

way. Morphine was administered intravenously to deaden the pain caused by a brain infection, but he maintained his dignity until the end.

Three of his last visitors at home were my daughter and her husband who took with them my 5-month-old granddaughter to boost his spirits. Both Brad and Ray were able to avail themselves of the services provided by the Ryan White CARE Act, and for this I am forever grateful.

I mention these two names as a very personal example of the loss, but they are but two more names out of almost 250,000 who have died from AIDS in the United States. Ryan White's death proved that AIDS is an equal opportunity killer, and there should be no room for prejudice or discrimination toward those it strikes for, in truth, it can strike anyone.

I urge my colleagues to support this bill, with Ryan White's memory in mind, as well as the memory of each and every American who has died from AIDS.

I thank the Chair. I yield the floor.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I thank the Senator from California, Senator FEINSTEIN, for a very powerful statement. The reasons that she laid out as to why there should be support for this legislation, I think, will particularly help, and I appreciate her comments.

The Senator from North Carolina, Senator HELMS, had some amendments that he wished to offer. Senator BYRD has requested about 10 minutes as in morning business. I think as long as Senator HELMS is not here, I am prepared to offer an amendment as soon as Senator BYRD finishes, if, indeed, Senator HELMS is not here. But I think he is ready to go as well.

I ask unanimous consent that Senator BYRD be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the very distinguished Senator from Kansas, my friend, Senator KASSEBAUM, for her courtesy and kindness.

#### ELIMINATE THE DUAL KEY

Mr. BYRD. Mr. President, today's New York Times reports that the United Nations Secretary General, Mr. Boutros Boutros-Ghali, would "veto NATO airstrikes." Secretary of State Christopher has written to me to clarify the decisions that were made in Brussels. In his letter, Secretary Christopher has stated that "the North Atlantic Council approved detailed planning for the use of substantial NATO airpower to deter or respond to Bosnian Serb attacks on the U.N. safe area of Gorazde. These plans include a broader range of options for command-

ers, who for the first time will have the ability to use NATO airpower within a wide geographic area against a variety of targets which may pose a threat to the safe area." Secretary Christopher goes on to say that "Of equal importance, NATO military authorities were instructed to formulate plans for protecting other safe areas, particularly Bihac, on the basis of the new approach adopted for Gorazde . . . These steps, which confirm decisions taken in London, reflect unanimous Allied endorsement of the substantial change to the dual key previously in effect."

Reinforcing Secretary Christopher's letter, the Secretary General just released a statement that delegates the authority for airstrikes to the military commanders on the ground. In his press statement, the Secretary General says, "on the question of the 'dual key,' the relevant Security Council resolutions call for close coordination between the United Nations and NATO on the use of NATO air power and this is reflected in the NATO decision. In order to streamline decisions taking within the U.N. chain of command when the use of air power is deemed to be necessary, the Secretary General has decided to delegate the necessary authority in this respect to his military commanders in the field." Mr. President, this is consistent with the North Atlantic Council decision agreed upon last night, and is a major step forward.

As a result of a meeting conducted last Friday in London and implemented by the North Atlantic Council of NATO last night in Brussels, NATO has made a decision to take new, positive action in Bosnia to deter and retaliate against Bosnian Serb aggression against at least the U.N.-designated safe areas of Gorazde and Sarajevo. Already, French and British troops have taken action to forcefully reopen the ground route for humanitarian supplies into Sarajevo. The NATO military command is establishing the command and control links and decisionmaking rules to guide NATO operations in Bosnia in fulfillment of the decisions so recently made. The new decisionmaking process would eliminate the veto that has been exercised regularly by U.N. political authorities, frustrating timely and strong alliance action. The Secretary General has agreed with this decision.

This is an important new development, a vital change in the military equation. It is critical to the success of alliance military operations in Bosnia.

Our NATO allies have come to this consensus partially at the behest of the United States, which has urged more forceful action against the Bosnian Serb forces. This decision to retaliate, which has been forcefully communicated to the Bosnian Serb military commander by a trio of United States, United Kingdom, and French generals, commits NATO to punishing and disproportionate airstrikes against any Bosnian Serb military facility or for-

mation anywhere in Bosnia, including Serb headquarters and command and control centers, should the Bosnian Serbs attempt to overrun Gorazde.

