terrific thing for our country. They do not tell you the other half of the story. Imports from China are up 46 times—not triple, 46 times. They went from $1 billion to $51 billion. So the people that give you only half the story say, gee, we have tripled our exports to China, but they don't tell you that the amount of imports from China are up 46 times.

Now, just a short trade quiz. To which countries did the United States export more goods than it did to China in 1996? Did we import more goods to Australia than we do to China? China has 1.2 billion people. Did we export more to Australia than to China? What about Belgium? Did we export more to Belgium than China or Brazil or the Netherlands or Singapore? Did we export more to those countries than China? To which of these countries did we export more than to China? The answer is, all of them. We are a sponge for China, sending us all of their goods. Very close to half of all Chinese exports come to the United States of America.

What does China buy from us? Well, here is what they buy from us. In the trade flow with China they buy cereal, textile fibers, fertilizers, and some aircraft. What do we buy from China? Electronics, heavy machinery, toys and games, and footwear. This trade relationship is not fair, it does not make sense, and it weakens our country.

All of the debate here in Congress is about the most-favored-nation status and human rights. I was in China the day they sent Wang Dan to prison—I think for 9 years—sent him to prison because he criticized the government. If you criticize this Government, is somebody going to send you to prison? No, we have something called a Constitution. You are welcome to criticize this Government. It is part of what this country is about; the hallmark of freedom is free speech. In China, Wang Dan found free speech might be free but only up to a limit. You criticize your government, you spend years and years in prison.

So, human rights are important. Yes, we ought to be concerned about human rights with respect to China and with respect to most-favored-nation status. But even if the human rights issue were addressed and even if that issue were resolved, what about the abiding trade problem with China with respect to the imbalance of trade, a $40 billion trade deficit and growing? What about that? What about the other deficit, the trade deficit?

This administration and this Congress needs to deal with the other deficit, and that is part of this issue. I hope the journalists, newspapers, and others would also start writing about this, carry some op-ed pieces about it. You cannot even get this information in an op-ed piece. They will not carry it.

What about the $40 billion trade deficit? Why ought not we as Americans expect that if we buy all of these goods from China, they ought to buy a massive quantity of American-manufactured goods as well? China says it wants airplanes, needs airplanes. Guess what? Instead of saying we will buy your airplanes manufactured in the United States, they say we want American manufacturers to manufacture their airplanes in China. It makes no sense. That is not fair trade.

We will have a discussion this month about most-favored-nation status with China, and yes, part of it should be about the issue of human rights. But part of it also needs to be about the abiding, growing and dangerous trade deficit that we now have with China and about reciprocal trade treatment that would require China to understand that when it sells into our marketplace, it must also then buy in the American marketplace goods that China needs and uses.

(The remarks of Mr. DORGAN pertaining to the introduction of S. 989 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The PRESIDING OFFICER. The Senate will now resume consideration of S. 936, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 936) to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Cochran/Durbin amendment No. 420, to require a license to export computers with composite theoretical performance equal to or greater than 2,000 million theoretical operations per second.

Grams Amendment No. 422 (to amendment No. 420), to require the Comptroller General of the United States to conduct a study on the availability and potential risks relating to the sale of certain computers.

Coverdell (for Inhofe/Coverdell/Cleland) amendment No. 423, to define depot-level maintenance and repair, to limit contracting for depot-level maintenance and repair at installations approved for closure or realignment in 1995, and to modify authorities and requirements relating to the performance of core logistics functions.

Mr. LUGAR addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. LUGAR. Mr. President, momentarily, when the draft of my amendment arrives, I will send it to the desk. For the moment, I will simply mention that the amendment I am about to offer, I will offer on behalf of myself, Senator BINGAMAN, Senator DOMENICI, and Senator LEVIN.

Mr. President, I indicate that additional original cosponsors will be Senators HAGEL, JEFFORDS, CHAFEE, SPECTER, D'AMATO, FRIST, GORTON, SNOWE, COLLINS, KENNEDY, BIDEN, KERREY of Nebraska, LIEBERMAN, BYRD, REED of Rhode Island, DASCHLE, and ROBB.

I want to especially recognize Senator DOMENICI for his contribution to our work on this amendment.

Mr. President, let me state at the outset that Congress established, in 1991, with strong bipartisan support, what is known as the Nunn-Lugar Cooperative Threat Reduction Program, the CTR.

Last year, the Senate, in a 96 to 0 vote, amended and enlarged this important program through the Nunn-Lugar-Domenici legislation entitled the Defense Against Weapons of Mass Destruction Act.

The CTR program at the Department of Defense, along with its companion programs at the Department of Energy—namely, the Materials Protection Control and Accounting Program [MPC&A] and the International Nuclear Safety Program—have played significant roles in our efforts to reduce the risk to the United States from loose nukes and the dangers inherent in the operations of Soviet-designed nuclear reactors.

Each of these programs plays a key role in enhancing stability around the world and contributes to circumscribing the threats that emanate from weapons and materials of mass destruction.

The defense authorization bill for fiscal year 1998, as reported out of the Committee on Armed Services, cut the funding for the Cooperative Threat Reduction Program and the Materials Protection, Control and Accounting Program and totally eliminated all funding for the International Nuclear Safety Program.

Our amendment is designed to restore the funding cuts in these three programs.

REDUCTION IN THE CTR REQUEST

Mr. President, the Armed Services Committee has recommended a cut of $60 million in the President's request of $382.2 million for the fiscal year 1998 for the Cooperative Threat Reduction Program. The sponsors of this amendment believe that this is a mistake.

The Nunn-Lugar program's impact on the threat posed by former Soviet weapons of mass destruction can be measured in the 81 ICBM's destroyed, 125 ICBM silos eliminated, 20 bombers destroyed, 64 SLBM launchers eliminated, 58 nuclear test tunnels sealed, and the 4,500 warheads taken off strategic systems aimed at us—Mr. President, let me repeat that, 4,500 former Soviet warheads which were pointed at the United States have been removed by the Nunn-Lugar program—all at a

cost of less than one-third of 1 percent of the Department of Defense's annual budget. Without our Cooperation Threat Reduction Program, Ukraine, Kazakstan, and Belarus would still have thousands of nuclear weapons. Instead, all three countries are nuclear-weapons-free.

Although the CTR Program has accomplished much, much work essential to U.S. national security interests remains to be done. This includes:

The elimination of ICBM's, SLBM's, and heavy bombers as required under the START I Treaty, followed by START II and perhaps START III; increase safety and security for the transport and storage of remaining Russian nuclear warheads; an end to production of weapons-grade plutonium; chemical weapons reduction; and other efforts to reduce weapons of mass destruction in the former Soviet Union and the threat of proliferation.

The President's fiscal year 1998 budget request of $382.2 million was a barebones request based on a difficult prioritization of potential projects.

Stated simply, Mr. President, there are tens of things which need to be done, a long list prioritized and squeezed into the $382.2 million bare bones request. Many programs that the Congress supported in the past failed to make the list. Indeed, there are several key projects that cannot be funded even at the $382.2 million level which would accelerate our strategic arms elimination programs in Russia and Ukraine.

I am told that the committee reduction in the President's request was motivated in part because:

Unobligated moneys remain for Belarus, which cannot be spent as long as that country has not been recertified for the CTR program; the Government of Japan has suggested it might purchase fissile material containers for a major CTR project at Mayak in Russia, thereby freeing up some CTR funds previously planned for that project; and finally, unobligated funds for the Cooperative Threat Reduction Programs.

In fact, Mr. President, there are no extra funds available. There are no unobligated funds that have not been designated for specific projects and specific countries.

BELARUS DECERTIFICATION

The decision by the President not to recertify Belarus for the time being resulted in $37.2 million that cannot be obligated until Belarus is certified. The Department of Defense plans to use $15 million of this sum to partially fund a classified project that has been briefed to Members and notified to the Congress. A copy of that notification is available in S–407 for any Member to read. The remainder of the Belarus funds are intended to remain in reserve to implement previously notified projects in Belarus in the event that Belarus is recertified in fiscal year 1998.

Mr. President, I support the maintenance of these funds in a reserve to implement previously notified projects. Even though the SS–25's have left Belarus for Russia, much remains to be done in the area of strategic system infrastructure elimination. SS–25's are mobile; they could be returned under certain circumstances. Thus, while Belarus is currently nuclear weapons free, much remains to be done to insure that it remains in that status.

JAPANESE CONTAINER PURCHASE

The Japanese are negotiating with the United States manufacturer, Westinghouse, to purchase some fissile material storage containers for a storage facility at Mayak, Russia. This project is a major component of the CTR program. While the Department of Defense is not yet certain how many, if any, the Japanese will purchase, it could be that a Japanese purchase would decrease the DOD requirements for container purchases by as much as $15 million. Accordingly, the Department of Defense plans to use this $15 million to augment some of the funds from the Belarus account for the classified project. The remaining fiscal year 1997 container funding in the amount of $23.5 million are being notified to Congress to enable purchase of containers to complete the 50,000 container requirement.

In short, Mr. President, the Congress has been notified on a new, classified nonproliferation project which will use all of the CTR funds no longer needed for fissile material container, and many of the obligated funds previously planned for Belarus in the event Belarus is not recertified. This project is important and time-sensitive and deserves our support.

UNOBLIGATED CTR FUNDS

Mr. President, the issue of unobligated CTR funds is an annual one. Inevitable delays in obligating funds in a given fiscal year result from the annual certification process, a very complicated process from the beginning of the nonnuclear legislative efforts in 1991.

For example, the Department of Defense did not have authority to spend fiscal year 1997 CTR funds until April 1997, following completion of the certification process and notification to Congress of intent to obligate the fiscal year 1997 funds.

Mr. President, this means simply that well over half of the year was consumed due to the legislative requirements of the certification process and the notification of intent to Congress.

Over the life of the CTR Program, DOD has notified to the Congress intent to obligate approximately $1.8 billion. Of this amount, $1.3 billion has been obligated, and an additional $38.5 million soon will be notified. Therefore, DOD has $513 million—not $700 million—in currently unobligated CTR funds.

For fiscal year 1997, DOD has so far obligated $208 million, with plans to obligate another $200 million by the end of the fiscal year. As defined in the CTR Multi-year Program Plan reported to Congress earlier this month, the remaining $313 million in unobligated funds have been committed to specific countries by signed agreement and are earmarked for specific CTR projects. For example, we have agreements and have earmarked funds for SS–18 ICBM elimination in Russia and SS–24 elimination in Ukraine.

The bottom line, Mr. President, is that execution of these funds has been thoroughly planned, and agreements with recipient nations have been signed to allow this assistance for eliminating these strategic systems to proceed per the DOD plan.

THE MATERIAL PROTECTION, CONTROL, AND ACCOUNTING PROGRAM

Mr. President, let me turn to the second program for which we seek to restore full funding through this amendment—this is, the Material Protection, Control, and Accounting Program.

Mr. President, most Members can appreciate the direct benefits to our security from assisting in the elimination of strategic weapons systems targeted on the United States. Perhaps more difficult to comprehend is the threat posed by the potential leakage of weapons-grade nuclear materials.

The Material Protection, Control, and Accounting Program seeks to secure hundreds of tons of weapons-usable nuclear materials in the former Soviet Union and elsewhere which are inadequately secured and are at risk of falling into the hands of criminal elements, terrorist organizations and rogue states. In sort, this programs works to prevent the theft or diversion of weapons-usable materials—plutonium and highly enriched uranium.

The Department of Energy, in cooperation with Russia, the newly independent states, and the Baltic States, has put in place equipment at 18 sites to safeguard plutonium and weapons-usable uranium, and agreements are in place to enhance safety and security at over 30 additional sites, including research laboratories and storage sites. If this program is reduced by the $25 million recommended by the committee, there would be delays of at least 2 years in securing these sites and an estimated increased cost of $70 million.

In short, Mr. President, after a slow start in the early 1990's, MPC&A improvements are now underway at over 50 sites in Russia, the new independent states, and the Baltic States. Let me give some specific examples: MPC&A upgrades at Obninsk and Kurchatov in Russia have radically improved security for several tons of weapons-usable material; upgraded MPC&A systems for all weapons-usable nuclear materials in Latvia, Lithuania, Uzbekistan, Georgia, and Belarus are complete; nuclear material detectors have been installed at all pedestrian pathways at the Siberian Chemical Combine (Tomsk–7) and the Chelyabinsk–70 nuclear weapons design institute. These monitors provide a major improvement to the security of many tons of weapons-usable nuclear material at these

sites; a national MPC&A training center has been established at Obninsk, Russia, with support from DOE and the European Union; by the end of this month, more than 1,000 nuclear specialists from the former Soviet Union will have participated in MPC&A training courses and technical exchanges under the auspices of the program; work is underway to strengthen Russia's nuclear regulatory system; and MPC&A upgrades for the Russian Navy, some 8 to 10 facilities in 1998, the icebreaker fleet, and for nuclear materials during transportation are underway at several sites.

Mr. President, it is noteworthy that the National Research Council recently completed an independent external assessment of this MPC&A program, and the National Research Council concluded; and I quote:

U.S. commitment to the program should be sustained and funding should be continued at least at the level of FY 1996 (funding) for several more years, and increased if high-impact opportunities arise.

In short, the Energy Department through this program has enhanced the security surrounding hundreds of tons of nuclear weapons material, but the vast majority of material remains poorly secured.

Mr. President, fiscal year 1998 is one of the peak-activity years for the program, with work in progress at all large Russian nuclear sites compromising many hundreds of tons of highly enriched uranium and plutonium. If we reduce the fiscal year 1998 budget by $25 million, it would kill program momentum, a momentum based on years of negotiations, confidence building, and windows of opportunity.

Mr. President, if we do not restore these program cuts, then I fear that work that has already been done to secure U.S. security interests and establish project foundations would need to be done again at considerable financial, time, and political costs. These costs would be especially great for the high-priority dismantlement and navy sites that we are attempting to secure. For example, security of fresh highly enriched uranium naval fuels is at a crucial stage. It is the largest project with the Russian Ministry of Defense—a key player in the overall nuclear-material security picture. It is crucial to maintain the program momentum. Security upgrades at the first facility are underway, and 6 to 12 additional facilities will be targeted in the 1998–2002 timeframe.

Mr. President, the bottom line is that, in my judgment, the MPC&A Program is one of the two most critical programs the U.S. Government conducts for ensuring the strategic national security of this country. It ranks alongside the equally critical Stockpile Stewardship Program for maintaining the credibility and reliability of the U.S. nuclear deterrent.

INTERNATIONAL NUCLEAR SAFETY PROGRAM

Last, Mr. President, our amendment seeks to restore funds to the International Nuclear Safety Program. The Department of Energy is working with the international community to increase nuclear safety worldwide, particularly in those countries of Eastern and Central Europe and the former Soviet Union that operate Soviet-design nuclear reactors.

The program's focus is on projects that improve the operation, physical condition, and safety culture at nuclear power plants; the establishment of nuclear safety centers in the United States and countries of the former Soviet Union; and technical leadership to promote sound management of nuclear materials and facilities.

Mr. President, by way of background, it should be noted that the 1986 Chernobyl nuclear reactor disaster highlighted the dangers associated with all operating Soviet-designed nuclear power reactors, particularly those of the older, Chernobyl-type design. The safety of these reactors is very much in the interest of the United States. Another nuclear accident could well destabilize political and economic conditions in the nascent democracies of the former Soviet Union and Eastern Europe and cost the United States vast sums in relief assistance.

This International Nuclear Safety initiative is designed to address, through cooperative and technical innovation, the serious global problems in the interrelated fields of nuclear safety and nonproliferation. This activity involves engineers, manufacturers, and scientists from many countries, and upon the DOE expertise in nuclear matters and our national laboratories to conduct this cooperation.

Thus far, Mr. President, the Department of Energy has implemented under this program more than 150 plant-specific safety projects, involving 17 plant sites throughout the former Soviet Union and Eastern and Central Europe, eight design and scientific institutes, and 21 United States commercial companies. Already, under this program, a number of key activities have been completed, including:

Establishing nuclear safety training centers in Russia and Ukraine; transferring United States-style emergency operating procedures to a major Russian plant; completing nuclear safety system improvements at three Russian plants; and establishing the Ukraine International Research Center on Nuclear Safety, Radioactive Waste, and Radioecology.

Mr. President, this last program activity is particularly important. The objectives of the Ukraine Center, located near the Chernobyl plant, include: Providing support for safety improvements for all nuclear power plants in Ukraine; to providing a focal point for international cooperation in addressing the environmental, health and safety issues created by the Chernobyl accident; and reducing the socioeconomic impacts of closing the Chernobyl plant.

Mr. President, the Department of Energy also implements the United States program to assist Ukraine in shutting down the Chernobyl nuclear power plant, including measures for dealing with the deteriorating sarcophagus covering the damaged unit. These activities, however, are funded through another program.

Mr. President, unless we restore the moneys to this program as this amendment seeks to do, we will be unable to proceed with some priority activities in 1998, that include:

Management and operational safety improvements at Soviet-designed nuclear power sites; engineering and technology upgrades at Soviet-designed nuclear power sites; additional detailed plant-specific safety assessments; assistance in the development of an independent nuclear regulator; and support for international nuclear safety data exchanges and cooperative research and development between the Russian International Nuclear Safety Center and the United States Center at Argonne National Laboratory in Idaho.

This program is part of a larger international effort designed to reduce the risks inherent in these Soviet-designed reactors in the near term and to assist Russia and the newly independent states to implement self-sustaining nuclear safety programs and to achieve international nuclear reactor safety norms.

Mr. President, I cannot assure this body that if we fully restore the funding for this program, another Chernobyl will never take place. But I can say that this program request is one of the best policy instruments available to reduce the risk that the world will face another Chernobyl-like disaster.

In summary, our proposed amendment would restore the cuts made by the committee to these programs: $60 million in the cooperative threat reduction programs; $25 million to the MPC&A Program; and $50 million to the International Nuclear Safety Program.

