## SENATE-Tuesday, July 19, 1983

(Legislative day of Monday, July 18, 1983)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President protempore (Mr. Thurmond).

#### PRAYER

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

Let us pray.

God of Truth and Wisdom, our world suffers from the knowledge explosion which is fragmenting our society. There is so much to know, it is impossible for anyone to know everything on any single subject. Hence, specialists in one discipline are isolated from specialists in other disciplines.

And Father, nowhere is this phenomenon more apparent than in the Senate. We are overwhelmed with a glut of information. Like an avalanche, data inundates the Senate and its committees, so that however long and hard staffs work and Senators try to process the material, they face an impossible task which would challenge the most sophisticated computers.

Gracious Father, give all who are involved in this information overkill Thy wisdom and discernment. In the name of Him who is Truth. Amen.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

## SENATE SCHEDULE

Mr. BAKER. Mr. President, after the two leaders are recognized under the standing order, two Senators will be recognized on special order, Senators PROXMIRE and BUMPERS. Then there will be a period for the transaction of routine morning business. After that, S. 675, the Defense authorization bill, will recur as the pending business, and the Stafford amendment No. 1520 will be the pending question.

Members will recall that the tabling motion against the Stafford amendment yesterday did not pass. Therefore, the amendment itself will be before the Senate.

We will recess at noon today for the usual 2 hours on Tuesdays to permit Members to caucus. Those caucuses are held separately off the floor and are an essential part of the functioning of the Senate. They deserve the special attention that the recess for 2 hours accords to them.

Mr. President, I do not know yet how long the Senate will be in session today. I have not yet talked to the two managers of the bill. But I do anticipate that if we have not finished the bill tomorrow or Thursday the Senate may be in late both evenings. I will have a further announcement to make about this evening as soon as possible.

I hope we can finish this measure this week, perhaps even early this week, but in any event this week.

Two matters will most likely be placed before the Senate after we finish this bill, the agriculture target price bill, which I have announced a number of times before, and the military construction appropriations, which I have not announced before but which I wish to do. It is one of the regular appropriations bills. It is here. And after we pass this authorization bill, I am told that the appropriations bill might not take more than 30 minutes or an hour. So I hope we can do that quickly and probably in advance of the time we go to target prices.

I do anticipate that the Senate will be in on Friday and I hope Members can make their plans accordingly.

I believe that is about all I can think of at the moment.

# SPECIAL COMMISSION ON U.S. POLICY IN CENTRAL AMERICA

Mr. BAKER. Mr. President, I announced to the press a few moments ago and I will say it for the benefit of my colleagues that on yesterday I commended the President for his decision to go forward with the bipartisan Commission on the long-range problems of our relationships in Central America and I commend Dr. Kissinger for his agreeing to chair that Commission.

I believe the remainder of the Commission members will be announced today, and I anticipate that they will be most distinguished Americans, and I applaud them for their willingness to accept this assignment.

The proposal as advanced by the President, after the good initiative of Senators Jackson and Mathias, to whom I offer my congratulations and sincere thanks, also contemplates the appointment of congressional counselors, four from the House of Representatives and four from the Senate.

On yesterday, the distinguished minority leader appointed Senators Jackson and Bentsen from the Democratic side. Today I will appoint Senators Mathias and Domenici.

A number of other Senators have expressed an interest in this. Some have special interest by reason of the jurisdiction of their committees or subcommittees, and I am fully sensitive to their positions. Some have a special interest in a particular aspect of the affairs of the nations of that region.

But in choosing a member I tried to take account of all of the several factors, including those States which are most immediately affected by affairs in Central America, and they are, of course, those States that border with our Central American neighbors.

Senator Domenici and Senator Mathias I am sure will make a major contribution to the success of that commission

Mr. President, I believe I have nothing further to say today and I am now prepared to yield the floor.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. PRESSLER). Under the previous order, the Democratic leader is recognized.
Mr. BYRD. I thank the Chair.

# THE APPOINTMENT OF COMMISSIONS

Mr. BYRD. Mr. President, I have somewhat mixed emotions with respect to the appointment of commissions, and what I am about to say is not intended to be in any way a reaction or a response to what the majority leader has said. I certainly would be the last to want to throw any cold water on this Commission.

The appointment of commissions is not something that is entirely new, but it seems that increasingly we are seeing commissions appointed, and I am a little concerned about that.

We just saw a commission appointed on social security. We saw a commission appointed on the MX.

I think in the final analysis the elected leaders, those who are elected by the people, have to make the final decisions, and while the advice and counsel of commissions can be helpful to us in reaching those decisions sometimes I am concerned that the reports of commissions may pretty much lock us into whatever decisions are reached by the Commission.

In the case of the Scowcroft Commission we all very well understood that the recommendation was in the large sense a political one and there was no attempt to avoid that impression.

I think the members of the Commission themselves said that the decision was in great measure dictated by the politics of the situation. One of the problems with the Commission reports is that they are often so fragile that the argument can be made that if this little piece of that little piece is taken out the whole thing will unravel.

There can be bipartisanship without commissions.

I did not come to the floor intending to say that. I just have an uneasiness about government by commissions and it seems that we are observing an increasing tendency to move in the direction of commissions for very controversial and difficult questions involved.

This is not to say that such commissions cannot render valuable service to the Members of Congress.

Another danger in the matter of commissions is that they can be to a considerable extent established to reflect the philosophy or the direction in which a particular administration wants to go. We have had many commissions. The earliest one that I remember at the moment is the Hoover Commission, and they do render great service.

Insofar as the Members of the Senate who have been appointed I think that there is every justification for their appointment. Senator Jackson, for example, was one of the principal cosponsors, as was Senator Mathias, of the resolution calling for a commission. Senator Bentsen represents the State of Texas which has a border with Mexico. So Senator Bentsen is very, very close to the situation by virtue of his representing that State which borders on one of the great Central American countries.

I simply want to reflect this dichotomy of feelings that I have with respect to commissions.

Let me say again that what I am saying is not intended to throw any cold water, throw water, on this Commission in this instance. I am simply trying to say that I am becoming a little disturbed about the trend toward what I shall call government by commission but which term does not accurately reflect the situation. The Government is still by the elected leaders of the country, the President, the Vice President, the Members of both Houses of the Congress, and I am not saying this Commission should not be appointed or will not produce some very helpful results. I think the Commission on Social Security probably was very helpful in our resolution of that sticky problem.

The Scowcroft Commission by virtue of its having rendered a decision that was to a considerable extent based on politics bothers me more. I have supported the MX. More lately I have

become more half hearted in my support of it because of the particular mode that was decided upon. But again and again we are told if we do not accept this little strand or that little strand of a commission for it the whole thing may become unraveled.

I think we have to face up to the hard questions, and I am glad that Congress has been offered an opportunity to appoint consultants. I think there could be more consulting between the administration and this Congress without the vehicle of a commission.

I must say that I personally am disappointed with the consulting that goes on between the minority in the Senate and the administration. Perhaps that is not all the fault of the administration but there could be more consulting between the administration and the minority; and I must say that I have been here, I think, under about eight Presidents, and there is the least amount of consulting between the administration, under this administration, and the Democrats than in any administration in which I have served. There was a great deal more consulting when Mr. Nixon was President, and when Mr. Ford was President.

I can recall with respect to the Eisenhower administration, I was not in any way a Member of the leadership at that time, I was in the House of Representatives, a new Member who came in when Mr. Eisenhower came in

I always insisted in talking to President Carter that he talk with Mr. Baker, that he alert Mr. Baker to this or that decision, and also Mr. Stevens, and maybe he did not do as much of it as even I would have liked, but he did consult with them and I insisted that he do it. But I must say that I think this is the most partisan White House that I have seen since I have been in Washington, and I have been here now going on 31 years, and I am talking about both Democrats and Republicans.

I do not say this to create any animosity anywhere. I do not say it to be provocative. I say it because I believe it. I must say that in the Senate itself there never has been better consultation between the two parties than I have experienced in working with Mr. BAKER and Mr. STEVENS as majority leader and as minority leader, and I think consultation has been good. We have been able to move things along. The legislative process generally has worked very well. There has been little delay or holdup, so I have no problem whatsoever with my friends on the other side of the aisle. If I had, I would say so. I could be wrong and, of course, perhaps there would be a legitimate response. But the reason I do not say so is that it is just not that way, and I cannot think of a time when any majority leader has gone

out of his way to accommodate the Members of the minority more than the majority leader that we now have.

That is all I am going to say at this point. I probably should have reflected on the matter more before I spoke. Sometimes I think it is better to say but little and think a long time before saying even a little, but I suppose after thinking this through carefully for another 24 hours or 48 hours I probably would have reached the same conclusion that I have in a desultory way attempted to express here.

Mr. BAKER. Mr. President, may I reclaim 2 minutes of my time?

Mr. BYRD. Mr. President, if I have any time left, I would be glad to yield to the majority leader.

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

Mr. BAKER. Mr. President, I express my compliments to the minority leader. I have often commended him for the excellent presentation he makes on the history of the Senate. In doing so, I usually refer to his feel for this institution and his insight about the arrangements that make this body function. I think we were given a glimpse of that insight today.

I do not share the Senator's concern about commissions. As a matter of fact, I think we are seeing a genesis in the beginning of something that may be terribly important politically in this country. But it is an arguable point and it is a legitimate point that the minority leader makes. It is one that we have to follow as it evolves and develops. What is the role of an extragovernmental group, whether it is appointed by the President or the President and the leadership of the Congress? What is the role and how does that relate to the structures that the Constitution give us? I am not sure we are certain how that will work.

But I must also say that I feel that it is an important new approach that is gaining prominence, as the minority leader pointed out, and may offer great promise for trying to diffuse some of the terribly sensitive political issues that sometimes virtually immobilize the Government from a decision-making standpoint. It may not work that way, but it may. Indeed, I think it did in social security. I will not go into that in detail. I think it did.

I think it did with the Hoover Commission, although its recommendations were not as well implemented as perhaps they should have been. I think it did with the National Water Quality Commission, as chaired by then Governor Rockefeller.

It is not absolutely clear how this new Commission will work out. But when Senator Jackson and Senator Mathias decided to introduce this resolution, I decided, for my part, at least, that there was enough promise in this approach to support it. I freely

acknowledge that I urged them to go forward with their initiative and I urged the President to accept that challenge and to realize on that oppor-

tunity.

So I have great faith in the Commission. I think that when the names of the members of the Commission are announced today-and the list may not be absolutely complete even nowbut when the names are announced, it will represent such a cross section of opinion by substantial Americans that most people will acknowledge that they have a great deal to contribute. There is no suggestion any place that they are preempting the rights of Congress. Obviously, we will have to consider whatever they recommend and act on it. They cannot act.

True, as the minority leader pointed out, perhaps it makes a package that is a little too neat, but it need not necessarily be that way. That is a precedent that we are still evolving-how we view that and how we treat those

recommendations.

So I rise now, Mr. President, only to say once again that I hear and understand what the minority leader is saying. I respect his insight and judgment and that special perspective that he brings to the functional arrangement of the Senate. I commend him for that.

But I wanted to say that I have confidence that this is going to make a major contribution. I acknowledge that there are concerns, and we will, I am sure, wait and wish together for the success of this effort.

Mr. BYRD. Will the majority leader vield?

Mr. BAKER. Yes; I yield.

Mr. BYRD. Mr. President, I have two things to say, and I think I have already said them. I just want to underline them.

One, perhaps the Commission on Social Security was a good example of a way in which to deal with a very sensitive, controversial, and heated issue. I am not at all sure, in my own mind, that, had we not had such a commission, we would have reached a resolution of that problem.

Second, I would not want what I have said to indicate that this Commission we are now talking about does not have my support. As both the majority leader and I have said, the Congress, in the final analysis, and the President, make the final decisions.

I do think the majority leader touched upon a strand here which is extremely important, and that is that the Commission not only be balanced. but that it also be viewed as balanced, because thoughts and viewpoints on this subject matter run the entire spectrum from left to right. But that is vitally important, if the report of the Commission, when it is submitted is to be supported, is to have credence, and is entitled to proper respect.

Mr. BAKER. Mr. President, I ask unanimous consent that there be 4 minutes of additional leader time, equally divided.

out objection, it is so ordered.

Mr. EXON addressed the Chair. The PRESIDING OFFICER. The

Senator from Nebraska.

Mr. EXON. Mr. President, I have listened with keen interest to the remarks by the majority leader and the minority leader regarding the Commission proposal once again.

I hope and pray that the Commission is successful, because if there is one thing that I think is crystal clear today, it is the fact that if we have a policy in Central America, it is not understood-it is not understood on the floor of the U.S. Senate, it is not understood in the House of Representatives, and I am certain it is not understood by the people as a whole.

There are no individuals that I have more confidence in and respect for than Senator Mathias and Senator Jackson, who originally suggested this idea that now has been embraced by the majority leader and minority

leader.

I hope it works out. Certainly, we are going to have people like Senator JACKSON from Washington State and Senator Bentsen from Texas, again, top, thoughtful people that I have the greatest of confidence in.

I am very pleased to see the issue raised with regard to commission. We had a commission on social security that we could not solve between the executive and the legislative branches. We had a Scowcroft Commission on defense policy because we could not solve it here. Now we have another commission

Reference was made to commissions. I think there are entirely too many commissions being formed. I probably, as has been indicated in one way or another by both the majority leader and the minority leader, that this is something we should watch.

I was also pleased to see assurance from two leaders that this would be a broad-based commission. That might be the most dangerous part of all, a broad-based commission. That represents all points of view and too often becomes a commission whose recommendations cannot be turned down even by the President of the United States, let alone the Members of the U.S. Senate or the House of Representatives. I think we are on a rather different and dangerous course regarding the very principles of the institution and separation of powers. I hope this works. I probably will support it. But I am delighted to see the concern expressed by the majority and minority leaders in the discussion here this morning.

The PRESIDING OFFICER. Does the leader yield back all of his time?

Mr. BAKER. Mr. President, I yield back any time I have remaining.

The PRESIDING OFFICER. With- ACID DEPOSITION AND THE NA-TIONAL ACADEMY OF SCI-ENCES REPORT

> Mr. BYRD. Mr. President, there has been a great deal of recent public attention given to the issuance of the National Academy of Science's longawaited report on acid rain. The report, entitled "Acid Deposition: Atmospheric Processes in Eastern North America," concluded that reducing emissions of SO2 and NO, would result in a proportionate reduction in the deposition of sulfates and nitrates. However, in addition to this important conclusion, it must be understood that the report also included a number of other very important related points. For example, the Academy also concluded that:

> All sources in eastern North America must be considered as contribution in one degree or another to the phenomenon of acid deposition. Evidence exists for long-range transport of pollutants leading to acid deposition, but the relative contributions of specific source regions to specific receptor sites currently remain unknown.

> In other words, Mr. President, proposals to control acid deposition in the Northeast by requiring coal-fired powerplants in the Midwest and Appalachia to significiantly reduce their emissions of SO2 are not based upon the conclusions of the National Academy of Sciences.

> The Academy report further states that air-quality computer models, which have been used to justify such control strategies:

> Have not provided results that enable us to have confidence in their ability to translate SO2 emissions from specific receptors. Little has been done in models to translate NO, emissions into nitrate deposition or to link sulfate and nitrate to acid deposition. These capabilities are considered essential for models to be used to study the consequences of alternative control strategies in circumstances in which long-range transport processes are involved.

> In other words, Mr. President, even the theoretical bases upon which acid rain control proposals have been based are considered by the Academy to be "useful research tools." They have not been developed sufficiently or verified adequately to be able to predict changes in acid deposition patterns in the Northeast as the result of a reduction of SO<sub>2</sub> emissions from coal-fired powerplants in the Midwest and Appalachia.

The Academy also pointed out that: The relative importance for deposition at specific sites of long-range transport from distant sources as compared with more direct influences of local sources cannot be determined from currently available data or reliably estimated using currently available Furthermore, the Academy concludes that:

It appears that the atmospheric processes in eastern North America lead to a thorough mixing of pollutants, making it difficult to distinguish between effects of distant and local sources.

In other words, Mr. President, the Academy report says that scientists cannot tell how much acid deposition in the Northeast is the result of longrange transport from the Midwest and Appalachia, and how much comes from oil-fired powerplants and automobiles in the Northeast. Thus, Mr. President, proposals to control acid rain which implicitly blame coal-fired powerplants in the Midwest and Appalachia, are not based on the conclusions of the National Academy of Sciences.

In fact, the Academy report contains an observation which has very interesting implications regarding the premises upon which current acid rain proposals are based. The report notes:

It can be stated as a rule of thumb that the farther a source is from a given receptor site, the smaller its influence on that site will be per unit mass emitted.

Thus, while the Midwestern and Appalachian States have been assigned prime responsibility for acid deposition in the Northeast, it is very possible that the Northeastern States have been playing a much larger role in the problem than one would think from reading current acid rain control proposals.

Mr. President, the report by the National Academy of Sciences does not conclude the scientific debate over the causes and consequences of acid deposition. The report does point out that there is still much scientific work that needs to be done before we can use science as a basis for a costly new regulatory program to reduce SO<sub>2</sub> emissions in one region of the Nation, which may well have only a minimum benefit for the Northeast.

The Academy's report does not, of course, answer the many fundamental questions about the costs and benefits of acid deposition control. But these are the questions which are of great concern to me and many of my colleagues. Until satisfactory answers can be found, we must not act in a manner which would impose further hardship upon the economies of States like West Virginia, Ohio, Kentucky, and Indiana. We have the time to act with due deliberation and caution. We must seek to be fair and equitable in the distribution of costs and benefits. We must insure the judicious application scientific knowledge, balanced against the costs and benefits, in the development of any approach to the problem of acid deposition.

Mr. President, I ask unanimous consent to have printed in the Record an editorial from the Huntington, W. Va., Herald Dispatch of July 6, 1983, enti-

tled "Acid Rain Studies Too Sketchy to Support Expensive Actions."

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

[From the Huntington (W. Va.) Herald-Dispatch, July 6, 1983]

ACID RAIN STUDIES TOO SKETCHY TO SUPPORT EXPENSIVE ACTIONS

The newly released report of the National Academy of Sciences/National Research Council is being widely touted as justification for stringent acid rain controls. But the report in fact casts considerable doubt on the wisdom of the acid rain control proposals now before Congress.

While offering the strongest evidence yet linking sulfur dioxide emissions with acid rain, the report nevertheless states: "The relative contributions of specific source regions to specific receptor sites currently remain unknown.

"In plain English," says Carl E. Bagge, president of the National Coal Association, "scientists can't yet determine the relative importance of Midwestern emissions to rainfall in the sensitive areas of the Northeast."

The acid rain bills currently before Congress focus mainly on sulfur dioxide emissions from coal-fired power plants and ignore emissions from other sources. As Bagge notes, "Because coal-fired plants are predominantly located in Appalachia, the Midwest and the South, the proposed legislation would force a high percentage of emission reductions on those areas and little or no reduction in other areas."

But perhaps the most telling paragraph in the NAS/NRC report is this one:

"Continuing research on acid deposition is needed to resolve or reduce the uncertainties and thereby to provide information useful in making more informed publicpolicy decisions regarding acid deposition."

Without that information, any action

would be clearly foolhardy.

The various control measures now proposed in Congress carry enormous costs, figured in the billions of dollars. It would be irresponsible in the extreme to impose those costs on the American public when so many questions about acid rain remain unanswered.

## RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin is recognized for not to exceed 15 minutes.

MORE EVIDENCE THAT ECO-NOMICS IS NOT ONLY A DISMAL SCIENCE BUT AN IN-ACCURATE ONE, TOO

Mr. PROXMIRE. Mr. President, later on this month the Office of Management and Budget will present its revised budget estimates for fiscal years 1983 and 1984. To say business and government experts from all over the country will be waiting with baited breath will be no exaggeration. These forecasts will directly affect the behavior of our country's economic policymakers. Consider: These predictions of future levels of Federal deficits, outlays, revenues, level of unemploy-

ment, growth in the gross national product, and changes in the Consumer Price Index are among the most widely discussed and anticipated statistics in this data-crazed Capitol. Everybody wants to know what is going to happen. But should they be? I wonder. Here is why: It is ironic that these widely publicized and influential statistics should be so chronically inaccurate and even misleading.

A recent study by Randolph H. Boehm released by the Cato Institute clearly indicate how large, in fact, how incredibly large, are the errors in the economic and budget forecast contained in the annual budget message submitted to Congress by the President of the United States, any President, over the past decade.

Just how bad are these forecasts? Hold on to your hat: Mr. Boehm found that forecasts of the change in the Federal deficit for the next fiscal year were off by an overage of, get this over 500 percent. Not 10 percent, not 40 percent, not 100 percent, but 500 percent. Only three times between 1971 and 1982 was the estimate within 75 percent of the actual deficit. The rest of the time it was wider than that. In three-fourths of the cases the forecasts were too low and underestimated the deficits.

The study found that the forecasts of change in Federal outlays, while off by an average of 29 percent, concealed much larger errors in specific Federal programs that partially or totally offset one another. It is interesting to note that in 3 out of 4 years the size of the growth in total Federal spending was underestimated in the President's budget.

The forecast for the change in Federal receipts was off by an average of 87 percent.

The Office of Management and Budget's murky crystal ball was just as cracked in its forecasts of major economic statistics such as the changes in the gross national product and changes in the Consumer Price Index.

Clearly estimates of spending revenues and economic conditions all contain more than a small dab of artistic brushwork. Those involved find it all too easy to make a series of questionable assumptions which will result in the kind of projected figures most pleasing to any administration.

If our goal is to reduce projected deficits we can assume high rates of growth of GNP and lower inflation. These optimistic assumptions reduce the projected deficit by lowering the rate of growth of spending and raising the level of revenues coming into the Treasury.

Frankly, I do not consider it too harsh to say that these forecasts were worse than useless. They were counterproductive. We would have been better off with no forecasts at all. But why are these forecasts so bad and why do they usually forecast good economic news? First, because the forecaster can please his boss easily by telling him just what he wants to hear. Like Woody Allen's Zelig, the forecaster assumes the identity of his boss and cooks up whatever forecast will make him happy.

Spending estimates can be easily manipulated. The administration can reduce the deficit by assuming the Defense Department will be a little slower in buying new ships, missiles,

airplanes, and tanks.

It is clear that the deficit is extremely sensitive to assumed changes in the economy. For example, a 1-percent change in the unemployment rate can add or subtract more than \$25 billion from the deficit.

Economics obviously is not just an inexact "science." It is about as advanced as phrenology—the reading of character by feeling the bumps on a person's head. Forecasting is the court jester, the beloved fool of economics.

You see, Mr. President, there is a special reason why the Office of Management and Budget will almost always be wrong, way, way wrong. And the genius of Woody Allen reveals it. I earlier referred to Woody Allen's "Zelig." In his new movie Allen plays the part of a man named Zelig who is a human chameleon. To refresh memories a chameleon is that little lizard-like creature who may start out

green but when he climbs on a leaf that is yellow, he turns yellow. When the leaf is brown, you have a brown chameleon; black-a black chameleon. It is a miraculous way in which nature protects this little creature by a changing color camouflage. Now, Allen recognizes that each of us has a chameleon tendency. We all like to be liked so we tend to pander to the interest, the views, the attitude of the people we associate with, politicians most or all. Senators more than almost any other breed of people. Allen picks up this idea in "Zelig" and really runs with it. With Indians, Zelig becomes an Indian. With fat men, he is fat; with eminent psychiatrists, he is an eminent psychiatrist. Allen uses the old newsreels of the 1920's and 1930's to cozy up to Herbert Hoover, and then Adolph Hitler. He becomes so good at it that he takes on their personality and becomes absolutely indistinguishable from them.

Mr. President, I tell this story because Government economic forecasters are true Zeligs. If the boss wants a pessimistic forecast for whatever reason, a pessimistic forecast he gets. Most of the time of course, he wants an optimistic forecast, and the government forecaster, like good old Available Jones in the comic strip "Li'l Abner," comes up with a rosy forecast.

This is forecasting not as an objective, attempt to weigh the current economic developments and project where they might lead, but a bald

effort to achieve a particular public attitude that will advance the administration's interests. Economic forecasting is so uncertain, so easily subject to error under the best of circumstances, but when a Zelig with an administration to please takes charge, the result will tell you nothing about the future. All it can tell you is what the administration at the particular time the forecast was made wants you to think.

And what are the consequences?

Too often the President and Congress exploit the sensitivity of the budget to achieve support for pet economic policies. Unfortunately, the usual tactic is to minimize the political costs of reducing spending growth and the accompanying large deficit by manipulating the numbers in a manner which results in a lower projected deficit and Federal spending. This has been the case 75 percent of the time in OMB forecasts.

I believe that the Cato Institute and Mr. Boehm have done a great public service in reviewing the serious problem of economic forecasting and I commend them for their work.

I ask unanimous consent that three tables from Randolph H. Boehm's paper, "Forecasting the Economy: Do Presidents Get It Right?", be printed in the Record.

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

TABLE 1.—FEDERAL BUDGET DEFICIT PROJECTIONS, 1971-82

| [In billions]                    |                         |                         |                      |                     |                       |                     |                   |                    |                      |                      |                         |                       |
|----------------------------------|-------------------------|-------------------------|----------------------|---------------------|-----------------------|---------------------|-------------------|--------------------|----------------------|----------------------|-------------------------|-----------------------|
| Budget                           | 1971                    | 1972                    | 1973                 | 1974                | 1975                  | 1976                | 1977              | 1978               | 1979                 | 1980                 | 1981                    | 1982                  |
| 1971                             | +1.3                    |                         |                      |                     | (f) (h)               |                     |                   |                    |                      |                      |                         |                       |
| 1972<br>1973                     |                         | 11.6                    | 25.5                 |                     |                       |                     |                   |                    |                      |                      |                         |                       |
| 1974<br>1975<br>1976             |                         |                         |                      | 12.7                | 9,4                   |                     |                   |                    |                      |                      |                         |                       |
| 1977<br>1978                     |                         |                         |                      |                     |                       | 51.9                | 43.0              | 47.0               | 11.6                 |                      |                         |                       |
| 1979<br>1980                     |                         |                         |                      |                     |                       |                     |                   | 47.0               | 60.6                 | 37.5<br>29.0         | 8.6<br>1.2              | +36.                  |
| 1981<br>1982                     |                         |                         |                      |                     |                       |                     |                   |                    |                      | 23.0                 | 15.8                    | +5.                   |
| Actual deficit                   | 23.0                    | 23.4                    | 14.9                 | 4.7                 | 45.2                  | 66.4                | 44.9              | 48.8               | 27.7                 | 59.6                 | 57.9                    | 110.                  |
| Error in billions of dollars     | 24.3                    | 11.8                    | 10.6                 | 8.0                 | 35.8                  | 14.5                | 1.9               | 1.8                | 32.9                 | 30.6                 | 42.1                    | 80.                   |
| Error as percent of total budget | 11.2<br>99.0<br>1,869.0 | 5.0<br>2,950.0<br>102.0 | 4.3<br>125.0<br>42.0 | 2.9<br>78.0<br>63.0 | 11.0<br>88.0<br>381.0 | 3.9<br>68.0<br>28.0 | 0.4<br>8.0<br>4.0 | 0.3<br>46.0<br>4.0 | 6.6<br>156.0<br>54.0 | 5,2<br>96.0<br>106.0 | 8.6<br>2,476.0<br>266.0 | 9.0<br>154.0<br>272.0 |

## TABLE 2.—FEDERAL BUDGET OUTLAYS

|  | [In billi      | ons]           |                |                |                |                |                |            |            |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------------|------------|----------------|----------------|----------------|
| The Contract contract of the C | 1971           | 1972           | 1973           | 1974           | 1975           | 1976           | 1977           | 1978       | 1979       | 1980           | 1981           | 1982           |
| Estimated Actual   | 200.8<br>211.4 | 229.2<br>231.9 | 246.3<br>246.5 | 268.7<br>268.4 | 304.4<br>324.6 | 349.4<br>366.5 | 394.2<br>402.0 | 440<br>451 | 500<br>494 | 532.0<br>579.6 | 616.0<br>657.2 | 739.0<br>728.4 |
| Error in billions of dollars   | -10.6          | -2.7           | 2              | +.3            | 20.2           | -17.1          | -7.8           | -11        | +6         | -47.6          | -41.2          | +10.6          |
| Error in estimating percent change Error as percent of projected change  | 72<br>252      | 13<br>15       | 1              | 1              | 36<br>56       | 41<br>69       | 22<br>28       | 22<br>29   | 14<br>12   | 56<br>125      | 53<br>113      | 15<br>13       |

TABLE 3.—FEDERAL BUDGET RECEIPTS

[Dollars in billions]

| The state of the s | 1971             | 1972             | 1973             | 1974             | 1975         | 1976             | 1977             | 1978         | 1979         | 1980         | 1981             | 1982             |
|--|------------------|------------------|------------------|------------------|--------------|------------------|------------------|--------------|--------------|--------------|------------------|------------------|
| Estimated Actual   | \$202.1<br>188.4 | \$217.6<br>208.6 | \$220.8<br>232.2 | \$256.0<br>264.9 | \$295<br>281 | \$297.5<br>300.0 | \$351.3<br>357.8 | \$393<br>402 | \$440<br>466 | \$503<br>520 | \$600.0<br>599.2 | \$711.8<br>617.8 |
| Error in billions of dollars   | +13.7            | +9.0             | -11.4            | -8.9             | +14          | -2.5             | -6.5             | -9           | -26          | -17          | +.8              | +94.0            |
| Error in estimating percent change   | 1 258<br>163     | 45<br>31         | 48<br>93         | 27<br>37         | 87<br>47     | 13<br>15         | 11<br>13         | 20<br>26     | 41<br>68     | 31<br>46     | 1                | 505<br>83        |

<sup>&</sup>lt;sup>1</sup> Based on actual change of -\$5.3 billion from \$193.7 fiscal year 1970 receipts.

## GENERAL TAYLOR TELLS US TO SCRUB THE MX AND MAKE THE ARMS FIT THE TASK

Mr. PROXMIRE. Mr. President, it appears very likely that regardless of our success or lack of it in negotiating nuclear arms limitation with the Soviets at Geneva in the START talks, we will still be spending \$50 billion a year or more for additional nuclear arms in each of the next 5 years. We will be paying for an MX, for a fleet of B-1B, bombers, and starting on a new high technology so-called Stealth bomber. We will be building 20 or more Trident submarines equipped with a devastating new hard target kill D-5 missile. We will be producing hundreds of additional cruise missiles to carry our nuclear warheads.

Some of these weapons systems make sense. Some do not. A former extraordinarily wise Chief of Staff of our Armed Forces, Gen. Maxwell Taylor, has written a direct challenge to the Congress and the President in an article which appeared in yesterday's Washington Post. General Taylor calls on us to define the threat to our national security and then to formulate a policy to meet it. And why not? Why in the name of commonsense should we simply wander down the arms mart boulevard as we do, picking up whatever weapons system has been sold to each of the Armed Forces, without any centralized, coherent notion of what constitutes our most urgent national interests and what weapons are best designed to meet them?

## As General Taylor puts it:

Pentagon spokesmen would need to explain the rationale behind (the defense budget's) formulation and show how the big money items and programs would contribute to the success of one or more of the strategic tasks assigned to the Armed Forces. They must also make clear how the new weapons systems all passed the test of essentiality—that is, they not only contributed substantially to a strategic task but did so at a tolerable cost and excelled in quality all competitive systems.

General Taylor suggests these as advantages of this system:

1. There would be no further justification for an arms race with the Soviet Union. "In cases where Soviet Armed Forces, nuclear or conventional, threatened an important national interest, there would be one or more task forces maintained in readiness to counter the danger."

2. Many costly service programs would probably come a cropper. The Air Force would have difficulty in proving the continued relevance of the "triad" dogma. The Navy would have difficulty demonstrating that there are essential tasks that require two additional supercarriers to fulfill. The Army and Marines would have trouble defending the maintenance of ready divisions for which there is insufficient sea and air transport to convey them to an overseas theater of operations in time and no existent supply system to maintain them in action once there.

3. The MX issue would never have taken its present form. The weapon system could not have passed the essentiality test because (a) the "window of vulnerability" has not been proved an urgent threat; (b) the missile would add little if anything to the survivability or deterrent effectiveness of our strategic forces; and (c) there are competitive alternatives, notably submarine-launched and cruise missiles, that justify further consideration.

General Taylor offers some very welcome advice for those of us who question military officials when they come before Congress to make their case for additional funding of their weapons. He tells us to ask each of these pleaders this question: "If funded, how will your project contribute to the strategic tasks that all the Armed Forces must be ready and able to perform?"

Mr. President, I ask unanimous consent that the article by Gen. Maxwell Taylor be printed at this point in the RECORD.

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

[From the Washington Post, July 18, 1983]

## Make the Arms Fit the Task

## (By Maxwell D. Taylor)

Having long and openly lamented the absence of a rational military policy, I am occasionally asked what such a policy would be like and what it might be expected to accomplish. The purpose of this article is to answer these questions.

The dominant characteristic of the policy I have in mind is task-orientation—that is, it would specify the strategic tasks that the Armed Forces should be able to perform and cause these forces to be designed accordingly. Expanded into a definition, a task-oriented policy is one that generates and maintains forces adequate to carry out the strategic tasks made necessary by urgent threats to important national interests.

To be urgent, such a threat must have a high probability of occurrence and a high damage potential if it occurs. A national interest in this context may be an asset, goal, advantage or source of power for the attainment or protection of which the government is willing to expand substantial resources and risk the consequences of failure.

Obviously, the formulation of such a policy would entail extremely difficult judgments and decisions on the part of the responsible officials. The most demanding would include the identification of the interests requiring military protection, the threats that might endanger these interests, the tasks that would fall to the Armed Forces, and the size, organization, equipment and readiness of forces requisite for the tasks.

Even if the right decisions were taken on these points and a task-oriented policy formulated, there would remain the problem of convincing Congress of its merits. In the case of the defense budget, Pentagon spokesmen would need to explain the rationale behind its formulation and show how the big-money items and programs would contribute to the success of one or more of the strategic tasks assigned to the Armed Forces. They must also make clear how the new weapons systems all passed the test of essentiality-that is, they not only contributed substantially to a strategic task but did so at a tolerable cost and excelled in quality all competitive weapon systems.

What advantages would such a rational, task-oriented policy offer? For the first time in history, we would have a military policy designed specifically to satisfy the military needs of approved foreign policy. The policy designers would have taken into account many more threats than those attributable to the Soviet Union and possible theaters of operations beyond the familiar ones in Western Europe.

Such an expanded survey, reinforced by the lessons afforded by our current experience in Central America, should lead to a better appreciation of our growing interests in Third World countries, particularly those that are or promise to become important trading partners needed to provide our economy with essential raw materials. It should also make for a better understanding of the malignant consequences of excessive population growth in these undeveloped countries, especially those that will double their population in two to three decades. The resultant chaotic conditions would not only interrupt our trade but would further roil the troubled waters, inviting Soviet fishermen to throw in their line.

Another way to appreciate the advantages of a task-oriented policy is to consider past governmental errors which, under the new policy, would probably be avoided. For example:

There would be no further justification for an arms race with the Soviets, if one ever existed. In cases where Soviet armed forces, nuclear or conventional, threatened an important national interest, there would be one or more task forces maintained in readiness to counter the danger. Unless reinforced by strong allies, we would make no effort, I hope, to match Soviet military might in regions close to the Soviet periphery. Our national planners could hardly forget the price Khrushchev paid for his mistake in putting offensive missiles in Cuba on our very doorstep.

By the same token, we would expect no repetition of the Carter Doctrine blunder, when, without discussion with the Joint Chiefs of Staff, the president proclaimed an intention to resist, by military means if necessary, any third-party intervention in the region of the Persian Gulf. Under our new policy, it is unlikely that there would be an official statement on the subject unless or until we had a task force in being that would at least symbolize impressively our intention to preserve our access to Middle East oil. But the region would remain too far away to permit a major commitment on our part.