The need to make these decisions and these threats credible requires the elimination of the "dual key" to authorizing airstrikes. This "dual key" process, which has required both NATO and U.N. political authorities to authorize airstrikes, has gutted the effectiveness of previous NATO airstrikes undertaken to punish the Serbs for actions against U.N. protection forces or Bosnian civilians. The decisionmaking process has been far too slow, and has been burdened with added requirements to notify the targets of the intended strike, to strike at prearranged times, and to strike at targets that do not disproportionately punish the Serbian forces. These restrictions are militarily foolish, and serve only to set up NATO forces as targets for Serb anti-aircraft fire as they come in over preannounced targets at specified times. Allied air power in Bosnia has been reduced to a farce by the misguided political calculations of U.N. civilian officials.

These restrictions do not pertain to the retaliation that has been outlined for NATO. NATO retaliatory airstrikes will be swift, unannounced, and directed at targets of NATO's choosing, encompassing any Bosnian Serb military facility or formation. These strikes will be disproportionate and massive, rather than the pinpricks that have been conducted in the past. NATO has resolved to continue, to punish the Serbs even if they resort again to such dastardly tactics as using U.N. personnel or civilians as human shields to protect their military facilities. Regarding military action in the face of hostage-taking, the presumption outlined in the NATO decision is that operations will go forward.

According to the North Atlantic Council decisions last night, the strikes will take place when NATO and U.N. military commanders—military commanders, not civilian authorities—determine that Serb preparations pose a threat to Gorazde. The chain of command stops at the military level, not at the political level, according to the North Atlantic Council decision document.

Under the "dual key" process, U.N. civilians are allowed to make military decisions, which does not and has never made military sense. Once a decision has been made by civilian authorities to carry out airstrikes, military commanders should be, and must be, trusted to carry out that decision in the most effective manner, and in a manner that best protects their striking forces. NATO commanders must be given the freedom of action to make good military judgments, to strike at targets that pose the greatest danger to NATO, and to strike at targets that will inflict the greatest damage to the Serb forces. This is what is necessary to let the Serb forces know that this

time, we mean business. Peaceniks at the United Nations cannot be allowed to overturn military options to the tragedy in Bosnia. New York should be out of the Bosnia loop.

At the United Nations, political entanglements also entangle military operations. Aside from decisions being made by United Nations civilians with little or no military experience, opportunities exist for Bosnian Serb supporters to undermine the effectiveness of NATO airstrikes. I understand that the Russians are opposed to the NATO decision to undertake airstrikes against the Bosnian Serb forces, but this is understandable. Russia has ancient ties to the Serbs of both Serbia and Bosnia, ties of religion and of history. But Russia, with its vote on the United Nations Security Council, should not be allowed to jeopardize NATO decisions and NATO actions. Russia is not, at least not yet, a member of NATO. I respect the views of those who would acknowledge Russian concerns in this matter, but I venture to surmise that the Russians would not allow consideration of NATO's views to handcuff decisions made and actions taken by Russian military forces, regardless of the voice and veto of NATO members on the United Nations Security Council.

I believe that, differences over the passage of the bill lifting the arms embargo aside, the Members of this body are united in opposition to the existing and cumbersome "dual key" decision-making process. It has been a critical element in the failure of the United Nations operation in Bosnia, and it has been a critical element in the failure of previous NATO attempts to shore up the U.N. operations in Bosnia. If the action taken to lift the embargo leads to the departure of the United Nations or our European allies from Bosnia, with all the danger that operation might entail, the elimination of this "dual key" becomes even more important. If the United States participates in the withdrawal, as President Clinton has suggested, I believe we all would agree that we do not want the United Nations in a position to crimp NATO's ability to react.

The Secretary General's statement is an endorsement of the major change in the way NATO does business in Bosnia. It will permit allied air power to do what it is designed to do, as characterized by the following statement from the NATO Secretary General, which is that "there is a strong feeling among Allies that such operations, once they are launched, will not lightly be discontinued. In the face of the inherent strike, the Alliance is determined."

Mr. President, I ask unanimous consent to have printed in the RECORD pertinent materials.