In my view, failure to restore these funds to these important programs could have severe consequences. It could diminish our ability to further reduce the prospect that terrorist or rogue states would acquire weapons-grade material; it could diminish our ability to assist in the permanent removal of missiles, launchers, and other delivery vehicles from the former Soviet strategic arsenal; and it could handcuff our ability, in cooperation with others, to improve operating safety at high-risk nuclear reactor sites in the former Soviet Union and elsewhere, and thus dramatically reduce the risk of further Chernobyls.

I am most hopeful that all of my colleagues will support this amendment.

Mr. President, I ask unanimous consent to lay aside the Grams amendment.

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

AMENDMENT NO. 658

(Purpose: To increase (with offsets) the funding, and to improve the authority, for cooperative threat reduction programs and related Department of Energy programs)

Mr. LUGAR. Mr. President, I send my amendment to the desk and ask unanimous consent it be made in order.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Indiana [Mr. LUGAR], for himself, Mr. HAGEL, Mr. JEFFORDS, Mr. CHAFEE, Mr. SPECTER, Mr. D'AMATO, Mr. FRIST, Mr. GORTON, Ms. SNOWE, Ms. COLLINS, Mr. KENNEDY, Mr. BIDEN, Mr. KERREY, Mr. LIEBERMAN, Mr. BYRD, Mr. REED, Mr. DASCHLE, Mr. ROBB, Mr. BINGAMAN, Mr. DOMENICI, and Mr. LEVIN proposes an amendment numbered 658.

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

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

The amendment is as follows:

On page 272, between lines 1 and 2, insert the following:

SEC. 1009. COOPERATIVE THREAT REDUCTION PROGRAMS AND RELATED DEPARTMENT OF ENERGY PROGRAMS.

(a) DECREASE IN AUTHORIZATION OF APPROPRIATIONS FOR ENVIRONMENTAL MANAGEMENT SCIENCE PROGRAM.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 3102(f) is hereby decreased by $40,000,000.

(b) DECREASE IN AUTHORIZATION OF APPROPRIATIONS FOR ENVIRONMENT, SAFETY AND HEALTH, DEFENSE.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 3103(6) is hereby decreased by $19,000,000.

(c) DECREASE IN AUTHORIZATION OF APPROPRIATIONS FOR OTHER PROCUREMENT, NAVY.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 102(c)(5) is hereby decreased by $56,000,000.

(d) DECREASE IN AUTHORIZATION OF APPROPRIATIONS FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—Notwithstanding any other provision of law, the amount authorized to be appropriated by section 301(5) is hereby decreased by $20,000,000.

(e) INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR FORMER SOVIET UNION THREAT REDUCTION PROGRAMS.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 301(22) is hereby increased by $60,000,000.

(f) INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF ENERGY FOR OTHER DEFENSE ACTIVITIES.—Notwithstanding any other provision of this Act, the total amount authorized to be appropriated by section 3103 is hereby increased by $56,000,000.

(g) INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF ENERGY FOR ARMS CONTROLS.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 3103(1)(B) is hereby increased by $25,000,000 (in addition to any increase under subsection (e) that is allocated to the authorization of appropriations under such section 3103(1)(B)).

(h) AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF ENERGY FOR INTERNATIONAL NUCLEAR SAFETY PROGRAMS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1998 for other defense activities in carrying out programs relating to international nuclear safety that are necessary for national security in the amount of $50,000,000.

(i) TRAINING FOR UNITED STATES BORDER SECURITY.—Section 1421 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2725; 50 U.S.C. 2331) is amended—

(1) by striking out ''and'' at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following:

''(4) training programs and assistance relating to the use of such equipment, materials, and technology and for the development of programs relating to such use.''.

(j) INTERNATIONAL BORDER SECURITY THROUGH FISCAL YEAR 1999.—Section 1424(b) of the National Defense Authorization Act for Fiscal Year 1997 (110 Stat. 2726; 10 U.S.C. 2333(b)) is amended by adding at the end the following: ''Amounts available under the proceeding sentence shall be available until September 30, 1999.''.

(j) AUTHORITY TO VARY AMOUNTS AVAILABLE FOR COOPERATIVE THREAT REDUCTION PROGRAMS.—(1) Section 1502(b) of the National Defense Authorization Act for Fiscal Year 1997 (110 Stat. 2732) is amended—

(A) in the subsection heading, by striking out ''LIMITED''; and

(B) in the first sentence of paragraph (1), by striking out '', but not in excess of 115 percent of that amount''.

(2) Section 1202(b) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 469) is amended—

(A) in the subsection heading, by striking out ''LIMITED''; and

(B) in the first sentence of paragraph (1), by striking out '', but not in excess of 115 percent of that amount''.

Mr. LUGAR. Mr. President, I thank the Chair, I thank Members for allowing me to offer this important amendment at this time, and I reiterate my hopes that all colleagues will support this activity. I point out the debate describes the substantial achievements of the cooperative threat reduction programs. The difficulty is always getting moneys through the pipeline, but I believe the statement I have given is self-explanatory with regard to these major issues.

Mr. LEVIN. Mr. President, I wonder if the Senator from Indiana would respond to this question before I make my own statement in strong support of his amendment, in gratitude for his amendment, and his leadership in this area. Did I understand the Senator said that he asked consent to lay his amendment aside?

Mr. LUGAR. No. May I respond to the distinguished Senator. I asked the Grams amendment be laid aside and then, having gotten agreement by the Chair, I sent my amendment to the desk and asked for unanimous consent it be made in order, which the Chair granted.

Mr. LEVIN. I thank the Senator. We are hopeful this amendment can be accepted, so I am glad this amendment would not be laid aside. Again, I commend the Senator from Indiana for the extraordinary leadership that he and Senator Nunn, when Senator Nunn was in this body, have shown in this area which contributes so much to the security of this Nation.

One of the most cost-effective and successful defense programs that we have to reduce threats to our country and to enhance our national security is the Cooperative Threat Reduction Program that Senator LUGAR and Senator Nunn started in 1991. This program at the Department of Defense, and its companion programs at the Department of Energy, have produced important results in reducing the threat of proliferation of weapons of mass destruction, including nuclear, chemical and biological weapons and their materials. I was disappointed that the bill before the Senate, as it came before the Senate, does not authorize the funding level requested by the administration for these important programs, so I fully support the Lugar amendment.

In addition to commending Senator LUGAR, I particularly want to commend Senator BINGAMAN for his effort to restore these funds during the Armed Services Committee markup process. Since 1991, these threat reduction programs helped three Newly Independent States, Ukraine, Belarus, and Kazakhstan, to completely rid themselves of some 6,000 nuclear weapons that they inherited from the former Soviet Union. The CTR programs have also permitted Russia to implement the START I treaty ahead of schedule, helping eliminate over 800 Russian nuclear missiles and bombers. These are weapons that will never again threaten the United States.

The Department of Energy has worked to secure tons of nuclear weapons materials, primarily plutonium and highly enriched uranium, that were and to a significant extent still are under inadequate safeguards and vulnerable to theft or diversion. Keeping these dangerous materials out of the hands of would-be proliferators reduces the likelihood that nuclear weapons will threaten us. There is just no more important thing that we can do for our Nation's security than to secure these nuclear materials and to eliminate these missiles.

The job, though, is only partly finished, and much more needs to be done. That is why it was so disappointing that the committee bill reduced the budget request for these programs by $135 million, including a reduction of $60 million for the Department of Defense cooperative threat reduction programs; a reduction of $25 million for the Department of Energy Materials Protection, Control and Accounting Program; and a reduction of $50 million, which was the total amount requested for the DOE International Nuclear Safety Program.

Given the great concern that the committee has appropriately expressed for the danger of nuclear, chemical and biological weapons and materials and the committee's interest in taking steps to reduce this danger, those reductions were surprising indeed. In my view we should be considering what additional efforts we can take to reduce these threats. While the threat from such proliferation is more likely and immediate than the threat from a ballistic missile attack on the United

States, Congress has pushed to increase funding for national missile defense while reducing funding for cooperative threat reduction. We are underfunding the latter program at our clear peril.

There are numerous cooperative threat reduction programs that need to be funded on an urgent basis. For example, Ukraine decided in mid-May to eliminate all of its SS–24 intercontinental ballistic missiles, a decision which the United States encouraged and welcomed. We should help Ukraine eliminate these missiles so that they can never again be used.

Furthermore, there remain large quantities of nuclear materials that need to be secured and accounted for. The list of unfunded cooperative threat reduction and related DOE projects is long and it represents an urgent opportunity for the United States to take tangible and permanent steps to reduce threats to our security. For a tiny fraction of the defense budget we can accomplish extraordinary gains. The proliferation in nuclear safety problems remains considerably larger and more serious than the response has been so far.

One of the allegations which was made which supported these cuts in committee was that there was $700 million in unobligated cooperative threat reduction funds floating around, and thus it was argued that the cooperative threat reduction programs could absorb a $60 million cut. But that is not the case. The cooperative threat reduction has $513 million in unobligated funds but of this, $200 million will be obligated by the end of the year and all of the remaining $313 million has been committed to specific countries by signed agreements.

On another part of this program, which was the reduction in the DOE Materials Protection, Control and Accounting Program, by the end of June 1997, all of the fiscal year 1997 funds were obligated and sent to the laboratories for implementation. The assumption that the 1998 fiscal year request can be reduced and offset with uncosted balances from fiscal year 1997 or fiscal year 1996 without programmatic impact is incorrect. The net result of a reduction of fiscal year 1998 funds would be a reduction in the planned programmatic activities. There is a critical need for this program. The materials protection, control and accounting programs have a clear and direct relationship to the national security policy of reducing the amount of fissile material available for threat or diversion.

So, I hope we can be fully up to the challenge of taking advantage of this opportunity to eliminate some of the most serious threats to our security. In order to take advantage of this opportunity, we must at least fully fund these threat-reduction and safety programs at the requested level. I hope in the future the administration and the Congress will agree to provide higher levels of funding for these programs, which, again, are as important to our national security as any programs that I know. So, I am pleased to join as a cosponsor of the Lugar amendment and I hope all of our colleagues will support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, behind me are some charts that may help Members understand the issues that we are discussing today. I cited, in my opening statement, as did the distinguished Senator from Michigan, the extraordinary work that has been done with cooperative threat reduction over the years. This chart makes it graphically clear—4,500 warheads deactivated. The background of this situation was one that, at the end of the Soviet Union, the time of the dissolution of the Soviet Union, a number of military officers came to this country from Russia, a number came from Ukraine and Belarus, Kazakhstan and other new states—but the four that I cite originally were all nuclear states, and the questions they posed to the administration of our country and Members of Congress who are interested in this, was strictly, we believe—they said, ''You have a vested interest in working with us to deactivate warheads,'' and indeed we did. Mr. President, these 4,500 warheads that have been deactivated were all aimed at us. That is the heart of the cooperative threat reduction programs—cooperation in reducing the threat to us, of warheads aimed at us.

Likewise, 99 ICBM's have been destroyed. They are no longer in the picture at all, in the process of working through, especially, the nonnuclear status for Ukraine, for Kazakhstan; 140 ICBM silos have been eliminated, they are totally out of the picture, in cooperative threat reduction; 20 bombers have been destroyed, and so forth.

From time to time over the 6 years of the cooperative threat Nunn-Lugar reduction program debates, Members come on this scene—perhaps new to the entire argument—and ask why are we spending money in Russia? Why are we working with Russians on nuclear matters? Mr. President, we are working with Russians to destroy ICBM's, silos, warheads that are aimed at us. In my judgment we ought to do as much of this as we can. I would simply say the thought that some moneys might be nibbled away from the program simply does not meet the security needs of our country. Clearly, we ought to have a high-priority reactivation of all projects that will lead to our security in this area.

Mr. President, let me describe a process that has been discussed in each of the last 6 years. It is namely how do you get from the priority of what you want to do, to money that is available, obligated, and spent? The cooperative threat reduction programs each year have many challenges to overcome before funds can be obligated. In my opening statement I cited the fact it was April of this year before the funds the Congress appropriated last October could get into action. Why? Because, from the very beginning of the Nunn-Lugar CTR program, an extraordinary number of procedural challenges have been placed in the legislation.

They were placed there by those who were, frankly, skeptical that money ought to be spent with the Russians for any purpose. But, in any event, by April of this year, we finally had gone through all the hoops of that situation.

The program requires government-to-government agreement, negotiations then with Russia, with Ukraine, with Kazakhstan, with Belarus, to establish the legal framework for each of these transactions. Each of the implementing agreements has to be negotiated for each project with the ministry responsible in that country for the project.

Once the agreements are in place by country, by project, by ministry, then a definition phase of the project can begin and that can be lengthy as the Department of Defense negotiates the details with the recipient country.

Then a contracting process follows. The Department of Defense uses its standard Federal acquisition regulations for all CTR assistance, normally contracting with United States firms to provide that assistance. That assistance mandates free and open competition and maximum protection of taxpayer dollars, but it is lengthy, Mr. President, having gone through all the hoops of the implementing arrangements and the requirement definitions, then the contracting process, identically the same as it is with the Department of Defense for everything else in the world with U.S. firms, open competition. All of that must occur.

Finally, on an annual basis, DOD must certify the recipient nations are still eligible. We have heard now that Belarus is not, for a variety of reasons, but may become eligible again as its politics and situation may change. Our security problems, with regard to Belarus and those weapons, have not changed, I might add. But once certification, again, is complete, DOD must notify Congress in considerable detail as to how it intends to obligate the appropriated funds. After that notification, and only after that notification, can new agreements of amendments to the existing implementing agreements be negotiated, and only then can DOD obligate the funds which begin the procurement cycle.

Mr. President, from time to time during this 6-year period of time, this lengthy process of certification and notification and renegotiation and bidding and notification of Congress has taken so long that the whole fiscal year is complete, appropriations committees have taken the moneys off the table, and we go back through the whole process of reappropriating what already had been appropriated.

I do not argue with the procedures. I simply say they are tediously careful

to make sure that everybody has a very good idea of precisely what is occurring, how U.S. firms, in competition with each other, might deal with it and with full notification of the Congress of all of this.

I reiterated this because I heard in the distinguished other body debate during which it was blandly asserted that there is plenty of money in the pipeline. The argument in the other body no longer centered around the validity of the program but simply said there is lots of money available, no need, really, to further appropriate any more.

I am asserting there is no more money available, as a matter of fact, for a long list of priority things our country should do for our own security, and to nibble away and cut pieces here and there is not in our national interest, it is not good public policy, and that is why it is time to take time to simply reiterate, through the charts, that dollar for dollar, year for year the money is obligated, it is called for, it is spoken for, it is competed for, and it is examined.

Mr. President, we ought to get on with the process so that there is no ambiguity if we want to continue to work with the Russians to destroy ICBM's, take warheads off ICBM's, if we want to contain fissile material that is dangerous, if we want to work with Chernobyl-type reactors so they don't explode, not only creating damage in the countries in which the explosion occurs, but through the fallout damage throughout the world.

This is grim and serious business. For these reasons, I really ask strong support of our amendment. I thank the Chair.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I want to speak briefly in support of this amendment that Senator LUGAR has offered and commend him for his leadership on this very important issue. Senator LUGAR and Senator Nunn established this program, promoted this program, and have led the Senate in gaining support for this program over these last several years. I see it as one of the few shining examples that we can point to to indicate that we are aware of the new reality, the new post-cold-war reality that we face with Russia and with other former Soviet Union countries.

Let me briefly describe, as Senator LUGAR has and Senator LEVIN has, what the amendment does. It would add or restore to the bill before us amounts that were cut at the subcommittee level to get it back to the level of funding that the administration requested in three different areas. One is what is referred to as MPC&A funds—that stands for materials protection control and accounting funds—for the Department of Energy. The second is $50 million being restored for the International Nuclear Safety Program, again, in the Department of Energy. And the third item is $60 million that is being restored in the cooperative threat reduction programs which are operated and administered by the Department of Defense.

Mr. President, the legislative provisions that accompany this provide greater flexibility in administering the CTR Program. They allow fiscal year 1997 funds for international border security to be available for obligation for 3 years and allow the Customs Service to use fiscal year 1997 funds that were provided to purchase new equipment to also be used to provide assistance to employees to allow that new equipment to be fully integrated into the operations of the Customs Service.

This amendment and the funds that these programs contain are intended to reduce the danger of so-called loose nukes, or nuclear weapons that might fall into the hands of terrorists, might fall into the hands of people not authorized to have those weapons; also, to help reduce the danger that fissile material, material that is essential to making of new nuclear weapons, not fall into those same hands. The funds are intended to help destroy ICBM silos and launchers in the former Soviet Union and to generally help reduce the risk in the near term from the operation of Soviet-designed nuclear powerplants.

Mr. President, the arguments have been well laid out by Senator LUGAR and Senator LEVIN, as well. This is a program that has accomplished a tremendous amount already in reducing the risk of nuclear weapons.

I had the good fortune earlier this year, about 2 months ago, to travel to Russia and to visit some of the facilities that we are spending funds at to work on these cooperative programs with the Russians. I traveled there with Mr. Paul Robinson, who is head of Sandia National Laboratory, and with others who work with him at Sandia National Laboratory on these cooperative threat reduction programs and Department of Energy programs. I also traveled there with others from the Department of Energy Los Alamos National Laboratory. The general impression I received in visiting Chelyabinsk-70, which is one of the closed cities that the Russians established in order to develop and promote their nuclear weapons activity, the general impression was that these funds are being extremely well used and are, in fact, increasing the security that surrounds fissile materials and other materials that could be used in connection with nuclear weapons.

We met with Minister Mikhaylov who is head of the Ministry of Atomic Energy, MINATOM, and, again, I was impressed with the willingness to continue the cooperation to work with our own Department of Energy in making progress on these programs.

We met with admirals from the Russian Navy. They have a very significant problem of fresh uranium that can be used as fuel in their nuclear reactors, how to secure that, how to protect it from possible seizure by terrorists. They clearly wanted our help. They are obtaining our help. They need substantially more help in the years ahead. I felt good about the level of cooperation that is occurring there.

My general conclusion from the trip was the same as the one stated by Senator LUGAR in his statement earlier, and that is that there is a long list of useful projects that funds in these programs can be put to. We are not short of useful activities to work on. The contrary is the case. There are a great many things that the Russians need to do to protect and to reduce the risk of theft of nuclear materials. We are just now beginning to make serious progress on that. The funds that will be restored by this amendment are essential to making that progress. I very much believe that when you look at the entire U.S. defense budget and say, which of the funds are the most cost-effective, where are we getting the most national security return for the dollars spent, the funds being spent in these programs are clearly very high on that list.