The MX issue would never have taken its present form. The weapon system could not have passed the essentiality test because (a) the "window of vulnerability" has not been proved an urgent threat; (b) the missile would add little if anything to the survivability or deterrent effectiveness of our strategic forces; and (c) there are competitive alternatives, notably submarine-launched and cruise missiles, that justify further consideration.

Many costly service programs would probably come a cropper. The Air Force would have difficulty in proving the continued relevance of the "triad" dogma. The Navy would have difficulty demonstrating that there are essential tasks that require two additional supercarriers to fulfill. The Army and Marines would have trouble defending the maintenance of ready divisions for which there is insufficient sea and air transport to convey them to an overseas theater of operation in time and no existent supply system to maintain them in action once there.

Even if the advantages to expect from a task-oriented policy are conceded, what chance is there of its adoption? Shortly after the end of the fighting in Korea, a prominent official asked Gen. George Marshall whether it would be naive to believe that the American people had learned a great deal from the war. Marshall's reply was immediate. "No, not naive—incredibly naive."

But one may hope without necessarily being naive. It is true that a proposal to adopt this kind of task-oriented military policy would encounter opposition from many sources—Pentagon bureaucrats, service interest partisans, congressional committees fearing for their turf and defense industries fearing for their contracts. But hard times are ahead when enormous federal deficits will force deep cuts in all federal budgets, military and civilian. If they are to be carried out with minimum damage to genuine national interests, such cuts must begin by eliminating the items with the least claim to essentiality.

In the case of the military budget, I know of no better way to forestall the lean years ahead than by adopting a task-oriented policy and budget. Furthermore, the change could be initiated without delay if the appropriate committees of Congress would henceforth greet all Pentagon officials arriving to defend their budget with a single

question. "If funded, how will your project contribute to the strategic tasks that the Armed Forces must be ready and able to perform?"

## FUENTES SPEAKS OUT ON FOREIGN POLICY

Mr. PROXMIRE. Mr. President, when the moral thing to do coincides with the strategic thing to do—when idealism merges with realism—the moment must be seized. The Genocide Convention involves that special blend of the "ought" and the "good." Yet, for 34 years, the Senate has failed to act upon it, to ratify it.

Now, the Senate has new reason to consider the treaty. Carlos Fuentes, the brilliant Mexican writer and diplomat, has given a convincing argument that in foreign policy, the hard line is not always the best line.

In his commencement address at Harvard University last month, Fuentes persuasively argued that a principled foreign policy is prudent. I agree with him that the way to win allies and influence nations is through a foreign policy that is consistently grounded in the strong moral fiber that supports our Nation.

Fuentes fears that the current administration too often fails to support human rights, including the outlawing of genocide. Fuentes laments:

years, I have heard North Americans in responsible positions speak of not caring whether the United States is loved, but whether it is feared; not whether it is admired for its cultural and political accomplishments, but respected for its material power... These are inclinations that we have come to associate with the brutal diplomacy of the Soviet Union.

I wholeheartedly agree with Carlos Fuentes. Unabashed, raw, cold warrior foreign policy forfeits the U.S. advantage over the Soviet Union in the eyes of much of the world.

Mr. Fuentes' sentiments are typical of those living in the Third World, I believe. He wants to have faith in the moral fortitude of U.S. foreign policy, but is disappointed by many of the administration's initiatives. Swift ratification of the Genocide Convention would send the right message to Mr. Fuentes—and the rest of the world.

Mr. President, I yield to my friend from Arkansas.

## RECOGNITION OF SENATOR BUMPERS

The PRESIDING OFFICER. Under the previous order, the Senator from Arkansas (Mr. Bumpers) is recognized for not to exceed 15 minutes.

### S. 1641—THE NONPARTISAN SCI-ENTIFIC ADVISORY COMMIT-TEE ACT OF 1983

Mr. BUMPERS. Mr. President, I am today introducing the Nonpartisan

Scientific Advisory Committee Act of 1983. The purpose of the bill is to make clear that the selection or rejection of scientists for Federal advisory committees based on their political affiliation will, in the future, be a violation of Federal law.

I introduce this bill on behalf of myself and Senators Jackson, Hart, and Eagleton.

Several months ago, Mr. President, I wrote to the Department of the Interior and asked them, under the Freedom of Information Act, to send me any information they had on whether or not Secretary Watt was permitting—indeed encouraging, indeed, making it a matter of policy—the clearance of all appointments of scientists to his advisory committees by using some kind of ideological litmus test. They wrote back saying that they had looked in every place where they thought such information might be found and could not find it.

Mr. President, I knew immediately that what I thought had been going on was in fact going on, because a simple "No, we have not been doing this," or, "Yes, we have been doing it and here's the information on it," would have been so easy. Instead, they said, "We have looked everywhere where one might reasonably expect to find that information, and we cannot find it."

I had a memorandum in my possession at the time I requested this information that was written by a special assistant to James Watt to the Republican National Committee asking for clearance of a list of scientists for appointment to the Scientific Advisory Committee of the Department of the Interior. This memo pointed up that the response from the Republican National Committee to Interior consisted, out beside each person's name that was to be considered for this advisory committee, of "yes" or "no." So the Republican National Committee put "yes" if this fellow or woman met the litmus test, and all of those who had 'yes" beside their names had been appointed. And all those who had "no" beside their names were not appointed.

As we say in Arkansas, "You don't have to be broke out in brilliance" to know what is going on over there. I think that the same thing is going on throughout the entire Federal Government.

Secretary Watt was questioned about this on "Face the Nation" on March 27, 1983, and his response must have dumbfounded the scientific community of this country. He said:

Generally, we have sought to bring massive change to the Department of the Interior, and I no longer want the dozens and dozens of advisory committees to give me the kind of advice they gave Mondale and Carter \* \* I don't want that kind of advice, so I gave generally to my folks—

"Well, let's clean up the advisory groups. Let's get good advisors that want us to be successful \* \* \* and I would hope that we would check with the Republican National Committee \* \* \* "

One reason that the scientific community must be mystified by this whole business is that it is so contrary to an action taken by the President less than 8 months ago. Last fall the scientific community, represented by the American Association for the Advancement of Science (AAAS), expressed to the President its strong disagreement with a bill passed by the Congress entitled the Environmental Research, Development, and Demonstration Act of 1983 because it would have mandated that the membership of the Science Advisory Board for the Environmental Protection Agency include representatives from States, industry, labor, academia, consumers, and the general public.

The AAAS urged the President at least to state his opposition to the inclusion of such special interests on the scientific advisory board. The President went further than that. On October 22, 1982, he vetoed the bill, explaining:

This requirement runs counter to the basic premise of modern scientific thought as an objective undertaking in which the views of special interests have no role. The purpose of the Science Advisory Board is to apply the universally accepted principles of scientific peer review to the research conclusions that will form the basis for EPA regulations, a function that must remain above interest group politics.

The President continued his veto message with an historical reference that scientists would readily understand:

The maintenance of a free, essentially self-governing scientific research communi-ty is one of the great strengths of our Nation. To undermine this tradition by requiring that the scientists appointed to the EPA Science Advisory Board wear the label of "industry" or "labor" or "consumer" is a modern-day version of Lysenkoism to which I must strongly object.

Scientists, if not the general public, would recall that Trofim Denisovich Lysenko was the Soviet agriculturalist who rejected the science of genetics, developed his own scientific, but more politically convenient theory of plant breeding, and convinced Stalin to decree this theory as the official state view and to dismiss or exile the scientists who disagreed with the official doctrine. Lysenko so politicized the science of biology that its development in the Soviet Union was stunted for 30 years.

The baffling thing about Secretary Watt's defense of the RNC memorandum and the political scrutiny of scientists on the Interior advisory committee is that it more resembles what President Reagan called a modern-day version of Lysenkoism than it does the President's stated views.

I fully expected that the glaring light of national exposure would have embarrassed Secretary Watt and his lieutenants into halting their political blackballing of scientists at the Department.

I should note here that the DOI submitted pursuant to my second Freedom of Information Act request 1,336 pages of documents which show:

First. That the Republican National Committee routinely screened candidates for most, if not all, of the advisory committees at the Department.

Second. That the flow of paper between DOI and the RNC was substantial. Status reports were sent to the RNC on a biweekly basis.

Third. That the format of the original memorandum which I requested in my first Freedom of Information Act request, and which DOI said they were unable to locate, was commonly used to report to the RNC on DOI advisory committees.

So. Mr. President, political Lysenkoism is not dead in the Department of the Interior. Last week the Committee on Energy and Natural Resources held a confirmation hearing for Mr. Perry Pendley, to be the Assistant Secretary for Energy and Minerals.

Mr. Pendley was an aide to Senator Cliff Hansen of Wyoming, who served so ably in this body for many years. I had a long visit with Mr. Pendley. I liked him. He is a very engaging, seemingly innocuous, appointee. But subsequent to my meeting with him in my office, we asked him a couple of questions for the record:

Question. Once confirmed for the position for which you are nominated will you have any authority over or role in the selection of nominees for OCS advisory committees?

Answer, Yes.

Question. If so, can you assure this Committee that scientists considered for OCS Advisory Committees will no longer be subjected to any political screening by the Republican National Committee?

Answer. The Department of the Interior will continue to seek the appointment of highly qualified candidates for service on those Committees. As in the past, views as to those appointments will be received from a number of diverse entities.

You see, Mr. President, all Mr. Pendley had to say, in answer to the question "Will you see that they are no longer subjected to political tests?" was just a simple "Yes," which would have confirmed my belief that I ought to vote for him. His answer tells me that, no, he is not going to discontinue the practice and, yes, only good Republican scientists will be appointed in the future. Finally, he has confirmed that I will not be able to vote for him because of that, unless he recants or explains that answer.

In the past our scientists have had the notion that Federal advisory committees charged with advising on scientific matters consisted of the Nation's leading experts in their field, convened to provide objective advice to our Government. The prestige associated with membership on such panels overcame the drawbacks of the time commitments required and insufficient remuneration. Now such no-tions have been called into question. I fear that unless our scientists have some guarantee that political Lysenkoism is dead in Federal advisory committees, the Government will soon lose a vital resource. Mr. President, the public official charged with the management of the Nation's mineral resources will need the advice of the Nation's leading scientific experts, regardless of their political affiliation.

This is one of those rare occasions when I agree with President Reagan on this point. Partisan politics and science do not mix. They did not mix in the Soviet Union under Stalin and they did not mix in Germany under Hitler. In an effort to deal definitively with this problem. I am introducing this legislation today that will remove any ambiguity as to the fact that the practice of selecting or rejecting scientists for advisory committees based on their political affiliation is dead and il-

We in the Congress simply cannot sit idly by and allow the prestige of our many scientific and technical advisory committees to erode. The exceptional men and women who serve need confirmation that what matters is their scientific expertise and not their political affiliation. Scientists provide data and objective analysis about the causes of air and water pollution, and they sometimes disagree, but their political affiliation should be totally irrelevant. Scientists provide data and analysis about the hazards associated with chemical and nuclear wastes, and their political affiliation is irrelevant. Scientists provide opinions and analysis about industrial workplace hazards—whether they are Republicans, or Democrats, or are without party affiliation, is irrelevant.

The President had a right, because he is ultimately accountable to the American people, to appoint key people of his ideological stripe, his political affiliation, based on whatever he may like or dislike about them, and I understand that. But I wonder: would we today have a vaccine that would prevent polio or measles or smallpox or typhoid or any of the dozens and dozens of other health hazards if the Government in giving out grants to find those vaccines had said, "You may only find a cure, you may only develop a vaccine if you are a Democrat or if you are a Republican. And we will not accept vaccines from anybody who discovers a cure if he is a Democrat?"

Where would we be? Unless we are willing to allow science to become tainted by partisan politics—and I think this would be anathema to every Member of this body—we must adopt a law which states as its basic premise that the ancient spoils system has no place in filling vacancies on scientific

boards and commissions.

Mr. President, I urge my colleagues to take a close look at this bill. It is not a partisan matter. Someday—I hope sooner rather than later—a Democrat will occupy the White House, and this measure will constrain a Democratic President just as much as it will a Republican President.

The point is that scientists ought to be evaluated on the basis of factors other than their political affiliation. I challenge any Member of this body to take issue with this basic premise. I do

not believe anybody would.

If any future political blackballing occurs in the selection of the candidates for a scientific advisory committee, then this bill would require that the entire membership of the scientific advisory committee be voided and new members validly appointed. In essence, the political screening of any individual candidates would taint the whole committee.

The bill does not apply to all Federal advisory committees, only those which have any of the following terms in their official designation—"science," "scientific," "technical," "research," or "economic." It is my hope that upon enactment if by virtue of their official title there are any scientific advisory committees which are not covered by this bill, then their members will insist that the official designation of their advisory committee be amended to include one of the terms that trigger coverage by the act.

Mr. President, I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD

following my remarks.

There being no objection, the bill and section-by-section analysis were ordered to be printed in the Record, as follows:

## S. 1641

Be it enbacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be referred to as the "Nonpartisan Scientific Advisory Committee Act".

SEC. 2. The Federal Advisory Committee Act (88 Stat. 770) is amended by adding a new section 15 as follows:

## "SCIENTIFIC ADVISORY COMMITTEES

"Sec. 15. (a) No selection for appointment to a scientific advisory committee may be based in whole or in part on the political affiliation of any candidate nor shall any person employed in the executive branch of the Federal Government who has authority to take or recommend any action on such appointment make any inquiry concerning the political affiliation of such candidate.

"(b) For the purpose of this section the term "scientific advisory committee" is defined to be an advisory committee, including any committee, board, commission, council, conference, panel, task force, or other similar group or any subcommittee thereof, the

official designation of which contains any of the terms 'science', 'scientific', 'technical', 'research', or 'economic'.

"(c) If at any time after the date of enactment any person is selected for appointment or denied appointment to the membership of any scientific advisory committee in a manner prohibited by subsection (a), then the appointing authority shall declare the appointment of all the members of that scientific advisory committee to be null and void and the appointing authority shall as soon as possible appoint members to that scientific advisory committee in a manner that complies with subsection (a).

"(d) No person whose appointment is declared null and void under this section shall be required to reimburse the Federal Government for compensation otherwise lawfully received for periods of service prior to

such declaration.

"(e)(1) Any person may commence a civil action against any Federal agency whose employee is alleged to have violated subsection (a) or where there is an alleged failure of an employee of such Federal agency to perform a duty under subsection (c). The United States district courts shall have jurisdiction without regard to the amount in controversy to enforce such provision.

"(2) The court in issuing any final order in any action brought pursuant to paragraph (1) may award costs of litigation including reasonable attorney fees to any party whenever the court determines such award is ap-

propriate.

"(3) Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of this section or to seek any other relief.

"(f) The date of effectiveness of this sec-

section."

## SECTION-BY-SECTION ANALYSIS

SEC. 2. Creates a new section in the Federal Advisory Committee Act.

Subsection (a).—This subsection prohibits basing the selection of appointments to a scientific advisory committee on the political affiliation of the candidate. Political affiliation is intended to mean the candidate's affiliation with a political party. This subsection also prohibits federal officials involved in the appointment from even inquiring as to the candidate's political affiliation.

Subsection (b).—Defines the term "scientific advisory committee" to be those advisory committees (and subgroups thereof) which have any of certain terms in their official titles. Thus, if a subcommittee of an advisory committee has any of the designated terms in their title, then it falls under the definition of "scientific advisory committee".

Subsection (c) contains the sanction for violating subsection (a). It also limits the prohibited acts to prospective violations.

Subsection (d) simply ensures that in the event the appointments to a scientific advisory committee are declared null and void pursuant to subsection (c) then no compensation received lawfully prior to the declaration need be reimbursed to the government.

Subsection (e) gives a right of action to any person to enforce this section. A court may award costs of litigation including reasonable attorneys fees if the Court determines such award is appropriate. Prevailing and non-prevailing parties could theoretically recover the costs of litigation under this provision, if the court determines such award is appropriate. The intention here is

that potential litigants, who will most likely be private individuals, should not be deterred from filing their claim because of the uncertainty of prevailing in their claim. (However, as this legislation moves through the legislative process I might be persuaded that the award of court costs should be limited to prevailing parties.)

Mr. EAGLETON. Mr. President, I join with Senator Bumpers in cosponsoring legislation to amend the Federal Advisory Committee Act by preventing any administration from considering political affiliation in its appointment of scientists to nonpartisan scientific advisery boards.

Newspaper reports make it clear that this administration has required-to an extent unprecedented by any previous administration-a litmus test of party loyalty as a prerequisite for appointment of scientists. As a result, the people of this country are being dangerously shortchanged. They are not getting the quality of technically trained personnel their Government needs in so many areas of its most critical and complex work. Moreover, professionals, often renowned in their fields, are being rejected from Government service on the basis of an entirely irrelevant ideological screening.

Examples of the administration politicising ostensibly nonpartisan appointments abound, with nearly every agency involved. According to newspa-

per accounts:

Under the ill-fated tenure of Administrator Gorsuch, the EPA in 1981 broke a decade of tradition in refusing to reappoint several dozen members of science advisory panels when their fixed terms expired. Even EPA officials confirmed that these appointees were deliberately let go with the purpose of replacing them with political conservatives.

FDA officials have conceded that their political appointees tried to stack the selection of a panel of science advisors on vaccine policies, retreating only after FDA civil servants raised an outcry about how the individuals respectively.

uals were obviously unqualified.

The Agriculture Department routinely sought Republican National Committee political clearance, until hostile outside pressure forced Secretary Block to curtail such practices.

Interior Secretary Watt has imposed political screening with perhaps the greatest vengeance. For example, even though the mandate of the offshore oil board, which advises the Secretary, restricts its activity to recommending ways to improve the scientific quality of studies, all nominees under consideration were submitted to the RNC, whereupon 10 names were struck

RNC Chairman Frank J. Fahrenkopf, Jr., has stated that he believes that all Federal departments but three—State, Justice and Defense—rely on the RNC political check as a matter of course.

The effort to fill scientific posts with those bearing the proper political stripe is not a case of "merely the spoils system at its best." Past administrations certainly rewarded loyal

supporters or those with like political views with key positions. But this practice has normally been confined to appointees for political and policy posts. By contrast, this administration is politicizing the appointments of advisors who are relied upon exclusively for their informed judgments on scientific and technical matters. Accordingly, what is occurring is an unabashed attempt to stack advisory committees with ideological look-alikes of the administration, at the expense of selection on the basis of professional achievement and scientific knowledge. When you come from a State like mine—Missouri—where the threat of dioxin has affected the lives of so many, you care a great deal about the scientific intelligence and not one whit about the political leanings of those who are charged with proposing scientific solutions. The administration tific solutions. The administration does not agree. So, unfortunately Dr. Matthew Meselson, a biochemistry professor at Harvard University, who happened to be responsible for developing the technique for measuring dioxin, was included in the EPA "hit list" and described as "poison \* \* \* he is a Nader on toxics."

The evidence is clear that the Federal Advisory Committee Act should be amended to prevent this kind of distortion of the selection process. The bill we introduce today would provide that as a matter of law, with regard to scientific advisory committees: "no selection for appointment to a scientific advisory committee may be based in whole or in part on the political affiliation of any candidate." The amendment would further provide that no political appointee with authority to influence the appointment of such a person may "make any inquiry concerning the political affiliation of such candidate."

The importance of this bill cannot be overstated. The American people deserve to have the brightest and the most qualified individuals advising their Government. At no time have the objective contributions of the scientific community been so vital as now, when the complexity of health, environmental, and other protections so clearly call for specialized knowledge from the best minds we have. When political screening routs out those who were, as the EPA has been known to conclude "invidious environ-mental activists," "pure ecology types," and when it rejects someone who is "a Nader on toxics," it is time the process was subject to some stand-

The American people should be clear about the pattern at work here. This stacking of the science advisery panels is part of a systematic and tragically misguided effort by the Reagan administration to undermine the Government's ability to protect the American people through health and envi-

ronmental safety regulations. We have witnessed the appointment of agency heads and regulators who are openly hostile to the laws they are charged with enforcing. This has been followed by administration efforts to cut the budgets of health and environmental regulatory agencies-resulting in an end run around the process to accomplish serious policy changes. The budget cuts, coupled with low morale and the contempt with which this administration views public service, have driven some of the best people out of Government. Consequently, it comes as no surprise that the Reagan administration has also worked to dismantle the effectiveness of outside scientific advisery committees-to insure that there would be absolutely no effective counterweight to its objective of rolling back health and environmental regulation.

I urge my colleagues to support this legislation.

## ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business not to exceed 10 minutes with statements therein limited to 1 minute each.

Mr. TOWER addressed the Chair. The PRESIDING OFFICER (Mrs. KASSEBAUM). The Senator from Texas is recognized.

# LEGISLATIVE VETO AND THE REGULATORY AGENCIES

Mr. FORD. Madam President, as the Senate Commerce Committee is the authorizing committee for many of the regulatory agencies, the members of the committee have been faced with the controversy over the legislative veto for a number of years. The issue, from this perspective, is not how to rein in the executive branch and the President through the War Powers Act or the Budget Act; rather, the issue has been how to control unelected, unaccountable Federal officials in a constitutional and effective manner. Viewing the issue from this perspective as chairman and then ranking Democrat of the Commerce Committee's Consumer Subcommittee, I have been an outspoken opponent of the legislative veto, as I believed this procedure to be not only unconstitutional but also ineffective.

Therefore, I am pleased that on July 6, 1983, the Supreme Court gave further breadth to its earlier June 23, 1983, ruling in the INS against Chadha case declaring the legislative veto unconstitutional. This latest Court action, affirming lower court decisions striking a one-House veto provision in the Natural Gas Policy Act of 1978 and a two-House legislative veto in the Federal Trade Commission Im-

provements Act of 1980—hereinafter FTC Act of 1980—doom all such legislative vetoes.

The Court's constitutional analysis in Chadha gave a strong indication that its action of last week would follow. In Chadha, the Court rejected out of hand many of the theories put forward by my colleagues in arguing that the veto was necessary to control the agencies. The Court said that the efficiency, convenience, or utility of such devices in facilitating the functions of Government were insufficient bases for the veto in the face of explicit and unambiguous provisions prescribing the separate and distinct functions of the branches.

The Court decided that the use of the veto was a lawmaking action and must conform to the traditional lawmaking process provided by article I, section 7 of the Constitution to insure the separation of powers. The Court discussed the importance of passage of legislation by both Houses of Congress, stating that bicameralism assures careful consideration by the Nation's elected officials, satisfies the "need to divide and disperse power in order to protect liberty," and protects the respective interests of the small and large States.

But it was the Court's discussion of the presentment clause that spelled the death knell for the FTC two-House veto, a veto that would have survived the bicameralism requirement alone. The majority opinion said that presentment of legislation to the President for his approval or disapproval provides a defensive weapon against potential legislative intrusions on the powers of the Executive or on ill-considered measures. It allows the presence of a national perspective that might be provided by the one official elected by a national constituency.

Madam President, as Senate floor manager of the FTC authorization in 1980, I stated during that debate on the legislative veto issue:

The only way Congress can be assured that this agency—or, for that matter, any agency—is following through, is through regular and vigorous oversight. If it is determined that Congressional intent is not being met, then [legislative] steps must be taken to put the agency back on the proper course.

The following quote from a pamphlet written by John R. Bolton under the auspices of the American Enterprise Institute in 1977 entitled "The Legislative Veto, Unseparating the Powers" spells out the tasks that Congress must undertake in performing its constitutional and political functions. The veto as a legislative short cut to these tasks is, as Mr. Bolton points out, an illusion:

The story of the legislative veto is a depressing story—depressing because, although the goals sought through the use of the device are commendable, the device

itself is, almost necessarily, unconstitutional. Moreover, the goals-greater agency accountability and less arbitrary governmental interference in people's lives-might be harder to reach with the legislative veto than without it because it tends to give the false impression that the agencies are under control. In order for those worthy goals to be achieved, Congress must be willing (or be forced) to make difficult political choices. Statutory grants of discretion must be more carefully structured and periodically reviewed. More attention must be paid to specifics, closer scrutiny must be given to presidential nominees, and there needs to be greater resistance to calls for "immediate legislative action" from interested pressure groups.

Though the two-House legislative veto was finally attached to the FTC Act of 1980, I continue to believe there is no substitute for more carefully considered statutes. I recognize this process imposes more work, some delay, and may be politically more difficult. But let me offer as an example of just such a legislative approach the effort to define the term "unfair" in the FTC Act. The FTC has had authority since the Wheeler-Lea amendment to the FTC Act in 1938 to protect con-sumers against "unfair or deceptive acts or practices." The Congress had, through broad, ambiguous language, given five Commissioners the sweeping power to regulate anything they believed to be, in their discretion, unfair, but Congress became increasingly concerned in the 1970's about some FTC actions under this broad mandate. My distinguished colleague from Missouri, Senator Danforth, and I wrote to request the FTC to develop a statutory definition of "unfair" to put bound-aries around this term. The Senate Commerce Committee collected outside views on the issue, held extensive hearings, and proposed statutory language to better clarify and define the term. The committee also determined, through this process, to decline to fur-ther define the term "deceptive acts or practices," since case law had placed limits on the term which were deemed appropriately specific.

Though it is now almost 5 years since this process began, I feel certain that the next FTC authorization bill to become law will contain this definition of "unfair." I am also pleased to note that Commissioners are already applying this proposed analysis to form their opinions as to what is an unfair act, such as with the recently considered credit practices rule.

I contrast this slower, admittedly more tedious approach of reasoned lawmaking to that of the unconstitutional FTC congressional veto procedure. That procedure provided no opportunity for amendment, simply an up or down vote on a rule. Congress could find some aspects of a rule it liked and some it disliked but would be forced to weigh its likes and dislikes in an absolute way. Congress could say no to what the agency did but could

not take upon itself to say what the agency should have done.

Madam President, with the Supreme Court's recent decisions, Congress must revisit the issue of its role in insuring responsible regulatory agencies. Finding a remedy for the frustrations of a large and often times ineffective Federal Government is an important challenge.

I am convinced that we must refrain from a reactionary response to the Supreme Court's decision as we look at individual agency authorizations and at proposed omnibus regulatory reform bills. Rather, we must focus our efforts on strengthening the authorization process. Nor can we reasonably attempt the task of reviewing each and every regulation for sufficient evidence. That is the task of the courts.

On June 29, 1983, the House of Representatives adopted two restrictions to the Consumer Product Safety Commission (CPSC) authorization legislation in response to the Court's Chadha decision. This House action was the first Congressional response to the Supreme Court decision and amendment sponsors suggested that conferees on the CPSC bill should choose between the two restrictions.

One restriction would provide that no agency rule could take effect until adopted by a joint resolution and signed by the President—a sweeping restriction that would totally alter the role of the regulatory agency, reducing it to an advisory commission. This amendment represents as significant a change in administrative law as passage of the Administrative Procedure Act of 1946. It would transform the character of administrative agencies, making them investigatory bodies only and leaving to the Congress all their regulatory duties.

Over the years, the CPSC's most important authority has been its authority to recall hazardous products and not its regulatory authority. Thus, the amendment as applied to the CPSC is largely symbolic in effect. However, if this procedure were extended to all the regulatory agencies through an omnibus regulatory reform bill or attached to each and every authorization bill-then Congress becomes the regulator without the benefit of the formal procedures of the agencies for insuring due process to the regulated parties. The agencies would become mere extensions of congressional staff.

The Supreme Court noted in the Chadha decision that provisions which required agencies to report to Congress and wait before implementing proposed actions are constitutional. The other restriction adopted by the House during the CPSC debate provided such a report and wait provision—no agency rule could take effect for a certain period of days. In this time, Congress could follow a formalized

procedure to enact a joint resolution of disapproval. Although this procedure, like the veto, provides only for an up or down vote, it passes Constitutional muster by requiring a Presidential signature. This process permits Congress to focus its attention on those matters that are truly controversial or that constitute an abuse of authority.

As the Senate considers authorization legislation for the FTC and the CPSC in the next few months, I will work to insure that any new agency procedure enacted in response to the recent Supreme Court decisions strikes a proper balance between improved agency accountability while the traditional regulatory process is maintained. However, any legislative response must be coupled with regular and periodic oversight of the agencies, for there simply can be no legislative substitute for this congressional responsibility.

## CORPORATE SENTRY

Mr. LEAHY. Madam President, when I was a young State's attorney, I was approached by a man even younger who wanted to begin a detective and security agency in Vermont. There was no precedent for the organization he intended to start, and singlehandedly, Randy Brock wrote the book.

I am proud of the association I have had with him as State's attorney, but I am even more proud of what Randy has accomplished during the intervening years. His success is a testimonial not only to perseverance, tireless work, and professionalism, but ultimately to the high standards of integrity and commitment he set right from the start.

I ask unanimous consent that this article from Money magazine be printed in the Congressional Record.

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

CORPORATE SENTRY—RANDY BROCK RUNS A THRIVING ARMY OF SECURITY GUARDS

Like most smart cops, Randy Brock, 39, guards his thoughts, often concealing them behind a broad, even-toothed grin. But a moderate thickening at his midsection suggests that a career in private police work has been good to him. For most of its 13 years, his company, Brock International Security, has been one of the fastest-growing security services in the country. Its employees once guarded the Declaration of Independence and the Constitution and now watch over a number of Fortune 500 companies.

Brock's interest in protecting other people's property began at age 17, when he spent a summer tracking down missing books for the Philadelphia Public Library. "I found myself particularly suited to investigative work—all it really demanded of me was common sense," he recalls. After graduating from Middlebury College in Vermont, he was offered a commission in the Army and became a military policeman. He

found the training invaluable. "Fort Dix was really a city of 45,000, and every crime that could happen happened," he says. He left the Army as a captain in 1970 and returned to his college town to set up a security business. The early years were downhill, but his military background eventually helped him get government contracts protecting the Philadelphia Naval Yards and the Department of Energy's nuclear project in Oak Ridge, Tenn. Last year Brock International Security, with 800 employees, took in revenues of \$9 million, up 50 percent from 1981's \$6 million.

Brock's management style still has something in it of the MP. For example, he'll show up at a job at 3 a.m. to see that his guards are on duty and alert. "I convinced my men in the Army that I never slept." he recalls. But he's learned, the hard way, to delegate authority. When his company was still small, he put his name and number first on a roster of people for employees and customers to call 24 hours a day in case of serious problems. "The point came when I realized, 'Hey, wait a minute, my name should be last.' That was when the light came on."

In five years Brock expects to be competing head on with Pinkerton and Burns, the giants of his industry. He just reached another goal seven months ahead of schedule: to amass a net worth of \$1 million by the time he turns 40.

### SPACE ARMS CONTROL RESOLU-TION, ENDORSED BY FOREIGN RELATIONS COMMITTEE

Mr. PRESSLER. Madam President. I am pleased to inform my colleagues that at today's Foreign Relations Committee business meeting, the committee voted its endorsement of Senate Joint Resolution 129. This joint resolution calls upon the President to seek a mutual and verifiable ban on weapons in space and on weapons designed to attack objects in space.

The issue raised by this resolution is a key priority for this Senator and for members of the Foreign Relations Committee. Space arms control must become a top priority of this adminis-tration and of the Soviet leadership, if we are to avert a potentially dangerous and costly space weapons race. Unless action is taken very quickly, verification problems could well prevent efforts to reverse this competition in the future. Therefore, we in the Senate must act now on this important issue. I ask that the Senate leadership act now to place this resolution at the top of the Senate Calendar.

Madam President, I ask for unanimous consent that Senate Joint Resolution 129 be printed in the RECORD, together with my remarks at the markup this morning, explaining the intent of Senate Joint Resolution 129. I also ask that two letters endorsing this resolution, from the Union of Concerned Scientists and the American Federation of Scientists, be printed in the RECORD.

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

#### S.J. RES. 129

Whereas the United States depends upon satellites for preserving the peace through command and control of United States forces worldwide and through early warning of strategic attack, among other functions;

Whereas satellites are vital for verifica-

tion of arms control agreements:

Whereas the United States and other nations rely increasingly on space-based sysweather forecasting, communicatems for tions, natural resource exploration and other important commercial activities;

Whereas the maximum utilization of space technology for commerce and science is assured only under peaceful conditions;

Whereas the safety of such important missions including those performed by the space shuttle would be compromised by the threat posed by antisatellite weapons:

Whereas an uncontrolled space arms race would undermine strategic stability and divert resources needed to maintain strong

and balanced defenses; and

Whereas the present pace of military developments, including weapons tests, will soon reduce the prospects of avoiding the weaponization of outer space: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President should seek agreement with the Soviet Union to-

(1) declare an immediate, mutual and verifiable moratorium of limited duration on the testing in space of antisatellite weapons;

(2) immediately resume negotiations on a mutual and verifiable ban on the testing, production, deployment, and use of any antisatellite weapon:

(3) seek, on an urgent basis, a comprehensive verifiably treaty prohibiting the testing, production, deployment, and use of any space-directed or space-based weapons system which is designed to inflict injury or cause any other form of damage on the Earth, in the atmosphere, or on objects placed in space.

SEC. 2. Such agreements should not restrict operations in space not involving weapons, such as the United States space shuttle program.

## SPACE ARMS CONTROL RESOLUTION MARKUP (Statement by Senator Larry Pressler)

I am pleased to offer for mark-up a compromise resolution on space arms control, S.J. Res. 129, that I introduced in the Senate last Thursday, S.J. Res. 129 represents the outcome of an extensive series of hearings on space arms control. Hearings were held in September, 1982 and in April and May of this year. It is the successor of several resolutions on this issue, the first of which was offered on the Senate floor in May, 1981.

Joining me as cosponsors of this resolution are Senators Tsongas, Percy, Pell, Mathias and Cranston.

(1) Provision 1 of the resolved clause calls on the President to seek an immediate, mutual and verifiable moratorium of limited duration on testing in space of anti-satellite weapons (ASATs) with the Soviet Union.

This is an important provision, given the severe verification problems that will arise once the F-15 ASAT is tested against a space-deployed target; this provision would buy time to find a solution to the ASAT

arms control problem, but not so much time as to allow the Soviets to permanently maintain their ASAT system without an American response. The duration of the moratorium is to be determined by the President.

(a) Provision 2 of the resolution calls for the immediate resumption of talks directed at banning the testing, production, deployment and use of any anti-satellite weapon.

Talks on ASATs were suspended in the wake of the Soviet invasion of Afghanistan. While other major arms control talks have since resumed, ASAT talks have not. Unless action is taken quickly, the issue of verification may make achieving agreement all but impossible.

Let us note that the United States initiated the F-15 ASAT program as part of a dual-track approach to the problem posed by the Soviet ASAT. Development of our ASAT was to give the Soviets incentive to bargain on their active ASAT, only if negotiations failed was actual deployment envisioned. Since the invasion of Afghanistan, the second track-the arms control trackhas not been tried. At the very moment when its imminent testing and deployment should provide the very incentive the Soviets need to bargain in earnest, the ASAT system has seemingly acquired a life of its own.

The intent of this provision is to urge that negotiations seek to ban all ASATs. Given the Soviet Union's current ASAT capability, we would expect that an agreement provide for its dismantlement.

(3) Provision 3 of this resolution urges the President to seek, on an urgent basis, a comprehensive verifiable treaty prohibiting space-directed and space-based weapons.

This provision would deal with future sys tems in, or directed at space with capabili-

ties beyond those of ASATs;

In 1967, the United States, the Soviet Union and a large number of other nations signed the Outer Space Treaty. This agreement was to have solved our security problems in space. Unfortunately, the Outer Space Treaty deals only with nuclear weapons and other weapons of mass destruction, creating a loophole for ASATs;

Our intent here is to fill loopholes that would allow deployment of new types of

weapons in space.

(4) Finally, let me note that section two of this resolution specifies that agreements should not restrict operations in space not involving weapons.