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

THE SECRETARY OF STATE,  
Washington, July 26, 1995.

Hon. ROBERT C. BYRD,  
U.S. Senate.

DEAR SENATOR BYRD: Working with our NATO Allies, the United States has embarked on a stronger and firmer approach to preserving the UN mission in Bosnia. New command and control arrangements agreed to in Brussels last night, combined with British and French decisiveness in using their Rapid Reaction Forces to secure routes into Sarajevo, are vivid examples of our heightened resolve.

Last night in Brussels, NATO acted resolutely to confirm and implement decisions taken at last week's International Meeting on Bosnia in London. After intensive review by NATO military authorities, the North Atlantic Council approved detailed planning for use of substantial NATO airpower to deter or respond to Bosnian Serb attacks on the UN safe area of Gorazde. These plans include a broader range of options for commanders, who for the first time will have the ability to use NATO airpower within a wide geographic area against a variety of targets which may pose a threat to the safe area.

Of equal importance, NATO military authorities were instructed to formulate plans for protecting other safe areas, particularly Bihac, on the basis of the new approach adopted for Gorazde. Authority for the decisions taken at NATO already exists under current UN Security Council resolutions. NATO Secretary General Claes communicated the NATO decisions to UN Secretary General Boutros-Ghali last night.

These steps, which confirm decisions taken in London, reflect unanimous Allied endorsement of a substantial change to the dual key previously in effect. This would be accomplished through the anticipated new delegation of authority from UN and NATO political authorities to theater and field commanders, consistent with military practices.

These new arrangements will ensure that the use of airpower is substantial and decisive. They are consistent with the requirements of the U.S. military and have its endorsement. The Alliance recognizes that there are risks involved in use of substantial airpower, but will not be deterred. In short, there will be no more pinpricks.

I hope the Administration can count on your support.

Sincerely,

WARREN CHRISTOPHER.

[From the New York Times, July 26, 1995]  
NATO GIVES U.N. OFFICIALS VETO ON  
AIRSTRIKES IN BOSNIA  
(By Craig R. Whitney)

BRUSSELS, Wednesday, July 26—Four days after the United States, Britain, and France threatened the Bosnian Serbs with the heaviest air strikes yet if they attacked the Muslim enclave of Gorazde, NATO officials said early this morning that they had agreed that no large-scale bombing could start unless United Nations civilian officials gave the go-ahead.

Far from doing away with the cumbersome "dual key" arrangement that the United States says has hampered NATO's ability to protect United Nations peacekeepers on the ground, the NATO allies in effect have sided with United Nations Secretary-General Boutros Boutros-Ghali, who has been saying nobody could take his key away from him.

The allies agreed to make what one NATO official called a "strong recommendation" to Mr. Boutros-Ghali to leave it to his military field commanders on the ground in Gorazde and elsewhere to decide when the time had come to start bombing the Serbs if they attacked.

But since Mr. Boutros-Ghali has been extremely cautious about approving air strikes in the past, what was meant to sound like a roar in London four days ago appeared likely to have been throttled down to something more like a growl by the time NATO ambassadors finished grappling with it in the small hours of Wednesday morning.

"It's falling apart," an American military officer said of the previous allied indications that in the event of an imminent attack on Gorazde, military leaders could decide on their own to proceed with bombing of the Serbs. (Field commanders already have the authority to call in close air support in the midst of battle, though that power has seldom been used.)

A senior NATO diplomat said as the Brussels meeting dragged on, "What we came up with tonight has to be endorsed by Boutros Boutros-Ghali." As for the "dual key" arrangement, he said, "We have to live with it."

The main pressure to preserve a decision-making role for Mr. Boutros-Ghali came from Britain and France. With nearly 15,000 soldiers on the ground in Bosnia who could suffer the consequences if bombing and Serb reactions to it spiral out of control, the countries pressed, in effect, for a series of political fire walls against precipitate American action from the air.

In particular, French officials deny that they ever agreed last Friday in London to launch automatically what the American Secretary of Defense William Perry called a "disproportionate response" to an attack on Gorazde. Americans had emerged from the London meeting describing an agreement to sidestep the Secretary General, but apparently that was exaggerated.