So I urge my colleagues to support this amendment, and I hope that we can get a unanimous vote. This is a program that needs bipartisan support. This is not a program that should become the subject of partisan dispute in the U.S. Senate. It is too important to our safety and to our future and to the future of the world for us to find ourselves in some kind of partisan dispute over funds like this or programs like these.

Mr. President, in concluding, I ask unanimous consent that a letter to me from the Secretary of Energy, Federico Peña, dated June 19, expressing his strong support for this amendment be printed in the RECORD.

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

THE SECRETARY OF ENERGY,
Washington, DC, June 19, 1997.

Hon. JEFF BINGAMAN,
Ranking Minority Member, Subcommittee on Strategic Forces, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR SENATOR BINGAMAN: I am writing to offer my strong support for an amendment that I understand will be offered in the Senate to restore the Administration's budget request for the Department of Energy's Materials Protection, Control and Accounting and International Nuclear Safety programs. Additionally, I support restoration of funds for the Department of Defense Cooperative Threat Reduction program. These programs serve vital U.S. national security interests and seek to forestall the far greater costs that could result from inadequately secured nuclear material and weapons or a nuclear accident like Chornobyl.

The Materials Protection Control and Accounting (MPC&A) program is working to secure hundreds of tons of weapon-usable nuclear materials in the former Soviet Union that are inadequately secured and at risk of falling into the hands of criminal elements, terrorist organizations and rogue nations. If the program were reduced by $25 million as recommended by the Committee, there will

be a significant increase in total program costs and a delay in achieving the program objectives by approximately two years. Time and program momentum matter. Less than three years ago, we secured kilograms of material at one site in Russia. Today, the MPC&A program has secured tens of tons of material at 25 sites, and is working at a total of 50 sites where nuclear material is at risk in Russia, the Newly Independent States, and the Baltics. However, unless funds are restored to this program, the work that could secure hundreds of tons of nuclear material at the largest defense-related sites will be in jeopardy. I urge your support for full funding to continue this vital work.

The International Nuclear Safety program is the best policy instrument available to ensure that the world will not face another Chornobyl-like disaster. It is vital to our overall national security goal of helping to stabilize the former Soviet Union. It supports the independence of Ukraine and Lithuania and the emerging free market democracies of Central and Eastern Europe. The focus is on projects that improve the operation and physical condition of nuclear power plants in the region. The program also enhances the nuclear safety culture and regulatory infrastructure of countries with Soviet designed reactors. Such reactors left behind by the Soviet government continue to operate with deficiencies that, if not corrected, could result in a serious nuclear accident that would severely impact the region's political and economic stability, the environment and our national interests. Restoration of the $50 million program request is essential to help prevent that from happening.

The Cooperative Threat Reduction (CTR) program has been essential to destroying and dismantling hundreds of ballistic missile launchers, silos, heavy bombers and removal of warheads from strategic systems. Without this program, Ukraine, Belarus and Kazakstan might retain nuclear weapons, instead of being nuclear weapons free. The CTR program also supports implementation of an agreement between the U.S. and Russia to ensure that production of weapons-grade plutonium in Russia is stopped by converting the three plutonium production reactors exclusively to a power-producing mode. I support the complete restoration of funds to this vitally important program.

In each of the three areas mentioned, the costs of preventive are much less than the costs of inaction. I urge you to uphold America's leadership, interests and commitments by preserving and fully funding these essential programs.

Sincerely,

FEDERICO PEÑA.

Mr. BINGAMAN. Mr. President, 6 years ago, the Congress voted to take some dramatic steps to reduce the threat of nuclear terrorism when it approved the Nunn-Lugar Cooperative Threat Reduction Program—CTR. Since that time, as a result of work being done by CTR programs, over 1,400 nuclear warheads that were aimed at the United States or our allies have been removed; 64 submarine ballistic missile launchers have been eliminated; 54 intercontinental ballistic missile silos, 61 SS–18 ICBM's, and 23 strategic bombers have been eliminated. Today, Ukraine, Belarus, and Kazakhstan no longer have any nuclear weapons with which to threaten the United States or our allies.

Support for the Cooperative Threat Reduction Program has run high and enjoys bipartisan support. Last year in the Senate, in a 96-to-0 vote, we enacted the Nunn-Lugar-Domenici Defense Against Weapons of Mass Destruction. This program and its companion programs in the Department of Energy have repeatedly withstood attempts to undo the progress that has been made in reducing the threat of nuclear terror. Legislators from both sides of the aisle are able to see the important benefits to the United States, and to understand the need to move beyond cold war attitudes that prevent us from meeting today's national security needs to prevent nuclear terrorism.

This year, the Senate Armed Services Committee voted along partisan lines to cut $135 million from the CTR Program, the Materials Protection Control and Accounting Program, and the International Nuclear Safety Program. The benefits gained from those programs are so important that I must appeal to my colleagues on the floor of the Senate to restore those funds so we can continue the valuable work being done to minimize the possibility that some person or some rogue country could threaten the United States or any other nation with nuclear weapons.

I've already mentioned some of the benefits gained through the CTR Program. Much more work remains to be done to dismantle Russian missile launchers, silos, and aircraft. I urge my colleagues to continue to support this program which reduces the threat to the United States in such a direct manner. The $60 million cut by partisan vote in the committee should be restored in order to continue work that is essential to our national security interests.

The Materials Protection Control and Accounting—MPC&A—Program in the Department of Energy—DOE—is intended to prevent theft of smuggling of nuclear materials that could be used in nuclear weapons or for other forms of terrorism. DOE has put security equipment in place at 18 sites to safeguard those nuclear materials, and agreements are in place to expand security procedures and equipment at 30 additional sites. I recently observed the work being done by this program first hand during a visit to Russia's nuclear research facilities. I felt relieved to know that the Russians are now better able to control and monitor their own nuclear materials than ever before. I am also aware, however, that the Russians have hundreds of nuclear sites needing additional security measures to prevent theft and unauthorized use. A great deal of work needs to be done, and it is important that the Congress continue to fully fund the MPC&A Program in our own national security interest. I ask my colleagues in the Senate to support our amendment to restore $25 million to the MPC&A Program so that this valuable work can continue without pause.

The committee also voted on partisan lines to cut all of the funding requested for the International Nuclear Safety Program—INSP. This program began in the wake of international concerns over the damage done by the Chernobyl nuclear reactor disaster. The Russians continue to operate reactors that are similar in design to the one at Chernobyl, and that pose a similar risk of a catastrophic accident. The INSP Program, managed by the Department of Energy, is designed to reduce those risks for Russia's older reactors and to help Russia and Newly Independent States to establish self-sustaining nuclear safety programs that enable them to reach international nuclear reactor safety standards. It is in our national and international interest to do what we can to ensure that those reactors are safe. I urge my colleagues to vote to restore this important program.

As I suggested earlier, the Congress has repeatedly demonstrated its conviction that CTR, MPC&A, INSP, and related programs serve our national security interests. To those who say these programs are a form of foreign aid to the Russians, I concur that ultimately the Russians must assume full responsibility for these programs. Until they are financially and technologically capable of doing so, it is essential to our own interests that we assist them in putting effective security programs into place. We know how expensive it is to support the strategic offensive and defensive weapons systems designed to ensure our security against nuclear weapons. We also know how dangerous and vulnerable this country could be to nuclear terrorism which, in some cases, we may not be able to effectively protect ourselves from. For those modest expenditures for CTR, MPC&A, and INSP, we buy ourselves a significant measure of security worth many times the funds invested. I urge my colleagues in the Senate to continue their bipartisan support for these programs and vote to restore their funding.

Mr. President, I yield the floor.

Mr. LUGAR addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I ask unanimous consent that a strong letter of support from the Secretary of State, Madeleine Albright, and a strong letter of support from William Cohen, Secretary of Defense, for our amendment be printed in the RECORD.

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

THE SECRETARY OF STATE,
Washington, DC, June 24, 1997.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services, U.S. Senate.

DEAR MR. CHAIRMAN: I am writing to urge you to support restoration of the $135 million cut from the FY 98 Defense Authorization Bill by the Senate Armed Services Committee for three key arms control and nonproliferation initiatives: the Cooperative Threat Reduction Program, the Material Protection Control and Accounting program and the International Nuclear Safety program.

Reducing threats to U.S. national security from the former Soviet arsenal of nuclear, chemical and biological weapons continues to be one of our highest security priorities. Ukraine, Belarus and Kazakstan are today nuclear weapons-free, largely through encouragement and direct assistance from the DOD Cooperative Threat Reduction program. This program has been essential to the destruction and/or dismantlement of nuclear weapons.

The Department of Energy's Material Protection and Accounting (MPC&A) program and its International Nuclear Safety program are also providing essential assistance. The MPC&A program is targeted at improving the security of nuclear material at 40 facilities in the former Soviet Union. Over time, this could prove just as productive as the initial Cooperative Threat Reduction programs in eliminating nuclear weapons. The International Nuclear Safety program, a principal instrument of our efforts to improve the safety of Soviet-era civilian nuclear power reactors, could head off another Chernobyl in the New Independent States and the countries of Eastern and Central Europe.

Congressional reductions in these programs risk eroding our ability to come up with solutions to important security problems and undermine the effectiveness of our initiatives in this region. These programs are making a difference against today's threats to the American people. I urge your support in restoring these funds.

Sincerely,

MADELEINE K. ALBRIGHT.

THE SECRETARY OF DEFENSE,
Washington, DC, June 19, 1997.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Senate Armed Services Committee (SASC) reduced by $60 million the President's budget request for the Cooperative Threat Reduction (CTR) program during its consideration of S. 450, the National Defense Authorization Act for Fiscal Year 1998. This cut to CTR funding undermines our ability to accomplish the program's important national security goals for FY98, and will put at risk the objectives for fiscal year 1999. I strongly urge the Senate to restore the full CTR request.

The CTR program has been essential to the reduction of hundreds of submarine-launched ballistic missile launchers, intercontinental ballistic missile silos and heavy bombers in the former Soviet Union, and to the removal of 4000 warheads from strategic systems. Without CTR, Ukraine, Belarus and Kazakstan might still have thousands of nuclear weapons; instead, they are all nuclear-weapons-free. Although the CTR program has accomplished much, essential work remains to be done. This includes: the elimination of intercontinental ballistic missiles and silos, submarine-launched ballistic missile launchers and heavy bombers under START I, followed by START II and III; increased safety and security for the transport and storage of remaining Russian nuclear warheads; an end to production of weapons-grade plutonium; chemical weapons destruction; and other efforts to reduce weapons of mass destruction in the former Soviet Union and the threat of their proliferation.

Contrary to the SASC rationale for the cut, the loss to the program cannot be made up with prior years' funds. All unobligated CTR funds have already been earmarked for specific projects. The FY98 budget request of $382.2 million is a bare-bones request based on a difficult prioritization of a long list of potential projects. Indeed, there are several worthwhile projects, which would accelerate our strategic arms elimination program sin Russia and Ukraine, that we are not able to fund at even the $382.2 million level. The CTR program is achieving demonstrable results with a very tight budget.

Again, I strongly urge the Senate to support this important national security program.

Sincerely,

BILL COHEN.

AMENDMENT NO. 658, AS MODIFIED

Mr. LUGAR. Mr. President, I ask unanimous consent to modify my amendment. On page 2 of the amendment, change line 12, which currently reads, ''$56 million'' to ''$40 million.'' I send that modification to the desk.

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

The modification follows:

On page 2 of the amendment change line 12, which currently reads ''$56 million'' to ''40 million dollars''.

Mr. LEVIN. Mr. President, Senator BIDEN of Delaware, who is a cochairman of the Senate's NATO Observer Group, is necessarily absent to attend the NATO summit in Madrid. Senator BIDEN is an initial cosponsor of Senator LUGAR's and my amendment, and I ask unanimous consent that his statement of strong support for this amendment be printed in the RECORD.

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

● Mr. BIDEN. The amendment of Senator LUGAR and others will correct a situation that threatens the very security of the United States. Unless recent efforts to cut the Nunn-Lugar Cooperative Threat Reduction Program and similar programs of the Department of Energy are overturned, we and our children will all be in greater danger. I am proud to be an original cosponsor of this amendment and I urge my colleagues to support it.

The administration's request for the important Nunn-Lugar program is for $382.2 million. Last week, the Armed Services Committee cut $60 million from that important program. At the same time, the House National Security Committee cut $97.5 million from the Nunn-Lugar account, and reportedly those cuts were from different parts of the program. Thus, over 40 percent of the Nunn-Lugar program is now at risk.

The Armed Services Committee also cut $25 million from the Energy Department's program of international assistance in nuclear materials protection, control and accountability, as well as all $50 million in its program of international nuclear safety assistance. The former program is vital to protecting the American people against the diversion of nuclear material from former Soviet laboratories to countries like Iran, Iraq or Libya that would like to build or buy nuclear weapons. It also helps keep nuclear material out of the hands of terrorists, who could use it to poison innocent people in Moscow or Tokyo or Tel Aviv—or right here in Washington. Nuclear safety assistance helps guard against future Chernobyl incidents, which pose fallout dangers far beyond the borders of the former Soviet countries in which they might occur.

The Nunn-Lugar program makes significant contributions to the national security of our country. Through this program, we have helped Russia to remove over 1,400 strategic nuclear warheads from deployment sites to storage areas, to await dismantlement. We have helped Russia to eliminate 64 SLBM launchers, 54 ICBM silo launchers, 61 SS–18 ICBM's and 23 strategic bombers. And we have helped Belarus, Kazakstan, and Ukraine to eliminate their strategic nuclear forces and to repatriate all their nuclear warheads to Russia.

But the work of the Nunn-Lugar program is far from completed. Over 400 Russian SLBM launchers remain to be eliminated. Nearly 100 ICBM silo launchers must still be destroyed, along with over 190 SS–18 missiles and another 7 strategic bombers. Over 130 tunnels must be closed at a former nuclear test site in Kazakstan. Massive stocks of old, but still very dangerous, chemical weapons must be destroyed. And security must be improved in Russian storage and transportation of nuclear material.

There are two basic ways to increase our national security. One is to maintain the finest military and intelligence services in the world. We do that, and I am very glad that we do.

But we do that at great expense, and at some risk. For none of us can guarantee that nuclear deterrence will work forever, especially in a Russia where troops and officers and nuclear scientists go for months without pay—Russia where, within the past year, generals and lab directors have closed the door to their offices and put bullets through their heads, out of despair over what has happened to their programs and their personnel.

The other basic way to increase our national security is to work with potential foes to reduce the threat that they pose to U.S. interests or U.S. forces. We do some of this through arms control agreements, but often we wonder whether other countries are obeying those agreements.

The Nunn-Lugar program is a way to make sure that Russia and other former Soviet states actually do reduce their bloated strategic nuclear forces. It isn't free. The administration has asked for $382 million for this program in fiscal year 1998.

But let's put that in perspective. The defense budget reported out by the Armed Services Committee is $268 billion. So a fully-funded Nunn-Lugar program would cost only one-seventh of 1 percent of the defense budget. The Armed Services Committee added $2.6 billion to the administration's request for defense spending. So the Nunn-Lugar program costs only 14 percent of the increase. And the Armed Services Committee's cut in this program could be restored using only 2.3 percent of that increase.

The Energy Department's program of international assistance in nuclear materials protection, control and accountability—known as MPC&A—is similarly vital to our national security. Just as the Nunn-Lugar program helps the Russian military to improve its security for nuclear materials, the MPC&A program helps dozens of laboratories in the former Soviet Union to improve their security for nuclear materials.

What are we talking about here? Often it's as simple as bars on the windows, locks on the doors, and doors that will take more than a crowbar to open. Just as often, however, the need is for completely revised accountability schemes so that institutions with nuclear materials will always know where those materials are. That is a complicated task, and it requires a change in mind-set as much as changes in forms or procedures.

DOD personnel who participate in Nunn-Lugar programs can relate to the military officers who man Russia's strategic nuclear forces. But it takes scientists to build peer relationships at former Soviet laboratories and spread the word about nuclear control.

Just last month, a committee of the National Research Council [NRC]—an arm of the National Academy of Sciences—reported that the MPC&A program is beginning to have some real success. The NRC committee says: ''progress attributable to the joint efforts of U.S. and Russian specialists in MPC&A greatly accelerated in 1995 and 1996'' and calls that ''a significant political and organizational achievement.''

At the same time, however, the NRC committee found that ''the task has not been completed at any Russian facility and serious efforts are only beginning at most facilities.'' The committee says that ''much remains to be done.'' Its principal recommendation on this program is as follows:

> For the near term it is essential that the United States sustain its involvement until counterpart institutions are in a position to assume the full burden of upgrading and maintaining MPC&A programs over the long term.

This program is just taking off. If you cut it back now, it may crash. But if, instead, we sustain and encourage this program, we can help former Soviet scientists to turn around what remains, frankly, a truly dangerous situation.

President Yeltsin can assure us, as he does, that Russia would never give or sell a nuclear weapon to another state. But he cannot assure us today that the dozens of Russian laboratories with nuclear materials will not let potential weapons material leak out to criminals, or to terrorists, or to rogue states that we know are willing to pay good money for the material and technology that would enable them to threaten the peace of the world and of our country.

President Yeltsin cannot, by himself, turn this situation around. But we can help him, and that is what the MPC&A program does.

I do not pretend to know what should be cut in the defense bill. But I do know that Nunn-Lugar and the similar Energy Department program are not cash cows to be milked for other defense purposes.

Just as Senator J. William Fullbright will always be remembered for the Fullbright fellowship program, so will Senators SAM NUNN and DICK LUGAR be remembered for the simple, brilliant idea that it's more humane and a lot cheaper to pay for destroying Russian weapons than it is to fight against them. Nunn-Lugar Cooperative Threat Reduction projects and the Energy Department's MPC&A and International Nuclear Safety assistance are vital programs. They are successful programs. And they deserve our full support.