This provision was designed to protect the Space Shuttle and other vital national programs that the Soviets might seek to constrain through arms control talks. The Soviets reportedly have sought to use ASAT talks for this purpose.

It is our intent to send a clear signal to the President and to the Soviets that the Congress finds such restrictions unacceptable.

This resolution does not, in any way, limit esearch and development on ASATs and on Ballistic Missile Defenses. This is the only prudent course of action in guarding against a Soviet technological breakthrough. Verification must be a key concern of arms control agreements. We expect that any agreement on space weapons will have provisions that assure full verification. Finally, let me state that arms control must be a two-way street. Any constraints placed upon U.S. space operations must be matched by equal constraint on the Soviet space program. Should the Soviets fail to make the necessary concessions at the bargaining table,

and simply seek to use talks as a device to halt U.S. programs, we fully expect the United States to move forward on its space weapons options.

Union of Concerned Scientists. Washington, D.C., July 18, 1983. Senator LARRY PRESSLER, Chairman, Subcommittee on Arms Control,

U.S. Senate, Washington, D.C.

DEAR SENATOR PRESSLER: The Union of Concerned Scientists and its more than 100,000 sponsors wish to endorse S.J. Res. 129, the resolution you recently introduced which would slow the movement toward a U.S.-Soviet arms race in space.

U.C.S. supports all three of the resolution's major provisions. We believe that the mutual moratorium on the testing in space of all anti-satellite weapons (Section 1, Clause 1) would provide us with the breathing space needed to resume the vital negotiations to limit these weapons (Section 1, Clause 2). Finally, the request that the Administration seek negotiations to limit space-based and space-directed weapons (Section 1, Clause 3) is urgently needed to demonstrate that there is support within the Senate for efforts to limit these new weapons technologies.

U.C.S. strongly supports S.J. Res. 129. We urge the Senate Foreign Relations Committee to approve the resolution for consideration by the full Senate.

Sincerely,

HOWARD C. RIS. Jr., Director, Nuclear Arms Program.

FEDERATION OF AMERICAN SCIENTISTS Washington, D.C., July 19, 1983.

DEAR SENATOR: I am writing to express support for the provisions of Senate Joint Resolution 129, which calls for an immediate moratorium on the testing of anti-satellite weapons, resumption of negotiations to limit such weapons, and the initiation of talks to ban all space weapons.

Of most immediate importance is the initiation of a mutual and verifiable moratorium on the testing of anti-satellite weapons against objects in space. Such a moratorium would be readily verified, and would provide the time needed to move toward more comprehensive and definitive arms control

I recently completed a study of the major questions raised by a mutual moratorium on the testing of anti-satellite weapons, and I have attached a copy for your information. If I can be of any further assistance to you or your staff, please feel free to call.

JOHN PIKE, Staff Assistant for Space Policy.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. there further morning business? If not, morning business is closed.

## **OMNIBUS DEFENSE AUTHORIZATIONS, 1984**

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the unfinished business, S. 675, which the clerk will state by title.

The legislative clerk read as follows:

A bill (S. 675) to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, and for other pur-

The Senate resumed consideration of the bill.

#### AMENDMENT NO. 1520

(Purpose: To extend the period for the transfer of the defense dependents education system to the Department of Education)

Mr. TOWER. Madam President, what is the pending business?

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

Mr. TOWER, Madam President, it was the original intention of the manager of the bill to ask unanimous consent to satisfy the Stafford amendment and proceed to the consideration of the Wallop amendment. However, there has been objection lodged with me and I will not propound that request.

So the pending business will be the amendment of the Senator from Vermont on which there was a motion to table last evening which failed.

Hopefully we can dispose of that issue this morning. There may be a record vote then before the Senate goes to recess at noon. I say that for the information of Members of the Senate, Madam President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The acting assistant legislative clerk proceeded to call the roll.

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

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

## THE MX MISSILE

Mr. HART. Madam President, with the forbearance of the floor managers of the bill and the Senator from Vermont, the Senator from Colorado will take a few minutes of time that is transpiring while we await other Senators' presence on the floor to make a few remarks regarding an issue underscoring this bill, perhaps overriding, and that has to do with the MX, and then be prepared to yield the floor at such time as the managers are prepared to go forward.

Madam President, the Senator from Colorado said last week, when the debate on this bill began, that this bill represented the opportunity for a very serious discussion and debate over the future defenses of this Nation; that, to a certain degree, the MX missile proposal was symptomatic of even broader problems that were represented by this bill and by the Senate's approach toward our national defenses.

It had never been the intent of this Senator to prohibit debate on this bill. In fact, it has been the purpose of this Senator to encourage debate-serious, wide-ranging, broadly based discussion-about where our national security is headed and where our defenses are headed.

The Senate, at its best, throughout its history on occasion has been the forum which enabled the American people to understand serious issues regarding their country's future; in which, at its best, Senators engaged with each other over fundamentally different philosophies and policies. And those debates have had profound impact on the course of this Nation. whether having to do with the rights of our citizens, having to do with the economic structure and direction of this Nation, having to do with the environmental quality of this country, or, on occasion, having to do with this Nation's foreign, diplomatic, and military policies.

The Senator from Colorado strongly believes that this Nation is at a turning point in many ways, not the least of those has to do with our role in the world and the role that our military and defense policies play in this Nation's relationships with other countries. It is regrettable that in now 8 days there has really been no serious engagement of Senators over that watershed position in which this Nation now finds itself. There has been ample time. We are all aware of that.

Amendments have been taken up, amendments have been debated, and amendments have been disposed of. But there has never really been in this 8-day period any engagement over the fundamental concept or philosophy or policy of this Nation's national defense.

Senators have been too willing to let the Armed Services Committee take care of this issue, been too willing to vote up or down on the bill as a whole, and been too willing to let issues be treated as isolated matters; been unwilling-unwilling-to engage themselves as U.S. Senators and constitutional officers in a deep and profound discussion of serious defense issues.

The Senator from Colorado strongly believes that the defense of this Nation cannot be gaged merely quantitatively; that issues having to do with whether we are spending 3 percent, 5 percent, or even 10 percent in terms of growth of spending on defense budgets are increasingly becoming irrelevant to the question of quality capability of this Nation.

An issue such as the MX missile enables this body not to divide but to engage, to discuss seriously the nature of our strategic forces, whether a new hard-target, first-strike weapon placed in vulnerable silos in fact enhances this Nation's security; not to give our

proxies to the President of the United States and say, "Well, the President says we need it," or indeed to give our proxies to a temporary body, a commission, formed and now put on the shelf for all practical purposes, which has rendered a political judgment not a military judgment, on the issue of the MX missile.

We are required by oath to take this issue more seriously, indeed, to take all these defense issues more seriously, that I think they have been taken this week or last week.

It would be well for the Senate to take out the better part of this week, have Senators on the floor and discuss the future security of this Nation.

The Senator from Texas and others have repeatedly said there is nothing more important under the Constitution of the United States than for the Congress and the executive branch to defend this Nation. In a very large degree I agree with that statement.

We have a profound obligation to our constitutents, indeed to all citizens of this country, to defend this Nation.

But that is not the issue. The issue is whether building this missile and putting it in silos that are vulnerable to a first-strike attack in fact defends this Nation. The broader issue is whether this defense bill represents a thoroughgoing conceptual examination of the defenses of this Nation and the realities of the 1980's and 1990's. There is a strong opinion, as the Senator from Colorado has previously stated, that this bill does not accomplish that mission or that task.

Much has been written and much has been said on the floor about filibusters, tactics, and, if you will, the almost sports analogy that we use often around here about who is winning and who is losing, who is gaining advantage and who is not. I think so long as we approach these issues on that basis, everyone loses. The American people lose because they think that all that is going on on the floor of the Senate is some sort of a partisan tug of war; that, at the very best, what is going on is a struggle between liberals and conservatives.

I think that misses the entire point. I would hope what would go on in the closing hours and days of this bill would be for the first time really, since this Senator has come to the U.S. Senate, a wide open, wide ranging, thorough discussion of the future security of this Nation in serious terms.

We are now at almost noon on Tuesday in the second week of this bill and no fairminded person can claim that that has happened over the MX missile specifically, over broad defense issues generally.

It is not too late. I encourage my colleagues who are opposed to the MX missile, who may or may not be supporting the bill, to engage in that kind of debate. I encourage my colleagues,

for whom I have great respect, both the managers of this bill and supporters on their side, to engage in that kind of debate as well.

What about our personnel policies? Are we educating, training, and promoting our officers to perform on the battlefields of the future or, rather, to become managers and desk operators and not battlefield commanders? What about cohesion in our conventional forces? Are our land and sea forces prepared to fight together a challenge? What about the shipbuilding program? Are we building the right kind of ships? There has not been a serious discussion on the floor of the Senate last week or this week about the adequacy of the direction of our shipbuilding program.

What about, indeed, our strategic forces as well? How does the MX missile fit into those strategic forces? Does it add or detract from the long-range strategic planning for the secu-

rity of this Nation?

Mr. President, the Senator from Colorado once again appeals to his colleagues to take the difficult step of addressing, if you will, the policy of defense and not individual weapons systems. It is not easy; it is difficult. It is a lot easier to raise issues about where the dependents of our Armed Forces personnel should be educated, whether that ought to be run by the Department of Education or the Department of Defense. It is a serious issue. It affects people's lives. The Senator from Colorado does not intend to demean that. But how central is that to the long-range security of this country?

There will be a debate today on the issue of placing weapons in space. That is a serious issue. It does represent one of the major issues that will face our country in the future. I hope that amendment becomes the occasion to discuss not just space lasers but the issue of other weapons, both conventional and nuclear, in space. That is a serious discussion that the people of this country are entitled to have.

We have had weapons systems up and down in the last few days. Again, they were isolated, random, ad hoc. It would be helpful in the discussion of the MX missile itself it that debate represented a serious consideration of the premises of the Scowcroft Commission, the premises of this administration's strategic doctrine and philosophy; indeed, the history of our strategic doctrine, to find out where, in fact, a new 10-warhead, hard-target-kill, vulnerable, land-based missile fits into the future arsenal of this country.

The President has said it is not a bargaining chip. It is a serious aspect, as the Senator from Texas has said, of our nuclear force modernization program.

Well, it cannot be both, clearly. It cannot be required to defend this country in the eighties and nineties

and 21st century and become a bargaining chip at the same time.

I think Senators ought to require an answer from the administration as to what it is. Is it a bargaining chip or is it not? Is the President prepared to negotiate a way or is he? Will he deploy 100 or will he eventually deploy the full 235 or 240 or more that are proposed to be purchased by this authorization request?

Mr. President, if we do not seriously discuss this issue this week, the judgments of history will rest heavily upon our heads. We will have not performed

our task.

I fully expect a number of Senators to come forward and deliver statements as to their opposition to the MX missile. I hope in the process those of us who oppose the missile, not only on the specific grounds of what the missile itself represents, but on the grounds that it does not contribute to the overall strategic security of this country in the future, will receive that I think we are due. That is an adequate response from the other side that seriously addresses the questions raised. To date, that has not happened.

I think we can safely say that the justification for the MX missile has been summarized in a statement that could not have occupied more than 3 minutes by the Senator from Texas on Friday evening. That, to me, is not a serious justification for this missile

Mr. President, as the morning hour wars on and we go out for our respective caucuses at noon and then come back in the afternoon, there are opponents of the MX missile who will take the floor this afternoon, whether on their own or just to fill up time—as the Senator from Colorado is doing here this morning—who will lay down their arguments against this missile, against this decision, a very serious concern represented by these statements.

I am hopeful that those Senators in opposition can engage each other and that, in fact, we shall engage the opponents of the missile and supporters of its production and deployment in some sort of serious debate, if not today, then tomorrow or the next day.

Mr. President, I yield the floor.

Mr. TOWER. Mr. President, I think I can assure the Senator from Colorado that we shall indeed debate this matter today, because we have just about winnowed away all of the amendments that I know of in this matter. I fully expect that we shall be on MX today and will have some extensive discussion on it.

The Senator from Texas has already delivered himself of a few thoughts on MX and will expand on that this after-

Mr. President, we are trying to work out an agreement between the Senator

from Vermont (Mr. STAFFORD) and the Senator from Indiana (Mr. QUAYLE) on the matter of DOD schools. I think there is some reasonable prospect that that will be worked out and we shall be able, then, to act on the pending amendment by voice vote. However, there is still the possibility of a rollcall before 12 o'clock and Senators should on notice that that is the case.

Mr. President, I suggest the absence

of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the

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

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

AMENDMENT NO. 1523

Mr. QUAYLE. Mr. President, I send an amendment in the nature of a substitute to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows: The Senator from Indiana (Mr. QUAYLE) proposes an amendment numbered 1523.

Mr. TOWER. Mr. 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:

Strike out lines 1 to 9 and insert the following:

On page 128, beginning with line 11, strike out all through page 131, line 6, and insert in lieu thereof the following:

EXTENSION OF PERIOD FOR TRANSFER OF DE-PENSE DEPENDENTS' EDUCATION SYSTEM TO DEPARTMENT OF EDUCATION

SEC. 1006. Section 302(a) of the Department of Education Organization Act (20 U.S.C. 3442(a)) is amended by—

(1) striking out "not later than May 4, 1984" and inserting in lieu thereof "not ear-

lier than May 4, 1986"; and

(2) adding at the end thereof the follow-"The transfers contemplated by this section shall occur only if the President or Congress determines that such transfers will not be detrimental to the quality of education available to dependent children if military personnel stationed overseas, to the protection and benefits available to teachers under various status of forces agreements, and to the morale and welfare of military personnel stationed overseas whose dependent children attend overseas schools operated by the Department of Defense."

Mr. QUAYLE. May I ask the Senator from Texas, if we are prepared to go out at noon, would it be all right for me to proceed for 4 or 5 minutes?

Mr. TOWER. Mr. President, under the previous order, we are supposed to go into recess at noon. I would not anticipate there will be a vote on the amendment of the Senator from Indiana until after the Senate reconvenes at 2 p.m.

Mr. QUAYLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. QUAYLE. Mr. President, we had vote last night on the motion to table the amendment of the Senator from Vermont and the Senator from Delaware. That tabling motion failed 50 to 42, I believe.

Having seen that vote, it is apparent that at least the Senate would like a little more time to study this issue on transferring the DOD schools to the Department of Education, with I do not believe should happen. As matter of fact, I do not believe it will ultimately happen.

This is a substitute amendment going along with the desires of the majority of the Senators, which I believe was an unfortunate choice, but it is a choice that we all ought to accept. This would agree to the 2-year additional time from May 4, 1984, to May 4, 1986. It also places a burden on those who want to see the transfer take place to show that the transfer will enhance quality education.

Mr. President, that is the issue. The issue is quality education of 132,000 children overseas. They have higher SAT scores, higher academic achievement than those stateside. It is beyond my comprehension how anyone can say that they are not receiving quality education. I do not believe the opponents of the amendment would say that they are not receiving quality

education.

What we need to do, Mr. President, is to put into perspective where we are. The Department of Education was created in 1979. Debate took place over a number of years. Those supporting the creation won. Included in that Department of Education were the overseas schools, the DOD schools, but because of the problems of the status of forces, because there were certain bureaucratic entanglements, and because there was certainly a question of whether the DOD schools should be transferred to the DOE, there was a time-May 1983-a holding period to see whether this transfer should go forth.

Since that time, the Senate, last year, by a vote of 59 to 38, said that DOD schools should remain within the Department of Defense. We went to conference and in conference said, "We really ought to have more hearings on this," so we agreed to have more hearings, which we did in late 1982. And then in the committee bill we required that the DOD schools should be retained within the Department of Defense where they should be, where they have been. They go back historically to the 1800's. These children are receiving a good education.

I wish that we could focus on the merits of this issue.

Now, if we have to give more time, which we are going to give in this substitute, so be it. But I hope that individual Senators will take a little bit of time to focus on this issue. I realize it is a minor issue; it is not an issue of constituency pressure back home. Senators are not going to get any plaudits or letters from people back home supporting the Quayle substitute, but Senators ought to become familiar with what we are talking about. We are talking about quality education.

RECESS UNTIL 2 P.M.

The PRESIDING OFFICER. Would the Senator withhold?

Pursuant to the order previously entered, the Senate will stand in recess until 2 p.m.

Thereupon, at 12 noon, the Senate recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mrs. HAWKINS).

Mr. TOWER. Madam President-The PRESIDING OFFICER. The Senator from Texas.

Mr. TOWER. Madam President, it is my understanding the pending business is the amendment in the nature of a substitute of the Senator from Indiana to the amendment of the Senator from Vermont; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. TOWER. I think Senators should be on notice to expect a rollcall vote on this issue. I believe there will be a little more debate, not much.

Mr. STAFFORD. If the distinguished manager of the bill will yield for just a second, I anticipate there will be some added debate but I think it is reasonable to assume we could be voting on this by 2:30 if not sooner.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STAFFORD. Madam President-

The PRESIDING OFFICER. The Senator from Vermont.

Mr. STAFFORD. 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. STAFFORD. Madam President, as the Senator from Vermont understands the issue at the present time, yesterday in the late afternoon the Senate refused to table the amendment which was offered by the Senator from Vermont for himself, Mr. ROTH, the chairman of the Governmental Affairs Committee, Mr. PELL and Mr. RANDOLPH. That amendmentwhich is the pending business of the Senate and is now subject to an amendment in the nature of a substitute by the Senator from Indiana (Mr. QUAYLE) struck out certain language

in the defense authorization bill and provided that the transfer of the Department of Defense dependents' schools around the world be transferred to the Department of Education by May 4, 1986, instead of the present May 4, 1984, deadline.

To go back for just a minute, I remind my colleagues that the Congress voted by very large majorities, in the recollection of this Senator, to transfer the Department of Defense dependents' schools to the Department of Education at the time the Department of Education was created. This legislation, as I said, had the solid support of both the House and the Senate of this Congress and was signed into law.

In order to allow a reasonable time for the intricacies to be worked out in connection with the transfer the transfer was scheduled to take place not later than May 4, 1983.

Last year, as my distinguished friend, the Senator from Indiana has pointed out, the Senate made a different decision on this matter by the vote that Senator QUAYLE mentioned earlier today, but I remind my colleagues that that was only a one-body decision.

The Congress in its final product, Senate and the House concurring on a conference report, voted to extend the time for the transfer from the Department of Defense to the Department of Education for the DOD schools by 1 year from May 4, 1983, to May 4, 1984, and this is current law.

Now, the amendment of the Senator from Vermont and his colleagues would extend that transfer to May 4, 1986. The Senator from Indiana has offered to my amendment a substitute which would change the phrase "not later than 1986" to "not earlier than May 4, 1986." The Senator from Indiana also proposes that there be some findings on the part of the President with respect to the quality of education, the integrity of benefits for teachers, and so on, before the transfer is allowed to occur.

It is the opinion of the Senator from Vermont and his colleagues who offered the original amendment that we should stay with the Stafford-Roth-Pell-Randolph amendment and that it should not be changed by the substitute offered by the Senator from Indiana, which, in our judgment, would simply confuse this issue further by providing, in effect, veto power to the President to halt this transfer, even though Congress had approved such a transfer.

Madam President, I know of no others who wish to speak on this subject on this side. Whenever the Senator from Indiana wishes to do so, I am prepared to submit the matter to a vote.

Mr. QUAYLE. I thank the distinguished Senator from Vermont. I find

myself in the somewhat awkward position of having to oppose my illustrious chairman of the Education Subcommittee, who has the hazardous duty of putting up with the Senator from Indiana on that subcommittee and in the full committee—and in this body, for that matter.

I submit that the substitute that is being offered is a genuine compromise. Last night, after a relatively brief debate, the motion to table the amendment of the Senator from Vermont failed on a fairly close vote. Therefore, a majority of the Senators want to delay the transfer until 1986. This substitute agrees with that delay to 1986, but it is shifting the words: "not earlier than May 4, 1986," instead of "not later than May 4, 1986." So there is a change there.

Then, at the end, what we add is that the transfer contemplated in other sections will occur if it is determined that quality education and other issues will be resolved.

Madam President, this does not take away any of the mechanisms that are in the law right now for the transfer of the overseas schools to the Department of Education. It does, in fact, give time which the Senate now apparently wants to have—I did not think the time was needed—for planning for the transfer, which is the basis of the Stafford amendment.

The 2-year period provided under the substitute also gives the President and Congress additional time to focus on the issues of quality education and matters teacher-parent concerns, which I believe are resolved right now, but obviously a majority of the Senate does not agree with that. They would like to see the 2-year extension. So we will go along with the 2-year extension; but it will be placing the burden of proof, shall we say, on those who want to see the transfer going forward, as to why the transfer should go forward. This is the issue, Madam President.

The teachers overseas, from my communications, do not support the transfer. The parents do not support the transfer. The students do not support the transfer. The Department of Education does not support the transfer. The Department of Defense does not support the transfer. There is overwhelming opposition to the transfer.

That is unfortunate, because if you want to look at quality education, the quality education comes down squarely on the side of the overseas schools, because they have demonstrated, in the last decade, higher scores on any standardized tests in comparison with the stateside schools.

It was facetiously suggested to me by one of my colleagues, privately, that perhaps we should take all the education systems and place them under the DOD school management, that they

seem to get better results. It was said facetiously, but the remark has a basis to it, that these schools are performing very well.

I also point out that the FAT opposes this transfer.

Obviously, we are not going to resolve this matter today. But I hope that Senators who have looked into this issue and have come down on the other side of what the Senator from Indiana wants to do will give it more attention. We will finish it today, but it will probably be back with us next year and the year after, until we finally resolve the situation.

That is why I do not like to have to offer this substitute, but I realize that compromise is part of the legislative process. I think we should make a determination today on where those schools should be.

It is interesting to note that just 1 year ago, the Senate went on record foursquare to have the DOD schools remain in the Department of Defense. We can change our mind—that is one of the prerogatives around here; minds have been changed.

Last night, the tabling motion failed. But I hope we can adopt this substitute. It should offer relief to any of those people who feel that they do not want to make a firm decision today on where those schools should be, and this gives them time to study the situation further. It goes along with the thrust and the theme of the Stafford amendment, and that is that we will not make that determination until 1986. I believe it is a substitute that should engender a good deal of bipartisan support, and I hope it will be adopted.

Mr. STAFFORD. Madam President, one final word: I realize that there are a number of organizations involved in this sort of issue. I think the statement should be made that there are various organizations who support what the Senator from Vermont proposes to do. I point out that the Overseas Education Association, which I am advised represents over 80 percent of the teachers in DOD: the National Schoolboards Association; the American Association of School Administrators; and the National Parent-Teachers Association do support the amendment offered by the Senator from Vermont and the Senator from Delaware (Mr. Roth).

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

Mr. STAFFORD. I yield.

Mr. QUAYLE. I know that the OEO supports that, but I wonder if the Senator can give me any kind of figure as to how many teachers who are members of OEO support the transfer to the Department of Defense.

Mr. STAFFORD. The Senator from Vermont can only tell the Senator from Indiana that the information available to me is that 80 percent of the OEA Association has voted, I presume, to elect leaders who support the transfer.

Mr. QUAYLE. So that in the opinion of the Senator from Vermont, a majority of the teachers in OEO support the transfer to the Department of Education?

Mr. STAFFORD. Otherwise, the Senator from Vermont would not use that phrase.

Mr. QUAYLE. I certainly take the Senator's opinion and judgment at face value.

I only state that a number of letters we have received from teachers contradict that assertion, that a majority of the teachers support the transfer to the Department of Education. As a matter of fact, we have had petitions and have communications from several hundred teachers saying that they do not support it, despite the leadership position of OEO that they want to see this transfer take place. One handwritten communication says:

I am a teacher with the DODDS schools stationed in Woodbridge, England. We have just been told that our association president . . . has said. "All his teachers want to become a part of the Department of Education"

That is categorically not true. Not only do I not want to see that happen, but I have talked to no teacher who does, whether they are association members or not.

We have other letters on the same point, people saying that despite the leadership position, they, as teachers, oppose the transfer. So I say that the teachers who are teaching in overseas schools do not support the transfer.

If the OEO contends that there is a majority of support, perhaps they should poll their teachers and find out. As a matter of fact, one of the letters suggested that they should poll the teachers.

So by adopting the Quayle substitute, which will put this off until 1986, we can perhaps get better information, and an overwhelming number of them would oppose going into the Department of Education for various reasons.

It will be a logistic nightmare. The quality of life will be questioned. They know they have a good system right now. They do not know what other kind of system they would have otherwise.

There is a longstanding tradition the overseas schools would be with the Department of Defense. There are all sorts of reasons that the teachers themselves are opposed to it. The teachers are opposed to it, the students are opposed to it, the Department of Defense is opposed to it, the AFT is opposed to it. A lot of people are opposed to it. I hope we adopt this compromise substitute and get on with the matters at hand.

Mr. STAFFORD. Madam President, a parliamentary inquiry. Has a rollcall been requested?

The PRESIDING OFFICER. It has not.

Mr. STAFFORD. Madam President, I ask for the yeas and nays on the Quayle substitute.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment of the Senate from Indiana (Mr. Quayle). The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Madam President, a point of order. The Senate is not in

order.
The PRESIDING OFFICER. The point of order is well taken. The Senate will be in order. Will Senators in the well please take their seats? Will Senators carrying on conversa-

tions, please retire to the cloakrooms?
Mr. RANDOLPH. Madam President,
I may violate the rules, but I commend
the Chair for what she is trying to do.
I hope Senators will comply with your

The PRESIDING OFFICER. Will Senators please comply with the request of the Chair? Will Senators desiring to converse please retire to the cloakrooms?

Mr. RANDOLPH. Madam President, I renew my point of order that the Senate is not in order.

The PRESIDING OFFICER. The Senate is not in order. The Chair asks those Senators who are conducting conversations to please do so elsewhere.

Mr. RANDOLPH. Madam President, I renew my point of order. The Senate is not in order. All any Senator has to do is just to look around the Chamber and they will see that I am correct.

The PRESIDING OFFICER. Senators will please take their seats. The well will be cleared.

Mr. RANDOLPH. Madam President, we will wait for another day.

The PRESIDING OFFICER. The clerk will resume the call of the roll.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. STEVENS. I announce that the Senator from Arizona (Mr. Goldwater), the Senator from Oregon (Mr. Packwood), and the Senator from Virginia (Mr. Warner) are necessarily absent.

I also announce that the Senator from New Mexico (Mr. Domenici) is absent due to illness.

Mr. BYRD. I announce that the Senator from California (Mr. Cranston), the Senator from Ohio (Mr. GLENN), and the Senator from Montana (Mr. MELCHER) are necessarily absent.

I further announce that, if present and voting, the Senator from Montana (Mr. Melcher) would vote "nay."

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

The result was announced—yeas 47, nays 46, as follows:

[Rollcall Vote No. 209 Leg.]

#### YEAS-47

| Abdnor      | Hatch      | Moynihan  |
|-------------|------------|-----------|
| Armstrong   | Hawkins    | Murkowski |
| Baker       | Hecht      | Nickles   |
| Bumpers     | Helms      | Pressler  |
| Cochran     | Huddleston | Quayle    |
| Cohen       | Humphrey   | Rudman    |
| D'Amato     | Jepsen     | Simpson   |
| Danforth    | Johnston   | Stennis   |
| Denton      | Kassebaum  | Stevens   |
| Dole        | Kasten     | Symms     |
| Durenberger | Kennedy    | Thurmond  |
| East        | Laxalt     | Tower     |
| Exon        | Levin      | Trible    |
| Garn        | Lugar      | Wallop    |
| Gorton      | Mattingly  | Wilson    |
| Grassley    | McClure    |           |

#### NAYS-46

| Andrews   | Ford       | Pell     |
|-----------|------------|----------|
| Baucus    | Hart       | Percy    |
| Bentsen   | Hatfield   | Proxmire |
| Biden     | Heflin     | Pryor    |
| Bingaman  | Heinz      | Randolph |
| Boren     | Hollings   | Riegle   |
| Boschwitz | Inouye     | Roth     |
| Bradley   | Jackson    | Sarbanes |
| Burdick   | Lautenberg | Sasser   |
| Byrd      | Leahy      | Specter  |
| Chafee    | Long       | Stafford |
| Chiles    | Mathias    | Tsongas  |
| DeConcini | Matsunaga  | Weicker  |
| Dixon     | Metzenbaum | Zorinsky |
| Dodd      | Mitchell   |          |
| Eagleton  | Nunn       |          |
|           |            |          |

#### NOT VOTING-7

| Goldwater | Warner  |
|-----------|---------|
| Melcher   |         |
| Packwood  |         |
|           | Melcher |

So Mr. QUAYLE's amendment (No. 1523) was agreed to.

Mr. QUAYLE. I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

## AMENDMENT NO. 1520

Mr. TOWER. Madam President, I believe that it is agreeable to all parties to have final disposition of the Stafford amendment by voice vote. If there is no objection, I move the question.

The PRESIDING OFFICER. It takes unanimous consent to vitiate an order for the yeas and nays.

Mr. TOWER. Madam President, I ask unanimous consent that the yeas and nays be vitiated.

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

The question is on agreeing to the amendment of the Senator from Vermont (Mr. Stafford), as amended.

The amendment (No. 1520) was agreed to.

Mr. TOWER. I move to reconsider the vote.

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

The motion to lay on the table was

Mr. BAKER. Madam President, I have a matter I would like to dispose of now, if I may. I have just talked with the minority leader, who indicates he has cleared in his caucus the unanimous-consent request I am about to make. I have cleared it on our side with respect to the reconciliation bill.

#### EXTENSION OF REPORTING DEADLINE FOR. RECONCILIA-TION RESOLUTION

Mr. BAKER. Madam President, I unanimous consent that the Senate committees instructed pursuant to House Concurrent Resolution 91 be given until September 23, 1983, to report their recommendations to the Senate Committee on the Budget.

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

## VISIT TO THE SENATE BY MEM-BERS OF THE NATIONAL AS-SEMBLY OF FRANCE

Mr. TOWER. Madam President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. We have some visitors today. We ask that the Senate be in order.

Mr. TOWER. Madam President, I ask unanimous consent that I may yield to the distinguished senior Senator from Maryland (Mr. Mathias) for the purpose of introducing the distinguished guests, without losing my right to the floor.

The PRESIDING OFFICER. With-

out objection, it is so ordered. The Senator from Maryland.

Mr. MATHIAS. Madam President, as you have noted, we do have visitors in the Chamber. We have a distinguished delegation of colleagues from France, Members of the National Assembly of France. I hope we shall all join in welcoming them to the U.S. Senate.

[Applause, Senators rising.]

## RECESS FOR 3 MINUTES

Mr. TOWER. Madam President, I unanimous consent that the Senate stand in recess for 3 minutes so our colleagues may greet our visitors.

There being no objection, the Senate, at 2:47 p.m., recessed for 3 minutes; whereupon, at 2:50 p.m., the Senate reassembled when called to order by the Presiding Officer (Mrs. HAWKINS).

## **OMNIBUS DEFENSE AUTHORIZATIONS, 1984**

The Senate continued consideration of S. 675.

Mr. TOWER. Madam President, the distinguished Senator from Wyoming is on the floor and is prepared to offer his amendment which, I might say, is a very important amendment, one of the more important amendments to be offered to the bill today. I think we can expect a record vote at some point in the afternoon, and I would guess possibly within the hour.

#### AMENDMENT NO. 1524

(Purpose: To reapportion funds among certain research and development programs) Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

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

The PRESIDING OFFICER. The amendment will be stated.

The acting assistant legislative clerk read as follows:

The Senator from Wyoming (Mr. Wallop), for himself, Mr. Heflin, Mr. D'Amato, Mrs. Hawkins, Mr. Hecht, Mr. ARMSTRONG, Mr. HELMS, Mr. HATCH, and Mr. SYMMS, proposes an amendment numbered

Mr. WALLOP. 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:

page 24. line 8. strike out "\$4,193,364,000" and insert in lieu thereof "\$4,489,461,000".

On page 24, line 10, strike out "\$7,652,642,000" and insert in lieu thereof "\$7,582,740,000".

On page 24, line 11, strike out "\$12,499,166,000" and insert in lieu thereof "\$12,420,021,000".

On page 24, line 12, strike out "\$2,468,537,000" and insert in lieu thereof "\$2,321,437,000".

On page 26, between lines 8 and 9, insert the following new section:

## LIMITATIONS ON FUNDS FOR THE ARMY

SEC. 114. (a) Of the amount authorized to be appropriated in section 111 for the Army

(1) \$187,600,000 shall be available to the Ballistic Missile Defense Programs Office only for the purpose of accelerating and redirecting the main on-going space laser programs for cylindrical chemical lasers (Alpha), pointer trackers (Talon Gold), and large optics (LODE) in order to achieve space qualified technologies for space-based directed energy ballistic missile defense system conceps as early as practical. These directed energy concepts shall be developed in an evolutionary manner with the ongoing conventional ballistic missile defense technologies

(2) \$15,000,000 shall be available to the Ballistic Missile Defense Program Office only for the purposes of developing computers and software for command, control, and communications and fire control, to develop target acquisition sensors, to develop large, segmented adaptive mirrors, to develop advanced resonators and optical coating facilities, and to develop follow-on advanced high-brightness lasers

(3) \$30,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the development of free electron lasers, excimer laser, x-ray lasers, and visible lasers.

(4) \$10,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the sub-scale and full-scale testing of the precise interaction between lasers and ballistic missile targets.

(5) \$60,866,000 shall be available to the Ballistic Missile Defense Programs Office only for the purpose of expanding the Space Laser Technology Program, which through fiscal year 1983 has been administered by the Air Force Space Division. The Ballistic Missile Defense Programs Office shall define the tasks necessary to integrate all technology elements of a space-based directed energy ballistic missile defense system into a battle capable system, leading to a design decision as soon as practical.

(6) \$15,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the purpose of designing and developing a battle managment system for space based lasers, ground support systems, and the means by which the hostile targets will

interact with the laser system.

(7) \$10,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the design of measures to enhance the survivability of space based laser defense systems, including the preparation of underground testing of nuclear effects.

Mr. WALLOP. Mr. President, I introduce this amendment on behalf of Senators Herlin, D'Amato, Hawkins, HECHT, ARMSTRONG, HELMS, HATCH, and SYMMS. I am offering the amendment to get various space laser programs out of the bureaucratic doldrums and funding constraints in which they are today and on the way to a successful demonstration of space in this decade.

Let me now explain briefly what we want to do, why we want to do it, and why those who oppose us are insufficiently informed or should reexamine their priorities and why we as a coun-

try should act quickly.

Since 1981 the Senate has voted twice, by 91 to 3 and unanimously, to tell the Department of Defense to build a space-based laser weapon as quickly as possible. Pursuant to these votes the Air Force established a small program office within its R&D establishment for this purpose. But, the politics of R&D being what they are, neither the necessary funds nor the essential direction have been brought to this area.

In fact, over the past year, despite the obvious sense of the Senate and despite an unbroken string of technical success, the overall effort in this area has lost what little orientation toward an early success the Carter administration had given it. The three basic technology programs in the Defense Advanced Research Projects Agency (DARPA) have been reduced in scope. The Alpha laser has been arbitrarily reduced in power. The big mirror project, Lode, has been arbitrarily shorn of the features which connect it to the pointer-tracker. The Talon Gold pointer-tracker has had one of its two telescopes removed. The Air Force has acted to deny it a longplanned ride on the shuttle, thus downgrading it to a ground-based experiment; that is to say, well-nigh kill-

ing it. This has resulted in delay. The Carter administration's schedule, insufficient as it was, provided for an onorbit demonstration of a 5-megawatt/ 4-meter laser weapon in 1991. In 1980. Robert Fossum, President Carter's director of DARPA stated officially that the demonstration could take place in 1987. But while the technology now permits us to test a 10-megawatt, 10meter weapon in the 1980's, mismanagement and shortsighted funding have resulted in an official schedule that will not permit a five-four to be tested before 1993. This is not what the Senate wanted nor should it be now. Delayed protection is not what the American people want.