The emerging decision would represent a serious setback for the United States, which wanted the allies to leave all decisions on bombing from now on to NATO officers and United Nations military commanders on the ground in Bosnia.

An American diplomat said, "We're just trying to get the best deal we can."

NATO ambassadors endorsed a detailed military plan prepared by their uniformed chiefs and then planned to call on Mr. Boutros-Ghali to delegate to as low a level as possible his authority to approve air strikes if the Serbs attacked designated "safe areas" in Bosnia, one participant said.

The allies took two full days and part of a third to decide what to do about Gorazde despite the fact that most of them had been present in London when the problem was discussed last Friday. And NATO has had authority to bomb Bosnian Serb heavy weapons in Gorazde and all the other United Nations-designated "safe areas" in Bosnia since April of 1994.

The senior United Nations commander in Bosnia, Gen. Rupert Smith of Britain, has frequently reached agreement with his NATO counterpart, Adm. Leighton Smith of NATO's Southern Command in Naples, an American, on conducting air strikes.

In the past, some of these have then been vetoed by Gen. Bernard Janvier, the overall commander of United Nations peacekeepers in the former Yugoslavia, but many more have been disapproved by Mr. Boutros-Ghali or his civilian representative there, Yasushi Akashi.

While the plan discussed here was devised to deter a Bosnian Serb attack on Gorazde, NATO officials said they would try to adapt it as quickly as possible for the western Bosnian enclave of Bihac, where Bosnian Serbs, Croatian Serbs, and renegade Muslim forces are fighting Bosnian Government troops.

Mr. Boutros-Ghali, who has insisted on retaining ultimate authority over air attacks

ever since last week's tough talk in London by American officials about cutting him out of the decision-making process, was to be informed of the allies' latest decision by NATO Secretary-General Willy Klaes.

The coldest feet here apparently belonged to Britain and France. "We have to have at least a nihil obstat from the United Nations at the political level, in the most practical and least obstructive way possible," one French official explained, referring to the Vatican's expression when approving a book for publication. Officials said that Britain, too, was adamant about keeping the United Nations in the decision-making loop as far as possible.

But the allies said that Mr. Boutros-Ghali would need no additional Security Council resolutions to authorize his subordinate military commanders to approve a bombing campaign. If he asked for such a resolution, Russia would almost certainly veto it. The Russian Foreign Minister, Andrei V. Kozyrev, refused to go along with the London threat last week.

The allies also agreed that they would have to meet again before any decision to actually begin a campaign of widespread air strikes against Bosnian Serb air defenses and other military targets, and that Mr. Boutros-Ghali would have to agree that it should go ahead, officials said.

Mr. Boutros-Ghali attended last Friday's meeting in London, where the U.S., Britain, and France promised "substantial and decisive response" to any attack on Gorazde, but he said little publicly there.

President Jacques Chirac had described the London decisions to threaten bombing as "not entirely what we were hoping for." He has pressed for a thousand British and French troops to be dispatched to reinforce the United Nations peacekeepers in Gorazde.

Mr. BYRD. I thank again the distinguished Senator from Kansas for her courtesy, and the Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. President, I see my colleague from California on the floor. I understand she would like to address the Senate.

#### RYAN WHITE CARE REAUTHORIZATION ACT

The Senate continued with the consideration of the bill.

Mrs. BOXER. Mr. President, thank you so much. I rise in support, very strong support, of the Ryan White CARE Act. I want to thank my friend and colleague from Massachusetts for giving me just a short period of time to make a few remarks.

I hope I will not have to rush back to the floor to defend against harmful amendments and mean-spirited amendments that attempt to drive a wedge between Members.

The way I view life, we are all God's children, and when we are sick, we should help each other. That is what this bill is all about.

I also want to thank the Senator from Kansas, the chairman of the committee, for moving this legislation to where it is today. It certainly means a lot to many people across this great country that we are responding to the AIDS epidemic.

Indeed, it is an epidemic. An estimated 150,000 people infected with HIV

are living in California. That is a huge number of people, Mr. President, who are looking to Members for help. We cannot solve every problem for every person. We know that. But the Ryan White CARE Act is the basis for having matching dollars flow into our communities, to help those who need it most. The Ryan White CARE Act provides funding for health care and supportive services for people living with AIDS.