I urge my colleagues to vote for Senator LUGAR's amendment, which will help make this a safer world for all of us.●

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HAGEL. 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. HAGEL. Mr. President, I returned with six of my colleagues over the weekend from a day in Bosnia. Majority Leader LOTT and five of our other colleagues spent the Fourth of July early in the morning until late at night with our troops and officials in Bosnia.

I think it is appropriate that as we debate the fiscal year 1998 defense authorization bill we reflect just for a moment on the men and women on the ground in Bosnia and the men and women who secure our liberties around the world.

Much of the debate, much of the policy reflect numbers, reflect general overall direction. Increasingly, that policy direction is debated, and should be. But we tend to forget the humanness, the very men and women of what our Armed Forces are all about.

As my colleagues and I, on the Fourth of July in Bosnia, spent a great deal of time with the 8,500 American men and women who are part of that large contingent in Bosnia, I could not help but reflect on what an outstanding job these men and women do for this country, for peace, stability around the world.

I want to add the human dynamic to this debate today, and that will go into tomorrow, on the DOD authorization bill. Because, after all, it is the men and women who are on the ground who are there every day and every night who secure those liberties, for not only this country but for the people in the area of Bosnia.

I tend to think also, when I was an infantryman in Vietnam in 1968, our policy in Vietnam might have been better served, Mr. President, if the Secretary of Defense and more Members of the House and the Senate had come to Vietnam, had spent time with the troops, listening to what they think, listening to their issues and concerns and qualifications, and not unlike wars and peacekeeping missions throughout our history it still is the man and the woman on the ground that we count on to secure those liberties.

Mr. President, I appreciate the time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THURMOND. 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. THURMOND. Mr. President, I ask unanimous consent to lay the amendment of Senator LUGAR aside temporarily, and we will come back to it.

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

AMENDMENT NO. 718

(Purpose: To increase the amount required to be derived from sales of strategic and critical materials in the National Defense Stockpile by fiscal year 2007)

Mr. THURMOND. Mr. President, I offer a technical amendment to ensure that the revenues received from stockpile sales are sufficient to offset the cost associated with other provisions of the bill.

Mr. LEVIN. The amendment has been cleared on this side.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from South Carolina [Mr. THURMOND] proposes an amendment numbered 718.

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

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

The amendment is as follows:

> On page 460, line 6, strike out ''$295,886,000'' and insert in lieu thereof ''$331,886,000''.

Mr. THURMOND. I believe this amendment has been cleared by the other side. I urge the Senate adopt this amendment.

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

The amendment (No. 718) was agreed to.

Mr. THURMOND. I move to reconsider the vote.

Mr. LEVIN. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 719

(Purpose: To clarify the protections relating to disclosures of classified material to Congress)

Mr. LEVIN. Mr. President, I offer an amendment that would clarify and refine the language contained in section 1068 of the bill by deleting a reference to disclosure of information by making explicit that the provision does not affect existing law relating to contract or whistle-blowers.

I believe this amendment has been cleared by the other side.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 719.

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

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

The amendment is as follows:

On page 339, line 14, strike out ''the executive branch or''.

On page 340, between lines 16 and 17, insert the following:

(d) DISCLOSURES OF CLASSIFIED INFORMATION TO CONGRESS OR THE DEPARTMENT OF JUSTICE BY CONTRACTOR EMPLOYEES.—It is the sense of Congress that the Inspector General of the Department of Defense should continue to exercise the authority provided in section 2409 of title 10, United States Code, regarding reprisals for disclosures of classified information as well as reprisals for disclosures of unclassified information.

Mr. THURMOND. I urge the Senate to adopt this amendment.

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

The amendment (No. 719) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. THURMOND. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 720

(Purpose: To prohibit the provision of burial benefits under Federal law to individuals convicted of capital offenses under Federal law)

Mr. THURMOND. Mr. President, I offer an amendment that would suspend all burial entitlements in Arlington National Cemetery, and any other cemetery in the National Cemetery System, to any person convicted of a Federal capital offense.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND] proposes an amendment numbered 720.

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

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

The amendment is as follows:

At the end of title X, add the following:

SEC. . PROHIBITION ON PROVISION OF BURIAL BENEFITS TO INDIVIDUALS CONVICTED OF FEDERAL CAPITAL OFFENSES.

Notwithstanding any other provision of law, an individual convicted of a capital offense under Federal law shall not be entitled to the following:

(1) Interment or inurnment in Arlington National Cemetery, the Soldiers' and Airmen's National Cemetery, any cemetery in the National Cemetery System, or any other cemetery administered by the Secretary of a military department or by the Secretary of Veterans Affairs.

(2) Any other burial benefit under Federal law.

Mr. THURMOND. Mr. President, on behalf of myself and Senator INHOFE, I propose an amendment that would suspend all burial entitlements in Arlington National Cemetery or any other cemetery administered by the Secretary of a military department to any person convicted of a Federal capital offense.

On Wednesday, June 18, the Senate passed S–923, denying veterans benefits in Federal capital cases, by a vote of 98 to 0. This legislation was introduced by Senator SPECTER, chairman of the Veterans' Affairs Committee, and was intended to preclude persons convicted of a capital Federal offense, entitlement to veterans benefits, including burial in a national cemetery.

Mr. President, Arlington National Cemetery, the Soldiers and Airmen's Home Cemetery in Washington, DC and various cemeteries on military installations around the country are administered by the armed services and, as such, are not affected by the change to title 38, United States Code. The amendment that I propose today will deny any person convicted of a Federal capital offense the entitlement to burial in Arlington National Cemetery, the Soldiers and Airmen's Home Cemetery, or any other cemetery administered by the Secretary of a military department.

This amendment complements the bill introduced by Senator SPECTER and passed by the Senate this past Wednesday, and completes what I believe was the intent of the Senate in that vote.

I urge my colleagues to support this amendment.

Mr. LEVIN. Mr. President, we support the amendment. It has been cleared on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The amendment (No. 720) was agreed to.

Mr. THURMOND. I move to reconsider the vote.

Mr. LEVIN. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 721

(Purpose: To provide the force structure necessary for maintaining five Air National Guard C–130 aircraft units with 12 primary aircraft authorized, one each at Martinsburg, West Virginia, Louisville, Kentucky, Charlotte, North Carolina, Nashville, Tennessee, and Channel Island, California, and for preserving the number of primary aircraft authorized for Air Force Reserve C–130 aircraft units at General Mitchell International Airport and Air Reserve Station, Wisconsin, Peterson Air Force Base, Colorado, and Willow Grove Air Reserve Station, Pennsylvania)

Mr. LEVIN. Mr. President, on behalf of Senator BYRD, I offer an amendment that would maintain the Air National Guard and Air Force Reserve C–130 units at the current force structure level of 12 aircraft.

I believe the other side has cleared this amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] for Mr. BYRD, proposes an amendment numbered 721.

Mr. LEVIN. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

In section 301(9), strike out ''$1,624,420,000'' and insert in lieu thereof ''$1,631,200,000''.

In section 301(11), strike out ''$2,991,219,000'' and insert in lieu thereof ''$3,004,282,000''.

In section 411(a)(5), strike out ''107,377'' and insert in lieu thereof ''108,002''.

In section 411(a)(6), strike out ''73,431'' and insert in lieu thereof ''73,542''.

In section 412(5), strike out ''10,616'' and insert in lieu thereof ''10,671''.

At the end of subtitle B of title IV, add the following:

SEC. 413. ADDITION TO END STRENGTHS FOR MILITARY TECHNICIANS.

(a) AIR NATIONAL GUARD.—In addition to the number of military technicians for the Air National Guard of the United States as of the last day of fiscal year 1998 for which funds are authorized to be appropriated in this Act, 100 military technicians are authorized for fiscal year 1998 for five Air National Guard C–130 aircraft units.

(b) AIR FORCE RESERVE.—In addition to the number of military technicians for the Air Force Reserve as of the last day of fiscal year 1998 for which funds are authorized to be appropriated in this Act, 21 military technicians are authorized for fiscal year 1998 for three Air Force Reserve C–130 aircraft units.

On page 108, line 11, reduce the amount by $20,000,000.

Mr. BYRD. Mr. President, the amendment which I am offering enables Air National Guard units in West Virginia, North Carolina, Tennessee, Kentucky, and California to maintain their full complement of 12 C–130's. Without $13 million in operations and maintenance funds and $4 million in personnel funds, these units would be forced, prematurely and perhaps unwisely, to reduce their airlift capacity to 8 aircraft per unit.

The President's Budget for Fiscal Year 1998 reduces the Air National Guard inventory of C–130's in these five

states from 12 aircraft per unit to 8 aircraft in accordance with earlier Air Force program decisions. However, it makes no sense to reduce the C–130 units until the completion of the Quadrennial Defense Review [QDR] process by the Department of Defense. The purpose of the QDR is to reassess the U.S. defense strategy, force structure, readiness, modernization and infrastructure. Why not have the benefit of that reassessment before we make such decisions?

The Air National Guard C–130 units are major players in the air mobility plan of the United States Air Force. It is my belief that a reduction of the type proposed in the budget is premature, without the final conclusions of the QDR process. More and more reliance is being placed upon our reserve component forces as the active duty military establishment downsizes. It is not prudent to reduce the aircraft and manpower levels of the very organization that is expected to respond to global crisis situations, while supporting numerous U.S. Air Force mobility missions in Bosnia, Southwest Asia, Central America and throughout the United States. Consequently, the amendment I am offering will restore the force structure, personnel, and funds necessary to continue to operate these units at 12 aircraft.

Mr. President, the view I have expressed is supported by General Ronald Fogleman, Chief of Staff of the Air Force, who wrote to the distinguished Minority Whip, Mr. FORD, on May 21, 1997, as follows:

> The QDR report released on May 19 clearly conveys a greater reliance by the Total Air Force on the reserve components. Given the concerns you have raised and our focus on reserve components during the QDR, it is clear that the C–130 force structure requires greater scrutiny before any reductions are made. Therefore, I have rescinded plans to restructure ANG C–130 units in Kentucky, West Virginia, California, North Carolina or Tennessee. These units will remain at the current force structure level of 12 PAA. As a result, I would greatly appreciate your support in maintaining these levels.

Mr. President, in a similar vein, with regard to the Air Force Reserve, the President's Budget for Fiscal Year 1998 proposes to reduce C–130 units in Pennsylvania, Wisconsin, and Colorado from 12 aircraft to 8 aircraft. In order to maintain these units at their full complement of 12 aircraft, an amount of $6.8 million is required in operations and maintenance funds and $1.4 million in personnel funds.

In summary, the amendment I am offering would assure that Air National Guard units in West Virginia, North Carolina, Tennessee, Kentucky and California, and Air Force Reserve units in Pennsylvania, Wisconsin, and Colorado are able to continue to maintain their full complement of 12 C–130 aircraft as recommended by the Chief of Staff of the United States Air Force.

I urge the adoption of the amendment.

Mr. THURMOND. Mr. President, the amendment has been cleared. I urge the Senate to adopt the amendment.

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

The amendment (No. 721) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. THURMOND. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 722

(Purpose: To modify authority for the conveyance of certain lands at Rocky Mountain Arsenal, CO)

Mr. THURMOND. On behalf of Senator ALLARD of Colorado, I offer an amendment which would clarify existing law to facilitate the transfer of property from Rocky Mountain Arsenal to Commerce City, CO, in a negotiated sale at a fair market value.

Mr. President, I believe this amendment has been cleared by the other side. Mr. President, I urge the Senate to adopt this amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from South Carolina [Mr. THURMOND], for Mr. ALLARD, proposes an amendment numbered 722.

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

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

The amendment is as follows:

> At the end of subtitle B of title XXVIII, add the following:
>
> **SEC. 28 . MODIFICATION OF LAND CONVEYANCE AUTHORITY, ROCKY MOUNTAIN ARSENAL, COLORADO.**
>
> Section 5(c)(1) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (Public Law 102–402; 106 Stat. 1966; 16 U.S.C. 668dd note) is amended by striking out the second sentence and inserting in lieu thereof the following new sentence: ''The Administrator shall convey the transferred property to Commerce City, Colorado, upon the approval of the City, for consideration equal to the fair market value of the property (as determined jointly by the Administrator and the City).''.

Mr. ALLARD. Mr. President, I am here today to offer an amendment that would continue the development and transformation of the Rocky Mountain Arsenal to the Rocky Mountain Arsenal Wildlife Refuge. This has been an ongoing cooperative effort between the Department of the Army, the Environmental Protection Agency, U.S. Fish and Wildlife Service, Shell Oil Co., and local, State, and Federal elected officials.

The Rocky Mountain Arsenal contains 17,000 acres northwest of Denver, CO, that was purchased by the Army in 1942 to manufacture chemical weapons. The Army leased the property after World War II to various chemical manufacturers through 1982. Needless to say, this had an incredible environmental impact. However, through all of this environmental abuse wildlife flourished. In fact, in 1986 a winter communal roost of bald eagles was discovered on site, an incredible occurrence considering the circumstances.

Because of its protected status, the arsenal became a haven for close to 300 wildlife species including deer, coyotes, owls, and eagles. Efforts were undertaken to preserve the wildlife habitat. These efforts were rewarded in 1992 when Congress passed the Rocky Mountain Arsenal National Wildlife Refuge Act, legislation that I supported as a Member of the other body.

Today, cleanup efforts are still underway, but great progress has been made. Groundwater treatment facilities are in place, 350 abandoned wells have been closed, and soil remediation is in progress. This has allowed portions of the arsenal to be opened to the public for wildlife viewing. This amendment allows the public the opportunity for greater access to the refuge.

The exact purpose of this amendment is to clarify existing law to facilitate the transfer of property at the Rocky Mountain Arsenal to Commerce City, CO, in a negotiated sale at fair market value. The city will hold this land, develop it in accordance with plans made in connection with the Fish and Wildlife Service and other governmental entities, and ultimately sell some of this land, making proceeds available for the continuing development of the Rocky Mountain Wildlife Refuge visitor center.

The Government Services Administration objected to the original language in Public Law 102–402. We have worked with GSA in formulating legislative language that meets the requirements of GSA as well as my intent and the intent of Commerce City.

I am always pleased when the Federal Government can work with local governments to provide a public benefit at no cost to the taxpayer. This is one such case.

Finally, I would like to thank Chairman THURMOND for his assistance and leadership on this amendment, and appreciate the hard work and diligence of his staff.

Mr. LEVIN. The amendment has been cleared on this side.

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

The amendment (No. 722) was agreed to.

Mr. THURMOND. I move to reconsider the vote.

Mr. LEVIN. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 723

(Purpose: To require a study of eye safety at small arms firing ranges of the Armed Forces and the development of an eye injury reporting protocol for the ranges)

Mr. LEVIN. On behalf of Senator ROCKEFELLER, I offer an amendment

that would direct the Secretary of Defense to conduct a study of eye safety in military small arms firing ranges and the development of an eye injury prevention program.

I think this amendment has been cleared. It is a very good amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. ROCKEFELLER, proposes an amendment numbered 723.

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

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

The amendment is as follows:

At the end of subtitle D of title X, add the following:

SEC. ___. EYE SAFETY AT SMALL ARMS FIRING RANGES.

(a) ACTIONS REQUIRED.—The Secretary of the Defense shall—

(1) conduct a study of eye safety at small arms firing ranges of the Armed Forces; and

(2) develop for the use of the Armed Forces a protocol for reporting eye injuries incurred in small arms firing activities at the ranges.

(b) AGENCY TASKING.—The Secretary may delegate authority to carry out the responsibilities set forth in subsection (a) to the United States Army Center for Health Promotion and Preventive Medicine or any other element of the Department of Defense that the Secretary considers well qualified to carry out those responsibilities.

(c) CONTENT OF STUDY.—The study shall include the following:

(1) An evaluation of the existing policies, procedures, and practices of the Armed Forces regarding medical surveillance of eye injuries resulting from weapons fire at the small arms ranges.

(2) An examination of the existing policies, procedures, and practices of the Armed Forces regarding reporting on vision safety issues resulting from weapons fire at the small arms ranges.

(3) Determination of rates of eye injuries, and trends in eye injuries, resulting from weapons fire at the small arms ranges.

(4) An evaluation of the costs and benefits of a requirement for use of eye protection devices by all personnel firing small arms at the ranges.

(d) REPORT.—The Secretary shall submit a report on the activities required under this section to the Committees on Armed Services and on Veterans' Affairs of the Senate and the Committees on National Security and on Veterans' Affairs of the House of Representatives. The report shall include—

(1) the findings resulting from the study required under paragraph (1) of subsection (a); and

(2) the protocol developed under paragraph (2) of such subsection.

(e) SCHEDULE.—(1) The Secretary shall ensure that the study is commenced not later than October 1, 1997, and is completed within six months after it is commenced.

(2) The Secretary shall submit the report required under subsection (d) not later than 30 days after the completion of the study.

Mr. ROCKEFELLER. Mr. President, as ranking member of the Committee on Veterans' Affairs, I have an especially strong interest in preventing unnecessary injuries and illness among the men and women who serve in our Nation's military forces. The risks that these brave men and women face in combat are reduced through superior equipment and excellent training, but some risks remain unavoidable. As we continue to learn from the lessons of the gulf war, 6 years after the battle, the complete risks of military service are still not known. Thus, it is simple common sense to ensure that we do all we can to prevent those risks outside of combat that are foreseeable. One such foreseeable and preventable risk is eye injury on military firing ranges.

I thus propose an amendment to the Department of Defense authorization bill, the military eye injury assessment amendment. This amendment would address a military public health and prevention issue that was brought to my attention by a retired Air Force optometrist, Dr. John Meinhold. Dr. Meinhold was concerned about the rate of eye injuries that occurred in the Armed Services, particularly at military firing ranges. Unlike other public and private firing ranges throughout the country, military firing ranges do not require the mandatory use of safety eyewear to prevent eye injuries. Most, if not all, eye injuries at firing ranges could be completely prevented with a very inexpensive and low technology intervention, safety eyewear.