I urge the Members to read the classified answers which Dr. Cooper, Director of DARPA, gave to the Defense Appropriations Subcommittee's questions. Dr. Cooper admits that each of these programs, and the integration of them, could be pushed much faster, but that he is not interested in doing

the pushing.

Last fall, after the Senate had voted to build a laser weapon as quickly as possible, and while he was cutting the scope of the programs, Cooper was testifying that these programs were more than amply funded, and that they were proceeding as quickly as possible. It is not tolerable to toy so with the American people's safety. He and many members of the R&D community seem to have a bias for doing longterm research and for delaying again and again the decision actually to build weapons. This is not in the American people's interest. The Congress will not go along with R&D for its own sake. We do not want and shall not have a repeat of the MX, whose gestation period is a whole generation.

In brief, in order not to repeat the mistakes of MX, in order to make sure that an American laser is in orbit not too long after a Soviet laser gets there, we have to put more money into these programs. Above all we have to give them a sense of direction. I believe I have found reasonable ways of doing

both these things.

First the money. Because I know that we must stay within this budget, I have arranged the amendment to result in no net increase. I have proposed unspecified reductions in several R&D accounts by the amounts of some less critical directed energy programs, as well as corresponding increases of \$125 million in the three main space laser programs, in the effort to integrate them, and in several long-range, short-wavelength laser programs. This amendment thus provides a net inflow of money and direction into the programs that are oriented toward success. There is flexibility as regards the corresponding reductions. I must note that the senior Senator from Texas specifically urged this approach upon me.

these critical, success-oriented programs out of DARPA, and the Air Force R&D establishment, and places them in the Army's ballistic missile defense organization. This is the organization charged by the Secretary of Defense with the mission to defend the United States against ballistic missiles. It has a large program management staff. Above all, it has the right atti-

I ask unanimous consent that an exchange of letters on this subject between the Assistant Secretary of the Army and me be printed in RECORD in full.

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

JULY 12, 1983.

Hon. JOHN MARSH. Secretary of the Army, The Pentagon, Wash-

ington, D.C.

DEAR MR. SECRETARY: In the next few days, the Senate will consider whether the space laser technology programs should be taken out of the R&D organizations which now administer them and be placed in a military service command which would be responsible for operating the weapons system. The Army's Ballistic Missile Defense Command, which exercises the BMD mission entrusted to the Army, is one possi-

Would you let me know as quickly as possible whether, if the Congress were to give the space laser programs to the Army's BMD organization, together with the appropriate funds, that organization would be capable of administering them and of producing a space laser weapon demonstration on an accelerated schedule?

Sincerely.

MALCOLM WALLOP, U.S. Senator.

DEPARTMENT OF THE ARMY, Washington, D.C., July 14, 1983.

Hon. MALCOLM WALLOP, U.S. Senate,

Washington, D.C.

DEAR SENATOR WALLOP: The Army, through its Ballistic Missile Defense Program Office, has been engaged in strategic defense systems development for more than two decades. Although it has concentrated much of its effort over this time on active radar terminal defense systems, it has also carried on a broad research and development program of other technologies, including exoatmospheric optical systems. It is a participant in the current laser weapon technologies efforts.

These efforts, combined with a general focus on the defensive system operational requirements and an in-being large program management staff would appear to make it a suitable organization to perform, as assigned, the development of any future stra-

tegic defense system.

Hence, the short answer to the question you posed in your letter of July 12, 1983 is

Of course, as I am sure you are aware, the future direction and the extent of strategic defense development effort is under current intensive study by DOD. Pending completion of these studies, and acceptance and funding of a specific plan, it is not possible to make an accurate assessment of the relative merits of assignment of such a plan to

Second, the amendment takes all of the Ballistic Missile Defense Program Office vs. other alternatives.

Sincerely.

JAMES R. AMBROSE, Under Secretary of the Army.

Mr. WALLOP. The essence of that exchange is the question-would the Army's BMD organization be up to taking over these programs and pushing them to a successful test? And the answer is "Yes." I ask my colleagues to remember that this very same Army organization first led the United States into space in 1958. They know what they are doing.

The task they must accomplish is straightforward. The three main programs, Alpha, Talon Gold, and Lode, all run by very competent aerospace contractors, have to be reoriented toward both integration and toward space qualification. That means not only adding back features recently removed, like Talon Gold's infrared telescope, restoring the original length of the Alpha laser, and adding new nozzles, but also doing a host of mundane but important things like designing the fuel supply tubes as appropriate for testing in space rather than on the ground. Above all, this reorientation would mean developing the parts of the weapon with a view to putting them together. The amendment also provides direction and money for subsystems such as surveillance, data processing for battle management, physical hardening, and so on. With some exception-for example, hardened fast computers-these do not provide technical challenges. But they simply must be done if we are to have a weapon.

The amendment does not provide all the money needed in fiscal year 1984. The programs will remain about \$150 million short of what they need. I understand however that in October the executive branch is going to send us a supplemental request for well over a half billion dollars for R&D in directed energy. A vote for this amendment will signal that 150 of those millions should be earmarked for systems integration of a chemical laser weapon in this decade.

## WHY WE WANT THIS

The American people are now defenseless against Soviet ballistic missiles and nearly defenseless against Soviet bombers. This is not by necessity but by choice. This choice is morally and strategically indefensible. Politically, it has resulted in the American people's growing feeling that military spending cannot make their lives safer. Nevertheless out of ideology, illusion or inertia most of our Military Establishment continues to hope against hope that we will be able to establish forever a stable "balance of terror" between the United States and the U.S.S.R., behind which we will be able to live thoughtlessly ever after.

But reality is quite different. The Soviets never for one moment accepted that they should be vulnerable. They have built the infrastructure for nationwide ballistic missile defense. I urge all Members to come down to the Intelligence Committee and see for themselves the latest pieces of evi-dence in this regard. Today there is unanimity that the Soviets have a superior counterforce sword. Come and see the incontrovertible evidence that the Soviets are building a formidable shield too. We can count on the Soviet shield to be multilayered. At the very bottom they have the SA-12, a multipurpose ground-based missile each of which is capable of intercepting one or two reentry vehicles in its area. Above it they have the ABMX-3 system, much like the Spartan-Sprint system we foolishly abandoned, but directed by a vastly superior network of huge, protected battle-management radars of the Pechora class. At the very top they will soon have space-based lasers. The official publication of the DOD says the Soviets are spending three to five times what we spend on space lasers. The New York Times quotes a national intelligence estimate to the effect that the Soviets plan to test a space laser weapon in the mid-1980's. Come and see the evidence. Without ever seeing anything secret, however, you know very well that the Soviets are determined to protect themselves. Their highest officials speak to their own people-and spend billions-to, as General Altunin says "liquidate the consequences of any enemy attack." What will we Americans do a few years hence with an inferior sword and no shield?

We can all imagine. But I for one do not wish to find out. Like most Americans, I want as big and as multilayered a shield over me as we can manage, as soon as we can manage it. There is no pressure from the American people—none—against acting quickly to save American lives. Those who will speak against this amendment will do so not because they have been urged to do so by constituents but because they have been contacted by bureaucrats who fear lest their strategic predilections might be upset or their favorite budgets touched.

So far removed are these bureaucrats from the American people's concerns that one, specifically Dr. Robert Cooper, the man now in charge of this effort, told the press that instead of trying to offset a Soviet space laser with an American one we should shoot it down. This shows much greater regard for the foolish mental construct of MAD than for peace itself. So set is he against actually building a defensive weapon that he is willing to start a war instead. Hence, his remarks, and those of other similar people, that we are not interested in near-term defensive weapons, and should build nothing until we are sure of a virtually leak-proof defense should be seen for what they are—programs the pursuit of which will keep us defenseless indefinitely.

Mr. President, I believe the American people want an American laser weapon in orbit in this decade, because that laser will be able to do good things for us. Let me explain.

A 10-megawatt laser with a 10-meter main mirror is capable of projecting about 7,000 watts per second (joules) per square centimeter to about 1,000 miles. At 5,000 kilometers, its beam would still carry almost 1,000 joules per square centimeter. That is a lot of power, given the targets it would be shooting at. Note well that liquidfueled missile, the kind which the Soviet leaders have impoverished a generation of their own people in order to build so massively, will blow up after receiving as little as 80 joules per square centimeter. Thus, the effective protective range of a first-generation American space laser against the main threat is well beyond 5,000 miles. The hardest solid-fueled missiles we know of will blow up with 1,000 joules per square centimeter. That means a 1-second shot at 3,000 miles, and a few seconds at 5,000.

Just one of these American weapons in the right place at the right time during a necessary staggered counterforce attack by Soviet liquid fueled missiles could shoot down some 125 between the time the first lifted off and the last stopped its boost phase 500 seconds later, leaving more than ample time for retargeting between shots. If 8 were in the right place at the right time, 1,000 missiles would be destroyed. They would never hurt the United States. Their warheads would drop back onto Soviet soil or Arctic ice. Of course 1,000 missiles is a number greater than would be used in a rational counterforce attack. That means such an attack would be made irrational. That is deterrence-deterrence far better and more effective than anything we have yet argued over in this bill; but together with the proposals of this bill, Americans could again begin to sense some safety.

Of course, in order to have eight such weapons in range of the Soviet ICBM fields at any time we would have to have three times as many in orbit. There is nothing magical about the number 24. More weapons will give us more protection, fewer will give less. The ones not in range of the ICBM fields would be in position to intercept Soviet submarine-launched missiles. These would pose smaller difficulties to the lasers since we are told they could only be launched seriatim. High-altitude bombers would also be very vulnerable to the lasers. Unfortunately, they could not touch low-flying bombers and cruise missiles.

be—and I state it clearly—a guaranteed, leak-proof defense. If we were to do things right, we would couple their deployment with the deployment of a serious network of ground-based antiballistic missiles. Of course, we would try to approach perfection. But commonsense tells us that absence of a guarantee of success is less an excuse for despair than a spur to continuing effort.

Some have misrepresented me as

Twenty-four such lasers would not

being exclusively concerned with hydrogen flouride chemical lasers-as if they were being made in Wyoming. Believe me, they are made everywhere but Wyoming. In fact, this amendment, like every other I have submitted, puts extra money into other, advanced kinds of lasers as well. However, I am not suggesting systems integration for these other lasers for the same reason no one else does. They are not ready. I believe, as commonsense suggests, that we should do what we can with what we have which is very good indeed, and provide for future advances, but in heaven's name, we must not hold ourselves hostage to their sweet but uncertain promise.

In short, we want to build spacebased chemical lasers now because they would be useful for our protection and because we know how. I invite anyone to challenge either of those propositions.

#### WHY OUR OPPONENTS ARE WRONG

The facts unambiguously support these two propositions: We know how to build these lasers, and they would offer us substantial protection. They also support a third: We are not doing what we could and should to reap their promise. Any number of people claim I am wrong. But they do so in general terms, without joining the issue. I am not an expert, but I have taken the trouble to inform myself, and I have taken up the burden of explaining the case in detail. Anyone who opposes the case should assume a corresponding burden. It is not enough to cite the name of this or that so-called expert who does not want to build lasers. One must consider the arguments on their own merits.

For example, in a hearing before the Services Committee, Armed Edward Teller, the noted nuclear physicist, said the chemical space-based lasers, which he admitted we know well how to make, should not be made because they are not powerful enough. Instead, he wants money for his own laboratory to build lasers driven by nuclear explosions. Now, Dr. Teller is a great man. The country is in his debt. But this does not change the facts. Not powerful enough? Absurd both technically and tactically 10/10 chemical laser puts out about 7,000 joules at 1,000 miles. Liquidfueled missiles blow up at 80, the hardest solids go at 1,000 joules. Not powerful enough for what? Reputations do not excuse error.

Let me be clear. A number of people in and around the technical community are approaching the question of ballistic missile defense in a destructive way. They push one particular scheme, one sole solution only, and try to show that all others can surely be countered. This is an unworthy argument. The back-of-the-envelope countermeasures which are always supposed to work perfectly, but which their advocates do not wish our country to buy, and therefore subject to scrutiny, in order to counter Soviet lasers are transparent ploys. They really do not merit serious attention.

I refer specifically to the articles in Scientific American and similar publications by Kosta Tsipis and Richard Garwin. They contain figures wrong by a factor of 10, regarding the amount of fuel that chemical lasers consume, and ignorant conjecture about the effects of nonexistent antilaser shields glued onto existing missiles, clouds of antilaser gas, and so on. Some of this unscientific nonsense has even been used by antilaser people within the DOD. Fortunately President Carter's director of DD R&D, Dr. William Perry, disavowed and reprimanded those people on scientific grounds and this from a man who does not want to build them, and he was so appalled by the lack of scientific quality that he ordered corrections to be

The article from the current Aviation Week which I have distributed merits being read not only because of the information about what the real technologists in industry are prepared to do to build a laser weapon in this decade, but also because it quotes, accurately, the confused and self-contradictory technology managers here in Washington, led by the President's science adviser, Jay Keyworth. On the one hand they wax eloquent about the technology-indeed they sound wildly optimistic about doing tricks-such as pointing to five targets within 1 second or compensating for atmospheric diffraction in a millisecond, or building mirrors with 100 percent reflectivity-which have not been demonstrated and which no one knows how to do. On the other hand, however, they doggedly resist building the only laser systems we know how to build. Who can make sense of this methodical skepticism against the things we can do coupled with a reckless suspension of doubt in the fact of things we do not know how to do?

Mr. President, I ask unanimous consent that a copy of the article from Aviation Week be printed in the RECORD at the conclusion of my remarks

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

(See exhibit 1.)

Mr. WALLOP. Let me just give one example of how unenlightened the debate sometimes is. Much has been made of whether we should have shortwave or longwave lasers. But there simply are no short wavelength lasers now capable of doing the job. One leading shortwave candidateone, by the way to which this amendment would give some extra funds, called the free election laser-has only been tested at a wavelength that is much longer than that of the longwavelength chemical lasers, 10.6 microns as opposed to 2.7. It will not be tested at any shorter length for the indefinite future because nobody yet knows how to make a resonating mirror reflective enough to take that beam. It is a great idea. It needs more funds. But let us not kid ourselves. It truly is a long way off.

Now take Dr. Teller's idea—the nuclear-pumped X-ray laser. It should also get more funds because it is really promising. But no physicist on Earth will tell you he knows how to "columnate," or narrow that X-ray beam to a usable extent. We are in the preliminary stages on this one. We know how to generate the beam. But no one knows whether we will ever be able to squeeze it into something effective at

5,000 miles. We should try.

To sum up, when honest and prudent men go into a new field, they do so by a variety of approaches. That is what we did with ballistic missile guidance in the 1950's. We tried four wholly different approaches. They all worked. In this field we should reject the urging of special pleaders that theirs is the only way, especially when that way consists first of all in doing nothing, and especially when they have compiled as self-contradictory a record as Drs. Cooper and Keyworth have compiled.

## WHY WE MUST ACT QUICKLY

The world does not wait kindly for people inattentive to technical developments. The debate on MX should have convinced both sides that over the past 15 years the United States has simply missed out on the counterforce revolutions in strategic missilery. We have sat on the sidelines, watched it happen, and have yet to figure out what to do about it. We are sitting on the sidelines of a great technical revolution in defensive systems. We have already missed out on phase I of that revolution. The Soviets have a network of huge, defended phased-array radars capable of impact prediction and target handoff. We do not. The Soviets have a dual-purpose, anti-air and anti-warhead weapon. We do not. For all we know they are stockpiling SL-4 and SL-8 missiles, plus flat-twin guidance radars. We are doing nothing

of the kind. We are already into phase II of this revolution. Space lasers are coming. Whether Jay Keyworth or Bob Cooper or the Fletcher Panel want them or not, Soviet space lasers are coming. Are we going to sit on the sidelines dreaming and debating as the Fletcher Panel has ordered industry to do-about leakage rates of 0.0025? At a certain point, Soviet strategic superiority is going to become irreversible. This self-indulgent procrastination is going to catch up with us. All the dithering around of the past week heightens my fear that this is not just possible, but likely.

Let us not fiddle with these questions while the American people's lives grow ever-less secure. The President on March 23 held out to the American people the hope of physical safety. Without that hope, there can be no confidence in the political system, no confidence in us, who are its stewards. If we and the President, regardless of party, do not start to deliver to the people first the concrete expectation, and then an ever-growing measure of physical safety from enemy ballistic missiles, even as the Soviet people gain protection, they will be right to judge us too small for the jobs we hold.

The Soviet leaders have made the basic choice to protect their homeland and their population with what they have got at any given time and to add layer upon layer of capabilities.

We can do that, Mr. President. We can make our choice. Let us build an American space laser while we can, and begin to meet the most basic responsibility of any government—to protect its people. I urge the passage of this amendment.

[From Aviation Week & Space Technology, July 18, 1983]

## Ехнівіт 1

## BEAM WEAPON ADVANCES EMERGE

(By Clarence A. Robinson, Jr.)

Washington.—Technological advances in directed-energy weapons development—high-energy lasers and particle beams—provide increasing confidence that a ballistic missile defense system can be deployed to defend the U.S. against nuclear weapons attack, fundamentally altering national strategy.

While debate continues to boil within the scientific community over which areas of technology should be emphasized and funded to effect a ballistic missile defense system, a number of factors are emerging.

These are:

Use of a hydrogen Raman cell with short wavelength excimer lasers to improve beam quality. This technology is considered a scientific breakthrough to enhance laser weapons performance in several areas, leading to scaling of very high average power defraction-limited capability. The Raman technology is expected to permit ways to process the beam that enable construction of relatively small, inexpensive excimer laser devices coupled in banks or arrays that could be ground based for direct target engagement. This could possibly remove the need

for orbiting costly and vulnerable relay mirrors.

Technology advances that prove in the laboratory ways to compensate for atmospheric turbulence in propagating a laser bean through the use of adaptive optics. Field tests are scheduled over the next two years to demonstrate the capability to compensate for turbulence, and some proponents believe the capability already has been demonstrated passively through the use of orbiting beacons transmitting to sensors on the ground.

Successful nuclear-pumped X-ray laser experiment at the Nevada underground test site that included use of a small, low-yield nuclear warhead as the pumping mechanism. A number of lasing experiments were conducted simultaneously. second in a series of tests that could lead toward eventual mobile ground basing of an X-ray laser developed by Lawrence Liver-more Laboratory (AW&ST June 13, p. 15; Feb. 23, 1981, p. 25). The Midgetman small intercontinental ballistic missile would house the defensive laser system and fire it into space for deployment on command. Part of the 1,000-missile Midgetman force would be dedicated to offense with single nuclear-armed reentry vehicles and part to defense housing the X-ray laser. Funding is expected to be increased for X-ray laser technology development, coupling the laser with long wavelength infrared telescopes operating on high-altitude, long-endurance aircraft or fired into space on boosters as optical probes.

High extraction efficiency using free electron laser devices. Free electron lasers are being used with the Lawrence Livermore Laboratory experimental test accelerator and also will be used with the advanced test accelerator to explore new parameters for free electron lasers. Theoretical predictions suggest energy to light conversion efficiency as high as 25% in a single pass through the wiggler magnetic field. Proof-of-principle experiments with the 5-Mev. electron beam experimental accelerator could lead to short wavelength experiments with the 50-Mev. advanced accelerator with lasing in the 5-10 micrometer wavelength regime.

Extensive ballistic missile engagement analyses by industry based on the application of space-based chemical lasers against ballistic missile targets at current hardness levels and at second and third orders of hardness. Determination has been made by Lockheed and TRW that sufficient flux is available from a 5-megawatt, 4-meter-dia. chemical laser weapon for target destruction, and that technology is available for acquisition, pointing and tracking, wave-front and jitter control (AW&ST Sept. 27, 1982, p. 14). This has led to an inhouse systems-integration study and proposal to conduct an orbital feasibility demonstration by 1987 against a liquid-fueled ICBM, a solid-fueled SLBM, a high-altitude bomber aircraft and spacecraft. The cost would be approximately \$3.5 billion, if approved by October.

Addition of funding proposed by Congress to the Defense Dept.'s Fiscal 1984 budget for laser weapons technology development, with added funding for a near-term feasibility demonstration and acceleration of short wavelength laser development.

Defensive technologies study organization formed to develop a plan based on a review of current work, identification of advanced technical approaches and an overall research and development program for ballistic missile defense based on lasers and particle beam weapons.

Advanced technical approaches were to be completed by mid-July, and the first draft of the overall research and development plan ready by Aug. 1.

The defensive technologies study team, directed by former National Aeronautics and Space Administrator James C. Fletcher, has written to aerospace companies calling for long-term as opposed to near-term solutions for ballistic defense.

"The presidential initiative of Mar. 23 established the studies team, which is charged with the responsibility of providing a long-term research and development program plan—a militarily effective ballistic missile defense plan," a Defense Dept. official said. "We want concepts of technology, physical limits and identification of possible show stoppers."

The study team told aerospace companies that emphasis should be on fundamental technology limits rather than dwelling on present-day engineering limitations, which are not likely to be relevant in the future. "Keep in mind that we are charged with developing a long-term (20-30 years) research plan," the panel said. It added that it is interested in new and innovative directed-energy weapons technology. The charter of the panel tends to ordain the outcome of the research program, the Defense Dept. official said. "The tone of its approach to industry is research forever, making a lifetime career out of research and development," he said.

The President needs a feasibility demonstration soon, and even though there are breakthroughs in a number of areas being claimed in short-wavelength lasers—excimers and free electron—total solutions may be a long way off for these devices, the Pentagon official added.

George A. Keyworth, 2nd, science adviser to the President, said there is no technical basis yet for systems definition, and that the key to developing a research program for directed energy weapons "is to get the competition going with the finest minds working on it."

He added that there is a lot of scientific competence available for application to defense across the board, and that he is enthusiastic about the technology.

Keyworth said the White House Science Panel spent the past year delving into the major fundamental problems in every area had been removed."

He also explained that the opportunity or option exists to put expensive defensive assets such as the laser device and pointing, tracking and data processing equipment on the ground. "This would put to rest the argument that is difficult to counter that any space-based assets suffer from vulnerability."

The capability to handle almost unimaginable amounts of data rapidly exists to permit battle management through evolving technology, Keyworth said, adding that command, control and communications must be improved for use with directed-energy weapons defenses. "But these advances are evolutionary," he said.

In the past, Keyworth explained, ballistic missile defense layering included an endoatmospheric and exoatmospheric interceptor missile system. "But now if we have mirrors at geosynchronous altitude, and mirrors at mid-altitudes of 400 naut. mi., mirrors based on the ground for launch on warning and lasers on the ground, we have a layered system."

Western Research is a company that is expected to be funded to demonstrate the fea-

sibility of using a hydrogen Raman cell as the lasing medium for excimer lasers for ground-based weapons and communications.

A House committee has added approximately \$80 million to the Fiscal 1984 budget with the money earmarked for the Air Force Space Command for visible/ultraviolet strategic laser technology.

let strategic laser technology.

This would include funding for the Western Research excimer laser demonstration, which could take place as early as 1988.

If this approach is demonstrated, using an electron beam to pump a xenon chloride laser which in turn pumps the hydrogen Raman cell medium, it is believed that weapons based at approximately 10 locations throughout the world could be used to directly engage ballistic missiles in the boost, midcourse and terminal phases.

These excimer devices, despite the recent technology breakthrough permitting the extraction of a high quality beam, have unresolved technological problems in areas such as laser cavity acoustics, power conditioning, switching and pulsed power.

In recent experiments using a xenon chloride excimer laser at 0.31 microns impulse coupling does not decrease, permitting longer pulse duration with a non-nuclear pumped laser.

This technology may permit generation of high power levels by combining the outputs from many relatively small excimer lasers. Because excimer lasers are excited electrically and multiple lasers would require considerable power, they would be used on the ground.

#### COMBINED OUTPUT

In this area, where a technology breakthrough is being claimed, the output from several excimer laser cavities "would be put into a device to produce a beam of high quality, but this state of technology is at the point chemical lasers were about 10 years ago," an Administration official said.

The technology advances to overcome atmospheric turbulence, according to advocates, have been demonstrated passively already sensing the atmospheric turbulence. This would "permit warping large optics for beam control aspects, but the root mean square (RMS) wavefront error requirements are difficult to achieve," a member of the defensive technologies study group said. "One concept is to put a beacon on a space-craft at geostationary orbit to transmit to a ground station through the isoplanatic angle or path. The volume of atmosphere tends to be constant in density and in motion for approximately 1 millisec. Beam propagation from the ground would have the same reaction through the isoplanatic angle and adaptive optics would be used to correct for atmospheric turbulence. Itek and Avco are developing this technology (AW&ST Aug. 24, 1981, p. 61).

## HIGH-POWER ENVIRONMENT

"The question is how soon technology and engineering could be applied to this and what can be accomplished in a high-power environment," the official continued. "We would need mirrors that reflect 100% of the beam, but mirrors now absorb some of the beam and are warped, and correction is beyond the state of the art."

Another official argued that ground-based lasers at various locations could be vulnerable to attack, but others believe the laser could be used for self-protection.

Space-based chemical laser weapons physicists and engineers, in an effort to overcome vulnerability criticism of space-craft, have examined defending the laser

battle station against a 5-megaton nuclear warhead on a Soviet antisatellite spacecraft hardened with an ablator to 10 orders of magnitude above present boosters. "The Asat nuclear weapon could be killed with a 10-megawatt, 10-meter-dia. laser beyond survivable keep-out range."

Other ground-based laser technology issues include wavefront and jitter control, especially if a beam is propagated to geostationary mirrors for relay to fighting mirrors at an altitude of 400 naut. mi.

The best laboratory experiments accomplished without high power loading that would occur with a weapon are 1/50 to 1/100 of a wave in the visible or  $2 \times 10^{-5}$  meters. Jitter requirement is 20 microradians, and mirrors have to be slewed to engage targets at a rate of 5 deg./sec., or slewing at 20 milliradians/ses.

The defensive study team called for effectiveness of an in-depth defense that would allow only 0.025 percent of hostile reentry vehicles to survive a layered defense.

Keyworth said the way to approach the strategic defense problem is to start with technology and build a system. "We need to address system integration and battle management to understand, but we don't want to start there," he said. "Let's not start with leakage rates and work backward, let's not start with a system, let's start with technology."

He stressed the importance of what has been learned from chemical laser development, adding that the time scale that President Reagan offered the nation "is the next generation."

Emerging instabilities in relation to landbased ballistic missiles, Keyworth continued, will mean that the U.S. will have to exercise a bolder approach, "and the President exercised this Mar. 23 in his speech." He added that the nation should not underestimate the complexity of developing directedenergy defensive systems, and that there is not sufficient information available now to know how soon it can be done. "But we need to move as rapidly as we can." he continued.

He said he expects an imaginative program with competing alternatives to emerge from the defensive technologies study team. "What we will propose to build as a system, we don't now know about." Keyworth said. "That makes it hard to talk about short wavelength lasers; we don't want to fence that technology in, but the highest potential breakthrough is in this area of atmospheric compensation correcting optically for atmospheric distortions—removing the twinkle from a star."

He said it would be difficult to build 100meter mirrors, but "10-meter-dia. mirrors are do-able and cheap. With short wavelength lasers we get small optics. Mirrors would be aimed at targets electromechanically, a la phased-array radar technology.

"It is possible with short wavelength lasers to achieve impulse as opposed to thermal target kill. And it is difficult to counter this capability."

Keyworth said the biggest breakthroughs that would allow advancement of ballistic missile defense are data processing rates, information transfer rates—"rates that were inconceivable a few years ago brought about by micro and integrated circuits."

## R&D FUNDING

He is more concerned about research manpower than funding for directed-energy weapons advancement, adding that \$1 billion out of an approximately \$7-billion annual basic research and development effort in the U.S. would "buy a lot of talent to exploit technology."

Keyworth expects the path to be pursued for ballistic missile defense to be defined in "a few years". The study group is not guilty of a program to occupy white-coated scientists for years to come. It is important to establish near-term milestones.

"One is a geosynchronous antisatellite capability. It may not necessarily be the best way for the Asat mission, but a geosynchronous antisatellite capability is important to test the technology to destroy missiles in each of the three layers.

"With emphasis, this can be done in less than five years. The near-term versus longterm arguments are over fears of procrastination by scientists, and the difference in systems development and proof of technology," he said.

Mr. TOWER. Mr. President, it is with heavy heart that I oppose my good friend from Wyoming, who always makes such an enormous contribution to the national security debates in this Chamber, whose heart has always been in the right place and whose instincts are virtually flawless. I do not know of any time I have been more reluctant to oppose an amendment.

I do so for two principal reasons. First, I believe that it is inappropriate for the Senate to undertake so significant a redirection of our present research and development efforts on laser weapons programs at precisely the same time that a distinguished, blue-ribbon panel of scientists and engineers is—at the express request of President Reagan—considering the optimum approach for the country to pursue in this area.

Mr. President, I am concerned greatly that the adoption of the Wallop amendment would be at best premature; at worst, it could undermine the ability of this Presidential Commission, chaired by Dr. James Fletcher, to reach a sound and responsible approach to the President's concept of space-oriented strategic defense.

In my view, the extremely technical and complex questions involved and the national security implications at stake are sufficiently critical that we cannot prudently take steps at this time that might interfere with the Fletcher Commission's deliberations.

Second, I wish to express serious reservations about the sources of the funds recommended for reallocation to the purposes proposed by the Senator. The weapons programs under development by the Army and the Navy are the most mature of the directed energy systems now being worked on by the Department of Defense. If one supports the aggressive exploration of the potential of these technologies for weapon applications, then it should be understood that the cancellation of the Army's tactical laser, the Navy's "Miracle" laser and the complete elimination of funds for the Air Force's airborne laser laboratory

(ALL) will set back that effort by several years.

What is more, the reductions proposed by Senator Wallop's amendment replicate cuts made by the House Armed Services Committee. If the amendment were to be adopted, there would be no possibility of providing appropriate funding authority in conference for these promising research and development activities.

I also believe that it is ill advised for the Senate to recommend the transfer of assigned responsibility for development of specific space laser components or integration thereof to any agency at this time. It is impossible, in my view, to separate out the very significant technological and programmatic questions under review by the Fletcher Commission from the related issue of the optimal bureaucratic and resource management structure for implementing the President's program once it has been defined.

For these reasons, I urge my colleagues to reject the Wallop amendment. Let us be clear on one point: In so doing, we are not making a judgment on the technological or management approach advocated by the distinguished Senator from Wyoming. Rather, we are simply affording an opportunity for the President's Commission to perform its assigned task of assessing and recommending the optimal course or courses of action which we, as a nation, should pursue in this arena.

To do otherwise would be irresponsible and could well be counterproductive to the effort to realize the goal articulated by President Reagan of an improved strategic defensive posture—a goal which I fully support.

Mr. President, reference has been made to a letter by Secretary Ambrose, the Under Secretary of the Army. I would like to read a subsequent letter from him.

Dear Mr. Chairman: I have recently responded to a question regarding space laser technology and its applicability to the Army's Ballistic Missile Defense (BMD) research and development program. My answer, based on BMD's extensive experience over two decades in radar terminal defense and exoatmospheric optical systems, was that this organization would appear to be suitable to perform, as assigned, the development of any future strategic defense system.

As you know, the Department of Defense is currently conducting an extensive study on the future direction of strategic defense efforts in this area. Pending completion of these studies, it is not possible to make an assessment of the relative merits of assigning such programs to BMD vs. other alternatives, or the degree to which acceleration of an unspecified program could be accomplished by BMD or any other organization. My previous response to specific questions on the capability of the Army's BMD organization was not intended to state an official Army position on the merits of the several alternatives which may result from the

ongoing studies. There can be no official Army position until these studies have been completed and a specific plan approved.

Mr. President, let me again emphasize the fact that failure to adopt the amendment of the Senator from Wyoming will not prejudice what he wants to do. We could still do that in the future. We could do it in next year's authorization bill

But, on the other hand, adoption of the amendment of the Senator from Wyoming would prejudice existing programs which are very progressive programs and it would prejudge the issue of how these programs should be managed. It would foreclose the President in exercising certain options that might flow from the Fletcher Commission report. It is only prudent that we await the outcome of that report and then act.

Again, let me emphasize that defeat of this amendment will not prejudice the position of the Senator from Wyoming, but acceptance of the amendment would prejudice ongoing programs and an ongoing study.

Let us understand the scientific community is not in complete agreement. I do not think that we have the technical expertise here on the floor of the Senate to side with one element of that community or another. I do not think we can do that.

This matter was carefully considered by the Armed Services Committee. We do have a balanced program. I hope that the Armed Services Committee will be sustained on this issue.

Mr. WARNER addressed the Chair. The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, reluctantly, I must rise in opposition to my distinguished colleague and good friend from the State of Wyoming.

As chairman of the Strategic and Theater Nuclear Forces Subcommittee of the Committee on Armed Services, which has within its jurisdiction responsibility for strategic defense systems, I must advise the Senate that it would be most ill-advised to undertake at this time the action recommended by the Wallop amendment.

The subcommittee in two separate sessions earlier this year took testimony concerning the technology and policy issues involved in the development and deployment of an advanced strategic defense system. Of particular interest, of course, in our deliberations was the President's policy address of March 23, 1983, in which he embraced the realization of such a concept as a personal and national priority.

Based upon the record we have compiled, I can tell my colleagues that the bringing to fruition of the President's vision will be no minor undertaking. A range of technologies currently exist or are under development which could be utilized as a component of a high technology ballistic missile defense

system. Based upon our subcommittee's records, I can safely say that choosing between and among the various options available is a matter that requires significant technical competence and considered decisionmaking.

Fortunately, subsequent to his March address to the Nation, President Reagan chartered a distinguished group of technicians, scientists, and engineers chaired by Dr. James Fletcher to conduct such a thoughtful and detailed review of the various options available. This panel has been given until October 1983, to conduct its assessment and to report to the President. Based upon the oversight of this area performed by the Strategic and Theater Nuclear Forces Subcommittee to date, I strongly support the work of the Fletcher Commission and feel obliged to counsel my colleagues against taking precipitous action at this time designed to select, prior to the Commission's report, a particular technology and direct rather draconian reorganizations in management of this program.

Mr. President, in conclusion, let me say to my colleagues that ample opportunity will be available to the Senate to consider in detail the findings and recommendations of the Fletcher Commission. It may well be that subsequent to submission of that panel's report the President and the Senate will wish to pursue precisely the course of action being advocated by my good friend from Wyoming. I believe, however, until such considered expert judgments on these complex issues are available to the Senate, we should defer action-without prejudice-of the nature proposed by Senator Wallor in the pending amendment.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. Mr. President, first I would like to compliment my colleague from the neighboring State of Wyoming and just say to my colleagues that one thing that the Senator from Wyoming did not say was the fact that he probably has spent more time than anyone on this issue, or as much, anyway, in in-depth studies, to find out what the technological possibilities are for laser beam technology, if it can, in fact, be used to successfully provide for defense instead of always coming out with we always have to build a bigger and better blast.

We are talking about some way from the moral standpoint where we can actually have a system that sets about to save lives instead of mutual assured destruction, or the MAD policy, to try to deter war.

I compliment Senator Wallop on that.

I know Senator Wallop has spent many weeks in traveling to different places, like Los Alamos and other places, to study what is available, and

he made that information available to many of us. I thank him for doing that.

Mr. President, I mentioned the fact of the moral issue. I think this subject addresses directly to the same general theory of defense that many people are very aware of, the advocacy by many people in this Chamber of the high frontier project which has been so widely talked about by General Graham and others. This happens to be chemical laser technology that Senator Wallor is talking about.

From a moral standpoint, we are talking about an attitude that the United States is going to be able to come up with a system that can actually defend people and save lives instead of having the solution be that we are going to use the threat or deterrence of blowing up more people.

