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him.''

In addition, it appears inappropriate to try civilians in a military court. We are aware that the Peruvian Government gave assurances to Assistant Secretary of State Alexander Watson over two years ago that civilians would no longer be tried in military courts.

We find it troubling that during the trial of Ms. Berenson, the Peruvian judicial system failed to uphold these and other international standards. The Constitution of the Republic of Peru states that:

''It is the duty of the President of the Republic to obey and ensure obedience to the Constitution and all treaties, laws, and other legal provisions. (Article 118)''

While we make no claims concerning Ms. Berenson's alleged guilt, we ask that you take the necessary steps to provide an open and fair proceeding in a civilian court. Indeed, the entire Peruvian judicial system should be brought in line with the solemn international commitments made by the Peruvian Government.

We thank you for your attention to our request.

Sincerely,

James M. Jeffords, Alfonse M. D'Amato, Daniel Patrick Moynihan, Christopher J. Dodd, Ben Nighthorse Campbell, Carl Levin, Paul Simon, John D. Rockefeller IV, Claiborne Pell, Carol Moseley-Braun, Dianne Feinsein, Patty Murray, Barbara Boxer, Patrick J. Leahy, Dale Bumpers, Daniel K. Inouye, Barbara A. Mikulski, David Pryor, Wendell H. Ford, John F. Kerry.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. HELMS. Mr. President, inasmuch as the amendment now pending by Senator DURBIN has been approved by both sides, the pending amendment modifies the amendment relating to Peru. There being no objection to that amendment, I propose that it be accepted.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 385) was agreed to.

Mr. HELMS. I move to reconsider the vote by which the amendment was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. HELMS. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

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

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, June 13, 1997, the Federal debt stood at $5,354,082,862,951.39. (Five trillion, three hundred fifty-four billion, eighty-two million, eight hundred sixty-two thousand, nine hundred fifty-one dollars and thirty-nine cents)

Twenty-five years ago, June 13, 1972, the Federal debt stood at $428,345,000,000 (Four hundred twenty-eight billion, three hundred forty-five million) which reflects a debt increase of nearly $5 trillion—$4,925,737,862,951.39 (Four trillion, nine hundred twenty-five billion, seven hundred thirty-seven million, eight hundred sixty-two thousand, nine hundred fifty-one dollars and thirty-nine cents) during the past 25 years.

HONORING THE UTAH JAZZ

Mr. HATCH. Mr. President, I rise today to recognize the Utah Jazz, who just completed their most successful season in franchise history. After clinching the Western Conference Championship with a last-second, heart-stopping shot at the buzzer, they competed for the NBA title against the talented Chicago Bulls with grit and sheer determination. Throughout this season, our Utah Jazz have displayed tremendous skill, determination, strength, and character to forge ahead and accomplish what very few thought they could do. This team captured the hearts of basketball fans from coast to coast with their hard work, down-to-earth personalities, and belief in themselves.

The Utah Jazz story has been filled with many years of strength building and even some challenges. In 1979, a struggling NBA basketball franchise pulled up its stakes and moved from New Orleans to what is the smallest market in the National Basketball Association, Salt Lake City, UT. The Jazz have built their program slowly but surely thanks to the big shoulders of some very good people.

Jazz owner Larry H. Miller had the determination and the vision to know what it could mean for Utah to have its own NBA basketball team. Larry is more than an owner. His players are his family. His love and enthusiasm for his Utah Jazz team is infectious. Utah has been greatly rewarded through Larry's leadership and commitment.

Former coach and current team president, Frank Laydenn has been the Utah Jazz' all-time best cheerleader. Frank has always believed in his team. He has won over many fans through his enthusiasm, humor, and love for the game.

Coach Jerry Sloan is an example of leadership and fortitude. His motto to ''never give up,'' is evident in the guts and determination his players show on the basketball court. Jerry not only teaches his players good basketball skills, he also builds character. He has instilled his own hardwork ethic into every aspect of the Utah Jazz.

John Stockton, the all-time NBA assist and steals leader, has displayed time and time again courage under pressure, and an absolute belief that ''we could win.'' The success he has enjoyed has not detracted from his thoughtful, unassuming manner. He is indeed a worthy role model for many young people today.

And who else has displayed more utter conviction than league MVP, Karl Malone. Karl has provided the Utah Jazz with leadership and valor. Anyone who has followed the Utah Jazz knows how valuable Karl is to the team's overall scoring and rebounding capabilities. Aside from his on-court presence, Karl has been an outstanding ambassador for the NBA. His reputation of honesty and hard work has made him one of the greatest role models in professional sports.

Not only am I proud of the Utah Jazz for winning the Western Conference Championship, I am even more proud of the high caliber of individuals that make up the Utah Jazz. Our team is willing to work hard, to believe in themselves, to reflect the values of the community in which they play, and to never give up. I am proud of the way they represent our State and its fans.

I am sure that all Utahns would be happy to join with me in saying a big thank you to all of the players on the Jazz, as well as the coaches and management staff for all you have done for Utah—both on and off the court. The Utah Jazz united the people of our great State in a way that has not been equaled since Brigham Young led the covered wagons into the Salt Lake Valley. Citizens from all over our State, and from all walks of life, have united together behind one single entity—the Utah Jazz. This is an accomplishment all its own. The enthusiasm Utahns felt for their team was electric and awe-inspiring. Everyone who has ever felt like an underdog has embraced this team and gloried in its success.

Mr. President, although we didn't bring home the ultimate trophy, our Utah Jazz gave us a season to remember. This team has done us all proud, and we are proud of them. So, here's