The requirement for protective eyewear at public and private firing ranges is a liability issue, rather than one controlled by State or Federal regulations. However, there is no threat of liability for the armed services because of the so-called Feres doctrine, which is based on a Supreme Court decision that ruled that service members generally cannot sue the Government for injuries occurred during service. These unnecessary eye injuries potentially affect military readiness, and in cases of severe injury, a soldier's military career may be suddenly ended. The lifetime costs of a single catastrophic eye injury has been estimated to be $1 million per eye by the Bureau of Labor Statistics, but the human costs are immeasurable.

A study by the Army found that eye injury data are not always tracked at the local level, and minor eye injuries may not always be reported to safety offices. It is estimated that while 90 percent of all eye injuries are preventable, the incidence of wartime eye injuries has increased steadily over the last 20 years.

Given these statistics and the human costs of such injuries, I wrote the Department of Defense earlier this year to ask about this important safety issue. After a series of letters and inquiries, the official response I received was that no further action was needed to prevent eye injuries since DOD officials had determined that the risk was too low to warrant spending funds on prevention. In reviewing the Department of Defense's very own statistics and studies, and in talking with their health professionals, I cannot come to the same conclusion.

Any preventable injury that puts our service men and women at risk is sufficient for our concern, especially when it is one which is as easily prevented as this one. Even one service member who suffers from a permanent eye injury at a firing range is one too many when that injury could have been avoided. I am proposing that we simply assess whether our military firing ranges should be brought up to the same safety standard that all other firing ranges in our country must meet.

My amendment would require the Secretary of Defense to provide funding for a 6-month study of eye safety at military firing ranges. This study would evaluate the current medical surveillance of eye injuries at small arms firing ranges across the service branches, and examine current safety reporting practices and other analyses as necessary to establish military eye injury rates and trends. It would also develop a uniform protocol for reporting eye injuries across the service branches. The results would be reported to the Senate Armed Services Committee and the Senate Veterans' Affairs Committee upon completion of the study.

I am proud to offer this amendment to protect the safety of the members of our armed services, and I encourage my colleagues to join me in this effort. I would like to thank the chairman and ranking member of the Armed Services Committee for their support and their fine staff for helping to perfect this amendment.

Mr. THURMOND. I urge the Senate to adopt this amendment.

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

The amendment (No. 723) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. THURMOND. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 724

(Purpose: To extend to the Secretary of Transportation the authority to pay a reserve affiliation agreement bonus)

Mr. THURMOND. On behalf of Senator KEMPTHORNE, I offer an amendment that would extend the reserve affiliation agreement bonus to the Coast Guard.

I believe this amendment has been cleared by the other side. I urge the Senate to adopt it.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. KEMPTHORNE, proposes an amendment numbered 724.

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

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

The amendment is as follows:

At the end of subtitle C of title VI, add the following:

SEC. 642. RESERVE AFFILIATION AGREEMENT BONUS FOR THE COAST GUARD.

Section 308e of title 37, United States Code, is amended—

(1) in subsection (a), by striking out ''Secretary of a military department'' in the matter preceding paragraph (1) and inserting in lieu thereof ''Secretary concerned''; and

(2) by adding at the end the following:

''(f) The authority in subsection (a) does not apply to the Secretary of Commerce and the Secretary of Health and Human Services.''.

Mr. KEMPTHORNE. Mr. President, I propose an amendment that would extend the Reserve affiliation bonus to the Coast Guard.

The Coast Guard approached the committee after our markup was over requesting that they be included in the Reserve affiliation bonus. The Coast Guard has been experiencing difficulty in recruiting for the Coast Guard Reserve and believe that the Reserve affiliation bonus will assist by providing an additional incentive for members of the Coast Guard who are leaving active duty to enlist directly in the Coast Guard Reserve.

I will point out that this authority is discretionary and was requested by the Coast Guard.

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

Mr. LEVIN. The amendment has been cleared on this side.

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

The amendment (No. 724) was agreed to.

The motion to lay on the table was agreed to.

Mr. THURMOND. I move to reconsider the vote.

Mr. LEVIN. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 725

(Purpose: To increase the number of years of commissioned service provided for mandatory retirement of generals and admirals serving in grades above major general and rear admiral)

Mr. THURMOND. On behalf of Senator KEMPTHORNE, I offer an amendment that would increase the number of years of active commission service provided for mandatory retirement of three- and four-star generals and admirals.

Mr. President, I believe this amendment has been cleared on the other side. I urge the Senate to adopt it.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. KEMPTHORNE, proposes an amendment numbered 725.

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

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

The amendment is as follows:

At the end of subtitle A of title V, add the following:

SEC. 505. INCREASED YEARS OF COMMISSIONED SERVICE FOR MANDATORY RETIREMENT OF REGULAR GENERALS AND ADMIRALS ABOVE MAJOR GENERAL AND REAR ADMIRAL.

(a) YEARS OF SERVICE.—Section 636 of title 10, United States Code, is amended—

(1) by striking out ''Except'' and inserting in lieu thereof ''(a) MAJOR GENERALS AND REAR ADMIRALS SERVING IN GRADE.—Except as provided in subsection (b) or (c) of this section and''; and

(2) by adding at the end the following:

''(b) LIEUTENANT GENERALS AND VICE ADMIRALS.—In the administration of subsection (a) in the case of an officer who is serving in the grade of lieutenant general or vice admiral, the number of years of active commissioned service applicable to the officer is 38 years.

''(c) GENERALS AND ADMIRALS.—In the administration of subsection (a) in the case of an officer who is serving in the grade of general or admiral, the number of years of active commissioned service applicable to the officer is 40 years.''.

(b) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 636. Retirement for years of service: regular officers in grades above brigadier general and rear admiral (lower half)''.

(c) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of subchapter III of chapter 36 of title 10, United States Code, is amended to read as follows:

''636. Retirement for years of service: regular officers in grades above brigadier general and rear admiral (lower half).''.

Mr. KEMPTHORNE. Mr. President, I propose an amendment that would increase the number of years of active commissioned service provided for mandatory retirement of generals and admirals serving in grades of lieutenant general or vice admiral and general or admiral.

The committee has noted over the past several years that the military services are moving senior officers through critical command and staff positions very quickly. One reason that these senior officers move so frequently is that there are only a few years in which a three-or four-star general or admiral can serve before reaching the mandatory retirement point of 35 years of service. This amendment raises the mandatory retirement point for three stars from 35 years to 38 years of service and the mandatory retirement point for four-star officers from 35 years to 40 years of service.

This amendment does not increase the number of general or flag officers. Nor does it require that three- and four-star officers serve to the mandatory retirement point. The services still have the officer management tools currently in effect which permit the service Chief and the service Secretary to manage their officer force in the best interests of their service.

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

Mr. LEVIN. The amendment has been cleared on this side.

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

The amendment (No. 725) was agreed to.

Mr. THURMOND. I move to reconsider the vote.

Mr. LEVIN. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 726

(Purpose: To authorize a land conveyance at the Army Reserve Center, Greensboro, Alabama)

Mr. THURMOND. On behalf of Senator SHELBY, I offer an amendment which would convey 5 acres of land to Hale County, AL. The property was originally donated to the Federal Government for the construction of an Army Reserve Center which, due to a change in priority, was canceled.

I believe this amendment has been cleared by the other side. I urge the Senate to adopt it.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. SHELBY, proposes an amendment numbered 726.

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

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

The amendment is as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2819. LAND CONVEYANCE, ARMY RESERVE CENTER, GREENSBORO, ALABAMA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Hale County, Alabama, all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 5.17 acres and located at the Army Reserve Center, Greensboro, Alabama, that was conveyed by Hale County, Alabama, to the United States by warranty deed dated September 12, 1988.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under subsection (a) shall be as described in the deed referred to in that subsection.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

Mr. THURMOND. Mr. President, I rise in support of Senator SHELBY'S amendment. The amendment would return property that Hale County, Alabama donated in 1988 to the Federal Government for the purpose of constructing an Army Reserve center. Now the Army, due to changes in priority, cannot construct on the site until after fiscal year 2000.

Since the community donated the property with expectations of a Reserve center and the Army has not lived up to these expectations, I believe that returning the property using this special legislation is appropriate. I urge the Senate to adopt the amendment.

Mr. LEVIN. The amendment has been cleared on this side.

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

The amendment (No. 726) was agreed to.

Mr. THURMOND. I move to reconsider the vote.

Mr. LEVIN. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 727

(Purpose: To require the display of the POW/MIA flag on various occasions and in various locations)

Mr. THURMOND. On behalf of Senator CAMPBELL, I offer an amendment which would require the display of the POW/MIA flag on various occasions and in various locations.

I believe this amendment has been cleared by the other side. I urge the Senate to adopt it.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. CAMPBELL, proposes an amendment numbered 727.

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

The PRESIDING OFFICER. Without objection, it is so.

The amendment is as follows:

At the end of subtitle E of title X, add the following:

SEC. . NATIONAL POW/MIA RECOGNITION DAY.

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

(1) The United States has fought in many wars, and thousands of Americans who served in those wars were captured by the enemy or listed as missing in action.

(2) Many of these Americans are still missing and unaccounted for, and the uncertainty surrounding their fates has caused their families to suffer tragic and continuing hardships.

(3) As a symbol of the Nation's concern and commitment to accounting as fully as possible for all Americans still held prisoner, missing, or unaccounted for by reason of their service in the Armed Forces and to honor the Americans who in future wars may be captured or listed as missing or unaccounted for, Congress has officially recognized the National League of Families POW/MIA flag.

(4) The American people observe and honor with appropriate ceremony and activity the third Friday of September each year as National POW/MIA Recognition Day.

(b) DISPLAY OF POW/MIA FLAG.—The POW/MIA flag shall be displayed on Armed Forces Day, Memorial Day, Flag Day, Independence Day, Veterans Day, National POW/MIA Recognition Day, and on the last business day before each of the preceding holidays, on the grounds or in the public lobbies of—

(1) the Capitol;

(2) major military installations (as designated by the Secretary of Defense);

(3) Federal national cemeteries;

(4) the national Korean War Veterans Memorial;

(5) the national Vietnam Veterans Memorial;

(6) the White House;

(7) the official office of the—

(A) Secretary of State;

(B) Secretary of Defense;

(C) Secretary of Veterans Affairs; and

(D) Director of the Selective Service System; and

(8) United States Postal Service post offices.

(c) POW/MIA FLAG DEFINED.—In this section, the term ''POW/MIA flag'' means the National League of Families POW/MIA flag recognized and designated by section 2 of Public Law 101–355 (104 Stat. 416).

(d) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the agency or department responsible for a location listed in subsection (b) shall prescribe any regulation necessary to carry out this section.

(e) REPEAL OF PROVISION RELATING TO DISPLAY OF POW/MIA FLAG.—Section 1084 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (36 U.S.C. 189 note, Public Law 102–190) is repealed.

Mr. LEVIN. The amendment is cleared on this side.

The PRESIDING OFFICER (Mrs. HUTCHISON). The question is on agreeing to the amendment.

The amendment (No. 727) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. CAMPBELL. Madam President, I take this opportunity to thank the distinguished managers of S. 936, the Department of Defense authorization bill, for incorporating my amendment to authorize the flying of the POW/MIA flag over certain Federal facilities and post offices.

This amendment contains the text of S. 528, the bill I introduced on April 9, 1997. I am pleased that 23 of our colleagues joined in cosponsoring S. 528. These cosponsors include Senators CONRAD, CLELAND, KEMPTHORNE, WARNER, COLLINS, MOSELEY-BRAUN, TORRICELLI, FAIRCLOTH, D'AMATO, STEVENS, HUTCHINSON, SMITH, DEWINE, LOTT, MCCONNELL, MURKOWSKI, GREGG, LAUTENBERG, ALLARD, SHELBY, CRAIG, GRAMS, and ASHCROFT.

This amendment would authorize the POW/MIA flag to be displayed over military installations and memorials around the Nation and at other appropriate places of significance on Armed Forces Day, Memorial Day, Flag Day, Independence Day, Veterans Day, National POW/MIA Recognition Day, and on the last business day before each of the preceding holidays. A similar amendment was included in the House of Representatives Defense authorization bill.

Congress has officially recognized the National League of Families POW/MIA flag. Displaying this flag would be a powerful symbol to all Americans that we have not forgotten—and will not forget.

As you know, the United States has fought in many wars and thousands of Americans who served in those wars were captured by enemy or listed missing in action. In 20th century wars alone, more than 147,000 Americans were captured and became prisoners of war; of that number more than 15,000 died while in captivity. When we add to this number, those who are still missing in action, we realize that more can be done to honor their commitment to duty, honor, and country.

The display of the POW/MIA flag would be a forceful reminder that we care not only for them, but for their families who personally carry with them the burden of sacrifice. We want them to know that they do not stand alone, that we stand with them and beside them, as they remember the loyalty and devotion of those who served.

As a veteran who served in Korea, I personally know that the remembrance of another's sacrifice in battle is one of the highest and most noble acts we can do. Let us now demonstrate our indebtedness and gratitude for those who served that we might live in freedom.

I thank the managers of the DOD authorization bill for their assistance with this amendment and urge its immediate adoption.

I thank the Chair and yield the floor.

AMENDMENT NO. 728

(Purpose: To provide a Federal charter for the Air Force Sergeants Association)

Mr. THURMOND. Madam President, I send an amendment to the desk on behalf of Senator MCCAIN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. MCCAIN, proposes an amendment numbered 728.

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

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

The amendment is as follows:

Insert after title XI, the following new title:

TITLE XII—FEDERAL CHARTER FOR THE AIR FORCE SERGEANTS ASSOCIATION

SEC. 1201. RECOGNITION AND GRANT OF FEDERAL CHARTER.

The Air Force Sergeants Association, a nonprofit corporation organized under the laws of the District of Columbia, is recognized as such and granted a Federal charter.

SEC. 1202. POWERS.

The Air Force Sergeants Association (in this title referred to as the ''association'') shall have only those powers granted to it through its bylaws and articles of incorporation filed in the District of Columbia and subject to the laws of the District of Columbia.

SEC. 1203. PURPOSES.

The purposes of the association are those provided in its bylaws and articles of incorporation and shall include the following:

(1) To help maintain a highly dedicated and professional corps of enlisted personnel within the United States Air Force, including the United States Air Force Reserve, and the Air National Guard.

(2) To support fair and equitable legislation and Department of the Air Force policies and to influence by lawful means departmental plans, programs, policies, and legislative proposals that affect enlisted personnel of the Regular Air Force, the Air Force Reserve, and the Air National Guard, its retirees, and other veterans of enlisted service in the Air Force.

(3) To actively publicize the roles of enlisted personnel in the United States Air Force.

(4) To participate in civil and military activities, youth programs, and fundraising campaigns that benefit the United States Air Force.

(5) To provide for the mutual welfare of members of the association and their families.

(6) To assist in recruiting for the United States Air Force.

(7) To assemble together for social activities.

(8) To maintain an adequate Air Force for our beloved country.

(9) To foster among the members of the association a devotion to fellow airmen.

(10) To serve the United States and the United States Air Force loyally, and to do all else necessary to uphold and defend the Constitution of the United States.

SEC. 1204. SERVICE OF PROCESS.

With respect to service of process, the association shall comply with the laws of the District of Columbia and those States in which it carries on its activities in furtherance of its corporate purposes.

SEC. 1205. MEMBERSHIP.

Except as provided in section 1208(g), eligibility for membership in the association and the rights and privileges of members shall be as provided in the bylaws and articles of incorporation of the association.

SEC. 1206. BOARD OF DIRECTORS.

Except as provided in section 1208(g), the composition of the board of directors of the association and the responsibilities of the board shall be as provided in the bylaws and articles of incorporation of the association and in conformity with the laws of the District of Columbia.

SEC. 1207. OFFICERS.

Except as provided in section 1208(g), the positions of officers of the association and the election of members to such positions shall be as provided in the bylaws and articles of incorporation of the association and in conformity with the laws of the District of Columbia.

SEC. 1208. RESTRICTIONS.

(a) INCOME AND COMPENSATION.—No part of the income or assets of the association may inure to the benefit of any member, officer, or director of the association or be distributed to any such individual during the life of this charter. Nothing in this subsection may be construed to prevent the payment of reasonable compensation to the officers and employees of the association or reimbursement for actual and necessary expenses in amounts approved by the board of directors.

(b) LOANS.—The association may not make any loan to any member, officer, director, or employee of the association.

(c) ISSUANCE OF STOCK AND PAYMENT OF DIVIDENDS.—The association may not issue any shares of stock or declare or pay any dividends.

(d) DISCLAIMER OF CONGRESSIONAL OR FEDERAL APPROVAL.—The association may not claim the approval of the Congress or the authorization of the Federal Government for any of its activities by virtue of this title.

(e) CORPORATE STATUS.—The association shall maintain its status as a corporation organized and incorporated under the laws of the District of Columbia.

(f) CORPORATE FUNCTION.—The association shall function as an educational, patriotic, civic, historical, and research organization under the laws of the District of Columbia.

(g) NONDISCRIMINATION.—In establishing the conditions of membership in the association and in determining the requirements for serving on the board of directors or as an officer of the association, the association may not discriminate on the basis of race, color, religion, sex, handicap, age, or national origin.

SEC. 1209. LIABILITY.

The association shall be liable for the acts of its officers, directors, employees, and agents whenever such individuals act within the scope of their authority.

SEC. 1210. MAINTENANCE AND INSPECTION OF BOOKS AND RECORDS.

(a) BOOKS AND RECORDS OF ACCOUNT.—The association shall keep correct and complete books and records of account and minutes of any proceeding of the association involving any of its members, the board of directors, or any committee having authority under the board of directors.

(b) NAMES AND ADDRESSES OF MEMBERS.—The association shall keep at its principal office a record of the names and addresses of all members having the right to vote in any proceeding of the association.

(c) RIGHT TO INSPECT BOOKS AND RECORDS.—All books and records of the association may be inspected by any member having the right to vote in any proceeding of the association, or by any agent or attorney of such member, for any proper purpose at any reasonable time.

(d) APPLICATION OF STATE LAW.—This section may not be construed to contravene any applicable State law.

SEC. 1211. AUDIT OF FINANCIAL TRANSACTIONS.