Mr. President, most Americans are surprised to learn that while the U.S. Government has been spending money for every imaginable offensive military purpose, it has consciously decided to do nothing to prevent Soviet ballistic missiles from hitting any targets in the United States that Soviet leaders might choose. If you visit the headquarters for the defense of North America (NORAD), inside Cheyenne Mountain, you are treated to a sobering simulation of Soviet attack. Our infrared satellites which stare at the Soviet Union from an altitude of 22,000 miles, see the Soviet missiles' exhaust. The ballistic missile early warning radars see the cloud of warheads and decoys in midcourse. As the minutes pass, awesome and accurate predictions are made of which targets the missiles will hit.

Invariably the visitors will ask at which point the U.S. Government will shoot down these engines of destruction. They are shocked to hear that the U.S. Government intends to do no such thing. Rather, by threatening to devastate the Soviet Union, even as we are devastated, the U.S. Government hopes by threatening, to avoid war.

Obviously, this hope provides no comfort at all once the Soviets have decided for whatever reason, to attack. Normal human beings instinctively feel there is something wrong with relying for their safety on hopes concerning their enemy's state of mind. That is what we are doing today. They also instinctively recoil from acts of destruction which are clearly unrelated to their own protection.

That is why President Reagan on March 23 boldy told the country that, henceforth, the U.S. Government would try to intercept any missile the Soviets sent our way. This is a philosophy that I have urged for several years, but it will involve a basic change in attitudes even more than change in weaponry.

The notion that any reasonable defense is impossible and that defensive systems are destabilizing is wrong and ill-founded. Since the mid-1960's, we have lived under a unilateral assumption, as I said earlier, called mutual assured destruction (MAD). Under this assumption, we built enough nuclear weapons to threaten destruction of Soviet cities, and assumed that as the Soviets built their strategic arsenal, they would only try to achieve equality in destructive power. Our military and civilian bureaucrats who thought this up were so sure that this threat would bring perpetual peace that they chose to leave the American people, our industrial centers, and our military installations defenseless against any form of nuclear attack.

But to the surprise of only those who failed to read Soviet military literature and who failed to study the characteristics of their weapons, the Soviets have constructed a massive arsenal designed to fight and win a nuclear war. With but one-fifth of their ICBM force they can now destroy the vast majority of our land-based ICBM's and bombers, plus that half of our missile submarines which is in port at any given time. The remaining Soviet missile force is then availale for blackmail. Of course, the Soviets have built a nationwide infrastructure for ground-based ballistic missile defense, and are building space lasers. Their program is three to five times the size of ours, and is oriented toward early results.

Our doctrine of MAD and our Forces designed to implement it, simply cannot cope with this threat. After a Soviet first strike no rational human being, certainly no President, could or would use our remaining anticity forces. Why should he? Such forces, if used, would not in any way diminish the Soviet's ability to do us further harm. If we were to use our remaining missiles, we would only make certain our own destruction. This situation is intolerable because it invites greater Soviet boldness in international affairs and because it continues to lower the price to the Soviets of military aggression. Moreover, it is unnecessary.

#### HOW WE CAN OVERCOME OUR STRATEGIC PREDICAMENT

This situation is unnecessary because it is now possible for the United States to build weapons and adopt strategies that will give the American people real hope of physical safety, and of overturning the present unfavorable strategic balance. This is what the President was talking about. The technology is available for doing this.

## BUREAUCRATIC OBSTACLES

But even though the President has spoken, it is by no means certain that anything very new or different will happen. Note that the President of the United States, in order to speak on this subject, had to overrule his senior

officials for military R&D, Richard De Lauer and Robert Cooper. The R&D bureaucracy will soon propose that we spend about a half billion dollars more than we are now spending vaguely in the field of directed energy weapons. This is being touted as a 20- to 30-year R&D effort. It is emphatically not now oriented to producing any actual device to protect us from Soviet ballistic missiles. Anything and everything will be done-except building protective weapons. It is R&D forever. That is to say. I fear it will be a waste of money.

This is not what the President wanted, but this is what the bureaucracy wants. Why this reticence, this prejudice against actually building defensive weapons?

The bureaucracy's attitude arises mostly from prosaic factors. Many senior officers in the Armed Forces are wary of any new large undertaking because the fear the diversion of funds from current activities. The military bias against new things is anything but new. But history teaches us the sad fate of military forces which succumb to that bias. In addition, over the past 15 to 20 years our military R&D establishment has become habituated to spending lots of money in slow-paced projects, the archtype of which is MX. Leaders of the R&D communities simply do not want to risk reputations by trying to produce something quickly. Research without a commitment to an early payoff is attractive to many and threatening to no one-except the country, which pays but does not benefit.

Often, not so prosaic factors also contribute to this bureaucratic attitude. One of those is an outlandish desire to build the perfect weapon which will take care of all problems once and for all. There really is no excuse for this attitude. It has cost this country dearly. While we debated about the perfect follow on for the Minuteman missile, the Soviets have built a forth and are well on the road to a fifth generation of missiles which do the job of MX better than MX. We have also seen the Soviets add new defensive systems-the SA-12 dual-purpose missile and the ABMX-3 transportable antimissile systems-while improving old ones. The so-called Moscow ABM system now bears no resemblance to the crude installation we first saw in the 1960's. The Soviets do what they can with what they have. More to the point, they achieve significant results. In the field of lasers, the Soviets are clearly trying to put a system into orbit as quickly as possi-

The New York Times has quoted a national intelligence estimate to the effect that the Soviets will test a laser weapon in orbit in the mid-1980's. Clearly, we cannot afford to wait for the one perfect laser while the Soviets add a defensive monopoly to their already impressive offensive superiority.

Finally, and most importantly, bureaucratic reticence comes from a residual attachment to the theory of mutual assured destruction. This commitment has led us to a contrived vulnerability which today fuels the campaigns for nuclear disarmament.

All of this is to say that left to its own devices the bureaucracy will not do the right thing. If the Congress wants to see defensive weapons built in this generation it will have to take matters into its own hands and order that it be done.

I do not like to come in here and take a position in opposition to our good chairman, Senator WARNER, and others who have worked on this because I generally agree with what they are saying. But in my opinion, if they leave the bureaucracy to its own devices-and the military bureaucracy is very similar to other forms of bureaucracy in this town-we will be waiting and waiting and waiting.

I have been talking about this for years and we still have never seen anything done with all these billions of dollars

What we are trying to say now is to make a positive statement that we want a defense apparatus built for the United States of America using the technology that we know we have.

I think if Congress ever wants to see this system built, we have to speak to the issue now. I compliment the Senator from Wyoming for bringing this issue to the floor. I urge all my colleagues to cast a vote in favor of the Senator's amendment. I think that that vote will be one that will stand this country in good stead for a long time to come because it is, in fact, a way to avoid some kind of nuclear confrontation that we want to avoid. It is a way to do it in a fashion that will be saving millions and millions of lives of human beings on the face of this

Mr. President, I yield the floor. Mr. HEFLIN. Mr. President, I support the amendment of the destinguished Senator from Wyoming (Mr. Wallop) to redirect the Nation's space-based laser research for ballistic missile defense.

On April 27 of this year, I spoke on the evolutionary development of strategic defensive systems as a concept whose time has come. Also, in the last Congress, I introduced a bill whose purpose was to establish a mechanism to improve the coordination of the Federal efforts in laser research and technology. I believe that this amendment complements these objectives and I am therefore pleased to express my support for it.

The Army's ballistic missile defense program office has an exemplary record for developing and demonstrating advanced technologies for defending this Nation against ballistic missiles. It is appropriate that they maintain their charter of ballistic missile defense technology development by continuing the development of conventional BMD technologies while integrating this with the space-based directed energy technologies. This evolutionary approach within one Federal agency will insure the orderly and efficient development of strategic defense systems for defense of this Nation.

We need to step up the pace of research and development on both advanced near-term and long-term ballistic missile defense concepts and this amendment is a step in the right direction. This amendment in no way alters the U.S. policy or intentions with regard to the ABM Treaty and will not be destablizing. I am very encouraged that this amendment will provide the stimulus to fully challenge our Nation's creative scientific capabilities for success and breakthrough as well as our political willingness to seek vi-

sionary solutions.

Mr. President, in 1979 and 1980, the Subcommittee on Science, Technology, and Space of the Committee on Commerce held four hearings on laser technology. These hearings were most enlightening to the members of that subcommittee. They were conducted by Senator SCHMITT, who was then in the Senate and, as we know, a former astronaut, a man with a scientific background, and myself. We explored laser technology and its future. It was interesting to see the great potential that lies in laser technology. Laser technology today is being used in many different ways. It is being used as a surgical scalpel to remove cataracts from the human eye; it is being used now in connection with openheart surgery. Rather than having bypasses, laser beams would clean out areas of blockage. It has vast potential in many and diverse ways.

The subcommittee received testimony from a professor of engineering at the University of Washington, who testifed that it was possible above the cloud layers to have a propulsion system developed by laser technology by which the speed of aircraft could be many times increased. Testimony to the subcommittee also revealed that it will be possible someday to build a propulsion system based upon laser technology by which spacecraft could approach the speed of light—which, as we know, is 186,000 miles per second.

It is rather mindboggling to think what laser technology offers for the future. It may provide for a scientific revolution that can change the lives of every human being on Earth. It can mean that there will be interplanetary exploration beyond the present vision of mankind. It is a technology that is developing and developing fast. While there is some controversy as to how

fast it can develop, there is general acceptance that there exists basic knowledge of laser technology that can prove that it can have many types of application.

Testimony was also received in a classified manner, which I am not allowed to reveal, but I urge every Senator to have a briefing on laser technology and its future; have, also, a briefing on where Russia is in regard to laser technology and how far ahead of the United States Russia is in regard to laser technology.

I also think it is very important that each Senator receive a briefing on ballistic missile defense and to explore where Russia is today on ballistic missile defense and how far ahead of us

they are in this regard.

Last Congress I introduced a bill, in which I called for a national laser institute designed primarily to bring about coordination in the area of laser technology that is now being undertaken by our various Government agencies. There is laser research and development and application of that technology taking place in the Army, in the Air Force, in the Navy, or in the Department of Defense, in the Department of Energy, and in NASA. All of these need coordination. I think that the step that Senator Wallor has taken here is a good step in that direction. It will help to coordinate and to fix a responsibility within the Ballistic Missile Defense Organization or research and development of space based laser weapons. It will start research where we need it, with a direction which the President has previously articulated and which has been referred to several times in the speeches today. I think that this is a step that is needed.

We can sit around and not take the proper steps and, one of these days, find that a new technology is developed that we will be extremely fearful of. One of the reasons, I think, that today, we have at least military equality with Russia is that we have some weapons of sophisticated high technology that they do not have and that they are fearful of. They are fearful of the deployment of these weapons. We could be put into a situation where we would look back and say, "Well, we wanted to study it further." I think the time has come for us to move on this.

There may be various and sundry things that we will have to do. I do not really see that this amendment is in competition with the study commission that is pursuing the area of laser weapons. It seems to me that with this move forward—it takes a while to get started—it can dovetail in and be coordinated with the studies.

But laser is with us. The Russians are very cognizant of it. Unless we set a goal, as the Wallop amendment sets and as the President's speech in

March set, we could be way behind, further behind than we are today. I think it is a message that needs to be sent to the Executive—let us expedite your studies but let us move forward. Sometimes the Executive is slower than Congress. Sometimes they get bogged down in all of the details and distinctions on distinctions on distinctions that the scientific community may make.

So I urge the Senate to act favorably on the Wallop amendment and let the world know that the President was not just speaking about a fanciful dream into the future but, instead, about putting the United States in the forefront of the laser technology revolution that

is upon us.

It may well be that laser weapons will be extremely expensive in the future. It may be a reason why we should pursue an arms limitation treaty. Weapons of high technology can cost billions and can cost trillions, but I think it is to our advantage that through vigorous research and development we have the technology available, and at the same time to pursue an arms limitation treaty concerning weapons of high technology that we may see in the not too distinct future, certainly in the next 5, 10, 15, and 20 years.

I think that the Wallop movement is a forward step and that we ought to support it because of its concept, where we are today, where the Russians are today, and with the hope that an arms limitation treaty can be developed and we can bargain on a basis of strength rather than from any position of weakness in the future.

Mr. WALLOP addressed the Chair.
The PRESIDING OFFICER. The
Senator from Wyoming is recognized.

Mr. WALLOP. I will not be long, but I think there are some things that need to be said in response to the chairman's remarks and those of the Senator from Virginia.

Let us begin with the Fletcher Commission words, almost the words of a poet: A commission is a commission is a commission. The standard way to do nothing in this world is to have yet another study. But given the fact that this Commission is underway, it has been Dr. Ikle's position—and nothing in this amendment and nothing we seek to do would harm either the conclusions of that Commission or the course on which it is underway—the Commission's indications early are that they are going to recommend R&D forever; another way to do nothing.

In the Aviation Week article appears the following statement, and that is:

The study team told aerospace companies that emphasis should be on fundamental technology limits rather than dwelling on present day engineering limitations which are not likely to be relevant in the future.

"Keep in mind that we are charged with developing a long-term, 20 to 30 years, research program," the panel said. It added that:

It is interested in the \* \* \* weapons tech-

nology.

"The charter of the panel tends to ordain the outcome of the research program," a Defense Department official said. The tone of its approach to industry is research forever making a lifetime career out of research and development.

Mr. President, the Constitution of the United States charges Congress with a very specific duty. Article I, section 8:

Congress' job is to raise and support armies, and to make rules for the Government and regulation of the land and naval

That means it is our job to shape the tool that the President will wield.

One of the best things that this country's defense possesses is the nuclear submarine. The Congress of the United States, taking hold of its vision of the future and its desire to protect the people of the United States, told the navy to build it. It is now one of the bulwarks of this Nation's defense. These are technologies that are ripe for integration and I would not be recommending them were they not.

I regret the words of Dr. Teller and his quote but I had hoped that perhaps the chairman was listening when I said that Dr. Teller was factually wrong when he said these lasers do not have enough power to deal with the mission assigned them. Factually wrong. Dr. Teller wants money for his project, as do others, I have recommended in my remarks and in my amendment funds be directed to that, but it is not ready now. Must this country sit by while we do nothing with a commission form of government that cannot make up our minds?

I mentioned Dr. Ikle's statement that this amendment would fit right into any conclusions that that study came up with. I have talked with the President of the United States. He is not against this amendment. What we have in the letter from the Secretary of the Army that was read is not an administration position. It is a letter that says it is not possible for them to focus at this time. The word more clearly used in the English language is that they "may" not focus at this time. Of course, it is possible.

Now, I did not quote the letter from Under Secretary Ambrose with the idea in mind of the Army's endorsement. I merely posed the question, could the Army do it? Do they have the command structure? The answer is clear and unequivocal. Yes, they do.

I did not claim an official position for the Army. I did not claim an official position for the administration because there is none, neither for nor against this amendment.

The point really comes down to are we going to do something and can we do something in our wisdom with the information that we have. My answer is "Yes."

Now, the Senator from Texas made the point that the sources of funds devastate the R&D accounts of the various services and the Defense Agency. In point of fact, in my opening remarks I said that specifically we do not touch the funds of any program. What we do is reduce those spending amounts by amounts that correspond with spending programs but there is nothing that would direct the Army, the Navy or the Air Force to take them out of those programs if they feel there is a higher priority. But let us take them specifically.

The Army's \$12.5 million corresponds to a laser program cut already

made by the House.

The Navy's nearly \$70 million corresponds to the Navy chemical laser program. This has been an excellent program, of great benefit to this country. We could not have the Alpha laser had we not had this. But the Navy has done its job, and we would not learn anything significant from it we will not learn from Alpha.

The Air Force's \$43 million corresponds to the airborne laser process that perhaps should never have been started. It is without strategic or tactical usefulness. It is not a useful learn-

ing vehicle.

The other \$23 million corresponds to the advanced radiation technology program, which is ancillary to the airborne laser lab. This includes some of the activities of the Air Force's weapons lab, such as weapons vulnerability to laser radiation, which would be funded under my amendment, and it is essentially a transfer of functions.

Cuts of \$36 million from the Air Force's Space Laser Technology Office and \$147.1 million from DARPA triad are simply transfers. Nothing in my amendment obliges the services to cut those programs if their priority dictates otherwise. I propose cutting amounts, not programs.

Senator Tower says that failing to adopt my amendment will not prejudice at a later date, and I find that welcome news, but it prejudices the present safety of the American people by whatever length of time we delay.

He says that the adoption of it would prejudice existing programs. I have just spoken to that issue, and I do not believe it would. The amend-

ment is looked to in detail.

So, Mr. President, I believe that this is a serious effort to do a serious thing for the American people that needs to be done. The high talk against it is never, never, never directed toward the technical capabilities, because they know if they do that, the argument falls. It is directed to a bureaucratic transfer of energies to do any-

thing but something, to research and develop forever, while this country goes less and less protected.

Mr. President, I yield the floor. Several Senators addressed the

Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. TSONGAS. Mr. President, I should like to speak on this issue because I think the amendment is a unique amendment, in the sense that it is probably the only issue that has ever come along in which Hans Bethe and Edward Teller agree. They both agree that this is hogwash. Something that unites those two polar opposites deserves a lot of attention. When you get Bethe, Teller, and Weisner to agree that this is not the way to go, it tells us something.

I can understand why someone would like this amendment to be adopted because it affects his State, and I have no problem with that; but I have a problem with the argument that this represents a technological nirvana that is going to save the United States. Let me speak to par-

ticular elements of that.

First of all, it was stated in the debate that the Soviets are going to test their comparable system in the mid 1980's I make reference to the report put out by the Department of Defense this year that refers to potential testing in the mid to lat 1980's and early 1990's. The latter date was never mentioned by the distinguished Senator from Wyoming.

If you look at it carefully, what they are talking about is not an antiballistic missile system. They are talking about an antisatellite system. There is an order of magnitude different in the difficulty of knocking out a moving missile rather than an orbiting satellite. I make reference to page 68 of the report entitled "Soviet Military Power," put out by the Defense Department this year.

So let us not scare people by implying that the testing that the Soviets may or may not do is against ballistic missiles. It is not. It is against satellites. I think it takes nothing more than a third-grade education in mathematics to understand the difference between knocking out a moving ballistic missile and an orbiting satellite. That is No. 1.

No. 2, we are talking about a 10meter mirror. Before anybody becomes too excited about how effective such a mirror can be, let me point out one of the problems.

If you are going to hit a mirror with a laser, that mirror has to be flawless; because if you have any imperfections in that mirror, the laser does to the mirror what it is supposed to do to the missile. You have a couple of problems with that.

One, there is no way you can legislate micrometeorites away from the system. We could pass a sense of Congress resolution that meteors shall not hit the mirror because we intend it to be flawless. Unfortunately, the cosmos is unlikely to agree to that. So any micrometeorite that hits the mirror raises the possibility that the laser will destroy the mirror.

No. 2, there is no such thing as a 30foot or a 10-meter Space Shuttle. You have to take the mirror up in sections, which means that our astronauts will have to assemble the mirror up there. which raises the concerns of size and the seam. If the laser hits the seam, you have the same problem in which the laser would destroy the seam and therefore the mirror. So, technically and theoretically, the system becomes less intriguing as one gets into the mechanics of it.

The third major problem is one of the psychology. Let us picture a situation.

The evil empire referred to by some as the Soviet Union decides that they are going to attack the United States, and we have adopted this amendment. We have in space 25 or 24, or whatever, of these marvelous systems that are going to knock out all the Soviet missile forces.

Put yourself in the position of a Soveit military planner. Your whole strategy to knock out the United States is thwarted by the 25 chemical laser systems in space. What are you going to do?

Any halfwit could figure out that what they are going to do is knock out the laser systems. You are not going to send a thousand missiles flying that could be knocked out, when all you have to do is send out 25 satellite weapons to co-orbit with our systems and simply knock them out. So before you fire your ICBM's you simply knock out the satellites. So much for

Third, let us say that the Soviets were not bright enough to figure that out. What they could do, since these systems require the use of chemicals, is simply to send up SS-20's with dummy warheads. The lasers would shoot down-theoretically, anywaythe SS-20's and use up their chemicals. Once that is done, off go the ICBM's. I suppose we could also refuel, and that would take only about a month or so. If there is anything left of the world by then, I am sure the lasers would be very effective.

These are the kinds of reasons that caused Bethe and Teller to join forces in opposition. I think it is fascinating that two of the most eminent scientists in the United States, who are in absolute disagreement on virtually every issue that I have heard of, could unite in this area and say that this system does not work. Teller, who is the so-called father of the "Star

Wars" love affair, says that the problem with the chemical lasers is that they are far more expensive than the counterequipment that would be necessary and he is very negative in moving in this direction.

I am not a physicist, but when Weisner, Bethe, and Teller move in one direction, as does virtually everybody else, it should give us pause.

The other argument is obvious, that we are putting our eggs into one basket. The argument is made this is not going to cost anything. We take it out of other programs but it does not hurt other programs. That would be a unique precedent, that we ravage other programs but we do not affect

I think the flaw in that argument is obvious, and I think even those of us who are not enamored with the Star Wars scenario would be far more comfortable with the United States at least doing the research and development in various options and not putting our eggs in one basket, a basket that has been denigrated by virtually every eminent scientist at least I am aware of.

So I think not only is the alternative of chemical lasers not workable but it also harms the people we are here to protect in this country by limiting their options by definition of allocating resources away from the other programs.

The final point I would make is this: Putting the systems into space is a very difficult task just in sheer and mere tonnage, with the problem of leakage, and so forth and so on.

Since the orbit we would be talking about is not geosynchronous, it means by definition you need far more systems in space than your theoretical capacity to knock out the missiles.

If we accept the argument, which I do not, but let us accept it for the sake of argument, that you could knock out 125 missiles per weapon, and that means you could knock out 1,000 missiles per 8 weapons, then you would have to figure out how these weapons would be put into space. They are not geosynchronous and something like 24,000 miles up. These systems would simply be circling the Earth, phasing in and phasing out of the capacity to affect the Soviets missiles firing up at them, so many more than eight are needed.

Remember, these things have to hit the Soviet missiles before they MIRV, which limits their capacity to affect any kind of defense.

So for all these reasons, I think the amendment raises the serious hope that there is a Star Wars answer to our problems, and I do not think that is true. But even if you accept that scenario, this is the last alternative that you would want to embrace prematurely, and I think the principal requirement of judgment is to let the

Commission work its will as the Senator from Texas has suggested.

I would like to associate myself with the remarks of the distinguished chairman of the committee. I thank the Chair.

Senators addressed Several the Chair.

The PRESIDING OFFICER (Mr. SPECTER). The Senator from Califor-

Mr. WILSON. Mr. President, I rise to first commend my friend from Wyoming. I think he deserves the thanks of all of us on this floor, and all of those whom we represent.

I share his concern and that expressed by the Senator from Alabama that the United States not suffer a disadvantage. Space laser technology is applied to ballistic defense. It is critical we not do so. We are in his debt for focusing attention on this problem.

However, I think it is clear that the chairman of this committee, the dis-tinguished manager of the bill, the Senator from Texas, not only shares that concern, he has been a leader, as has the Senator from Virginia, in seeing to it that in virtually every line of defense the United States suffers no disadvantage.

Our quarrel with this amendment is simply in its timing. It may very well be that the panel is due to report to the President on October 1, the Fletcher panel, will recommend pre-cisely the route the Senator from Wyoming proposes. This is late July, almost August. That report is due October 1. Upon that report this body will conduct deliberations that will lead us into the next steps necessary to assure that we do not suffer the disadvantage feared by the Senator from Wyoming.

I would simply say that I agree we cannot afford to be in a lesser position in bargaining power, and we may very well wind up in support of precisely the reorganization he is now proposing. I would only suggest we are slightly premature. His concern certainly is not premature, and I commend him for that.

I thank him for it, but I would agree we should await the October 1 report of the Fletcher panel and not at this point reduce funding for other programs upon which I think we are agreed there is a need.

So with that I will assure him that he has not only my thanks, he has my attention, and he will continue to have it. We may very well be back on this floor shortly engaged in this same discussion. But at this time, for the present, I will follow the chairman and the chairman of the subcommittee, the Senator from Texas and the Senator from Virginia.

Mr. WALLOP. Mr. President, I will not be long in summarizing and countering some of these arguments.

I regret my friend from California's decision because if his quarrel were only with the timing then he should listen to Dr. Iklé, who says that there is nothing in my amendment which would be offensive to any of the findings that the Fletcher Commission may come out with.

Let me talk to my friend from Massachusetts for just a minute. First of all, he misquotes me. I did not say that the Soviets would have a laser in orbit. I said the New York Times reported that.

Second, I would say to the Senator he is dead, dead, dead wrong if he thinks this is solely an antisatellite system that the Soviets may orbit. Just look at the command under which that system is placed. Is the Senator aware of what the command is? It is P.V.O. Strany, whose mission is BMD, ballistic-missile defense.

The Senator speaks of mirrors. A representative of the Kodak Corp. told me we could order a segmented mirror, and they could build it. The only question would be the volume and number of mirrors. That is the only complication.

He worries about the little objects, meteorites, in space. I think those worries are misplaced as has been countered by any scientist who has studied it.

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

Mr. WALLOP. Yes.

Mr. TSONGAS. Did the gentleman from Kodak indicate the mirrors they can supply to the United States that they could withstand the impact of the lasers and of meteorites?

Mr. WALLOP. Absolutely.

Mr. TSONGAS. He will guarantee to us the mirror will work?

Mr. WALLOP. I will guarantee it. I will pass on the guarantee that I have been given. They are the ones who are going to build it.

Mr. TSONGAS. Can you give me the names so that we can have those

people--

Mr. WALLOP. ITEK would substantiate it as well as their contracts.

Mr. TSONGAS. I am sure that just because they told the Senator their judgment would not necessarily mean it is valid.

Mr. WALLOP. Let me suggest that both Dr. Teller and Dr. Cooper are entitled to their own beliefs. But their facts happen to be influenced more by their beliefs than reality. Dr. Teller's statement is wrong when he says they are not powerful enough, just plainly wrong. I do not know what more to say about it. I admire the man, but in this instance he just is not right.

I would say to the Senator, too, and the Senate as well, why should we, the United States, oblige the Soviet planners? Why should we make their life easier? How many SS-20's do you think they would be willing to sacri-

fice to use up all that we could have? It would take 12,500 SS-20's to foil such a system. That is a great sacrifice and probably would put us in a better situation than we are in anyway, and we can enforce a keep-out zone.

Mr. TSONGAS. Mr. President, if the Senator will yield at that point, the Teller argument is that it would be cheaper for the Soviets to counter this system by putting up coorbital satellites to simply destroy them, that was his argument.

Mr. WALLOP. We can enforce a keep-out zone clearly easily. If the thing can shoot down a ballistic missile rising before it occurs, it clearly can shoot down something that is approaching it as coorbital.

The defense arguments clearly have been made by the defense contractor, and the Defense Department, if the

Senator wants to know--

Mr. TSONGAS. Let us pursue that option. If the Soviets put up a coorbital satellite whose function is to destroy, explode and destroy, the mirror can simply follow for a considerable period of time. Is the Senator saying as soon as the Soviet satellite approaches the mirror we are going to shoot it down?

Mr. WALLOP. Shoot down from an area in the first place, enforce the keep-out zone.

Mr. TSONGAS. How do you shoot it

down?

Mr. WALLOP. You shoot it down before it approaches it, and enforce the keep-out zone.

Mr. TSONGAS. You would shoot down the Soviet satellite without knowing what its intent would be? That is an interesting version.

Mr. WALLOP. Mr. President, I and I believe others who have studied this more than from the perspective of the Department of Defense bureaucracy—not all in the Department of Defense because there are significant numbers of people in there who clearly subscribe to the notion I do—are comfortable that these things are defensible.

• Mr. KENNEDY. Mr. President, in March of this year, President Reagan called his proposal for a space-based weapon system "a vision of the future which offers hope." This is not a vision; it is a mirage. And far from offering hope, the President's proposal is a certain prescription for an arms race in outer space.

The picture conjured up by the President is so reassuring that it is a shame to spoil it with facts. But there are three very serious flaws in the

President's proposal.

First, and foremost, a space-based system would be physically impossible to develop. We cannot overcome the technical reality that inexpensive offensive nuclear weapons can eventually overwhelm any defense. Given this inescapable fact, the president's plan is irresponsible because it offers false

hopes for certain security. Dr. Jack P. Ruina, an MIT professor who has served on weapons panels for over 25 years concludes that there is zero promise for this system right now. To mislead and misguide the public on so important an issue is a tragedy.

Second, the President is dangerously close to opening a whole new chapter in the nuclear arms race. The enormously expensive weapons envisioned by this scheme should be outlawed, not rushed through to development. It does not take an Isaac Newton to understand that the first law of the nuclear arms race is that for every action there is an equal and opposite reaction. This star wars plan would be no exception. The Soviets would match us laser for laser, particle beam for particle beam. The predictable result of this science-fiction fantasy would be waste and broken promises of a perfect defense that could never be achieved.

Third, Mr. Reagan's space-based defense strategy is irresponsible because it undermines the basic principle of nuclear deterrence upon which the nuclear balance has rested for over 30 years. By creating the illusion that one nation might be invulnerable to attack it might give that nation the false confidence that it could launch a first strike without fear of retaliation. Dr. Wolfgang Panofsky, the director of the Stanford linear accelerator, has argued that the Presidential intitiative is ill advised because—

Should a secure defense umbrella against nuclear weapons over the entire country be accepted as a realistic concept, then this could support the view that nuclear war lighting under the cover of that umbrella might become acceptable.

In sum, we must reject the preposterous notion of a lone ranger in the sky, firing silver laser bullets and shooting missiles out of the hands of Soviet outlaws. The best defense against nuclear war is arms control that will limit offensive nuclear arsenals and ban fantastic and illusory schemes for ballistic missile defense. I urge my colleagues to join the distinguished chairman of the Armed Services Committee and reject this amendment.

• Mr. D'AMATO. Mr. President, I support the amendment offered by the distinguished senior Senator from Wyoming. I am pleased to join with him as an original cosponsor of this measure. Largely through his dogged persistence in the face of great odds, we have maintained our national efforts to move from an offensive nuclear balance of terror toward a condition of stable active strategic defense. I commend him for his efforts, which I believe will be recognized in the future as of fundamental historic importance to the preservation of world peace, the

prevention of nuclear war, and the protection of our national security.

This amendment moves \$125.84 million from other research and development accounts into an orderly but intensive effort to produce a workable space laser weapons system at an early date. The amendment's authors intend this money to be taken from lower priority laser efforts, though this is not specified in the language of the amendment itself. In light of the President's call for development of an active strategic defense, I believe this amendment is timely and well-designed.

The major importance of this move is to signal the clear beginning of a change in strategic emphasis from ofstrategic nuclear systems fensive toward primarily nonnuclear systems intended to actually defend the citizens and territory of the United States from nuclear attack. Science and technology have advanced to the point at which such a defense is feasible. The sooner we begin, the sooner we will have in operation an active strategic defense which will restore a measure of stability and sanity to the international military balance.

It is vitally important for Americans to realize that we are still suffering from the mistaken strategic doctrine called mutually assured destruction, or "MAD," which was based on the concept that both the United States and the U.S.S.R. would leave their populations undefended against each other's offensive strategic nuclear forces, insuring that any nuclear attack would be the equivalent of a murder/suicide. The difficulty is that the Soviet Union never accepted the basic concept of MAD. They have a working active and passive defense which will greatly limit the damage they would suffer from a U.S. response to a Soviet first strike, We, on the contrary, have a badly flawed remnant of a civil defense system, an air defense system which largely dates from the late 1950's, and no ballistic missile defense at all. As a practical matter, we have almost no ability to limit damage to ourselves in a nuclear exchange.

This situation has had two major consequences. It has placed an overly great emphasis on the development of offensive strategic nuclear system to insure that Soviet military planners remain convinced that no matter how well they may execute a first strike against us, enough of our systems will survive with the proper mix of capabilities to be able to destroy a clearly unacceptably large number of the targets the Soviet leadership values most. It has also fostered a psychological feeling of helplessness among the people of the United States and the western democracies in general. As a natural product of this feeling of being helpless in the face of a civilization ending threat, we find millions of

people crying out for an end to the balance of terror.

While I am a strong supporter of our efforts to achieve arms control agreements with the Soviet Union, I believe that we must also be prepared in case these efforts do not succeed. We have it within our power to develop truly defensive systems which destroy only nuclear weapons-carrying missiles and bombers enroute to kill our citizens and devastate our country. The space laser program will not produce weapons of mass destruction which threaten millions of innocent civilians with death and the destruction of their very civilizations. The space laser program will begin the process of ending war on the surface of this planet. It will discourage the further expenditure of scarce resources on offensive strategic nuclear systems. It will encourage the development of space

I am aware of concerns that the development of a space-based antiballistic missile defense would be destabilizing. All of my questions on this subject have not been answered. But they do not need to be answered now. Since actual deployment of such a system is several years away, we have time to negotiate with the Soviets a phased deployment regime which will insure that neither side will gain a decisive but transient advantage which will threaten the other side's fundamental national security interests. Indeed, information in our possession indicates that the Soviet Union has been moving ahead for years on an intensive program to develop directed energy weapons technologies of all sorts, and is itself on the threshold of testing a space laser system. After carefully reviewing Soviet public statements on this subject, I have concluded that they are most interested in restraining our developments in this area while remaining free to press ahead with their own.

The course of action we will be adopting when we approve this amendment is a moral course of action. It is long overdue. It is feasible now because we have the technology to build a system which may not be perfect when it is first deployed, but which will improve over time, as all military systems do. This amendment is a first step in the direction of a comprehensive spacebased active defense against strategic nuclear attack. It will save lives, not take them. It should capture the imagination of the people of the world. It is a bold stroke which, when it is successful, will lift the enormous weight of nuclear terror from the minds of the people of all nations.

In closing, I urge my colleagues to vote for this amendment and take a vital step forward to make our future as a nation secure and to make a beginning of the process which will end the balance of nuclear terror.

Mr. WALLOP, Mr. President, I think I have made my argument. I can make no more argument than I have made.

I believe the American people are entitled to the protection sought under this amendment.

Mr. President, I ask for the yeas and

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

The yeas and nays were ordered.

Mr. TOWER, Mr. President, I want to join with others in commending Senator Wallop for his continuing interest in the laser systems. I think he has served a useful function year after year when we have considered our authorization bills in bringing this to the attention of many people through the Department of Defense.

Again, I say with complete reluctance that I oppose his amendment. But, in fact, the intent of the amendment is clear. It does ravage existing programs and it does take all programs which contribute to space-based lasers out of DARPA and USAF R&D establishments and puts them into a user command which has the mission to defend against ballistic missiles; that is, the Army BMD program.

Let me simply submit, Mr. President, that operating commands are not organized to effectively conduct research and development. We do not put research and development for any system, even our most strategic systems, into an operating command.

Now, that is a significant reason alone for defeating the amendment of the Senator from Wyoming, along

with many others.

Again, I submit that it does foreclose options for the President, and I do not know why we cannot wait until the October 1 report. I think it is prudent to wait until the October 1 report.

Mr. WALLOP. Will my colleague yield for a second?

Mr. TOWER. I yield to my colleague for a question.

WALLOP. Mr. President, I would just say one other thing in response to the Senator from Massachusetts. Self-defense has never been considered provocative as a matter of national policy.

Mr. TOWER. Mr. President, just to put into the RECORD the position of the administration, I will read into the RECORD a letter from Richard De-Lauer, Under Secretary of Defense for Research and Development, to me.

DEAR MR. CHAIRMAN: We have reviewed Senator Wallop's proposed amendment to S. 675 and while we appreciate his view and the support he has given us in the past, we believe that the program he is advocating is so detailed that it might preempt the recommendations of the Defense Technologies Study Group to the Secretary of Defense, and in turn, Mr. Weinberger's recommendations to the President.