Title I of the act talks about the cities that are under great stress and great duress because of this epidemic. In California, we have seven title I cities: San Francisco, Los Angeles, Oakland, Anaheim in Orange County, Riverside/San Bernardino, San Diego, and Santa Rosa/Petaluma. Two more cities, San Jose and Sacramento, unfortunately, are expected to qualify for funding next year. I say "unfortunately" because it means that the devastation of AIDS continues to spread to new cities—not only in my State of California, Mr. President, but across this great Nation.

Through this act, we provide funding for statewide programs that reimburse patients for the cost of medicine. They provide insurance coverage and health and supportive services. And, title III(B) supports community-based health care clinics that are so important to outpatient services.

Title IV, Mr. President, supports pediatric, adolescent, and family HIV care programs.

Mr. President, at this point I want to mention a name of a woman who died who had dedicated her life to making sure that we paid attention to pediatric AIDS. That is Elizabeth Glaser, one of the greatest people I have ever met in my entire life. I feel blessed that somehow I crossed her path in my life.

This is a woman who saw tragedy, who got the HIV virus through a transfusion, and unknowingly—because it was so early in the epidemic—passed it on to two children. Her husband, Michael, who has taken up the cause, has lost so much love from his life, but yet he remains dedicated to making sure we find a cure for AIDS, and that we prevent the AIDS virus being transmitted from the pregnant woman to her child.

We are seeing some breakthroughs, Mr. President, in this regard. The early use of AZT seems to work in many, many cases so that the children do not get HIV and they are born healthy.

It is very important that we continue the Ryan White CARE Act and all the titles in the Ryan White Act. We know the Ryan White CARE Act is cost effective. The lifetime cost of treating a person with AIDS is over \$100,000, with an average yearly cost of \$38,000. People say, why do we spend money in the Federal Government? In this case and in other cases we could point to, we really save money in the end, because this act works to keep people out of the hospital where the care is the most expensive. It allows individuals to con-

tinue on with productive lives in their communities.

One California study found that individuals receiving managed outpatient care services spent 8 less days in the hospital, saving \$22,000 per person, or a total of \$13 million in health care costs per year.

Mr. President, I hope that my colleagues on the committee are aware of this program supported by the Ryan White CARE Act. Senator FEINSTEIN mentioned it in her wonderful opening remarks today. There is a program that operates in California called Project Open Hand. Saturday, I went to visit the program. I was really moved to see the kind of community spirit that this program promotes. We talk about saving money. This program feeds people with HIV and AIDS who need that kind of help, people who may be too tired or too sick to cook healthful meals for themselves.

It is interesting to note that there are huge donations to Project Open Hand, and an enormous number of volunteers. When we look over the budget, 18 percent of the budget comes from Ryan White funds, but all of rest of it flows into the program in a 5-to-1 ratio. The Ryan White money brings in a match of almost 5 to 1 to Project Open Hand, which serves more than 1,000 people every day. It is extraordinary to see the way it is done.

I watched them prepare the meals there. They have different diets for different people. Some have to be no salt, some low salt—and it is all done in a way that is so efficient. So many volunteers give of themselves.

Mr. President, even with Ryan White funds, title I cities have tremendous unmet needs. For example, in California, 62 percent of those in need of HIV primary care do not receive those services in Los Angeles; 73 percent of people with HIV in Orange County cannot get case management services; 45,000 publicly-funded home health care visits are needed for people with AIDS and HIV in Alameda County and there are no funds to help people with their transportation costs. They have no way to get to outpatient clinics.

Mr. President, 40 percent of HIV infected individuals in Riverside and San Bernardino County—which we call the inland empire in California, that is inland from the coast—40 percent of those HIV-infected individuals there are receiving services through the Ryan White CARE Act because they have no health insurance whatsoever.

In San Diego, we have at least 900 additional people with AIDS in its system who were diagnosed and reported elsewhere. In other words, they came from Mexico and other areas to get treatment in San Diego, so there is a terrible problem there.

An estimated 1,000 people with HIV are homeless in San Francisco.

So, in conclusion, to my friends whom I thank so very much for bringing this bill forward, this bill is crucial. It is crucial to people with HIV