The first section of the Act entitled ''An Act to provide for audit of accounts of private corporations established under Federal law'', approved August 30, 1964 (36 U.S.C. 1101), is amended—

(1) by redesignating the paragraph (77) added by section 1811 of Public Law 104–201 (110 Stat. 2762) as paragraph (78); and

(2) by adding at the end the following:

''(79) Air Force Sergeants Association.''.

SEC. 1212. ANNUAL REPORT.

The association shall annually submit to Congress a report concerning the activities of the association during the preceding fiscal year. The annual report shall be submitted on the same date as the report of the audit required by reason of the amendment made in section 1211. The annual report shall not be printed as a public document.

SEC. 1213. RESERVATION OF RIGHT TO ALTER, AMEND, OR REPEAL CHARTER.

The right to alter, amend, or repeal this title is expressly reserved to Congress.

SEC. 1214. TAX-EXEMPT STATUS REQUIRED AS CONDITION OF CHARTER.

If the association fails to maintain its status as an organization exempt from taxation as provided in the Internal Revenue Code of 1986 the charter granted in this title shall terminate.

SEC. 1215. TERMINATION.

The charter granted in this title shall expire if the association fails to comply with any of the provisions of this title.

SEC. 1216. DEFINITION OF STATE.

For purposes of this title, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

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

The amendment (No. 728) was agreed to.

Mr. THURMOND. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. 658

Mr. DOMENICI. Parliamentary inquiry, Mr. President. Is the pending business the Lugar amendment?

The PRESIDING OFFICER. That is the pending matter.

Mr. DOMENICI. I am a cosponsor and I intend to speak on that. Are there any limitations?

The PRESIDING OFFICER. There are none.

Mr. DOMENICI. I thank the Chair. I hope that doesn't give me a license to speak too long, but I will do my best.

Mr. President, the amendment I'm cosponsoring today is vital to continuing the progress of our Nation's programs focused on reducing the threat of proliferation of weapons of mass destruction. Our colleagues Senators Nunn and LUGAR initiated the Cooperative Threat Reduction program in 1991, and I was proud to join with them in the Nunn-Lugar-Domenici Defense Against Weapons of Mass Destruction Act last year. Your votes by a 96-to-0 margin last year showed the concern that all of you shared with me that proliferation of weapons of mass destruction is a very real threat to the security of the Nation and one of the greatest destabilizing forces that could be unleashed on this Planet.

In setting up the original Nunn-Lugar program and in passing the Defense Against Weapons of Mass Destruction Act, the Congress agreed that our Nation's national security interests are best served by preventing the proliferation of any of the former Soviet weapons, components, materials, technologies, or technologists. Congress labeled the Nunn-Lugar programs as cooperative threat reduction and that phrase was chosen very deliberately. The programs are indeed cooperative—they involve our establishment cooperating with their establishment, and the programs involve threat reduction—reducing the threat to our Nation.

Senator Nunn presents a series of powerful arguments on these programs in a foreword he recently authored for the book ''Dismantling the Cold War.'' He discusses the transition over the last few years from a world characterized by a high risk of nuclear conflict but also high stability, thanks to the sharply bilateral nature of that world and the fear of using any nuclear weapons. Now we have a period of low risk of massive global nuclear conflict, but also very low stability because of intensification of a wide range of real and potential conflicts around the globe. He notes that the current key question ''is whether the U.S. and Russia, now as partners and as friends, can keep the world safe from weapons of mass destruction as we reduce our arsenals.'' He argues convincingly

against using the Nunn-Lugar program as a form of bribery to encourage Russia to undertake specific actions, simply because these programs are so strongly in our own best interest. In his view, ''proliferation of weapons of mass destruction clearly is the number one national security challenge we face.''

When we passed the Defense Against Weapons of Mass Destruction Act, we required the President to develop an integrated administration plan for defending Americans against weapons of mass destruction. The President's budget submission for fiscal year 1998 should have been coordinated with his plan. But we haven't seen that plan to date—and the country needs it. I'm very concerned with the lack of coordination in national activities against weapons of mass destruction that this plan would enable and I call upon the administration to develop and release that plan. Further, I encourage that the final House-Senate conference report reiterate the concern from Congress that this plan needs to be a high priority item for the administration. But whether or not the administration fulfills this requirement, I believe that Congress needs to show its national leadership by fully funding the cooperative threat reduction efforts. With full funding, Congress can again emphasize, just as we did last year, that we treat the issue of proliferation of weapons of mass destruction very very seriously.

John Deutch visited with a group of Senators just a few weeks ago to discuss his concerns with proliferation of weapons of mass destruction. He and his colleagues argued very persuasively for increasing the funds for defending our Nation against this threat above the administration's request. He argued that if the 105th Congress does not continue to strengthen U.S. capabilities to prevent and respond to the full range of nuclear-biological-chemical terrorist attacks, the country will remain unacceptably vulnerable to mass destruction terrorism. He stated that ''the theat of terrorist attack with weapons of mass destruction delivered by unconventional means is an even clearer and more present danger to American lives and liberty than the threat of attack by ballistic missiles.'' He also took strong issue with the current administration's lack of coordination of efforts to defend against weapons of mass destruction, and recommended that Congress take the lead in directing the administration to improve the coordination efforts. As I've already noted, this absence of a coordinating plan from the administration is serious and Congress must continue to demonstrate its leadership in this area by reiterating the national need for this plan.

The United States is safer today thanks to the Nunn-Lugar-Domenici and Nunn-Lugar initiatives. This amendment will continue our progress to reduce the risk from ''loose nukes'' or aging reactors of Soviet design. Through the Cooperative threat reduction programs, there are over 1,400 fewer nuclear warheads deployed and many ballistic missile launchers are no longer a threat to our citizens, along with many other major improvements. Three nations—Ukraine, Belarus, and Kazakhstan—no longer have nuclear weapons.

The International Nuclear Safety Program's funding is also being restored by this amendment, and it is critical to prevention of another Chernobyl. We need to apply the expertise of our national laboratories to help the former Soviet states reduce any risks present in these reactors. To some, the solution is to shut down these reactors, but it isn't that simple when they are supplying power that is critically important to their regions. The International Nuclear Safety Program is working and must remain at full strength.

Of the three programs being restored in this amendment, I'm most familiar with the Materials Protection Control and Accounting Program. This program is absolutely essential to minimize the threat of nuclear materials moving to rogue states or terrorist groups. By far the greatest challenge to any of these groups considering creation of nuclear weapons is obtaining the special nuclear materials—the highly enriched uranium or plutonium that provide the fission energy source for the bomb.

In the old Soviet Union, nuclear materials were protected with guards and guns. The guards were well paid with stable jobs. Today, those guards may not have been paid by their government for months. Those guards may be wondering where their next meal is coming from, and more willing to consider compromising the material they are charged with protecting. Workers in the nuclear facilities are in similar straits, and within the last few months we saw the suicide of the director of the Russian Chelyabinsk facility out of frustration for his inability to pay his workers.

We simply cannot rely on outdated ways of protecting nuclear materials in a country faced with the economic hardships and turmoil prevalent in the former Soviet Union. We need modern systems monitoring and controlling these materials, systems of the type that have been developed in this country and are in place wherever nuclear materials are found in the United States.

This program is an outstanding example of international cooperation. Work is in progress at more than 50 sites in Russia, Kazakhstan, Ukraine, Belarus, Uzbekistan, Georgia, Lithuania, and Latvia. These sites are estimated to have 90 percent or more of the fissile materials outside of actual weapons—enough for tens of thousands of new weapons. The program is also an outstanding example of cooperation among our national laboratories—Los Alamos, Sandia, Livermore, Brookhaven, Pacific Northwest, and Oak Ridge National Laboratories are all playing key roles.

As just one example of the program's accomplishments, at the Siberian chemical facility at Tomsk-7, by some measures the largest nuclear facility in the world, upwards of 100 tons of highly enriched uranium and plutonium are stored. Radiation monitors have now been installed at the exit portals of the facility, significantly improving security of all the material. And a wide range of additional security measures are in progress as well.

The conference report language for the Nuclear Defense Authorization Act for 1998 raises the concern that the Department of Energy is not expending its allocated funds in this program. I've checked on the details of this concern and learned that the accounting processes required for this program cause as much as an 8 to 10 month delay between when funds are allocated to a specific project and when they are reported as spent after the work is done. We maintain good accounting for these funds by demanding that the projects be finished before final payment. Yet the funds must be in the Department at the time a contract is initiated. In contrast to the conference report, I learned that all fiscal year 1996 funds are committed and all fiscal year 1997 funds that the committee questioned will be fully utilized. Most of the fiscal year 1997 funds not reported as spent are already committed to contracts.

The Materials Protection Control and Accounting Program must continue its efforts to reduce this serious threat. We have just recently seen new opportunities for the program to expand to include more of the Russian naval reactor fuels. We are on a course to have most of the known fissile material in Russia under some degree of protection by 2002. Significant security improvements have been completed in Latvia, Lithuania, Uzbekistan, Georgia, and Belarus; 16 additional sites, 12 in Russia, 2 in Ukraine, 2 in Kazakhstan, are scheduled for completion by the end of 1997. Fiscal years 1998 and 1999 are the most critical for implementing security upgrades at the very large defense facilities with most of the material.

With our amendment today, we keep these key programs on target, focused on reducing the threat of weapons of mass destruction. This amendment is a significant re-emphasis of the leadership demonstrated by Congress in the past in preventing proliferation of weapons of mass destruction. These programs are a significant contribution toward a safer and more stable world for citizens of both the United States and world, both for the current generation and far into the future.

I urge the Senate to adopt the amendment, which will replenish the three programs I have just briefly outlined, without which I believe we will be taking a giant step backward in the elimination, using the most modern

means, of the proliferation of weapons of mass destruction, starting with nuclear and leading on into chemical and biological. We have to get started on the latter. Time is wasting and it is getting more and more difficult and dangerous.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THURMOND. 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. THURMOND. Madam President, I just want to make a statement that if Senators have amendments now is the time to come forward. We are waiting to take up these amendments. We are ready to take up these amendments. There is no use in keeping the Senate in session without doing business here. To do business here we have to take up these amendments. We already disposed of a number of amendments here by consent this morning. But if anybody has an amendment now is the time to come and offer it. It may be too late later.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I join the chairman's call for those who have amendments to bring them to the floor, if possible, today or tomorrow. One of the problems is, however, that we are facing a cloture motion vote, and, if that is approved—and it must be the first vote—a number of amendments that people have indicated they want to offer would not be germane.

I want to spend just a moment or two on the situation that we are now in relative to this pending cloture motion.

The bill before the Senate is the product of 4 days of debate and thoughtful consideration during markup by the Senate Armed Services Committee. At the end of the markup, the committee voted unanimously to report this bill to the floor. It was an 18-to-0 vote.

This bill is consistent with the bipartisan budget agreement, and I fully expect that at the proper time the Senate will give the bill a strong bipartisan vote. We have not reached that time yet.

In recent years the Senate has debated more than 100 amendments to the defense authorization bill and has taken 10 to 20 rollcall votes a year. This has typically taken up to 50 to 60 hours over a period of a week or so. Last year, for example, we disposed of 159 amendments with 19 rollcall votes, and over 63 hours of debate.

I don't see any reason to expect that Members will be offering any fewer amendments, although we always can hope that might be the case, or that it will take significantly less time to dispose of them this year than it has in the past. Like previous defense authorization bills, the bill before us is almost 500 pages long, and includes more than 300 separate provisions.

But on Friday before the recess when the majority leader filed a cloture motion the Senate had been considering this bill—and it is a complex bill—for less than 8 hours, mostly on a Friday morning after most Members had left town and after the majority leader said there would be no votes. Not a single nongermane amendment has been adopted until this recent series of amendments, and no major defense-related amendment has yet been offered.

The major issues before us—the base closure issue, the depot issue, possibly missile defense, Bosnia, NATO enlargement—have yet to be raised. To say the least, I was surprised to see a cloture motion filed at this early stage of the Senate's deliberations. That approach might make some sense if there were sign of obstruction or delay in the consideration of the bill. But that has not been the case. The floor managers on both sides, as the chairman has said, are prepared to consider and debate any amendment that may be forthcoming. We are prepared to address issues and to move on with the Senate's business. But we have not had an opportunity to do that. And we are not going to have an opportunity to vote on any amendment prior to the vote on cloture tomorrow since, as I understand the schedule established by the majority leader, no votes can be scheduled for today and the first vote tomorrow will be the cloture vote.

Members well know that the rules constrain consideration of amendments in a postcloture situation. And they are extremely confining rules. To be in order an amendment must also be relevant but germane under a very strict definition of germaneness. Under postcloture rules any amendment, no matter how relevant to the defense of the Nation, is nongermane if it expands powers available under the bill, if it introduces a new subject matter, or if it funds a program not already funded in the bill. Any portion of an amendment that is not germane makes the whole amendment out of order, and an amendment may not be modified without the unanimous consent of the Senate.

If we were to vote cloture the major amendments that we all expect to consider in the course of the debate would be nongermane and could not be voted on by the Senate. For example, we have pending before us this afternoon an amendment relative to the funding of the Nunn-Lugar Cooperative Threat Reduction Program. Unless we act on that amendment this afternoon—that is an amendment which is addressing one of the greatest threats that is faced by this country—that amendment would not be in order, and we could not even vote on it.

Senators who question the administration's proposal for distributing the workload of the two air logistics centers closed in the last BRAC round would be denied the opportunity to raise the issue on this bill if cloture passes. That is whether or not they come and debate it this afternoon, and that is whether or not they come and debate it tomorrow morning. The reason is because it is not germane technically to the bill in a postcloture situation.

I don't happen to support adding those provisions to this bill. I don't think we ought to add provisions to this bill that reallocate workloads. I think we ought to leave that to a fair process. But that is not the point.

Senators were asked to deliver amendments relating to this subject of distributing the workload at the two air logistics centers which were closed in the last BRAC round, and they would have no opportunity to bring their amendments back on that subject if cloture were voted on tomorrow.

Again, under the unanimous-consent rule that we are operating under, cloture is the first rollcall vote that this Senate is going to be able to have.

There is another major issue that should be debated and that we know will be debated. That has to do with future base closure rounds. We had a very lively discussion and debate on that in the Armed Services Committee.

There are many of us who talked in support of the amendment of Senator MCCAIN relative to two new rounds of base closures. If we deny those two new rounds we will be denying one of the highest priorities of the Secretary of Defense and the Joint Chiefs of Staff. But at least we ought to have a vote on the subject, and if we vote on cloture tomorrow—which must be the first vote regardless of when the BRAC amendment is offered, whether it is offered this afternoon or offered tomorrow, since under the unanimous-consent agreement that we are operating under the first vote must be on cloture—and if that vote passes tomorrow, then we would not be able to vote on whether or not to add two new rounds or perhaps one new round of base closure. That is just not right.

Amendments regarding foreign policy issues that are not currently addressed in the bill various Senators may want to offer. Amendments may be offered on Bosnia or on NATO expansion. Those amendments would be out of order if cloture is voted tomorrow. The House version of this bill has a major Bosnia-related provision. It would cut off funds for United States ground troops in Bosnia after June 30 of next year. That is a highly significant issue. While we don't have to debate it in this bill, I think that some Senators may feel otherwise. I don't think they ought to be barred from raising the issue should they choose, even though I may not agree with their amendment.

Many other amendments that Members are planning to offer this year

would be out of order. Amendments involving the funding formula for the National Guard Challenge Program, amendments relative to the North Dakota flood close claims of Air Force personnel, amendments relative to the reauthorization of the Sikes Act, to facilitate the preparation of integrated natural resources management plans for military lands, amendments to provide recruiter access to juvenile court records, and so forth.

This is not the way that we should be doing business. We should not be voting on cloture before we have had an opportunity to vote on important amendments, and we will not have that opportunity under the unanimous-consent agreement that we are operating under. We should not be denying Members the opportunity to offer key amendments which will require rollcall votes before the amendment process is even begun in earnest.

I hope that we can continue to clear as many amendments as possible this afternoon and tomorrow morning.

I happen to agree with the chairman. People who have amendments should come down here and debate them. But the problem this cloture motion creates for us is that we can't have rollcall votes until after the vote on cloture tomorrow. And we know that a number of amendments are going to require rollcall votes—legitimate amendments involving base closures and involving the depot issue which so many of our Members feel so strongly about.

That is why I hope we will not invoke cloture tomorrow. I think that invoking cloture would be unfair to Members who want to bring up amendments which require rollcall votes and to have us dispose of those amendments.

So, Madam President, again, whether or not cloture may be needed at a later stage in the debate of the bill, it would surely be premature to invoke cloture tomorrow before the disposition of many important amendments, controversial amendments and tested amendments, which arguably require rollcall votes.

I yield the floor.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 420

Mr. COCHRAN. Madam President, I know I don't need to ask consent to return to the Cochran amendment. But the Lugar amendment has been offered and has been the pending business. I ask that we return to the regular order, to amendment No. 420.

The PRESIDING OFFICER. The Senator has that right.

That is now the pending amendment.

Mr. COCHRAN. Madam President, amendment No. 420 was offered by me, and is cosponsored by the distinguished Senator from Illinois, Senator DURBIN. It seeks to modify the existing export control policy that had been instituted by the administration with respect to the exporting of high-performance or so-called supercomputers.

SUPERCOMPUTER EXPORT CONTROLS

Madam President, on November 14, 1994, President Clinton issued Executive Order 12938, the Emergency Regarding Weapons of Mass Destruction, declaring that the proliferation of weapons of mass destruction and the means of delivering them constitute ''an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States,'' and that he had therefore decided to ''declare a national emergency to deal with that threat.'' The President reaffirmed this Executive order on November 15, 1995, and again on November 11, 1996.

We have had several hearings recently on the subject of proliferation in my Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services. And the distinguished ranking member of the full committee, Senator LEVIN, is the ranking member of that subcommittee.

We have examined cases of proliferation by the People's Republic of China and proliferation by Russia, and I can tell you that the facts—brought out in open session—are disturbing. The facts tell a story of both Chinese and Russian sales of technology, components, and delivery systems for weapons of mass destruction, as well as sales of highly capable advanced conventional weapons and other critical military technologies, to nations like Iran. The facts demonstrate that President Clinton was entirely correct in describing this problem as a national emergency.