As you and Senator Wallop are aware, the President's initiative is one that will be placing greater emphasis on advanced technology for ballistic missile defense, an initiative Senator Wallop has been advocating for some time. Accordingly, we must object to the particular language that is being proposed in S. 675.

We suggest that no action to change current space laser programs be taken and re-quest your support of the President's budget request for Directed Energy Pro-

Mr. President, that should be viewed as the administration's position. It reinforces conversations that I have had directly with the White House. It was at the White House insistance that I undertook to actively oppose the amendment of the Senator from Wyoming. I hope ultimately he is proven right, and he may be. But we can address ourselves to that at a later date.

The fact is that if we plunge into this without adequate knowledge of what we are doing and place a great deal of funding into a program that might not live up to its promise, it could ultimately prejudice all of our programs here in the Congress.

Congress has a tendency to lose programs sometimes when a great deal of money is on something that does not turn out as promised by either underfunding the program subsequently or canceling it out altogether. I think that perhaps by trying to force the issue here Senator Wallop prejudices his own program.

Mr. President, I move to table the amendment of the Senator from Wyo-

Mr. WALLOP. Mr. President, I ask for the yeas and nays.

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

The yeas and nays were ordered.
The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas (Mr. Tower) to table the amendment of the Senator from Wyoming (Mr. WALLOP) the yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. STEVENS. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Arizona (Mr. Gold-WATER), and the Senator from Oregon (Mr. PACKWOOD) are necessarily absent.

I also announce that the Senator from New Mexico (Mr. Domenici) is absent due to illness.

Mr. BYRD. I announce that the Senator from California (Mr. CRAN-STON), the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. Hollings), and the Senator from Montana (Mr. MELCHER) are necessarily absent.

I further announce that, if present and voting, the Senator from Montana (Mr. MELCHER) would vote "yea."

there any other Senators in the Chamber wishing to vote?

The result was announced-yeas 65. navs 27, as follows:

## [Rollcall Vote No. 210 Leg.] YEAS-65

#### Baucus Hart Hatfield Bentsen Proxmire Biden Heinz Huddleston Pryor Quayle Randolph Bingaman Boschwitz Inouye Bradley Jackson Riegle Roth Bumpers Jepsen Burdick Johnston Sarbanes Kassebaum Sasser Specter Stafford Chiles Kennedy Lautenberg Cochran Cohen Leahy Stennis Danforth Levin Stevens DeConcini Long Thurmond Lugar Tower Dodd Mathias Trible Durenberger Matsunaga Tsongas Metzenbaum Mitchell Warner Weicker Eagleton Exon Nunn Wilson Zorinsky Gorton Pell Grassley Percy

### NAYS-27

| 2000      |          | 04 68 625 |
|-----------|----------|-----------|
| Abdnor    | Garn     | Mattingly |
| Andrews   | Hatch    | McClure   |
| Armstrong | Hawkins  | Moynihan  |
| Boren     | Hecht    | Murkowsk  |
| Byrd      | Heflin   | Nickles   |
| D'Amato   | Helms    | Rudman    |
| Denton    | Humphrey | Simpson   |
| Dole      | Kasten   | Symms     |
| Ford      | Laxalt   | Wallop    |
|           |          |           |

#### NOT VOTING-8

| Baker    | Glenn     | Melcher  |
|----------|-----------|----------|
| Cranston | Goldwater | Packwood |
| Domenici | Hollings  |          |

So the motion to lay on the table amendment No. 1524 was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the motion to table was agreed to.

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

The motion to lay on the table was agreed to.

## AMENDMENT NO. 1525

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

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Texas (Mr. Tower) proposes an amendment numbered 1525.

Mr. TOWER. Mr. President, may we have order, please?
The PRESIDING OFFICER. The

Senate will be in order. Will Senators please clear the well?

Mr. TOWER. Mr. President, I am sure that the Senate will have an interest in this, so I would suggest we have complete order.

The PRESIDING OFFICER. Will Senators cease all conversation. Will Senators in the well please retire from the well.

Mr. TOWER. Regular order, Mr. President.

The PRESIDING OFFICER. Will Senators please cease all conversation

The PRESIDING OFFICER. Are and afford the Senator from Texas the right to be heard.

The Senate is in order.

Mr. TOWER. Mr. President, has the clerk reported the amendment?

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

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

It is the sense of the Senate that the President's Commission on Strategic Forces, popularly known as the Scowcroft Commission, has rendered an outstanding public service and that its report, comprised of a balanced program of strategic force modernization and arms control initiatives, is a sound blueprint for maintaining effective deterrent and international stability for the future. The Senate endorses the deployment of MX missiles in existing Minuteman silos and the associated authorization of appropriations in this Act as being, under present circumstances, an indispensable component of a sound national security pos-

Several Senators addressed the Chair.

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

Mr. TOWER. Mr. President, I have permitted the clerk to read the amendment because I believe it is self-explanatory. It is a sense of the Senate that we endorse the recommendation of the Scowcroft Commission for Strategic Policy relative to deterrence, and it does endorse the deployment of the MX and expresses the sense of the Senate that it is an indispensable component of sound national security policy.

President, I have a lengthy address to make on this subject. However, I see other Senators seeking the floor. The Senator from Vermont had asked earlier if he could get in. I would be delighted to yield to the Senator from Vermont for 7 minutes if it is understood that I do not lose my right to the floor.

I ask unanimous consent that I may yield to him for 7 minutes for a statement.

Mr. HART. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. TOWER. I am sorry, I say to the Senator from Vermont, but the objection is heard on his side of the House. Therefore, I will make a few remarks.

Mr. President, I hope that we can bring this to an early vote. I would be prepared to vote on it at a time certain this evening. I would be prepared to limit debate 1 hour to a side, 2 hours to a side, and not much more than that. Of course, amendments may be offered to this and votes could occur on amendments to the amendment that I have submitted.

In that we have not had the opportunity really to debate an amendment-incidentally, I will not move to table my own amendment in this instance. Therefore, it will be out here for Senators to address themselves to. I think it can set us off on the debate that should have actually occurred before now.

Mr. President, I strongly support the MX peacekeeper program. We have debated this program on numerous previous occasions, and I think we are all familiar with the arguments. Nonetheless, because of the determination of the opponents of the MX to obfuscate the issues involved, I feel obliged to challenge once again several of the most popular arguments which, while refutable, continue to be put forward

by this program's opponents.

First of all, let me once again try to dispel the notion that the MX provides the United States with a firststrike capability. There is no magic as to what constitutes a first-strike capability. To have a first-strike capability. we must have sufficient numbers of weapons with the necessary characteristics-characteristics such as short flight times and the requisite combination of yield and accuracy-to give exceptionally high confidence that a preemptive attack would effectively disarm your opponent.

Mr. President, this is a matter of arithmetic. How many weapons with the necessary capability do you have? How many targets do you need to attack to achieve your objective?

To conduct such an assessment, you must have access to highly classified analyses that lay out the range of targets and detailed calculations about the types and quantities of weapons required to destroy them.

Unfortunately, it is not possible to discuss such data in public session. The Senate Armed Services Committee's Subcommittee on Strategic and Theater Nuclear Forces, however, had an in-depth hearing on this matter earlier this year in which information of this nature was carefully reviewed. On the basis of this information, I can say quite confidently that the introduction of 100 MX missiles into our inventory will not provide the United States the kind of capability needed for a first strike against the Soviet Union.

Aside from the numbers involved, there is a much more fundamental answer to this allegation. The United States does not seek a first-strike capability. We possess nuclear weapons to maintain peace and defend freedom through a strategy of deterrence. Deterrence is a defensive strategy. We have no operational plans to launch a first strike and never will. It is against our nature as a people.

As a matter of fact, the fact that it is against our nature has been well-proven when at a time we possessed a nuclear monopoly we did not launch a preemptive war against the Soviet Union, even though we were on many occasions and in many circumstances

severely provoked. How can anyone believe that if we would not resort to first strike at a time when we had immeasurable superiority, we would resort to one now when in fact the Soviet intercontinental ballistic missile systems, in terms of numbers, certainly in terms of urgent hard target kill capability, is superior to our own.

The second major argument advanced by the opponents of the MX is that its deployment will be destabilizing. This argument has little merit. The current strategic equation in which the Soviet Union has deployed some 800 modern MIRV'd ICBM's since the United States deployed its last Minuteman III is characterized by instability.

I would like at this time to quote directly from the report of the President's Commission on Strategic Forces:

The serious imbalance between the Soviets' massive ability to destroy hardened land-based military targets with their ballistic missile force and our lack of such a capability must be redressed promptly. Our ability to assure our allies that we have the capability and will to stand with them, with whatever forces are necessary, if the alliance is threatened by massive conventional, chemical or biological, or limited nuclear attack is in question as long as this imbalance exists. Even before the Soviet leaders, in a grave crisis, considered using the first tank regiment or the first SS-20 missile against NATO, they must be required to face what war would mean to them.

In order to augment what we would hope would be an inherent sense of conservatism and caution on their part, we must have a credible capability for controlled, prompt, limited attack on hard targets ourselves. This capability casts a shadow over the calculus of Soviet risk-taking at any level of confrontation with the West. Consequently, in the interest of the alliance as a whole, we cannot safely permit a situation to continue wherein the Soviets have the capability promptly to destroy a range of hardened military targets and we do not.

The deployment of 100 Peacekeeper missiles will strengthen deterrence by redressing the current Soviet advantage in prompt, hard-target kill capability. This program to redress the current imbalance, and thus to establish a more stable strategic equation, is designed to enhance stability. I wish the opponents of our ICBM modernization program were as concerned about the instability associated with the Soviet acquisition of a bona fide first-strike capability, as they are about our efforts to redress it.

Finally, I should like to address the link between the deployment of the MX and progress toward our arms control objectives. Opponents of the MX tend to belittle the importance of that missile in terms of arms control. Once again let me refer to the text of the report by the distinguished Scowcroft Commission, which clearly and convincingly articulated the link between arms control and an on-going

U.S. strategic force modernization program.

Arms control negotiations-in particular the Soviets' willingness to enter agreements that will enhance stability-are heavily influenced by ongoing programs. The ABM Treaty of 1972, for example, came about only because the United States maintained an ongoing ABM program and indeed made a decision to make a limited deployment. It is illusory to believe that we could obtain a satisfactory agreement with the Soviets limiting ICBM deployments if we unilaterally terminated the only new U.S. ICBM program that could lead to deployment in this decade. Such a termination would effectively communicate to the Soviets that we were unable to neutralize their advantage in multiple-warhead ICBMs

Abandoning the MX at this time in search of a substitute would jeopardize, not enhance, the likelihood of reaching a stabilizing and equitable agreement. It would also undermine the incentives to the Soviets to change the nature of their own ICBM force and thus the environment most conducive to the deployment of a small missile.

History has repeatedly demonstrated that the Soviets do not enter into arms control out of some benevolent desire for peace. They enter into arms control negotiations when they are convinced that there is a compelling military rationale to do so. My distinguished colleague from Washington, Senator Jackson, and I were actively involved in the Congressional approval of the U.S. ABM program mentioned by the Commission. I can only reiterate that the Senate's action in support of that program was instrumental in securing Soviet agreement to the ABM treaty.

When I say that Senator Jackson and I were actively involved, Senator Jackson carried the brunt of the argument on the ABM, and I had the privilege of turning the charts for him. I have learned a great deal about strategic systems at his feet.

Mr. President. I believe that the arguments advanced by the opponents of the MX lack credibility. The modernization of our land-based missile force is long overdue. The MX missile force in the short term, while a small ICBM could provide, in a modified arms control arena, the promise of long-term survivability for our strategic deterrent. Since our last vote on this program, the first flight test of the MX took place. I am pleased to report that this initial test was extremely successful. We have a system ready for production that has demonstrated its capabilities.

I think it is necessary to reiterate one of the most important findings of the Scowcroft Commission, that is the need for a greater degree of national concensus on these important strategic modernization and arms control issues. In their own words:

The Commission is particularly mindful of the importance of achieving a greater degree of national consensus with respect to our strategic deployments and arms control. For the last decade, each successive administration has made proposals for arms control of strategic offensive systems that have become embroiled in political controversy between the executive branch and Congress and between political parties. None has produced a ratified treaty covering such systems or a politically-sustainable strategic modernization program for the U.S. ICBM force. Such a performance, as a nation, has produced neither agreement among ourselves, restraint by the Soviets, nor lasting mutual limitations on strategic offensive weapons.

Mr. President, I believe that we witnessed the first indication of just such an emerging bipartisan consensus on May 25, 1983, when the Senate endorsed the recommendations of the Scowcroft Commission by a vote of 59 to 39, in the interest of restoring strategic stability and thus enhancing the security of our great Nation.

I urge my colleagues to continue to support this program in the context of the totality of the recommendations of the Scowcroft Commission which have been endorsed by the Reagan administration, and incorporated into the pending legislation. I further urge my colleagues to resist amendments which would impair this consensus by undercutting the programs central to it

I urge the Senate to reinforce the strategic policy of the administration to further endorse the bipartisan approach adopted by the Scowcroft Commission, and to provide our negotiators with additional negotiating leverage by endorsing the amendment I have offered.

Mr. HART addressed the Chair.

The PRESIDING OFFICER (Mr. JEPSEN). The Senator from Colorado.

Mr. HART. Mr. President, I should like to call the attention of the Senate to several facts.

First of all, even after the discussion that evolved with the Senator from Ohio on the floor a day or so ago about recognition, the Senator from Colorado received recognition after the amendment was reported, when the floor was open, and the previous occupant of the chair at that time did not recognize the Senator from Colorado.

So the discussion which the Senator from Ohio, the Senator from Louisiana, the Senator from Maryland, and others had over the question of recognition recurred here today, and I think the record should reflect that.

The rules and precedents of the Senate provide that after an amendment is reported, the floor is open. The recognition does not go back to the Senator moving the amendment.

Second, Mr. President—if I may have the attention of the floor manager—I take note of the fact that, at the request of the distinguished floor manager, the Senator from Texas, it has been my practice, since early last week, to make available to the floor

manager amendments offered by the Senator from Colorado, filed at the desk, made available to the committee staff. This is the second time in 2 or 3 days that the Senator from Texas has filed an amendment, without the courtesy of making that amendment available to those opposed to the MX missile.

Third, clearly the Senator from Texas, the floor manager of the bill, is seeking to precipitate a vote on the MX issue before there has in fact been a debate

The Senator from Texas says it is time for debate on the MX. As he well knows, there has been nothing but cooperation from the opponents of this missile in the terms of the flow of legislation and amendments being offered on this bill. Indeed, there are still pending amendments. Indeed, there are amendments that are pending that will be brought up tomorrow. There has been ample opportunity for anyone wishing to respond to arguments made in opposition to this missile to respond.

Up until this very moment, the only response that has been made on behalf of the MX missile or the Scowcroft Commission report was a rather truncated statement by the Senator from Texas on the occasion of offering the other preemptive amendment on

Friday night.

So those opposed to this missile welcome the debate. It would have been nice to have had it scheduled and notice put to those who are opposed. But the Senator from Texas seems for some reason not inclined to do that.

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

Mr. TOWER. Mr. President, will the

Senator yield at this point?
Mr. HART. I yield for a question.

Mr. TOWER. Has the Senator from Texas not urged the opponents of the MX to bring up their amendment? Has he not said from time to time that this is what we should get on with, that the longer the bill hangs around the more it occurs to other Senators who might have other amendments to offer them? And did not the Senator from Texas also suggest to the Senator from Colorado that he was prepared to enter into a time agreement? Does the Senator from Colorado recognize that on Friday he was not prepared to give the time agreement to vote any time this week and said that at that time he intended to do anything that he could to prevent the authorization bill passing containing an MX authorization in it? So that leads me to believe the Senator from Colorado is stringing things out.

Mr. HART. The Senator from Texas is only partly correct. The Senator from Texas has indeed asked for a time certain for a vote. The Senator from Texas has indeed said on several occasion that he would like to have

votes on the MX issue. But the opponents of the missile have felt that it is in the best interest of this debate to have it whenever time is available and be the principal engagement after other business was taken care of. That seems to be perfectly within the agreement of the floor managers of the bill.

The Senator from Colorado would like to call to the attention of the Senate the fact that at least 2 hours went by this morning with no votes on an amendment where negotiations went on off the floor. Two or three hours went by yesterday on an amendment that passed 91 to 0.

There has been a lot of delay on this bill, but it has not come from the opponents of the MX.

This is a serious question. It deserves serious treatment. It does not deserve to be peremptorily brought forward by the floor manager when other business is pending and without notice to the opponents of the MX missile.

Mr. President, I think when the floor is cleared of other business, when the supporters of the MX missile deployment decision affecting silos are prepared to defend their case we can in fact have that genuine debate. I hope it occurs under circumstances more amenable than this, but whether it does or not depends more on the floor manager than it does on the Senator from Colorado or other Senators.

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

Mr. LEAHY. Mr. President, will the Senator withhold that and yield to me?

Mr. HART. I yield to the Senator without losing, asking unanimous consent that I not lose my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado?

Mr. TOWER. Mr. President, reserving the right to object, the Senator from Colorado objected when I wanted to do the same thing to accommodate the Senator from Vermont. Let the record show that I will not object to the request of the Senator from Colorado.

Mr. LEAHY. Mr. President, I am delighted no one is objecting.

Mr. HART. Mr. President, I ask unanimous consent that I may yield without losing my right to the floor.

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

Mr. BYRD. Mr. President, reserving the right to object and I will not object, what is the request?

Mr. HART. The Senator from Colorado asked unanimous consent to be able to yield to the Senator from Vermont without losing his right to the floor. The request was not ruled on.

Mr. TOWER. For what purpose and for how long?

The PRESIDING OFFICER. The request has been ruled on. The Chair advises the request was stated and it was without objection, so ordered.

Mr. LEAHY. Mr. President, I invite my colleague's attention to the fact that we Vermonters try not to talk too long. I apprise the distinguished minority leader I will not speak for more than about 10 minutes, if no one has any objection to that.

Mr. President, I rise to state my categorical opposition to proceeding with the development and deployment of the MX missile, and I may well indicate my feelings on a particular

matter before us in this bill.

If a weapons system could improve with age, or by being debated over and over again, then the MX would be flawless. Unfortunately, this is not the case.

As my friend and colleague from Colorado so eloquently reminded us, we as a nation are at a crossroad. On the one hand, we can continue on our current course, toward a world of counterforce weapons, plans for protracted nuclear conflict, and exotic theories of deterrence. If that is the kind of world we want, we should approve the MX missile. We will find ourselves in a world of fear and instability, where powerful, yet vulnerable weapons will be on hair trigger alert for launch under attack.

On the other hand, we can recognize that to go ahead with the MX would be a mistake almost without parallel in the history of the nuclear arms race. We could turn toward reshaping our strategic force posture to respond to the military realities of the final years of this century and beyond.

Let us set aside our differences and ask: What are the fundamental purposes of the U.S. strategic forces? I believe there are two purposes and only two: First, to deter a deliberate nuclear attack against the United States and our allies; and second, to maintain strategic stability in a crisis. In my judgment, the greatest risk of a nuclear exchange is from fear, miscalculation or an accident during a crisis, rather than from a rational Soviet decision to attack.

I am profoundly convinced there is no other legitimate rationale for nuclear weapons than deterrence and stability

It is against this conviction that I weigh the case for basing 100 super-accurate, 10 warhead MX missiles in vulnerable Minuteman silos.

With it hard target kill capabilities, and its vulnerability to Soviet missiles, the MX will be the antithesis of strategic stability. Without gaining anything in the credibility of our deterrent, we will dramatically increase the likelihood that the Soviet Union could be frightened into attack in time of acute crisis. Because our leaders will not be confident that the silo-based

MX will survive for a second strike, the Soviets can only view it as a firststrike threat to their own land-based missiles. They will conclude that in a deep crisis we will have to use it or lose it.

Let us understand the differences between American and Soviet strategic force structures. We can rely for deterrence on our invulnerable sea-based missiles and bombers, which constitute over 70 percent of U.S. forces. For historical, geographical, and technological reasons, the Soviets are in exactly the reverse situation from what we care. More than two-thirds of their nuclear weapons are on fixed, land-based missiles.

Clearly, the advent of silo-based missile vulnerability, however theoretical—after all, no one has had a way of testing it empirically—will impact far more greatly on the Soviets than on us, especially if we go ahead with a first strike silo killer like the MX—which itself will be vulnerable.

The hard logic of this analysis certainly has not escaped some MX supporters. They have turned to using the President's determination to have this weapon as a way to prod him on arms control. They reason that in order to make the President serious about arms control, we must give him 100 MX missiles in vulnerable silos.

There is no longer even the pretext that the MX will be used for what it was originally intended-that is, to redress the vulnerability in the land-based leg of the strategic triad. When the President first proposed deploying the MX in silos as an interim measure, Congress overwhelmingly rejected it. Now that he has dressed up the same plan again and tied it to some vague and unenforceable promises about more seriousness in arms control, he has managed to stitch together a coalia coalition composed of those who appear to believe we really do need this missile and those who seem to think they can use it to bargain with him on arms control.

The President's record of opposition to every arms control agreement ever negotiated, his nonnegotiable proposal in START, and his appointment of arms control opponents to key policy positions gives me no confidence in this barrain.

Some MX supporters argue that it is needed to increase our leverage at the negotiating table. This is an argument I cannot accept. The so-called bargaining chip theory of arms control has a sorry history. One person's bargaining chip turns into someone else's vital system. Once procurement has begun, a major weapons program is almost impossible to stop. Really when you come right down to it, we should only build weapons which enhance deterrence and stability. Only if an agreement warrants, may such weapons safely be given up or reduced.

But, even in the leverage argument, does anyone here really believe the President is serious? According to Ambassador Kenneth Adelman, we will not deploy the 100 MX missiles only if the Soviets will destroy 650 of the most powerful ICBMs.

As I said in a radio speech this past weekend, in Vermont we call that offering to swap a moo for a cow.

Let me say finally, Mr. President, that we are talking about an issue-deterrence and stability-on which there is no room for partisanship. I have repeatedly called for the development of genuine bipartisan consensus on strategic policy, including modernization and arms control. I have stated in many places, on this floor, in public speeches, in letters to the Scowcroft Commission and to the President himself, that I believe the conditions exist for such a consensus. The basis for it lies in the analysis in the Scowcroft Report, minus its illogical and contradictory conclusions on the MX.

The Scowcroft Commission lucidly outlined the reasons why it is in this country's security interests to eliminate MIRV'd ICBM's. The Senate without the bill before it right now has made it clear that it accepts the analysis of the Commission. No matter how individual Senators vote on the amendment offered by the Senator from Texas to endorse all of the Scowcroft report, including its recommendation to deploy MX, the Senate has said that it accepts the basic analysis of the Commission. That analysis concludes that it is in this country's security interests to eliminate all MIRV'd ICBM's, not to build more. We have accepted that analysis. Not only is the window of vulnerability shut, but the Scowcroft Commission makes clear it was never open at all except in political rhetoric during a Presidential campaign.

We should use the Scowcroft report as the foundation for structuring a realistic arms control proposal to the Soviets. Both sides should agree to begin moving toward a future force of highly survivable, nonthreatening and stabilizing mobile, single-warhead ICBM's.

Even if the Soviets will not agree, we should do this unilaterally. A serious, fully funded, top priority research and development program for this missile should be started immediately. This is an approach which would have my full support.

We do have a path to follow that could strengthen strategic stability and deterrence. Rejecting the MX would be a giant step in this direction. The MX will not make stability and arms control more likely. The effect will be exactly the opposite.

Mr. President, it is distressing for those of us who are so concerned, who want so much to have bilateral, verifiable arms control, leading to greater security not only for our country but for the rest of the world, to see an-

other lost opportunity.

I realize, as I stated before, that the President in his career has rejected every arms control agreement ever entered into by Republican or Democratic Presidents. I wonder if it might not be wise for him to ask himself, could it possibly be that not all those Presidents were wrong, but perhaps that he himself may have been wrong? We have to ask ourselves as a Senate how long we can continue to miss arms control opportunities. Every time we miss an opportunity for real arms control, the stakes get greater and greater.

Time does not go backward for us in arms control. Each time we miss an opportunity for real arms control we push ourselves closer to the threshold of the most unimaginable Armageddon. This is something realized by everybody in this country and, I expect, throughout the rest of the world. It is something with which we, as a Senate, must concern ourselves. Because of its critical importance to the future of strategic stability, I am glad we are finally beginning a serious debate on

the MX itself.

We have had a week or so of debate on the Department of Defense authorization, but very little, only a tiny fraction, of that time has been spent on the MX. This is tragic because, if we do have an arms control agreement entered into by this or any other President, there are only 100 people in the United States who will get to vote on that treaty. Even though an agreement will affect the lives of 230 million Americans, only 100 Americans will ever get to vote on that treaty. and they are the 100 men and women who serve in this body. We must understand thoroughly the awesome issues of deterrence and stability when we consider the implications of a weapon like the MX, or the impact of a future arms agreement.

Senators must start asking the President whether time for arms control is running out, because indeed it is. They must ask him if there are opportunities for arms control that are being missed, because, in my estimation,

there are.

I said in 1974 when I first ran for the Senate, and many times since then, that I have three children who will live most of their lives in the next cen-

tury, if there is to be one.

Mr. President, a question we all must ask ourselves is, will there be a next century for us, for our children, and for our grandchildren? Time to gain control of the implements of mankind's destruction continues to run out. If we continue to miss opportunities between now and the year 2000, I question whether there will be a next century for the great bulk of the world's population.

Mr. President, that is all I will say on this issue tonight. But, I expect to say more.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from Colorado is recognized.

Mr. WARNER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Colorado yield for a parliamentary inquiry?

Mr. HART. The Senator does not

yield for that purpose.

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

Mr. HART. Mr. President, I first want to congratulate the Senator from Vermont for his excellent statement of the risks and hazards by going forward with the decision to deploy a qualitative land-based ICBM in a mode that threatens both the security of this country and the nuclear balance and stability of the world.

The Senator is well known as a strong advocate of a sound defense and an opponent of an unnecessary arms race. His statement in opposition to the bill, the provision of the bill, that would implement one of the recommendations of the Scowcroft Commission is welcomed and has reaffirmed his long commitment to the process of negotiating reductions of

nuclear weapons.

I would like to supplement what he had to say and reassume the thread of thought I put forward to the Senate previously in this debate about how this bill does not really address the fundamental structural problems of our national security, either in the conventional or strategic force sense, and further relate those thoughts to this decision and how a decision to produce and deploy the MX missile in vulnerable silos diminishes this country's security.

And to do so, it might be helpful to consider a situation which existed in Great Britain earlier in this century when, at that time, the British Navy underwent a series of dramatic and very controversial reforms at the hands of Admiral Sir John Fisher.

hands of Admiral Sir John Fisher.
In his 1923 book, entitled "The World Crisis, Part I," covering the period from 1911 to 1914, Winston Churchill wrote of these reforms that Admiral Fisher undertook. He said:

There is no doubt whatever that Fisher was right in nine-tenths of what he fought for. His great reforms sustained the power of the Royal Navy at the most critical period in its history. He gave the Navy the kind of shock which the British Army received at the time of the South African War. After a long period of serene and unchallenged complacency, the mutter of distant thunder could be heard. It was Fisher who hoisted the storm signals and beat all hands to quarters. He forced every department of the Naval Service to review its position and question its own existence. He

shook them and beat them and cajoled them out of slumber into intense activity. But the Navy was not a pleasant place while this was going on.

Mr. President, in this connection, it seems to me the Senate of the United States has a fundamental choice; that is, to take the easy course, the course of providing every service everything it wants and the President everything he asks for, or the difficult course of asking difficult questions and making hard choices.

The easy course is obviously to vote for essentially the bill that the administration submits and the Defense Department requests, with a few minor changes on the edges having to do with some weapons systems that are built in our home States or affect some jobs in our districts or that we have been heavily lobbied for or against by the services. Sometimes, in fact, we add things to the defense bill that the services do not even want. Congress is guilty of that. The services have a legitimate complaint.

On the other hand, sometimes we do not ask hard questions about weapons systems. There is one presently before us presented by this bill and recommended by the administration that is fundamentally new and fundamentally different in the history of warfare—indeed, certainly perhaps in the history of nuclear warfare and perhaps in the history of all warfare—and that is, in fact, the MX missile. And I think it has to be looked at in the context of what it represents historically.

This bill that is before us with its approval of what essentially the Pentagon asks for, essentially, if not always, in the quantity it wanted, is not likely to either shake or beat or cajole the Navy or anyone else into much activity in reviewing their position or questioning their own role and mission.

This bill should make the Pentagon as pleasant a place to be as possible and allow business to go forward in the same old way. One has difficulty imagining Churchill thinking very much of it and one suspects that Admiral Fisher's comment would be less than flattering.

What could this bill do differently? How might it look if we were serious about fundamental questions of the military institution, if we were serious about a stronger defense, true stronger defense, and about forces that could actually win in combat, not just intimidate or threaten our opponents?

It seems to me there are at least four areas where there would be major differences from what is before us here. The balance between readiness and procurement funding, a very serious issue, is not discussed at all in this debate or brought up at all in this bill; a balance between conventional and nuclear forces; a balance fundamentally brought to question by the decision

to go forward with the MX with the kind of weapons systems that are being funded; and the way the committee put the bill together.

The balance, first of all, between readiness and procurement funding is critical to the future effectiveness of this Nation's forces.

When this bill came to us in the form of the administration's proposed defense budget, it contained three separate built-in future financial crises, which, combined, added up to a future financial catastrophe. Those crises were as follows:

First, the procurement crisis. The procurement crisis had-and still hastwo elements. One is the probability that most of the weapons in this bill are underfunded and underpriced. We have seen a great deal of evidence of that in the past and there are serious students of the defense procurement policies of this Nation that believe that very strongly and have so testified before the committees of Congress and before the American public that there is systematic underpricing of major new procurement accounts. Underpricing means that the estimates of what a weapon will cost over a lifetime of a program are too low.

In a joint session with the Senate Budget Committee, the Armed Services Committee heard Mr. Franklin Spinney's history of underpricing. If Mr. Spinney is correct—and many believe he is—the weapons programs in this bill are probably underpriced by around 30 percent overall.

What will be the future effect of this underpricing, the systematic across-the-board underpricing? The 5-year defense program does not allow for it, nor does the 5-year projection of the Budget Committee. In other words, the money to pay the real cost of these weapons is not budgeted, either in 1984 fiscal year or, indeed, in the projections in the out years. It can only be found by increasing future defense budgets above projected levels by cutting money from other areas within the defense budget.

Nor is this the whole of the procurement crisis. Procurement programs have differing spendout rates; that is, the rate at which the money authorized and appropriated is actually spent over a period of years. When we authorize and appropriate, we do so in budget authority. When the money is spent, it becomes an outlay. It is outlays we count when we calculate the deficit.

Mr. President, over the next 3 to 5 years many of the major procurement programs we have approved—such as two nuclear aircraft carriers—and those we are being asked to approve here—such as the MX missile and the B-1 bomber—will translate into very, very heavy outlays in 2, 3, 4, and 5 years. People talk about the cost of this defense budget, the amount of

money it contains. Wait until they look at 1985, 1986, and 1987, when, if this bill goes forward and a commitment is made to start assembly lines on those two new carriers, on the B-1 bomber, on the MX missile, on a whole range of new ships and new tactical and strategic systems, when that bill comes due. The American public are in for a real shock

They do not know what budget deficits are. We are going to see some deficits in the late 1980's, if this bill passes, that will stagger the imagination and shock the financial houses and the institutions of Wall Street and, most of all, the poor American taxpayer who is going to be called upon to put up the money for that kind of major massive new spending.

People are already complaining. Most of the polls show that the vast majority of the people think we are wasting money on defense today. Wait until these accounts come due. Wait until 1985, 1986, and 1987. They do not know what spending on defense really

In fact, if we pass these bills and these programs go forward, we may, in fact, achieve the President's stated goal of driving the percentage of the defense budget, in the context of the overall national budget, up to 40 to 45 percent, where he says he wants it to go. We will see how the American people feel about that at the time, particularly when they are still plagued with 10, 20, 30, and more percent cost overruns, when they not only have to deal with the scandals on the deck and on the table today, but some scandals they have not even seen the likes of since perhaps World War II.

The "credit card" of budget authority we use in a bill like this to authorize and appropriate will translate into a demand for real cash dollars down the road, real taxpayer dollars. We will see how they feel about the MX when the budget deficits are running \$250 billion to \$300 billion in the outyears and there are no more domestic programs to cut except if we want to do away completely with medicare and medicaid. I would like to see the vote on that proposal.

I would like to see the vote on that proposal, because that is exactly the magnitude of the issue we are facing if this bill passes and if this program is enacted.

It is a credit card approach. These are not real dollars we are talking about here. We are talking about authorizing a program. Indeed, if there are \$2 billion, \$3 billion, \$4 billion, or \$5 billion for the MX in this bill, wait until you see what it really costs down the road. This is a \$30 billion program.

Wait until this bill passes and a year from now the President says, "You know, putting this missile in fixed silos, we have thought about it a lot and it was not such a good idea after all. What we have to do is violate the ABM treaty and surround these silos with an antiballistic missile defense."

We are talking then about real dollars. We will not be talking about \$30 billion for the MX but about \$30 billion, \$40 billion, or \$50 billion on top of that for ballistic missile defense. Survivability or vulnerability, let us not talk about that. Let us talk about the budget, about deficits, about squeezing the American taxpayer.

I want to be around when the President of the United States says, "Well, we have authorized \$30 billion for the MX. Those people in the Congress and outside the Congress who were telling us how vulnerable this \$30 billion investment was going to be in the silos, they may or may not have been right." I doubt if he will say it that way but that will be the implication.

So our response to that will be to spend another \$30 billion or \$40 billion with a new scheme. Hit a bullet with a bullet. The great debate of the 1960's and early 1970, antiballistic missile forces

Forget about the treaty that limits this, what is a treaty anyway, except a piece of paper to be broken? Let us go forward and double the money, at the very least double it. Antiballistic missile defenses.

Well, the credit card will come due. Then we will feel the full effect of our actions on the size of the Federal deficit. Of course, the outlays will be higher than we expected because of the systematic underpricing.

Gee whiz, we did not know concrete was going to be so expensive. That little bolt we needed for this missile that you could buy at Sears for 25 cents, we will spend \$17 apiece on them.

That is called underpricing.

Simultaneously, we will have another crisis on our hands when we face that procurement crisis, and we will face it. We will face it.

We will have a readiness crisis at the same time.

Over the past several years Congress has made a bipartisan effort to improve the readiness of our Armed Forces. Readiness is basic to the ability of our military to win in combat. It includes, among other things, training, ammunition, spare parts for weapons, things that make the difference between a paper military and one that actually can win if it is challenged.

Without adequate readiness we do not have a real defense. Unfortunately, the administration is budgeting for declining readiness. That is a great unknown factor in this great defense bill we have before us. The administration is budgeting for declining readiness.

At any other time, Mr. President, I would say perhaps under a Presidency of my party, my colleagues on the other side of the aisle would be crying

"Scandal. The Democrats are weakening this Nation's defenses. The Democrats are not spending enough money to prepare our forces for combat."

Well, that charge cannot be leveled against a Democratic President, Mr. President. It can be leveled against a so-called pro-defense Republican President.

We are, in fact, in this bill underfunding readiness. In fact, we have declining readiness in this bill.

According to its long-term plan, readiness, that is, the operations and maintenance accounts in the bill, will drop as a percentage of the defense budget—will drop as a percentage of the defense budget—from 30 percent in fiscal 1981 to only 25 percent in fiscal 1988. At the same time, procurement plans will rise as a percentage of the budget, procurement for new weapons systems, all more sophisticated and more costly to maintain, procurement of new weapons will rise as a percentage of the defense budget from 26 percent in 1981 to 30 percent in 1988.