Just last month, the Director of Central Intelligence sent Congress an unclassified report entitled, ''The Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions.'' The report covers only the period July through December 1996 and levies serious proliferation charges against, among others, Russia and China. The report says:

> China was the most significant supplier of WMD-related goods and technology to foreign countries. The Chinese provided a tremendous variety of assistance to both Iran's and Pakistan's ballistic missile programs. China also was the primary source of nuclear-related equipment and technology to Pakistan, and a key supplier to Iran during this reporting period. Iran also obtained considerable CW-related assistance from China in the form of production equipment and technology.

The intelligence community report—and I note that this report is not the product of any single part of the intelligence community, but represents the consensus view of the entire intelligence community—goes on to say, and again I quote:

> Russia supplied a variety of ballistic missile-related goods to foreign countries during the reporting period, especially to Iran. Russia was an important source for nuclear programs in Iran and, to a lesser extent, India and Pakistan.

Madam President, the facts that emerged during my subcommittee's hearings on Russian and Chinese proliferation are completely supported by this latest report of the intelligence community. And we should not be comforted by the fact that it reports on the proliferant behavior of these nations only during the last half of 1996. For those who claim that Chinese and Russian behavior on proliferation is getting better, the best I can say is that it certainly is not yet good enough.

I raise the issue of proliferation because it is the principal reason we have offered this amendment on supercomputer export controls. The use of high-performance computers to upgrade existing weapons capabilities or develop new ones is not some fantasy or something that might happen in the future. It is known fact. High-performance computers help make it possible to develop and improve weapons capabilities that threaten the United States. Keeping them out of the wrong hands makes America safer. Dr. Seymour Goodman, in a report used by the administration as its basis for weakening U.S. export controls on high-performance computers, wrote:

> . . . continued export controls will slow the exacerbation of existing nuclear threats. Control of HPC [high-performance computer] exports, by limiting those exports or imposing appropriate safeguards, to countries known to possess nuclear weapons will impede their development of improved weapons and reduce their confidence in their existing stockpile by limiting the opportunity to conduct simulations in lieu of live tests. Similar or more rigorous controls on HPC exports to countries with nuclear weapons development programs could impede their development of second-generation weapons.

The June 1997 Intelligence Community report to Congress couldn't be more clear on this issue. It states:

> . . . countries of concern continued last year to acquire substantial amounts of WMD-related equipment, materials, and technology, as well as modern conventional weapons. China and Russia continued to be the primary suppliers, and are key to any future efforts to stem the flow of dual-use goods and modern weapons to countries to concern.

This amendment will help reduce the proliferation danger facing the United States by requiring an individual validated license to export all supercomputers to so-called Tier 3 countries, which include China and Russia. Because of the new export control policy for supercomputers announced by the Clinton administration on October 6, 1995, there currently is no such requirement. We must act to change that policy now.

This policy, which has been in place for almost 18 months, groups all nations into four country tiers and establishes export licensing requirements for high-performance computers based upon their country of destination. Tier 1 countries, consisting primarily of our NATO allies, are free to receive high-performance computers of unlimited capability without an export license from the United States, while, at the other end of the spectrum, Tier 4 countries, consisting of the last trustworthy, cannot legally receive any of

these supercomputers. Almost all countries in South America, Central America, the Caribbean, and Africa are in Tier 2, and can receive supercomputers capable of up to 10,000 MTOPS—MTOPS are Millions of Theoretical Operations per Second, the standard measure of computing capability—before an export license is required.

The end-use and end-user are the critical factors for exports to any of the 50 nations comprising Tier 3. If the end-use and user are civilian, the policy allows exports of supercomputers capable of up to 7,000 MTOPS before an export license is required. If the Tier 3 end-use or user is military, U.S. export licenses are required for any high-performance computer capable of more than 2,000 MTOPS. But it is the U.S. exporter, not the administration, which has the responsibility under this policy for determining the end-use and user for Tier 3 exports between 2,000 MTOPS and 7,000 MTOPS. This responsibility, difficult under any circumstances, is complicated by a company's natural focus on making sales. Our amendment addresses only these Tier 3 exports, as depicted by the diagonally-striped area on this chart, which I am going to show the Senate at some point in this discussion.

Our amendment applies to only a small portion of high-performance computer exports. In fact, according to the Commerce Department's Bureau of Export Administration, of the 1,436 supercomputers exported from the United States from the date the new policy went into effect through March 1997, only 91 went to Tier 3 countries. That amounts to 6.34 percent of total supercomputer exports. Does it not make sense for our Government to be willing to check to make sure that 6.34 percent of our supercomputer exports go to the right place? Is it unreasonable to require the administration to be sure that American supercomputer sales aren't going to people and places who would damage American national security?

Our amendment doesn't prohibit the transfer of a single supercomputer. It requires that the existing standards for transfers be monitored by our Government. Our amendment changes only one aspect of the policy, shifting the burden of determining end-use and end-user in Tier 3 countries from the exporter to the administration. Why is this so important? Listen to another part of last month's report to Congress by the Intelligence Community, which says, ''Many Third World countries—with Iran being the most prominent example—are responding to Western counterproliferation efforts by relying more on legitimate commercial firms as procurement fronts and by developing more convoluted procurement networks.''

American exporters are not capable of determining whether a potential purchaser is a ''procurement front'' or part of a ''more convoluted procurement network,'' and it is wrong to place this burden on them.

The administration, and many exporters, will tell you that the current policy is working, that closer scrutiny isn't required, but look at this chart and what it shows you. There are American supercomputers in Russia's and China's nuclear weapons complexes. According to Russia's Minister of Atomic Energy, these supercomputers are ''10 times faster than any previously available in Russia.'' According to the Chinese Academy of Sciences—which works on everything from the D–5 ICBM, capable of reaching the United States, to uranium enrichment for nuclear weapons—its American supercomputer provides the Academy with ''computational power previously unknown'' and is available—this is a quote from them—to ''all the major scientific and technological institutes across China.'' American high performance computers are now available to help these countries improve their nuclear weapons and improve that which they are proliferating, courtesy of a policy that can be called many things, but can't reasonably labelled as ''working.''

Just last week we learned through press reports that an American supercomputer sent to Hong Kong is now in China under the control of the People's Liberation Army. In addition to the 47 American supercomputers that have been shipped to China since this new policy took effect, 20 unlicensed American supercomputers have been shipped to Hong Kong. At least now we know where one of the Hong Kong supercomputers is. What about the others? does this look to anyone like a policy that's working? This is a real problem. It is a problem that exists now. It is not a hypothetical problem. It is not a problem that may develop in the future. This is a serious problem that threatens our national security.

There are some opposing this amendment who claim that setting the threshold at 2,000 MTOPS is too low, and consequently will make it impossible for American computer manufacturers to sell personal computers—PC's—abroad. That is just not true. It is a last minute desperation shot at the Cochran-Durbin amendment. Let's look at the facts:

The first fact is the 2,000 MTOPS threshold opponents express concern over was not dreamed up by us. It is the administration's limit.

No. 2, industry suggests that by some time in the fourth quarter of 1998—this date came, incidentally, from IBM's Director of public policy, who recently visited with my staff about this amendment—IBM will produce, according to him, a PC capable of just over 2,000 MTOPS for sale in the international marketplace, he said. But IBM couldn't answer several basic questions about this PC. Its Director of public policy didn't know the name of the PC, the expected price that would be charged for it, how many would be produced for the U.S. market, how many would be produced for potential foreign market sales, or even how many would be produced for this Tier 3 market, which this amendment is narrowly related to. It is worth remembering that this amendment that we are talking about only affects Tier 3 countries, and he's talking to us as if our amendment affects all sales to everybody—in the United States, foreign countries, everywhere—and that is just not true.

IBM doesn't just build these machines overnight on an impulse or a whim or a guess about what is out there in terms of potential sales. If it is going to have a new top-of-the-line PC out within 15 to 16 months, as they claim through this director of public policy, it must already have ordered the chip to run this PC. Doesn't it stand to reason that if such a PC were just around the corner, IBM would be able to answer some of these basic questions that I said the director could not answer? If not, is it possible that IBM is being overly optimistic about its capability, its projections, about the timeframe involved, and all the other arguments that have been advanced against this amendment?

Fact No. 3: Right now, according to William Reinsch, who is the Under Secretary of Commerce for Export Administration, ''High end Pentium-based personal computers sold today at retail outlets perform at about 200 to 250 MTOPS.''

Did you hear that? We are not talking about 2,000 to 7,000 MTOPS, like some of these computer lobbyists are saying to Senators are going to be affected by this amendment. The PC's that are out on the market today are at much lower ranges of capability.

Let's give Secretary Reinsch the benefit of the doubt and say today's top-end PCs are capable of running at 250 MTOPS. Secretary Reinsch said on June 11 before my subcommittee in an open hearing that ''computer power doubles every 18 months, and this has been the axiom in the industry for, I think, about 15 years.''

This axiom is known as Moore's Law. The math is straightforward. If top-end PC's are capable of 250 MTOPS today, 18 months from now they will be capable of 500 MTOPS; 36 months from now, they will be capable of 1,000 MTOPS; 54 months from now, in 4½ years, they will be capable of 2,000 MTOPS. Fifty-four months from now is not, contrary to the claims of some computer manufacturers, the fourth quarter of next year, as was suggested to us by the director of public policy of IBM. Of course, Moore's Law doesn't even mean that 54 months from now there will be PC's on the market capable of 2,000 MTOPS. It only suggests that our manufacturers should be able to build these powerful PC's 54 months from now, if Moore's Law continues to be sustained. None of our manufacturers will build PC's this powerful unless there is a broad market demand for such a highly capable PC, and it is unclear if the market will even be demanding such a powerful PC many times more powerful

than today's top-of-the-line PC's in just under 5 years.

If 4 or 5 years from now industry's optimism proves to be correct, I will be pleased to return to this floor and offer legislation modifying the 2,000 MTOPS level. But the suggestion that by next year we will have PC's many times more powerful than our most powerful today can only be guesswork, wishful thinking.

Fact No. 4: IBM currently sells, again according to its director of public policy, a workstation that is capable of just over 2,000 MTOPS. Wouldn't it make sense that future demand for the much anticipated 2,000 MTOPS PC should be similar to the current demand for the workstation that is already on the market?

According to the Commerce Department, from January 25, 1996, when the administration's supercomputer export control liberalization took effect, to March of 1997, 1,436 American high-performance computers were exported to countries in tiers 1, 2, and 3. Of these 1,436, just 91, or 6.34 percent, went to tier 3 countries. I do not know how many of these 91 were IBM's workstation that is just over 2,000 MTOPS. We know that at least 6 of the 91 were not manufactured by IBM—4 Silicon Graphics machines that are now running at Russia's nuclear weapons labs; one Silicon Graphics machine in the Chinese Academy of Sciences, which is a key part of China's nuclear weapons complex; and one Sun Microsystems machine that we just learned last week is now running at a Chinese military facility in Chungsha after being diverted from Hong Kong. So up to 85 of the 91 exported over 14 months to tier 3 countries could have been this IBM workstation, though I doubt that all of them consisted of that one machine. But even if all 85 were these IBM workstations, does this sound like the kind of volume that will overwhelm the Government's licensing apparatus? Certainly not.

The specter of American jobs being lost to unwieldy export controls is just another part of the argument against the Cochran-Durbin amendment that is not based on the facts.

Another argument made against our amendment is that the right way to keep organizations from getting American supercomputer technology who shouldn't be receiving it is for the Department of Commerce to publish a list of prohibited end users with individual validated licenses required for any high-performance computer export to a country or entity on the list. This argument against the amendment at least has the virtue of implicitly admitting that American supercomputers should not be in Russia's and China's nuclear weapons design labs, but it is another argument that is simply not based on the facts.

Shortly before the recent July Fourth recess, I spoke on the floor of the Senate explaining why such a list would be, in many ways, worse than the current situation. I won't go through all those reasons again in the interest of time now, but I continue to believe that such a list would be necessarily incomplete because of the requirement to protect intelligence sources and methods. It could be used as the Department of Commerce's guide for proliferators, and it would make it only too easy to make a sale to a location not on the list, thus encouraging makers of weapons of mass destruction to establish phony front organizations for the purposes of acquiring U.S. supercomputers. They wouldn't be on that list.

In fact, the Department of Commerce on June 30 published such a list, and its inadequacy is obvious. The June 30 list, called by the Commerce Department the ''Entities List,'' consists of 13 locations in 5 tier 3 countries that can receive an American supercomputer only if you have a license, only subject to a license. So now the total list of proscribed end users consists of 15 entities. On this list are Chelyabinsk-70 and Arzamas-16 in Russia which have already received at least five American supercomputers and parts of the Chinese Academy of Sciences, which also is now manufacturing more modern nuclear weapons with America's finest technology.

Because of this list, now America's computer exporters know that they need a license to ship a high-performance computer to any of these entities. What about other entities, though? What about the Chinese company that shipped ring magnets to Pakistan last year for use in its nuclear program? Why isn't that company on the list? It has been subjected to sanctions imposed by our Government, and it is not on our Government's list as a prohibited end user. What about the Chinese company or government entity that shipped M–11 missiles to Pakistan and now, according to press reports, is helping Pakistan build a factory for the indigenous manufacture of M–11 missiles? Why isn't that entity on the list? What about the Russian company or government entity helping Iran to upgrade its nuclear program and ballistic missile programs, why aren't they on the list?

Madam President, this list does not solve the problem. If anything, it makes it more confused, it makes it more difficult for American exporters to determine who should or should not receive American high-performance computers. In many ways, this list is worse than nothing.

There are many who believe the entire high-performance computer export control policy of this administration is a failure. However one views this policy as a whole, there is one aspect of it that we know is not working and it can be fixed now.

We know that American supercomputers are now in Chinese and Russian nuclear weapons labs. We know that they should not be there. We know that our Government, with the resources of the intelligence community, is better able to determine the identity of end users and end uses than is industry. Industry has no way to be able to determine the end use and user of its products to the degree of confidence that our intelligence agencies can do.

Right now we have the opportunity not to impose new restrictions on our supercomputer manufacturers but to shift the burden of making end-use and end-user determinations from industry to Government.

Look at this chart again and you will see that we are talking about only a very small part of the overall policy. The entire chart describes the policy and shows the number of tiers, 1 through 4, the varying capabilities on the basis of millions of theoretical operations per second, MTOPS, along the left side. And the only part of the entire export business of American supercomputers that is affected by this amendment is this part shown in the diagonal lines. The fact is, we are talking about only 6.34 percent of supercomputer exports under this policy that will be affected by this amendment.

The Cochran-Durbin amendment will not prevent a single supercomputer export to anyone who should have one, but it will help ensure, though, that only those who should have them will have them. The only supercomputer sales that would be blocked by our amendment are those going to foreign entities who the U.S. Government determines shouldn't have it. It will not prevent legitimate sales to legitimate users in the U.S. or outside the U.S., but it will help prevent a repeat of the errors that have allowed American supercomputers to go to Russia and to go to China and be used in their nuclear weapons labs.

Let's be clear what this debate is about. It is about U.S. national security. If you think Russia and China shouldn't be using American supercomputers to improve the quality of their nuclear arsenals and the quality of the weapons systems and components and technology that they are selling in turn to others, vote for the Cochran-Durbin amendment.

President Clinton was right when he called the proliferation of weapons of mass destruction ''an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States,'' and that it constitutes a ''national emergency.'' These weapons, delivery systems and technologies are more readily developed and enhanced by high-performance computers, and who makes those computers? The United States.

If the United States is going to demonstrate that it is serious about this issue, we must do more than complain to Russia and China every time one of those nations engage in proliferation.

The American fight against proliferation must start at our own borders.

I urge Senators to vote against the Grams-Boxer substitute and support the Cochran-Durbin amendment.

Madam President, I ask unanimous consent that the distinguished Senator from New Hampshire [Mr. SMITH] be added as a cosponsor to our amendment.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I rise to speak on behalf of the same amendment which my colleague, the Senator from Mississippi, Senator COCHRAN, has just described.

I am happy to join him as a cosponsor on this important amendment. I only wish my colleagues and many others who are listening to this debate could have been there when Senator COCHRAN's subcommittee met just several weeks ago and really talked in depth about what we are doing.

For the average layman, the average person in the United States, there are some very technical terms involved in this debate. But the purpose of this amendment is very clear and very straightforward. We understand that if we give to another country certain information or technology, they are able in many ways to use it for positive reasons. We fear however that if that same information and technology is given to a country which might use it for negative purposes, that it is inconsistent with the national security of the United States.

The Cochran-Durbin amendment is an effort to make certain that we continue to sell technology around the world, but take care not to sell it in those countries where it may be misused.

Unfortunately, the Clinton administration over the last years has had a change in its policy, with a more expansive, more liberal trade policy when it comes to supercomputers. It has been my fear, and the fear of the Senator from Mississippi, that some of these computers which are being purchased for nominally peaceful reasons are in fact going to be used for military purposes.

One of the examples which the Senator from Mississippi used in closing was the whole question of weapons testing. Some 35 years ago when President Kennedy spoke to the Nation, he challenged us as a world to reduce nuclear arms testing so as to make this a more peaceful planet. I think President Kennedy was right. And I support a weapons test ban. I think the United States should continue to show leadership.

But we live in a different world some 3 decades later where a country with a new computer, the supercomputers that we are describing, that country may have the capability to test a nuclear weapon without ever detonating it. They can set up all of the parameters within the computer, test the weapon, and show its impact.

So if you are talking about reducing the proliferation of dangerous weapons—nuclear, chemical, and biological weapons—you must necessarily get involved in this debate, which Senator COCHRAN has initiated and I have been more than happy to assist in.

Some questions have been raised. And I wonder, just for purposes of clarification, if I could ask Senator COCHRAN a question or two for the record here. I know the Senator has covered most of this in his opening statement, but I think we ought to make a clear record for our colleagues on the amendment.

One of the first things that is said is, well, you set the standard too low. If a company wants to sell this computer, which we describe as a 2,000 MTOPS computer, you have set it too low, set it at a standard so that the computers that are going to be licensed, there is going to be surveillance at such a level. It will not hit the ordinary business computers.