Unless these plans are altered and some sense is brought to the balance between procurement and readiness, each new weapon will have proportionately fewer dollars to keep it and its crew ready for combat.

I think that is an important point to be made, Mr. President, for the record if nowhere else. One of these days, perhaps not too far in the future, people are going to want to know how this happened.

Unless the imbalance in the present and projected defense budgets between procurement and readiness are righted, each new weapon will have proportionately fewer dollars to keep it and its crew ready for combat.

That is a happy prospect. Let us buy some more weapons. Let us buy the MX. Let us not pay the people who are going to have to sit near that silo and launch that missile, perhaps, what they should be paid. Let us cut their salaries.

That is what we have done when we have referred to their pay increases.

Let us not really provide the funds necessary to maintain the installations thereabouts.

The same is true of maintaining the M-1 tank in Europe, keeping the F-15's, F-16's, F-18 aircraft, keeping our ships at sea and properly maintained. We are steadily declining in terms of the amount of money we are putting into readiness, and it is to pay for the MX missile.

I made an economic argument a few minutes ago. This is a defense argument. This is a defense argument, Mr. President.

Mr. President, the argument the Senator from Colorado was in the process of making had to do with the defense implications of purchasing the MX missile, and there are some. The

implications are profound. The dollars come from accounts that are seriously underfunded accounts, having to do with personnel and their pay and benefits, and accounts having to do with readiness of our conventional, perhaps even our strategic, forces.

We should make no mistake. There are not infinite numbers of dollars. There are finite numbers of dollars. We have taken a lot of them from the needs of our citizens, their nutrition programs, their health programs, their education programs, their housing programs.

For those who claim to be for a strong defense, we are also taking money from defense programs to pay for the MX missile. We are taking it from military personnel, their wellbeing. We are also taking it from the readiness of our conventional forces.

The procurement accounts are bleeding the readiness accounts and they are bringing our forces to a point where the claimed commitment of the Government to maintain them in an operational status is seriously in question. So there is a crisis in procurement, there is a crisis in readiness, but there is an additional crisis as well in this budget submission and in this bill. We also face a major retention crisis.

Several years ago, Mr. President, the armed services faced a serious shortage of skilled personnel. Skilled people were leaving the services faster than replacements could be recruited and trained. Ships were tied up at piers for want of crews. The quality of small unit leadership and technical services declined sharply. The Chiefs of the services gave the Congress a bleak picture of our ability to fight. That was the record of the 1970's.

Since that time, retention of skilled personnel has improved greatly. Enough trained, skilled people are now likely to continue their service careers. Why is that? In large part, it is because Congress has both supported and initiated major improvements in military pay. Equally important, it has convinced servicemen and women they can plan on a secure future in the service. It has made promises of adequate future pay credible to our military personnel.

administration's The proposed budget would shatter that credibility. This bill does as well. The administration proposed budget would have shattered that credibility when the administration proposed that there be no military pay increase this year. One could argue that military personnel would not be devastated economically by failure to provide a pay increase this year, at least as long as inflation continues at a relatively low level. But the key to retention is not just what happens in 1 year. The key is whether those in the service can feel confident of their long-range future, sufficiently confident to stay in.

People do make long-range decisions about these things, not spur-of-themoment, 3-month decisions. The key to retention is whether those in the services can feel confident of a long-range future in the services, sufficiently confident to stay in. If military pay becomes a political football, with increases eliminated whenever financial problems threaten, how can they plan securely?

How can those in our services feel secure and really plan their future and know what to depend on? If we do not keep faith with these people, they will vote with their feet. An improving economy will give them the option of building a more secure future in the civilian world. Many will take that option, and the retention crisis of the 1970's will be upon us again.

Added together, these crises add up to a future disaster. What has the committee done to avoid that disaster? It moved decisively to deal with the prospective retention problem by inviting a pay increase. I would like to commend the distinguished chairman of the committee (Mr. Tower) for his leadership in this matter. The committee has recommended an adequate pay raise, and I am happy to add my voice to that recommendation.

Unfortunately, the other two crises still loom. While the committee did attempt, in its markup of the bill, to make reductions less heavily in the operations and maintenance accounts than in procurement, O&M was still cut, and the balance between them remains deficient.

Worse, the committee's actions do nothing to solve future problems. The only way to do that is to act now to cancel some major weapons programs—programs that drive the cost overruns and heavy outlays—and to reallocate some of the money saved from them to readiness.

This the committee has not done. No major weapons program has been canceled.

Programs that drive the cost overruns and heavy outlays, those kind of programs are the ones that need to be substituted and to reallocate some of the money saved from those programs to the readiness account and personnel accounts.

As far as readiness goes, the committee bill has not done that. No major weapons program has been canceled. So two of the three crises prepared for us by the administration are still waiting for us down the road.

What will their combined effect be? Unable to pay for the cost increase in weapons programs by increasing the defense budget because the planned levels are already more than the economy can bear, we shall have to make further cuts in readiness, readiness that will be already inadequate. Probably, we shall also have to cut force

structure-divisions, ships, and airplanes. We shall end up with a weaker, not stronger, military, despite the additional spending the President has demanded.

Mr. President, I notice the presence of the majority leader on the floor. I wonder if there might be some wayfirst, whether he seeks recognition or if there might be some way I could accommodate him without jeopardizing my own right to the floor.

(Mr. DANFORTH assumed the

Mr. BAKER. Mr. President, I thank the distinguished Senator. I would like some time in about 5 minutes, if I may. I have just sent word to the minority leader that it will be my plan at approximately 6 p.m. to offer a cloture motion-in fact, two cloture motions, one against the substitute and one against the bill. The minority leader has not had an opportunity to respond. I do not know whether he wants to come to the floor or not.

The Senator is very kind. I wonder if he will permit me another 5 minutes or so and maybe consider it over again. Mr. HART. I shall certainly be more

than happy to do that.

Mr. BAKER, I thank the Senator.

Mr. HART. Mr. President, the different approach to the defense budget would tackle the future problems this year. It would cancel or offer a more cost-effective substitute for a number of the major weapons programs, including the B-1, and a few other of the weapons systems proposed in this account, including the MX. They may or may not cost much this year, but they have very high future costs. Simultaneously, an alternative approach would add money to readiness to restore the proper balance between readiness and procurement.

Specifically, that alternative approach would cancel or replace enough weapons programs and add enough to readiness so that readiness spending would increase relative procurement as a percentage of a serious defense budget. As long as we continue buying equipment that is harder to maintain and harder to operate than what it replaces-and, I might say, more costly as well-this is the only way to avoid

decline in combat readiness.

The second major difference between this bill and an alternative defense approach would be in the proportionate funding between the conventional nuclear weapons. This is a fundamental issue, one that comes back to the reasons why we have a defense bill and a defense establishment.

The principal task of our Armed Forces is reducing the likelihood of war. That is what we mean by deterrence. Within that broad task, there is a specific task of overriding importance-reducing the likelihood of nuclear war. This we have been calling strategic deterrence. There are several means available to us for strengthening deterrence. I have already dis-cussed one of them at length during the debate on this bill. That is arms control-in fact, arms reduction.

Another is the development and procurement of strategic nuclear weapons that can survive an enemy's first strike and that, accordingly, do not appear to threaten a first strike themselves. That is a very important distinction, Mr. President, a weapon that can survive an enemy's first strike without, at the same time, representing a first strike itself.

There is a third means and that is improving the effectiveness of our conventional forces. How do more effective and more capable conventional forces strengthen deterrence? They do that in several ways. Very powerful conventional forces can deter some nuclear forces. For example, immediately after World War II, the United States possessed the atomic bomb and the Soviet Union did not. Even after the Soviets developed the atomic capability and then the hydrogen bomb, their nuclear arsenal and nuclear delivery capability were far smaller than those of the United States.

(The following occurred during the foregoing remarks by Mr. HART:)

Mr. JACKSON. Will my good friend from Colorado yield to me for a short statement with the understanding, of course, that he will not lose his right to the floor.

Mr. HART. If the Senator is prepared to make that request.

Mr. JACKSON. Yes, I will make it.

Mr. President, I ask unanimous consent that the distinguished Senator from Colorado may yield to me to make a brief statement with the stipulation that he shall not lose his right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. HART. Reserving the right to object, will the request also be put that the statement not appear in the middle of my statement?

Mr. JACKSON. I further ask unanimous consent that my remarks appear at the conclusion of the remarks of the Senator form Colorado.

The PRESIDING OFFICER. Is there objection? The Chair hears none. It is so ordered.

Mr. JACKSON. Mr. President, the existence of a triad of strategic nuclear forces-land-based missiles, strategic bombers, and sea-based nuclear missiles-complicates the problem of Soviet war planners who cannot focus their efforts on any one leg of the traid. Deterrence is thus strengthened. The strongest leg of the U.S. strategic triad has been until recently the landbased ICBM force. However, the Soviets have hardened their important military assets which we would plan to target.

Thus, our Minuteman III force is no longer sufficiently effective as a counterforce to a first strike by the Soviets. Modernization of our land-based ICBM force through procurement of the MX missile is required to maintain deterrence by restoring our ability to retaliate promptly against hardened targets such as the Soviet command and control centers. Such a capability will make it clear to Moscow that a nuclear attack would never pay off in any circumstances.

A failure to modernize our landbased strategic systems would significantly affect the survivability of the other legs of the triad by enabling our adversary to concentrate on their destruction. The result would be the unravelling of deterrence. The MX is thus an essential program if the credibility of our deterrent is to be maintained.

I would remind my distinguished colleagues that the entire history of the Soviet Union and of tsarist Russia suggests that the Russian leaders almost always respect strength. The leadership of the Kremlin is a generally prudent group that carefully assesses risk when confronted with military strength and political will.

Mr. President, I believe the Soviets will seriously negotiate on mutual reductions in strategic arms only with our modernization program going forward. This is testified to by experience when the ABM treaty was negotiated only after the Congress approved a limited deployment of an ABM system. It is interesting to note that the distinguished Soviet physicist and advocate of arms control, Andrei Sakharov, in a recent article in Foreign Affairs has suggested that it may be necessary to spend a few billion dollars on the MX missile in order to convince the Soviet leadership to negotiate limitation and reductions of its heavy, land-based missiles.

Mr. President, termination of the MX program would signal a faltering resolve on our part and might seriously weaken the hand of the United States in the strategic arms reduction talks with the U.S.S.R. The MX is an important program both for maintaining a credible deterrent into the next century and for demonstrating the national will that is fundamental to all good diplomacy and to the pursuit of arms reductions. I urge my distinguished colleagues to support the MX program and to retain it in the defense authorization bill.

I thank the distinguished Senator from Colorado for his courtesy in this matter. I now yield back to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

(Conclusion of earlier remarks.)

ANNOUNCEMENT WITH RESPECT TO VOTE ON QUAYLE AMENDMENT NO. 1523

Mr. WARNER. Mr. President, today I regrettably missed my first vote in this Congress. Although I arrived in the Chamber less than a minute following conclusion of this vote and the announcement of the Presiding Officer of the tally, the call for "regular order" was honored by the Presiding Officer, even though Senate staff were aware that I was en route. I was addressing the American Trial Lawyers Association at the Sheraton-Washington Hotel in the Nation's Capitol, the communications link with the hotel proved faulty, and I did not receive adequate warning of the vote having been called earlier than anticipated.

Mr. BAKER. Mr. President, I wonder if the Senator would be good enough now to remake his offer to yield to me without losing his right to the floor?

Mr. HART. Mr. President, I ask unanimous consent to yield to the majority leader without losing my right to the floor.

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

Mr. BAKER. Mr. President, I thank the Senator.

Mr. President, first let me say that I hope no one will think—and I do not believe anyone will—that we have been precipitous in trying to bring debate to a close on this matter.

The Journal clerk has just given me the statistics. We have been 8 days on this matter after today, and at 6 p.m. approximately—5:59 actually, at this moment, we will have spent 57 hours on the bill. There have been 29 rollcall votes. We have considered 55 amendments and motions; 38 were agreed to, 12 were tabled, 1 withdrawn, 2 were ruled out of order, and 2 are pending.

ruled out of order, and 2 are pending. Mr. HART. Will the majority leader

yield for a question?

Mr. TOWER. Would the majority leader yield? We have disposed of 49 amendments.

Mr. BAKER. Forty-nine, all right. Yes; I yield.

Mr. HART. Will the majority leader also insert in the RECORD how much of this time has been occupied on the MX debate?

Mr. BAKER. Not very much, which is a matter of grievous concern to me.

Mr. HART. Will the majority leader also insert in the RECORD how many other non-MX amendments are pending?

Mr. BAKER. Mr. President, I do not have those figures. I am not trying to make a critical analysis. All I am trying to say is we have been on this bill a long time, and I think there is ample justification now for trying to arrange for its final completion. Believe me, there is no element of criticism of the Senator from Colorado in those remarks but, rather, to point out

that last year we spent 8 days on this bill. Eight days is a long time on a bill. I guess that is all the statistics say.

#### CLOTURE MOTION

Mr. BAKER. At this point, Mr. President, I send a cloture motion to the desk and ask that it be stated by the clerk

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

# CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee amendment, in the nature of a substitute, to S. 675, a bill to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, and for other purposes.

Senators Howard Baker, John Tower, Dan Quayle, John Warner, Roger Jepsen, Warren B. Rudman, John P. East, Jake Garn, Robert T. Stafford, Paul Trible, Alan Cranston, David Durenberger, Malcolm Wallop, Chic Hecht, Paula Hawkins, Bob Kasten, and William Cohen.

(Note.—The name of Mr. Cranston was incorrectly read as one of the signatories to the motion. As developed in subsequent colloquy the correct name in lieu of Mr. Cranston is Mr. Armstrong.)

# CLOTURE MOTION

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. Mr. President, I send another cloture motion to the desk and ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

# CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 675, a bill to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, and for other purposes.

Senators Howard Baker, John Tower, Bob Kasten, Robert T. Stafford, Roger Jepsen, Paula Hawkins, Warren Rudman, David Durenberger, John Warner, Lowell Weicker, Jesse Helms, Strom Thurmond, Jake Garn, Thad Cochran, Frank Murkowski, and Ted Stevens.

Mr. BAKER addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. Mr. President, the net effect of this pair of motions will be to provide a cloture vote under the provisions of rule XXII an hour after we

convene on Thursday on the substitute. If the cloture vote is in the affirmative, then we will continue to debate the substitute, I believe, until it is disposed of. The vote on cloture on the bill itself would be tolled until the substitute is disposed of.

May I inquire of the Chair, is that a correct interpretation of rule XXII?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. Mr. President, as soon as the substitute is disposed of, whenever that is, then the vote would occur automatically on cloture on the bill itself.

Mr. President, if the cloture vote does not succeed on the substitute, then a vote would occur immediately on cloture on the bill itself; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. And on Thursday 1 hour after we convene and after the vote has occurred on cloture on the substitute.

Now, Mr. President, I do not know what will happen on the cloture votes, but I hope that this will provide a certain way and a certain time for the disposition of these matters and final passage of this bill.

I believe there is a chance that cloture will be invoked on Thursday on the substitute. If it is not, then I anticipate that a cloture motion may be filed on tomorrow, or two cloture motions may be filed on tomorrow, which would produce a vote on Friday.

I wanted to say this at this point so Senators will understand what the schedule might be for the next day or

Mr. BYRD. Mr. President, will the majority leader yield with the same understanding as heretofore ordered with respect to the yielding by the Senator from Colorado?

Mr. BAKER. Yes; I yield.

Mr. BYRD. I have two questions.

I heard the name of Mr. Cranston on the first cloture motion. Was that correct?

The PRESIDING OFFICER. That was in error. It should have been Senator Armstrong.

## PROGRAM

Mr. BYRD. Second, will the majority leader state the program for the rest of the day and into the future as far as he can foresee? He has already talked about the votes on the cloture motions.

Mr. BAKER. Yes, Mr. President. I thank the minority leader.

I think it is clear now that unless cloture is invoked and we dispose of this bill on Thursday, we will be in on Friday. Whether we are in on Saturday or not will depend on how things develop after cloture is invoked, if indeed cloture is invoked, and we see what we are faced with at that point.

I do not want a Saturday session, but, as I said this morning, I would like to reserve judgment on that until at the latest sometime early on Thursday.

Mr. President, after the bill is disposed of, I hope we can go briefly to the military construction appropriation bill. I am told that will not take very long.

Then we will go to agriculture target prices next week. I expect that will be a long debate as well and there may be a need for cloture on that measure also

As far as today is concerned, I would prefer to yield to the distinguished majority manager. I have indicated to him today, as I have on previous days, I am willing to ask the Senate to remain in as long as we can do useful work.

If I may on the same terms and conditions now inquire of the distinguished Senator from Texas if he could give us an estimate of this day?

Mr. TOWER. It all depends on whether or not one construes listening to the distinguished Senator from Colorado as useful work. If one construes that in the affirmative, then I think the question would lie with the distinguished Senator from Colorado as to how long he would like to continue his useful work this evening.

Mr. BAKER. Mr. President, before the Senator from Colorado answers, I have to make a confession. I must tell you that I have been vehemently opposed to the position of the Senator from Colorado, as I still am, and I am going to work as hard as I can to defeat him. But I ran across something in Congressional Quarterly that did a compilation of votes of all 100 Members of the Senate and rated them according to their support for the majority leader. I discovered something that had a remarkable mellowing effect on me. I discovered, according to CQ, that the one Democrat in the Senate who has supported me most often is none other than the Senator from Colorado.

As strange as it may seem to some who have engaged in this debate, it is here in black and white. I do not know what basis they used for their judgment, but it is here and it has indeed had a mellowing effect on me. It has not lessened my opposition to his position, but it has a certain endearing quality.

Mr. TOWER. Do not get overwhelmingly mellow.

Mr. BAKER. And I do not want any aspersions cast on the speeches of the Senator from Colorado at this time.

Mr. BYRD. Mr. President, I thank the majority leader for yielding. May we have some better understanding as to today?

Mr. BAKER. Mr. President, let me pitch this out and see how the principals react to it. How would that be?

Mr. TOWER. That would be agreeable to me. When the Senator from Colorado concludes, I should like to have 2 or 3 minutes for brief remarks. It is apparent that we will not reach any resolution or a vote on the issue tonight. I would not intend to offer any motions or amendments at that time.

Mr. BAKER. In view of that, if the Senator from Colorado feels that he can conclude his remarks in the next 15 minutes or so, we should be out at 6:30. I am prepared now to announce that there will be no more rollcall votes tonight, unless the Senator from Colorado or the minority leader see the need for that.

Mr. TOWER. If the Senator from Colorado wants one, I would be glad to have one.

Mr. BYRD. I thank the distinguished majority leader for his re-

sponse to my question.

Mr. HART. Mr. President, if I may respond to the majority leader and the floor manager, the Senator from Colorado would like to put this matter over until tomorrow. A number of other Senators who still have to be heard on this issue have withheld their statements out of deference to the floor manager and the need to move on with other business.

Mr. TOWER. Let me correct the record on that point. I have implored Senators to offer amendments, so do not give me that jazz.

Mr. HART. Mr. President, who has the floor?

The PRESIDING OFFICER. The

Senator from Colorado.

Mr. HART. The Senator from Colorado is not giving anyone any jazz, and I wish the Senator from Texas would follow the rules of procedure of the Senate and not interrupt when someone else holds the floor.

The Senator from Texas well knows that he has received nothing but cooperation from this side. It does no good to suggest otherwise.

All I am intent on saying is that we are not going to get all the arguments on this amendment or any other MX amendment completed in 20 minutes, including this Senator's. So far as I am concerned, we can go out now, or I can continue with my statement, or we can hear from other Senators until 6:30 whatever the majority leader pleases.

It would interest the Senator from Colorado to hear from the majority leader in the context of the cloture motions, as to whether in his judgment the motions are necessary to close off debate on the MX issue or on all defense issues.

Mr. BAKER. Mr. President, the cloture motion is filed against the substitute, not against the MX amendment.

Mr. President, I hope we might wind up. I sort of sense that it is time to quit. If the Senator from Colorado is prepared to do so, I am perfectly will-

ing to ask the Senator from Texas to conclude his remarks and then to take us into a brief period for the transaction of routine morning business, and there will be no more action tonight on the defense bill.

Mr. HART. What would be the disposition of the pending matter upon the Senate resuming the session to-morrow?

Mr. BAKER. We will be right back where we left off; that is, the Tower amendment would be the pending question.

Mr. HART. Would there be any understanding as to whether or not the Senator from Colorado would be recognized, or is it, as we say, a "jump ball"?

Mr. BAKER. It is a jump ball, in the sense that I have not anticipated offering a provision for anybody to be recognized. If I do not seek recognition, the Chair would recognize the minority leader.

If the minority leader does not seek recognition, the Chair would recognize the manager of the bill. If the manager of the bill does not seek recognition, the Chair would recognize some other Senator. I believe that is a correct statement of the precedent.

The PRESIDING OFFICER. The minority manager does have priority.

Mr. BYRD. Mr. President, this statement by the majority leader, as I understand it, is correct, with one possible addendum—that is, if another Senator seeks recognition, clearly seeks recognition, before the manager of the bill or the ranking manager or before the majority leader or the minority leader, and especially in the case of the manager and the ranking member, and perchance either of the managers is slow to seek recognition, is it not true that that Senator who seeks recognition is entitled under the rules to be recognized?

The PRESIDING OFFICER. The priority in recognition is dependent on the simultaneous seeking of recognition

Mr. BAKER. Mr. President, I agree with the statement made by the minority leader. The priority of recognition would apply only in the case of the jump ball, as the Senator from Colorado described it. If one Senator clearly is seeking recognition before another, it does not make any difference who that is—the first Senator seeking recognition should be recognized by the Chair.

Mr. BYRD. I thank the majority leader.

Mr. HART. Is it within the precedents of the Senate for the Senator from Colorado to ask unanimous consent to be recognized?

Mr. BAKER. That is perfectly proper. That is ordinarily done by one of the two leaders, but I will inquire of the manager of the bill.

unanimous-consent request.

Mr. BYRD. In other words, it is perfectly proper for the Senator to make the request, but an objection can be made thereto.

Mr. BAKER. There is an old saying in Tennessee, "Let's not borrow trouble," and I think that is what we are doing. I think we should go out and start afresh in the morning.

Mr. TOWER. I will be glad to withhold my remarks and save them for to-

morrow morning.

Mr. HART. Mr. President, I suggest the absence of a quorum, just briefly.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. 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. BAKER. Mr. President, could I inquire of the distinguished Senator from Colorado if he is prepared now to relinquish the floor so that we can go into morning business?

Mr. HART. Yes.

Mr. BAKER. I thank the Senator.

Mr. President, is the Senator from Texas prepared to do that at this time?

Mr. TOWER. I am prepared.

#### ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business to extend not past 6:30 p.m. in which Senators may speak for not more than 5 minutes each.

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

## MESSAGES FROM THE HOUSE

At 10:58 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 459. An act to authorize and direct the Secretary of the Interior to convey, by quitclaim deed, all right, title, and interest of the United States in, and to, certain lands that were withdrawn or acquired for the purpose of relocating a portion of the city of American Falls, out of the area flooded by the American Falls Reservoir.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 3329) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1984, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. LEHMAN of Florida, Mr. Sabo, Mr. Gray, Mr.

Mr. TOWER. I would object to that RATCHFORD, Mr. CARR, Mr. MRAZEK, nanimous-consent request. Mr. Whitten, Mr. Coughlin, Mr. CONTE, Mr. EDWARDS of Alabama, and Mr. Purcell as managers of the conference on the part of the House.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2769. An act to promote economic revitalization and facilitate expansion of economic opportunities in the Caribbean Basin

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

At 3:53 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its clerks, announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 459. An act to authorize and direct the Secretary of the Interior to convey, by quitclaim deed, all right, title, and interest of the United States in and to certain lands that were withdrawn or acquired for the purpose of relocating a portion of the City of American Falls out of the area flooded by the American Falls Reservior;

H.R. 3392. An act to amend the Agricul-

tural Act of 1949; and

H.J. Res. 258. Joint Resolution designating August 3, 1983, as "National Paralyzed Veterans Recognition Day."

The enrolled bills were subsequently signed by the President pro tempore (Mr. THURMOND).

#### HOUSE MEASURE REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 2769. An act to promote economic revitalization and facilitate expansion of economic opportunities in the Caribbean Basin region; to the Committee on Finance.

# EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as in-

EC-1472. A communication from the Secretary of Transportation transmitting, pursuant to law, a report on the properties, assets, and liabilities of the Alaska Railroad and other aspects of the proposed transfer of the railroad to the State of Alaska; to the Committee on Commerce, Science, Transportation.

EC-1473. A communication from the Acting Director of the Minerals Management Service transmitting, pursuant to law, a report on a refund of excess royalty payments to the Superior Oil Company; to the Committee on Energy and Natural Resources.

EC-1474. A communication from the Acting Director of the Minerals Management Service transmitting, pursuant to law, a report on a refund of excess royalty payments to Chevron U.S.A.; to the Committee on Energy and Natural Resources.

EC-1475. A communication from the Acting Director of the Minerals Management Service transmitting, pursuant to law,

a report on a refund of excess royalty payments to Chevron U.S.A.; to the Committee on Energy and Natural Resources.

EC-1476. A communication from the Acting Director of the Minerals Management Service transmitting, pursuant to law, a report on a refund of excess royalty payments to Murphy Oil Corp., Hunt Oil Co., Chevron U.S.A., and Mobil Oil Corp.; to the Committee on Energy and Natural Re-

EC-1477. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements, other than treaties, entered into by the United States in the 60-day period prior to July 14, 1983; to the Committee on Foreign Relations.

EC-1478. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report concerning the American Institute in Taiwan's proposed letter of offer to the Coordination Council for North American Affairs for defense articles estimated to cost in excess of \$50 million; to the Committee on Armed Services.

EC-1479. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, a report on the review and appraisal of transportation safety activities 1981-82; to the Committee on Commerce, Science, and Transportation.

EC-1480. A communication from the General Counsel of the Department of Energy, transmitting a draft of proposed legislation to reduce regulatory burdens and authorize the waiver of licensing requirements with respect to certain non-Federal hydroelectric power projects, and for other purposes; to the Committee on Energy and Natural Re-

EC-1481. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the public pension offset plan, and the recommendations of the Department with respect to the plan; to the Committee on Finance.

# REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Labor and Human Resources, without amendment:

S. Res. 176. An original resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1129; referred to the Committee on the Budget.

By Mr. McCLURE, from the Committee on Appropriations, with amendments:

H.R. 3363. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1984, and for other purposes (Rept. No. 98-184).

By Mr. SPECTER, from the Committee on Appropriations, with amendments:

H.R. 3415. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1984, and for other purposes (Rept. No. 98-185).

# INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

> By Mr. BUMPERS (for himself, Mr. Jackson, Mr. Hart, and Mr. Eagleton):

S. 1641. A bill to amend the Federal Advisory Committee Act to add a new section prohibiting scientific advisory committee membership from being based on the political affiliation of any candidate; to the Committee on Governmental Affairs.

By Mr. MATSUNAGA:

S. 1642. A bill relating to the tariff treatment of certain telescopes not designed for use with infrared light; to the Committee on Finance.

# SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATCH:

S. Res. 176. A resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1129; from the Committee on Labor and Human Resources; to the Committee on the Budget.

By Mr. DECONCINI:

S. Res. 177. A resolution to investigate President Reagan's campaign organization; to the Committee on Rules and Administration.

By Mr. TSONGAS (for himself, Mr. Percy, Mr. Pell, Mr. Metzenbaum, Mr. Cranston, Mr. Dodd, Mr. Kennedy, Mr. Moynihan, Mr. Sarbanes, and Mr. Levin):

S. Con. Res. 55. A concurrent resolution expressing the grave concern of the Congress regarding the plight of Ethiopian Jews; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BUMPERS (for himself, Mr. Jackson, Mr. Hart, and Mr. Eagleton):

S. 1641. A bill to amend the Federal Advisory Committee Act to add a new section prohibiting scientific advisory committeee membership from being based on the political affiliation of any candidate; to the Committee on Governmental Affairs.

(The remarks of Mr. Bumpers and the text of this legislation appear earlier in today's Record.)

# ADDITIONAL COSPONSORS

S. 553

At the request of Mr. Hart, the name of the Senator from Oklahoma (Mr. Boren) was added as a cosponsor of S. 553, a bill to authorize a national program of improving the quality of education.

S 786

At the request of Mr. PRESSLER, the name of the Senator from Delaware (Mr. Biden) was added as a cosponsor of S. 786, a bill to amend title 38, United States Code, to establish a service-connection presumption for certain diseases caused by exposure to herbicides or other environmental hazards or conditions in veterans who served in Southeast Asia during the Vietnam era.

S. 842

At the request of Mr. WEICKER, the name of the Senator from Rhode Island (Mr. Pell) was added as a cosponsor of S. 842, a bill to amend the Internal Revenue Code of 1954 to provide tax incentives for the issuance of small business participating debentures

S. 865

At the request of Mr. Byrd, the name of the Senator from Michigan (Mr. Riegle) was added as a cosponsor of S. 865, a bill to establish a nationally uniform deep-draft vessel tax for the purpose of financing operations and maintenance of deep-draft commercial channels and harbors; to fund a percentage of new channel improvements; and to provide an expedited procedure for the authorization and permitting of navigation improvement projects and related landside facilities in deep-draft ports, and for other purposes.

S. 1115

At the request of Mr. Matsunaga, the names of the Senator from Hawaii (Mr. Inouye) and the Senator from Michigan (Mr. Riegle) were added as cosponsors of S. 1115, a bill to amend titles XVIII and XIX of the Social Security Act to treat certain sensory and communication aids as medical and other health services, and for other purposes.

S. 1256

At the request of Mr. Moynihan, the name of the Senator from Pennsylvania (Mr. Heinz) was added as a cosponsor of S. 1256, a bill to authorize special assistance for desegregation activities.

S. 1465

At the request of Mr. Lugar, the name of the Senator from Alabama (Mr. Heflin) was added as a cosponsor of S. 1456, a bill to designate the Federal Building at Fourth and Ferry Streets, Lafayette, Ind., as the "Charles A. Halleck Federal Building".

S. 1587

At the request of Mr. Helms, the name of the Senator from Iowa (Mr. Jepsen) was added as a cosponsor of S. 1587, a bill to amend the Internal Revenue Code of 1954 with respect to deductions for the payment of certain expenses by ministers who receive housing allowances.

S. 1596

At the request of Mr. Trible, the name of the Senator from Oklahoma (Mr. Nickles) was added as a cosponsor of S. 1596, a bill to amend the Internal Revenue Code of 1954 to exempt farm trucks from the heavy truck use tax where use on public highways does not exceed 10,000 miles.

SENATE JOINT RESOLUTION 84

At the request of Mr. Garn, the names of the Senator from Washington (Mr. Gorton), the Senator from Virginia (Mr. Trible), the Senator from Nevada (Mr. Hecht), and the Senator from Hawaii (Mr. Inouye) were added as cosponsors of Senate Joint Resolution 84, a joint resolution to designate the week beginning June 24, 1984, as "Federal Credit Union Week".

# SENATE JOINT RESOLUTION 97

At the request of Mr. Boschwitz, the names of the Senator from Wyoming (Mr. Simpson) and the Senator from Idaho (Mr. McClure) were added as cosponsors of Senate Joint Resolution 97, a joint resolution to authorize the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of members of the Armed Forces of the United States and the allied forces who served in the Korean war.

#### SENATE RESOLUTION 115

At the request of Mr. Pressler, the name of the Senator from Alaska (Mr. Stevens) was added as a cosponsor of Senate Resolution 115, a resolution to express the sense of the Senate on the need to facilitate U.S. exports by opposing international restrictions on the marketing and distribution of such exports.

## SENATE RESOLUTION 171

At the request of Mr. Helms, the names of the Senator from North Carolina (Mr. East) and the Senator from Wisconsin (Mr. Kasten) were added as cosponsors of Senate Resolution 171, a resolution prohibiting the extension of waiver authority under section 402 of the Trade Act of 1974 with respect to Romania.

SENATE CONCURRENT RESOLU-TION 55-RELATING TO THE PLIGHT OF ETHIOPIAN JEWS

Mr. TSONGAS (for himself, Mr. Percy, Mr. Metzenbaum, Mr. Cranston, Mr. Dodd, Mr. Kennedy, Mr. Moynihan, Mr. Sarbanes, and Mr. Levin) submitted the following concurrent resolution;

S. Con. Res. 55

Resolved by the Senate (the House of Representatives concurring).

Whereas the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights guarantees to all persons the right to freedom of religion, the right to hold opinions without interference, the right to freedom from expulsion, and the right to emigrate;

Whereas Ethiopian Jews are among the oldest continuous Jewish communities in existence, their history extending back for three thousand years;

Whereas this community once numbered several hundred thousand persons, but the scourge of wars, pestilence, persecution, and famine over the years has reduced it to some twenty-five thousand people, several thousand of whom have sought refuge in nearby countries:

Whereas the American people are becoming increasingly aware of the difficulties facing Ethiopian Jews and are seeking ways to assist them; and

Whereas the plight of Ethiopian Jews demands that the American people and all people of good will do everything possible to alleviate their suffering: Now, therefore, be

Resolved by the United States Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should—

(1) express to relevant foreign governments the United States concern for the welfare of Ethiopian Jews, in particular their right to emigrate

(2) seek ways to assist Ethiopian Jews through every available means so that they may be able to emigrate freely, and

(3) express the concern of the American people for the welfare of the Ethiopian Jewish community in every appropriate forum

• Mr. TSONGAS. Mr. President, I am very proud indeed to introduce today a resolution urging the President to respond to the plight of Ethiopian Jews, known in Ethiopia as Falasha. I am pleased to name as original cosponsors of this resolution, Senators Pell, Sarbanes, Cranston, Dodd, Percy, Kennedy, Moynihan, Metzenbaum, and Levin.

The Falasha-which means stranger or landless person-have lived in Ethiopia for over 2,000 years. They have maintained their Jewish traditions intact over this time, still speaking Hebrew, maintaining their Jewish faith, and even observing dietary laws. Although the Falasha are not the victims today of targeted government persecution, their plight in Ethiopia is one of poverty, isolation, and insecurity. Many Falasha wish to make the aliyah to Israel. They are barred from doing so by Ethiopian law, which restricts emigration very tightly. Many Falasha have been arrested for violation of their law.

Yet, in spite of the enormous obstacles facing the Ethiopian Jews, many undertake the arduous journey to Israel, where I met with a community of Falasha in January of this year.

It is very important for the Senate to recognize and lend our support to the courageous efforts of Falasha to settle in Israel where they can practice their religion freely and fully.

The resolution I am introducing today is identical to that introduced by Congressmen Solarz and Frank in the House of Representatives. It calls upon the President to "express to rele-

vant governments the United States concern for the welfare of Ethiopian Jews, in particular their right to emigrate," to seek ways to assist Ethiopian Jews so that they may emigrate freely, and to express the concern of the American people for the welfare of the Ethiopian Jews at every available forum.

There are, at last count, some 25,000 Falasha left in Ethiopia. Once there were several hundred thousand Ethiopian Jews, but over the years war and pestilence have drastically reduced their number. As one of the oldest continuous Jewish communities in the world, the Falasha are of special importance to us all.

I will never forget my meeting with Falasha immigrants in Israel. I spoke with the leader of their group, a priest or "cohen," through interpreters who translated my English into Hebrew. At one point I became impatient with the slow pace of translated conversations, and I spoke in Amharic, the dominant language of Ethiopia. My host was both surprised and delighted to speak his second language once again. It was for me a particularly poignant experience, because it made very clear how much the Falasha cherish their country, Ethiopia, but whose longing to live in the Jewish State of Israel is even stronger.

This is a timeless and irresistible theme. I strongly believe the Senate should register its firm support.

• Mr. PERCY. Mr. President, I am pleased to join Senator Tsongas in sponsoring a Senate concurrent resolution which expresses the grave concern of the Congress regarding the plight of Ethiopian Jews. The House Foreign Affairs Committee will soon consider an identical resolution by Congressman Solarz and I will urge that the Foreign Relations Committee schedule speedy consideration of the resolution.

Approximately 25,000 Ethiopian Jews are presently in Ethiopia and in neighboring refugee camps. They are descendants of a community which once numbered several hundred thousand. One of the oldest continuous Jewish communities in existence, with a heritage dating back 3,000 years, its survival is today threatened by war, pestilence, famine and neglect. Many of the Ethiopian Jews—the Falashas—want to emigrate, and need help to do so.

Through the work of the American Association for Ethiopian Jews and other concerned groups and individuals, many people are becoming aware of the critical state of this precious community of Jews. The AAEJ has also played a leading role in garnering support for increased U.S assistance to the victims of the drought now plaguing Ethiopia.

The U.S. Agency for International Development has been responsive to

several requests for emergency disaster relief and additional contributions are still under review. It is hoped that they will be promptly approved.

The resolution expresses the interest of the Congress and asks the President to bring this U.S. concern to the attention of relevant foreign governments, especially regarding their right to emigrate. I hope that my colleagues will give their support to the resolution.

SENATE RESOLUTION 176— ORIGINAL RESOLUTION RE-PORTED AUTHORIZING ADDI-TIONAL EXPENDITURES

Mr. HATCH, from the Committee on Labor and Human Resources, reported the following original resolution, which was referred to the Committee on the Budget.

#### S. RES. 176

Resolved, That pursuant to Section 402(c) of the Congressional Budget Act of 1974, the provisions of Section 402(a) of such Act are waived with respect to the consideration of S. 1129, a bill to authorize appropriations to provide for revision and extension of the Domestic Volunteer Service Act and for other purposes. Such waiver is necessary to allow the authorization of an appropriation of \$147,993,000 for extension of the Domestic Volunteer Service Act for fiscal year 1984.

The waiver of Section 402(a) is necessary to permit congressional consideration of statutory authority to provide resources for programs serving individuals through volunteers.

Compliance with Section 402(a) of the Congressional Budget Act of 1974 was not possible by the May 15, 1983, deadline because the May 13, 1983, full committee markup was cancelled.

The effect of not considering this authorization would be to deny services provided by volunteers to the recipients of these programs.

The desired authorization will not delay the appropriations process and can be accommodated in a fiscal year 1984 appropriations bill.

SENATE RESOLUTION 177—RE-LATING TO INVESTIGATION OF PRESIDENT REAGAN'S CAM-PAIGN ORGANIZATION

Mr. Deconcini submitted the following resolution; which was referred to the Committee on Rules and Administration:

# S. RES. 177

Whereas allegations have arisen that toplevel members of the administration engaged in serious improprieties and possible criminal activities while serving in the President's campaign organization;

Whereas these allegations have raised suspicions and doubts about the honesty and ethics of certain members of the administration:

Whereas members of the administration must have credibility in carrying out their

responsibilities;

Whereas an investigation of members of the administration by other members of the

administration is, by its very nature, suspect:

pect;
Whereas the Reagan administration both deserves and owes the American people a speedy and unimpeachable explanation and resolution of the allegations;

Resolved, That a subcommittee of the Committee on the Judiciary, consisting of 4 Republicans and 3 Democrats, to be selected by the Chairman of the Committee on the Judiciary, be established immediately for the purpose of conducting an investigation into the allegations relating to members of President Reagan's campaign organization; and be it further

Resolved, That the extent and scope of the investigation shall be determined by the subcommittee.

Mr. DECONCINI. Mr. President, during the Presidency of Jimmy Carter, the Senate Judiciary Committee undertook two major investigations of allegations of misconduct by members of the administration. Those investigations were demanded and authorized by Democrats because of their belief that to be effective, an administration must be without significant blemish. Having endured the ordeal of Watergate, we then concluded—and, I believe, rightly so—that it is the obligation of Congress to help maintain the credibility of the White House.

Today, Mr. President, we are faced with another potential scandal affecting the White House. While I sincerely hope that it turns out to be "much ado about nothing," some very serious allegations have been made. Rather than clearing up these allegations, a number of White House officials have made contradictory and questionable statements that demand clarification.

To date, the matters in question are: William Casey's statement to reporters that he and Ed Meese were carrying out an "intelligence operation" into Carter foreign policy;

Ed Meese's involvement in the possession and use of White House docu-

ments;

Possession by Richard Allen of national security documents when he was a campaign aide;

Where the briefing book came from, who had it, and what use was made of it:

David Stockman's comment that he had accepted debate documents that had been pilfered;

David Gergen's disclosure after denying that he had seen any debate book, of 1,000 pages of White House documents; and

Bob Jones' possession of memos prepared by Anne Wexler and Al McDonald for the Carter Cabinet on White House stationery with the scripted heading "Bob—Report from White House Mole."

I am offering a resolution to authorize the Senate Judiciary Committee to undertake an independent, bipartisan investigation into these allegations. Such an investigation can only assist the President in his efforts to dispel

the questions that have been raised both by the allegations and by the administration officials' failure to adequately answer them.

The record of the Justice Department in investigating and acting upon allegations involving the White House is not good. It was not good during Watergate, it was not good during the Vesco scandal, and it was not good in "Billygate," in the investigation of Billy Carter. Regardless of how well-intentioned individuals within the Justice Department might be, a Justice Department investigation into the White House raises suspicions about evenhandedness.

A congressional investigation is, by its very nature, a more public affair. A conclusion that nothing illegal or questionable occurred will be more readily accepted by the public and the press. Also, looking back upon prior investigations, I am confident that Congress can undertake this task with a minimum of disruptive publicity.

Regardless of whether actual wrongdoing occurred in the last Presidential campaign, I believe that the revelations do raise questions about how we run our political campaigns. The overemphasis on television tends to exaggerate certain events such as the debate, to the point where it can easily spell the difference between victory and defeat. Under such circumstances, it is not surprising that campaign workers might go to extraordinary lengths to gain a tactical advantage. Perhaps one very positive result from a Judiciary Committee investigation could be some recommendations for campaign guidelines to be followed in the future.

Mr. President, I offer this resolution in order to speedily dispose of the questions raised and allow the administration to put its efforts back into governing rather than defending itself.

# AMENDMENTS SUBMITTED

#### MILITARY PROCUREMENT AUTHORIZATION, 1984

# QUAYLE AMENDMENT NO. 1523

Mr. QUAYLE proposed an amendment to amendment No. 1520 proposed by Mr. Stafford to the bill (S. 675) to authorize appropriations for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, and for other purposes; as follows:

Strike out lines 1-9 and insert the following:

On page 128, beginning with line 11, strike out all through page 131, line 6, and insert

in lieu thereof the following: extension of period for transfer of Defense Dependents' education system to Department of Education

SEC. 1006. Section 302(a) of the Department of Education Organization Act (20 U.S.C. 3442(a)) is amended by—

(1) striking out "not later than May 4, 1984" and inserting in lieu thereof "not earlier than May 4, 1986"; and

lier than May 4, 1986"; and

(2) adding at the end thereof the following: "The transfers contemplated by this section shall occur only if the President, or Congress determines that such transfers will not be detrimental to the quality of education available to dependent children of military personnel stationed overseas, to the protections and benefits available to teachers under various status of forces agreements, and to the morale and welfare of military personnel stationed overseas whose dependent children attend overseas schools operated by the Department of Defense.".

# WALLOP AMENDMENT NO. 1524

Mr. WALLOP proposed an amendment to the bill, S. 675, supra, as follows:

On page 24, line 8, strike out "\$4,193,364,000" and insert in lieu thereof "\$4,489,461,000".

On page 24, line 18, strike out "\$7,652,642,000" and insert in lieu thereof "\$7,582,740,000".

On page 24, line 11, strike out "\$12,499,116,000" and insert in lieu thereof "\$12,420,021,000".

On page 24, line 12, strike out "\$2,468,537,000" and insert in lieu thereof "\$2,321,437,000".

On page 26, between lines 8 and 9, insert the following new section:

#### LIMITATIONS ON FUNDS FOR THE ARMY

SEC. 114. (a) Of the amount authorized to be appropriated in section 111 for the Army—

(1) \$187,600,000 shall be available to the Ballistic Missile Defense Programs Office only for the purpose of accelerating and redirecting the main on-going space laser programs for cylindrical chemical lasers (Alpha), pointer trackers (Talon Gold), and large optics (LODE) in order to achieve space qualified technologies for space-based directed energy ballistic missile defense system concepts as early as practical. These directed energy concepts shall be developed in an evolutionary manner with the ongoing conventional ballistic missile defense technologies.

(2) \$15,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the purpose of developing computers and software for command, control, and communications and fire control, to develop target acquisition sensors, to develop large, segmented adaptive mirrors, to develop advanced resonators and optical coating facilities, and to develop follow-on advanced high-brightness lasers.

(3) \$30,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the development of free electron lasers, excimer laser, x-ray lasers, and visible lasers

(4) \$10,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the sub-scale and full-scale testing of the precise interaction between lasers and ballistic missile targets.

(5) \$60,866,000 shall be available to the Ballistic Missile Defense Programs Office only for the purpose of expanding the Space Laser Technology Program, which through fiscal year 1983 has been administered by the Air Force Space Division. The Ballistic Missile Defense Programs Office shall define the tasks necessary to integrate all technology elements of a space-based directed energy ballistic missile defense system into a battle capable system, leading to a design decision as soon as practical.

(6) \$15,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the purpose of designing and developing a battle management system for space based lasers, ground support systems, and the means by which the hostile targets will

interact with the laser system.

(7) \$10,000,000 shall be available to the Ballistic Missile Defense Programs Office only for the design of measures to enhance the survivability of space based laser defense systems, including the preparation of underground testing of nuclear effects.

### TOWER AMENDMENT NO. 1525

Mr. TOWER proposed an amendment to the bill, S. 675, supra, as follows:

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

"It is the sense of the Senate that the President's Commission on Strategic Forces, popularly known as the Scowcroft Commission, has rendered an outstanding public service and that its report, comprised of a balanced program of strategic force modernization and arms control initiatives, is a sound blueprint for maintaining effective deterrent and international stability for the future. The Senate endorses the deployment of MX missiles in existing Minuteman silos and the associated authorization of appropriations in this Act as being, under present circumstances, an indispensable component of a sound national security posture."

# NOTICES OF HEARINGS.

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

Mr. WALLOP. Mr. President, I would like to announce for the information of the Senate and the public that the subcommittee hearing previously scheduled for Tuesday, July 26, regarding acquisition of land, and acquisition and termination of grazing permits or licenses issued by the Bureau of Land Management at the White Sands Missile Range, N. Mex., has been canceled and will be rescheduled at a later date.

For further information regarding this hearing you may wish to contract Mr. Tony Bevinetto of the subcommittee staff at 224-5161.

SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

Mr. WARNER. Mr. President, I would like to announce for the information of the Senate and the public that the field hearing scheduled before the Subcommittee on Energy and Mineral Resources on Tuesday, August 9, in Blacksburg, Va., will begin at 10 a.m. instead of 1 p.m. in the auditorium of the Donaldson Brown Center for Continuing Educa-

tion, Virginia Polytechnic Institute, Blacksburg. The subcommittee will receive testimony on enhanced coal technology: Coal's Market for the 1980's.

For further information regarding this hearing you may wish to contact Mr. Roger Sindelar of the subcommittee staff at 224-5205.

# AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON SMALL BUSINESS

Mr. TOWER. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate on Tuesday, July 19, to hold an oversight hearing on the small business development center program.

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

# ADDITIONAL STATEMENTS

ANNIVERSARIES OF THE SENTENCING OF SOVIET DISSI-DENTS

Mr. DOLE. Mr. President, the month of July marks the anniversary dates of the sentencing of three courageous individuals whose crimes consist of nothing more than voicing a desire for freedom. I take this opportunity to again commend the valiant perseverance of Mykola Rudenko, Viktoras Petkus, and Anatoly Shcharansky, all members of the Soviet Helsinki monitoring groups. These prisoners of conscience are unceasingly persecuted and oppressed by a regime which views even the honest voice of Shcharansky, the simple faith of Petkus, and the pen of the Poet Rudenko, as weapons against the state.

Mykola Rudenko, ironically, was originally a Communist war hero, wounded in the siege of Leningrad. He began his literary career after the war. As a writer, Rudenko soon felt the oppressive hand of the Soviet regime upon his work. Dissenting themes increasingly entered into his poetry. He went on to cofound the Ukrainian Helsinki Monitoring Group and was consequently labeled an "enemy of the state." Rudenko was given a 12-year sentence on July 1, 1977. In 1982, his disabled status was removed. He was then subjected to heavy labor which, owing to his severe back injuries, is inhumanely torturous and places his life in jeopardy.

Viktoras Petkus has been an energetic activist for human and religious rights since the 1940's. He was sentenced the first time in 1947 for his activities in a Roman Catholic youth organization which opposed Lithuania's annexation by the U.S.S.R. He served 6 years of hard labor. In 1958 he was arrested and sentenced to 7 years in

prison for anti-Soviet agitation and propaganda, mainly the distribution of religious works. In 1976, he helped form the Lithuanian Helsinki Group. On July 13, 1977, he was tried and given his third sentence: 10 years of heavy labor and 5 years of exile.

Anatoly Shcharansky, after being refused an exit visa from the U.S.S.R. in 1973, became actively involved in the affairs of Jewish "refuseniks." He joined a seminar of scientist-refuseniks and with his high intelligence and natural leadership abilities, was propelled to unofficial leadership of Jewish activists. His fluency in English made him a natural link to Western journalists. He was also an active member of the Moscow Helsinki Group. In 1977, an article was published in Izvestia in which Shcharansky was accused of being a CIA agent. He was arrested and on July 14, 1978, was sentenced to 3 years in jail and 10 years of hard labor.

# STRUGGLE CONTINUES

The cases of Rudenko, Petkus, and Shcharansky, further present us with irrefutable manifestations of the Soviet Government's disregard for its international commitments. By signing the Helsinki accords in 1975, the Soviet Union pledged to "respect human rights and fundamental freedoms including the freedom of thought, conscience, religion, or belief."

These three men, along with countless other prisoners of conscience, persist in their struggle to achieve their dreams of freedom for all men. Shcharansky in his closing trial statement said, "now I am further than ever from my dream," but he went on to proclaim, "I never compromised my soul, even under the threat of death." We must look to the example set by these men and proceed with unwavering dedication toward our goal of bringing human dignity and liberty to all men. As we commemorate the struggles of Mykola Rudenko, Viktoras Petkus, and Anatoly Shcharansky, I urge my colleagues to persist in their active support of prisoners of conscience in the Soviet Union, that they may one day taste the fruit of their inherent right to freedom.

#### STATUS REPORT ON THE BUDGET

(By request of Mr. Baker, the following statement was ordered to be printed in the RECORD:)

• Mr. DOMENICI. Mr. President, I hereby submit to the Senate a status report on the budget for fiscal year 1983 pursuant to section 311 of the Congressional Budget Act.

Since my last report the Congress has completed action on H.R. 3392 to amend the Agricultural Act of 1949, to freeze tobacco price supports.

The report follows: REPORT No. 83-7

REPORT TO THE PRESIDENT OF THE U.S. SENATE FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 1983 CONGRESSIONAL BUDGET, ADOPTED IN HOUSE CONCURRENT RESOLUTION 91—REFLECTING COMPLETED ACTION AS OF JULY 14, 1983

[In millions of dollars]

| THE RESERVE OF THE PARTY OF THE | Budget authority   | Outlays            | Reve-<br>nues      |
|--|--------------------|--------------------|--------------------|
| Revised second budget resolution level   | 877,200<br>865,128 | 807,400<br>805,514 | 604,300<br>604,400 |
| Amount remaining   | 12,072             | 1,886              | 100                |

#### BUDGET AUTHORITY

Any measure providing budget or entitlement authority which is not included in the current level estimate and which exceeds \$12,072 million for fiscal year 1983, if adopted and enacted, would cause the appropriate level of budget authority for that year as set forth in H. Con. Res. 91 to be exceeded.

#### OUTLAYS

Any measure providing budget or entitlement authority which is not included in the current level estimate and which would result in outlays exceeding \$1,886 million for fiscal year 1983, if adopted and enacted, would cause the appropriate level of outlays for that year as set forth in H. Con. Res. 91 to be exceeded.

#### REVENUES

Any measure that would result in revenue loss exceeding \$100 million for fiscal year 1983, if adopted and enacted, would cause revenues to be less than the appropriate level for that year as set forth in H. Con. Res. 91.

# EMERGENCY SCHOOL AID ACT OF 1983

• Mr. HEINZ. Mr. President, I am today announcing my cosponsorship of S. 1256, the Emergency School Aid Act of 1983, earlier introduced by Senators Moynihan and Danforth. The original act, first adopted by Congress in 1972, was last funded for the 1981-82 school year at approximately \$125 million. Through 1981, the Emergency School Aid Act (ESAA) had authorized some \$2.2 billion for the purpose of voluntary desegregation efforts.

This school year, 1982-83, is the first under the new block grant program and without ESAA. Because of the consolidation of ESAA and State allocation of chapter II funds, districts that have previously benefited from ESAA have suffered enormous funding cuts, some in excess of 75 percent. Many of these districts had arranged multiyear funding agreements with the Department of Education and must still meet the mandates of their desegregation plans, often at the expense of the regular program.

In fiscal year 1980, Philadelphia received \$8.9 million for activities eventually subsumed under chapter II block grant, of which \$5.2 million was for ESAA programs. In fiscal year 1982, Philadelphia received just \$3.4

million for all chapter II activities, a total cut of 38 percent for fiscal year 1980, a significant blow to the city's desegregation efforts. Similar reductions have been suffered by Erie, Pottstown, and West Chester, Pa. Additionally, I am pleased to note that my hometown of Pittsburgh has recently become eligible for ESAA funding because its desegregation plans have finally been approved.

S. 1256 does not reconstitute the original Emergency School Aid Act, but offers a less expensive and scaleddown version of the original legislation, without dismantling the recently enacted block grant itself. Furthermore, rather than create any new automatic entitlement the bill would authorize funding on a competitive basis only, with \$125 million for fiscal year 1983, and such sums as necessary for the succeeding 3 fiscal years. Funds would be used for desegregation activities such as the operation of magnet schools, in-service training for teachers and staff, and other innovative educational programs design to involve the joint participation of minority group and other children. As I stated earlier, eligibility for such funds will be determined by the Secretary of Education and based on a competitive awards process with priority given to school districts with a demonstrated need for assistance, those having a high promise of success, and those with a recent desegregation

Mr. President, this bill has received the endorsement of many major educational organizations as well as the support of a number of my colleagues. I join them in urging those on the Subcommittee on Education and the Members of the Senate to carefully consider this responsible piece of legislation and to enact it into law.

# COMMISSION ON BICENTENNIAL OF THE CONSTITUTION

• Mr. SPECTER. Mr. President, I rise to commend Senator HATCH for his leadership and diligence in developing S. 118, a bill to establish the Commission on the Bicentennial of the Constitution.

As we approach the second centennial of our Constitution it is incumbent upon us that we focus attention on the principles upon which our Nation was founded over 200 years ago and on the responsibility each of us has to protect these principles for the generations ahead. Our form of government is only as strong as the quality and breadth of the participation of its citizens.

The Commission established by this legislation offers a nationwide education of our system of constitutional freedoms and will provide the people of the United States and perhaps the

world, a better understanding of our representative government.

One of the primary duties of the Commission shall be to plan and develop activities appropriate to commemorate the bicentennial, including the funding of a limited number of projects to be undertaken by the Commission on behalf of the Federal Government. The Committee on the Judiciary determined that consideration should be given to a variety of principles in planning and implementing bicentennial activities. The first of these principles is, "the historical setting in which the Constitution was developed and ratified . . .," another is "the unique achievements and contribu-tions of the participants in the Constitutional Convention. . . . " The experience of Pennsylvania, dating back to the Quaker colony established in 1682 by William Penn, greatly influenced the framers of our Constitution. The early Pennsylvania system provided a model of religious freedom and majority rule as well as a system of separation of power and checks and balances. Pennsylvania has played a central role in the founding of our Nation. The Declaration of Independence signed in Philadelphia and the Constitution was written and adopted by the Constitutional Convention meeting there on September 17, 1787. As I understand the intent of the committee's report language, settings in the city of Philadelphia and other historical locations in Pennsylvania should play a pivotal role in, and receive priority and special consideration in the funding of, activities commemorating the bicentennial of the Constitution. I urge my colleagues to support this important piece of legislation.

Mr. HATCH. I wish to thank Senator Specter for his kind words concerning the work of this committee. Further, I want to state that Philadelphia, as the historical setting for the Constitutional Convention, and other Pennsylvania historical settings should indeed play a central role in the bicentennial of the Constitution and that the important historical settings of Pennsylvania should indeed receive consideration as the Commission exercises its discretion relative to funding activities.

# NATIONAL HANSEN'S DISEASE CENTER AT CARVILLE, LA.

(By request of Mr. Baker, the following statement was ordered to be printed in the Record:)

• Mr. DOMENICI. Mr. President, the following resolution was sent to members of the Senate Budget Committee from the Louisiana House of Representatives. I ask that the resolution be printed in the RECORD for the information of all Senators.

The resolution follows:

#### A CONCURRENT RESOLUTION

Whereas, the Hansen's Disease Center at Carville, Louisiana was established in 1893 by the State of Louisiana and control of the hospital was given to the United States Public Health Service in 1921; and

Whereas, the three hundred fifty-seven bed hospital is the United States' principal center for the treatment of Hansen's Disease; and

Whereas, President Reagan's Fiscal Year 1984 Budget Resolution has deleted \$438,000 from the budget of the National Hansen's Disease Center at Carville, Louisiana: and

Whereas, there is a great possibility that the funds cut from the hospital's budget will result in reductions of hospital personnel and not just reductions in the amount of funds allocated for supplies; and

Whereas, the Subcommittee on Health and the Environment of the Committee on Energy and Commerce of the United States House of Representatives conducted a hearing at the hospital on September 3, 1982, and concluded that no reductions in personnel should be made:

Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the United States Congress is hereby memorialized to reinstate the four hundred thirtyeight thousand dollars cut from the budget of the National Hansen's Disease Center at Carville, Louisiana by President Reagan's Office of Management and Budget.

Be it further resolved that copies of this Resolution be forwarded to the members of the Louisiana Congressional delegation, the members of the congressional budget committees, and to the President's Office of Management and Budget.

ORDERS FOR WEDNESDAY

ORDER FOR RECESS UNTIL 9:30 A.M.

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:30 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF CERTAIN SENATORS

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order four Senators be recognized on special orders of not to exceed 15 minutes each in the following order: Senators Armstrong, Durenberger, Zorinsky, and Nunn.

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

ORDER FOR PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that any time remaining after the execution of the special orders and prior to the hour of 11 a.m. be devoted to the transaction of routine morning business in which Senators may speak for not more than 2 minutes each.

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

ORDER FOR RECESS FROM CONCLUSION OF BUSI-NESS ON TOMORROW UNTIL 10 A.M. THURS-DAY, JULY 21, 1983

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow it stand in recess until the hour of 10 a.m. on Thursday.

The PRESIDING OFFICER. With-

The PRESIDING OFFICER. With out objection, it is so ordered.

# PROGRAM

Mr. BAKER. Mr. President, when the Senate completes its business this evening we will recess until 9:30 a.m.

At 11 a.m., after the two leaders, after the special orders, and after morning business, the Senate will resume consideration of the Department of Defense authorization bill. At that time the Tower amendment will be the pending question.

I anticipate that tomorrow will be a full day and perhaps a late day. As I indicated earlier this week and reiterated this morning, Wednesdays and Thursdays in this sequence should be considered as serious candidates for late evenings.

When we finish on Wednesday, the Senate will come in at 10 a.m. and under the provisions of rule XXII, unless other arrangements are made by unanimous consent, the vote on cloture against further debate on the substitute will occur at 11 a.m. after first ascertaining the presence of a quorum.

If cloture is invoked, the Senate will continue to deal with the substitute amendment until it is disposed of. If cloture is not invoked, a rollcall vote on cloture will occur on the second motion which is against the bill itself.

Mr. President, I yield to the Senator from Colorado.

Mr. HART. Mr. President, I ask unanimous consent that any remarks the Senator from Colorado makes tomorrow will not be considered as a second speech under rule XIX of the Senate rules.

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

Mr. BAKER. Mr. President, that is all I have to address to the Senate.

I inquire of the minority leader if he has anything further he wishes to bring up at this time.

# RECOGNITION OF SENATORS

Mr. BYRD. Mr. President, the majority leader has characteristically been courteous in this regard.

I wish to take 2 or 3 minutes to say that increasingly there has been some irritation, may I say, on this side of the aisle with respect to recognition by the Chair, and I chose this moment to speak because the present occupant of the chair has not been in the chair at those times and so I do not direct my remarks toward any individual Senator. However, I think it should be

made clear for the record that the rules require that the first Senator who stands and addresses the Chair is entitled to recognition.

Customarily, if one or more other Senators are seeking the Chair at the same time the majority leader seeks it, the majority leader is entitled to recognition, not by the rules but by custom, and I will certainly defend that custom strongly, as I have in the past. He is entitled to recognition over any other Senator who may be seeking the floor at that time.

I have never challenged him on that. I have seen in the past minority leaders who have attempted to get recognition when the majority leader was seeking recognition. I know better than that and I would be very surprised to be recognized at that time, and I think I would yield to the majority leader if I were so wrongly recognized.

With the exception of the majority leader, the minority leader is likewise customarily recognized ahead of other Senators. Following that, it has been the custom-and that is why we have the manager of the bill and the ranking minority manager take seats right here where normally the majority and minority leaders sit so they are right in the line of sight of the Presiding Officer-if either manager seeks recognition in competition with other Senators who are seeking recognition, the managers are to be recognized, with the exception of the attempts by the majority and/or the minority leaders.

But if another Senator clearly is seeking recognition before any one of the four heretofore mentioned, under the rules that Senator is entitled to be recognized.

There have been some cases in which Members on my side have sought recognition clearly, and in some cases repeatedly sought recognition, prior to recognition having been sought by a Member of the majority, and I have noted that the Chair has taken time to see if a Member of the majority wishes to be recognized before the Chair recognizes the Member of the minority.

I hope that we would not have problems with recognition. It is a powerful weapon. It is probably the most powerful weapon the majority leader has, with the exception of his also having the votes as well to back him up.

But the decisions of the Chair are discretionary in this regard and cannot be appealed, and that means that the Chair can, if he so wishes, be somewhat arbitrary in the recognition of Senators.

I am not going to say that any presiding Senator is being intentionally arbitrary, but I do think the minority has to be treated fairly in the matter of recognition, and I know of no one who would support that statement

that I have just made more strongly than would the majority leader for whom I do not presume to speak.

I would not want the situation to deteriorate to the point that the majority leader would not be able to get time agreements because of some wounded feeling on the part of a Member of the minority who senses that he has been arbitrarily denied recognition, when under the rules it is clear in a given instance that he should have been recognized because he was the first to stand and clearly address the Chair. I can recognize the difficulty of the Chair. I once sat in the chair 22 hours at one sitting, and sometimes it is difficult for the Chair to determine where the call for recognition is coming from, whether it is over here, over there, or somewhere else, back here, with a number of Senators around the floor talking, and disorder in the Senate. I can appreciate the problem the Chair has in instances of that kind, and for that reason sometimes I have not raised any question because I can understand how difficult it would be at times when a number of Senators are standing, moving around, talking, and it is difficult for the Chair to ascertain the call for recognition is where coming from.

But the Senate, under the rules, cannot make progress if there is not courtesy and fairness in the recognition of Senators.

The Senate really operates a great deal on the basis of unanimous consent, and if a Senator is irritated to the point that he may say, "Well, for the next month I will not give unanimous consent to any time agreements that would impinge greatly on the majority leader's efforts and desires to get on with the Senate's business." I know the majority leader does not want to see that happen.

But here of late, and I have watched this for quite a long time, and I do not think it is done with any malicious intent but I rather suspect that it may be done through misunderstanding on the part of Senators who are new in the Senate, perhaps, in respect to the rules. So I have been slow to say anything about this, but I hear complaints increasingly and I have seen it happen particularly within the last few days. I meant to talk to the majority leader about this and perhaps should have done so before addressing the matter on the floor. I know that he would certainly take care to talk with his colleagues to make sure they understood the rules better governing

There is another thing I should say in this regard and it is that upon the offering of an amendment, technically the offeror of that amendment loses the floor. The moment he offers an amendment he has lost the floor.

Now, customarily, here the Chair,

recognition.

under Democratic control and Repub-

lican control, automatically has often gone back to the offeror of the amendment and recognized him. That is all right so long as no other Senator seeks recognition first. But in actuality the recognition of the Senator who offers the amendment is not automatic. I say these things hoping that Senators will read the RECORD and may find this discussion helpful.

There may be some who, in presiding, feel that the offeror of the amendment automatically is entitled to be recognized after the amendment is read by the clerk but that is not technically correct.

Once the amendment is offered by a Senator then the floor is open to any Senator who may wish to seek recognition.

I do not want to appear to be overly pressing this matter. I merely mean it to be instructive-not that I know all there is to know about the rules and precedents-but I think it might be instructive to Senators because it might prevent acerbity and ill feeling if we have the understanding that the rules provide that the floor is open once a Senator offers an amendment. If he asks unanimous consent that the reading of the amendment be dispensed with it is my judgment that he again technically loses the floor.

Normally in the asking of unanimous consent a Senator does not lose the floor but in this one instance when he has offered an amendment, and if he is again recognized, he has the floor and I should think that his asking unanimous consent that the reading of the amendment be dispensed with does not then cost him the floor under those circumstances. I would like to ask the Chair if that is

The PRESIDING OFFICER. While an amendment is being read, no Senator can gain the floor. Thus, if unanimous consent is granted to dispense with reading of the amendment, the floor is opened up.

Mr. BYRD. So he does gain the floor, if he asks unanimous consent that the reading of the amendment be dispensed with?

The PRESIDING OFFICER. He has already lost the floor by offering the amendment and he cannot regain the floor unless the amendment has either been read or unanimous consent has been granted.

Mr. BYRD. But how is he to ask unanimous consent to dispense with the reading of the amendment if he does not have some kind of recognition?

The PRESIDING OFFICER. It is in the same manner that the Senator can ask unanimous consent for suspension of the quorum call. It is not a question of actually having the floor.

Mr. BYRD. Ordinarily, however, the posing of a unanimous-consent request

does not cause a Senator to lose the floor, am I correct?

The PRESIDING OFFICER. That is

Mr. BYRD. But in the instance of his having offered an amendment the clerk having begun to state it, a Senator who offers the amendment and who asks unanimous consent that further reading of the amendment be dispensed with, by so doing does not retain the floor, is that correct?

The PRESIDING OFFICER. That is correct. He does not retain it.

Mr. BYRD. So in that instance there is an exception to the rule that the posing of a unanimous-consent request does not automatically lose the floor for that Senator.

The PRESIDING OFFICER. It is not the posing of the request that loses the floor but rather it is the offering of the amendment that loses the floor.

Mr. BYRD. I thank the Chair and I hope the discussion has been helpful.

Mr. BAKER, Mr. President, I thank the minority leader. I have remarked more than once he is the undisputed authority on the rules and precedents of the Senate, and I am grateful for

I will also tell him from time to time what little I know about the rules of the Senate I perhaps learned from him. It is no slight intended to the Parliamentarian. I listen intently to these matters, and I soak up these matters. From time to time I learn a little about the elaborate rules and precedents of this body.

I join with the minority leader in pointing out, as indeed I have pointed out, to occupants of the chair from this side of the aisle that the Senator first seeking recognition must be recognized regardless of his party affiliation and his location on the floor or his seniority. If more than one Senator is seeking recognition at the same time that the Chair should recognize the Senators in the order of precedence we have established. I will admonish Members on this side to do this once more, and I thank the Senator for bringing it to my attention.

Mr. BYRD. I thank the Senator, and may I say I have never had any problem, as minority leader, in being recognized. Every occupant of the chair has been most courteous and has recognized me, and I think I know why, because I suspect that the majority leader has made that matter very clear to his membership.

I feel the discussion has been good in that the majority leader's attention has been called to the matter which I think has been increasingly impressed upon me over here. I should have mentioned it to the majority leader first, because I know it would have been taken care of then and there.

But I think there is a purpose to be served in saying this for the record, as well.

Mr. BAKER. Mr. President, I agree with the minority leader.

# EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I am advised the Senator from Arizona is on the way to the floor to speak in morning business.

I ask unanimous consent that the time for the transaction of routine morning business be extended for 10 minutes under the same terms and conditions.

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

# SELECTION OF DR. KISSINGER TO HEAD THE BIPARTISAN COMMISSION ON CENTRAL AMERICAN POLICY

Mr. Deconcini. Mr. President, I applaud President Reagan for establishing a bipartisan commission on Central American policy. I believe that to be an important step toward the formulation and, ultimately, the implementation of policies in that region which will serve the best interests of the United States and the hemisphere during this period of turmoil and change.

I do not believe, however, that the choice of Dr. Henry Kissinger to head that Commission is a wise one. Although Dr. Kissinger is certainly experienced in international affairs and has held high and diverse offices within our Government, his record is not one which suggests that he will

succeed in formulating lasting and effective policies for Central America that would be bipartisan, as suggested by the President.

Dr. Kissinger is unquestionably an international personality—indeed, an international celebrity—whose individual style has done more to promote himself than it has to forward the national interests of the United States, in my judgment.

We should not forget that under the foreign policy leadership of Dr. Kissinger, the United States forged the nowdefunct policy of detente with the Soviet Union-a policy which was suffused with defeatism and which led to a massive downgrading of American defenses which today has come back to haunt us. It is unclear to this Senator-and, I believe to most Americans-exactly how we benefited from detente. In truth, it allowed the Soviet Union to catch up with us technologically and surpass us militarily. Detente lulled America into a false sense of security which was rudely shattered jack-booted Soviet troops when marched through the streets of Afghanistan and Soviet combat forces were discovered 90 miles from our coast in Cuba.

Nor should we simply regard Dr. Kissinger as the architect of one of the most disastrous foreign policy formulations in recent memory. We can also see Dr. Kissinger in a different role during the Vietnam war. Then he acted to subvert the democratic process through secret bombings in Cambodia and a host of other actions which, according to many scholars and critics, prolonged the war without creating an honorable end to it. In the

final analysis, the Kissinger policies in Vietnam caused America to tuck its tail between its legs and make an unceremonious retreat from the country where 50,000 young American men lost their lives.

I do not blame the war in Vietnam on Dr. Kissinger. I point out that his foreign policy directions were wrong and I think that is recognized today.

I recognize that Dr. Kissinger has his fan club, here on Capitol Hill as much as anywhere. And perhaps, because of this, the President was clever in choosing him. But from the point of view of putting together a sound for eign policy where serious American interests can be preserved, Dr. Kissinger is associated, in my mind, with some of the worst and most disastrous foreign policy initiatives in the history of this Republic.

The President would be well advised to put public relations considerations aside, and put Dr. Kissinger aside.

I am sure he can find someone equal to the task to be used effectively in the best interests of this country in forming a bipartisan commission such as on social security and the MX missile.

I thank the Chair.

# RECESS UNTIL TOMORROW AT 9:30 A.M.

Mr. BAKER. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 9:30 a.m. tomorrow.

The motion was agreed to; and the Senate, at 6:52 p.m., recessed until Wednesday, July 20, 1983, at 9:30 a.m.