I would like you to respond. And I know you did respond in the course of your opening remarks to that particular criticism. If you would, please, I yield to the Senator.

Mr. COCHRAN. If the distinguished Senator would yield, I appreciate very much not only his question but also his very helpful involvement in this issue and cosponsoring the amendment.

But he gets to the central point of the debate here. It is not that this amendment sets any new levels of prohibition or granting authority for export sales. It does not change any of those levels. The level that is established by the administration is the 2,000 MTOPS level. We do not change that for tier 3 countries, as demonstrated in the chart I showed a while ago.

We were told in our hearing that 250 MTOPS is about the current power of a PC which is sold in the market here in the country now. And that under the so-called Moore's Law that doubles every 18 months. So it would be 4½ years before you get to a level where you would even reach the 2,000 MTOPS level which is the trigger level for tier 3 countries that have to have a license if the end use or the end user is military. If they're civilian, you do not have to have a license at all.

What this amendment changes is who determines the end use or the end user. Our amendment says it should be the administration's responsibility. Current policy is that exporters have the responsibility of making that determination. That is the only thing we change.

Mr. DURBIN. If I could pose another question to my cosponsor on this amendment, Senator COCHRAN.

There have been others that have said, well, why is the United States doing this? If we stop selling computers around the world, whatever their capability, some other country is going to sell them. So we are tying the hands of American business in a futile effort to stop this march of technology.

I would appreciate it if my colleague, the Senator from Mississippi, would address that particular complaint.

Mr. COCHRAN. Our information, derived at our hearings through expert witnesses, was that we have the highest capability of any country in the world in terms of supercomputer manufacturing technology. We manufacture the state-of-the-art supercomputers. We do not have any competitors. Japan manufactures some high-performance supercomputers but their export policy is more restrictive than ours. They require licensing, we do not.

What we are suggesting here is that the policy of our administration is flawed in that it ought to make the determination in those questions where end use and end user is relevant as to whether you can or cannot make the sale, the Government ought to monitor and verify that this sale is permissible. And it applies to only 6.34 percent of the total computer sales of all American exporters in the export market.

Mr. DURBIN. I thank my colleague.

I think he noted in the course of his remarks that last week or perhaps the week before the administration said, well, let us put out a list of 13 or 14 different entities that we think we should take care not to sell to. And I agree completely with the Senator from Mississippi that it is hardly a comfort in this argument that we are protecting the interest of the United States with this list.

It is hard to believe that our intelligence operations would make a complete disclosure of every potentially bad purchaser around the world without in fact disclosing very sensitive classified information. It is far better to take the approach which the Cochran-Durbin amendment does, which says that on a case-by-case basis there will be a license issued by the Government to determine whether the would-be purchaser in any way raises a suspicion that this technology is going to be misused, used against the United States.

I think our approach to it gives the Government the power it needs to police the sales, says to the seller, the computer company, you can come to the Government now and entrust that decision to an entity which should know as to which purchasers should not be trusted. And that I think would give the industry some peace of mind. It has to be a major embarrassment to these companies to realize now that they have sold these supercomputers in China and in Russia and that they may be used for military purposes against the United States.

Certainly, these companies in the United States value our security, they are as patriotic as many others, and they would want to do the right thing. The Cochran-Durbin amendment sets up I think a good framework for the right decision to be made. I certainly hope that when this amendment comes up for consideration that many of our colleagues on both sides of the aisle

will stop and pause and reflect on it. Because I think it in a way takes a look at the world as it currently exists and says we do not want to sell to potential enemies or to suspect nations that power that might come back someday to haunt us. It is important to increase trade, but not at the expense of the security of the United States.

I thank my colleague from Mississippi for his leadership. And I am happy to join him in this effort.

I yield back.

Mr. COCHRAN. Madam President, I ask unanimous consent that there be printed in the RECORD a chart on exports of high-performance computers; and an unclassified report from the Director of Central Intelligence, as mentioned in my earlier remarks; and an editorial from the St. Louis Post-Dispatch suggesting that the administration should not wait, that it must act now on this issue.

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

EXPORTS OF HIGH PERFORMANCE COMPUTERS FROM JANUARY 25, 1996 TO MARCH 1997

[Number of systems by country]

Argentina	4
Australia	63
Austria	17
Belgium	38
Brazil	15
Canada	11
China	47
Colombia	5
Croatia	1
Czech Rep.	4
Denmark	10
Egypt	2
Finland	2
France	86
Germany	232
Greece	1
Hong Kong	20
Hungary	3
India	7
Indonesia	6
Ireland	6
Israel	17
Italy	42
Jamaica	1
Japan	150
Kenya	1
Korea, South	133
Luxembourg	2
Malaysia	33
Mexico	24
Netherlands	23
New Zealand	15
Nigeria	2
Norway	7
Peru	7
Philippines	4
Poland	2
Portugal	8
Romania	4
Russia	10
Saudi Arabia	2
Singapore	24
Slovak Rep.	1
Slovenia	2
S. Africa	12
Spain	37
Sweden	38
Switzerland	41
Taiwan	6
Thailand	10
Turkey	4
UAE	1

EXPORTS OF HIGH PERFORMANCE COMPUTERS FROM JANUARY 25, 1996 TO MARCH 1997—Continued

UK	187
Uruguay	1
Venezuela	4
Zimbabwe	1
Total number of systems	1436

THE ACQUISITION OF TECHNOLOGY RELATING TO WEAPONS OF MASS DESTRUCTION AND ADVANCED CONVENTIONAL MUNITIONS

SCOPE NOTE

The DCI submitted this biannual report in response to a Congressionally directed action in Section 721 of the FY 1997 Intelligence Authorization Act:

''(a) Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter, the Director of Central Intelligence shall submit to Congress a report on

(1) the acquisition by foreign countries during the preceding 6 months of dual-use and other technology useful for the development or production of weapons of mass destruction (including nuclear weapons, chemical weapons, and biological weapons) and advanced conventional munitions; and

(2) trends in the acquisition of such technology by such countries.''

At the DCI's request, the Nonproliferation Center (NPC) drafted this report and coordinated it throughout the Intelligence Community. As directed by Section 721, subsection (b) of the Act, it is unclassified.

INTRODUCTION

The threat from the proliferation of weapons of mass destruction and missiles is one of the highest priorities for intelligence. In the US effort to counter weapons proliferation, the Intelligence Community has taken an active role in supporting US government initiatives to strengthen export controls in supplier countries and to work with other countries to prevent the sale of weapons of mass destruction (WMD), advanced conventional weapons, and their related technologies. While it is an extremely difficult problem, US government efforts have made some progress, making both the acquisition and development of WMD more difficult and costly for proliferators.

Interdiction of WMD and the technologies necessary to acquire a WMD capability is a key component in the acquisition prevention effort. We see interdiction efforts falling into three basic categories:

Preventing the transfer of materials through export controls and international nonproliferation regimes;

Halting the transfer or the negotiation of transfer of materials through diplomatic and liaison initiatives;

Seizing proscribed materials in transit, through law enforcement agencies in cooperation with the Intelligence Community.

Interdiction efforts are an extremely important part of our overall nonproliferation strategy. By themselves, however, they generally do not get countries out of the business of proliferation. They do, though, buy time for other initiatives that may be more successful in halting or rolling back a WMD program. These other initiatives can include:

Diplomatic efforts designed to reduce the perceived need for a WMD capability;

Education efforts to show that WMD-related funds would be better spent elsewhere;

Bilateral or multilateral incentives. Such incentives could be financial, including membership in an international economic forum, in exchange for halting or rolling back a WMD program;

Military assistance or security guarantees.

The US clearly leads the way in programs in all three classes of interdiction efforts. US export license applications of concern are scrutinized by a number of agencies, including the Intelligence Community. The US also is developing procedures to share appropriate end user information with key allies in an effort to strengthen our mutual export control activities. In addition, the procedures for alerting other governments of impending transfers and tracking resulting actions are in place and working. Interdictions of shipments are occurring.

An example of a successful interdiction would be the seizure of chemical precursors destined for Libya. Although such a seizure would not halt Tripoli's aggressive chemical weapons development program, at a minimum it would:

Slow Tripoli's ability to begin serial production of chemical agents;

Provide the US time to persuade supplier nations or companies to halt future shipments to Libya;

Allow the Intelligence Community and US law enforcement agencies to identify and target new intelligence sources that could contribute to rolling back Libya's CW program;

Increase the cost to Libya of its CW development program.

Interdiction successes rest, in large measure, not on the quantity of information available to the policymaker, but on the quality. This is true for all three classes of interdictions. In licensing, for example, policymakers need unambiguous intelligence information before making a decision to deny a license, thereby denying a sale for the US company. Likewise, demarches to other governments must be accurate or the US will be accused of crying wolf and lose support from even friendly countries. And interdictions of shipments in transit often become international incidents, and potential embarrassment if the targeted material is not found in the shipment.

Actionable intelligence in support of interdiction efforts requires more than cooperation between US intelligence, policy, and law enforcement agencies. It demands close working relationships between the United States and other foreign governments committed to halting the proliferation of WMD. Such relationships will, of course, include intelligence sharing arrangements, but equally important are diplomatic, military, and scientific exchanges at all levels.

As noted above, interdiction programs by themselves cannot halt the proliferation of WMD. Alternative suppliers and technologies, increasing use of denial and deception, and a growing ability to produce indigenously weapons or their component parts are opening new avenues to states or organizations determined to obtain a WMD capability. The increasing diffusion of modern technology through the growth of the world market is making it harder to detect illicit diversions of materials and technologies relevant to a weapons program.

We are addressing these new challenges with more aggressive efforts, which go beyond traditional cold-war efforts aimed merely at understanding weapons and associated plans. We are better integrating technical analysis with political, military, and diplomatic analysis to provide policymakers with information on the motivations that drive foreign actions and decisions, and on influential opposition forces that could support initiatives to diminish or eliminate the proliferation threat.

Our concerns are not limited to interdicting materials and technologies to state-sponsored WMD development programs. As worrisome, in our judgment, are terrorist groups and cults that seek to acquire or develop

chemical and biological weapons on their own. For example, the incidents staged in March 1995 by the Japanese cult Aurn Shinrikyo demonstrate the use of WMD is not longer restricted to the battlefield. Terrorist groups and violent sub-national groups need not acquire a massive infrastructure to create a deadly, arsenal. Only small quantities of precursors, available on the open market, are needed.

Interdiction efforts are further complicated by the fact that most WMD programs are based on dual-use technologies and materials that have legitimate civilian or military applications unrelated to WMD. For example, chemicals used to make nerve agents are also used to make plastics and to process foodstuffs; trade in those technologies cannot be banned.

Nonproliferation regimes provide international standards to gauge and address behavior. They provide diplomatic tools to isolate and punish violators. The past few years, many states have joined these regimes and outsiders are encountering new pressures to join. Procurement costs have risen because of the need for convoluted efforts to hide purchases. That said, these regimes can be deceived by determined proliferators. The sheer volume of international commerce, increased self-sufficiency, and the global diffusion of technology and its dual-use nature make the regimes' road ahead a difficult one. Intelligence will play an increasingly important role in maintaining their effectiveness. Protecting sources throughout this process will be a challenge.

Following are summaries by country of ACW- and WMD-related acquisition activities (solicitations, negotiations, contracts, and deliveries) that occurred between 1 July and 31 December 1996.

ACQUISITION BY COUNTRY

We chose to exclude countries that already have substantial ACW and WMD programs such as China and Russia, as well as countries of lower priority that demonstrated little acquisition activity of concern.

EGYPT

During the last half of 1996, Egypt obtained Scud-related ballistic missile equipment from North Korea and Russia.

INDIA

India sought some items for its ballistic missile program during the reporting period from a variety of sources. It also sought nuclear-related items, some of which may have been intended for its nuclear weapons program.

IRAN

Iran continues to be one of the most active countries seeking to acquire all types of WMD technology and advanced conventional weapons. Its efforts in the last half of 1996 have focused on acquiring production technology that will give Iran an indigenous production capability for all types of WMD. Numerous interdiction efforts by the US government have interfered with Iranian attempts to purchase arms and WMD-related goods, but Iran's acquisition efforts remain unrelenting.

For the reporting period, China and Russia have been primary sources for missile-related goods. Iran obtained the bulk of its CW equipment from China and India. Iran sought dual-use biotech equipment from Europe and Asia, ostensibly for civilian uses. Iran was actively seeking modern tanks, SAMs, and other arms from the Commonwealth of Independent States (CIS), China, and Europe. Besides some large projects with China, Iranian nuclear-related purchases were not focused on any particular countries and were only indirectly related to nuclear weapons production.

IRAQ

We have not observed Iraq purchasing advanced conventional weapons or WMD-related goods, although it has purchased numerous dual-use items.

LIBYA

Despite the UN embargo, Libya continued to aggressively seek ballistic missile-related equipment, materials, and technology from Europe, the CIS, and the Far East. CW-related purchases diminished, however.

NORTH KOREA

North Korea's WMD programs are largely indigenous. We observed no significant procurement involving ACW or WMD-related goods.

PAKISTAN

Pakistan was very aggressive in seeking our equipment, material, and technology for its nuclear weapons program, with China as its principal supplier. Pakistan also sought a wide variety of nuclear-related goods from many Western nations, including the United States. China also was a major supplier to Pakistan's ballistic missile program, providing technology and assistance. Of note, Pakistan has made strong efforts to acquire an indigenous capability in missile production technologies.

SYRIA

Syria continued to seek CW- and Scud-related goods during the reporting period. Russia and Eastern Europe were the primary target for CW-related purchases, while North Korea and Iran have become important suppliers of Scud-related equipment and materials.

KEY SUPPLIERS

CHINA

During the last half of 1996, China was the most significant supplier of WMD-related goods and technology of foreign countries. The Chinese provided a tremendous variety of assistance to both Iran's and Pakistan's ballistic missile programs. China also was the primary source of nuclear-related equipment and technology to Pakistan, and a key supplier to Iran during this reporting period. Iran also obtained considerable CW-related assistance from China in the form of production equipment and technology.

RUSSIA

Russia supplied a variety of ballistic missile-related goods to foreign countries during the reporting period, especially to Iran. Russia was an important source for nuclear programs in Iran and, to a lesser extent, India and Pakistan. Russia also negotiated the sale of advanced weapon systems, such as the SA–10 to Cyprus, and is an important target for Middle Eastern countries seeking to upgrade and replace their existing arms.

NORTH KOREA

North Korea continued to export Scud-related equipment and materials to countries of concern during this reporting period.

GERMANY

Among Western nations, Germany was the favorite target for foreign WMD programs. German export controls were effective in thwarting many of these attempts, but some dual-use goods were exported, purportedly to civilian end users.

TRENDS

Despite our efforts, countries of concern continued last year to acquire substantial amounts of WMD-related equipment, materials, and technology, as well as modern conventional weapons. China and Russia continued to be the primary suppliers, and are key to any future efforts to stem the flow of dual-use goods and modern weapons to countries of concern.

Countries determined to maintain WMD programs over the long term have been placing significant emphasis on securing their programs against interdiction and disruption. In response to broader, more effective export controls, these countries have been tying to reduce their dependence on imports by developing an indigenous production capability. Many Third World countries—with Iran being the most prominent example—are responding to Western counterproliferation efforts by relying more on legitimate commercial firms as procurement fronts and by developing more convoluted procurement networks. Should countries such as Iran ever become self-sufficient producers and exporters of WMD-related goods and conventional weapons, however, opportunities to prevent acquisition will be dramatically limited.

[From the St. Louis Post-Dispatch, July 6, 1997]

CHINA'S DANGEROUS COMPUTER DIVERSION

The Chinese have done it again—diverted machinery supposedly purchased for commercial purposes to military uses. Predictably, China denies all, but the U.S. State and Commerce departments say they have proof that China diverted a supercomputer that can be used to upgrade military hardware. The Clinton administration is rightly calling attention to the problem, but may have been lax in allowing it to happen in the first place.

Supercomputers can process so much data so quickly that any nation possessing one can significantly upgrade its weapons. That's why sales of supercomputers for military purposes require a license. But under a Clinton edict adopted in 1995, sales of supercomputers for commercial purposes don't. That appears to have been a mistake.

U.S. officials have discovered that a supercomputer manufactured by Sun Microsystems was sold to a Hong Kong company, then purchased by the Chinese government. It was supposed to be sent to a science institute in Beijing, but ended up instead in Changsha where it is being used for military applications, the U.S. says.

China denies it, as it also rejects State Department charges that it has been selling nuclear and ballistic missile technology to Pakistan and Iran. These wouldn't be China's first untruths; last year, China diverted a huge metal stamping machine sold by McDonnell Douglas for commercial airline manufacture to military use.

All supercomputers are capable of so-called dual use, that is, of being employed for both peaceful and military purposes, so they must be carefully monitored. Though the United States has been fairly successful in that effort with its sales to Russia, China has been largely uncooperative. Congress is so concerned that the House has passed a bill reinstating the requirement that all supercomputers sold abroad for any purpose be licensed—and their use be tracked.

In 1995, the administration deregulated the sale of supercomputers for peaceful purposes on the ground that if America doesn't sell its machines, the Europeans or the Japanese would sell theirs. But the importance of slowing the spread of higher grade nuclear weapons and ballistic missiles requires the U.S. to prevent the sale of supercomputers which defeat that purpose, never mind helping the computer industry compete abroad. Only strict licensing is safe, and our competitors should be pressured to follow that policy. The administration shouldn't wait for Congress, but require it now.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I would like to make a parliamentary inquiry.

Would the Cochran amendment be germane in a postcloture situation if cloture were approved tomorrow?

The PRESIDING OFFICER. At this time the amendment does not appear to be germane in a postcloture situation, but the sponsor of the amendment has not had the opportunity to make his case for germaneness, and the Chair would rule on germaneness only after cloture had been invoked and after the sponsor had an opportunity to make his arguments for the amendment being germane.

Mr. LEVIN. I appreciate the Chair's care.

Mr. COCHRAN. If the Senator will yield in response to that response by the Chair.

Mr. LEVIN. I am happy to yield.

Mr. COCHRAN. Would there be any way to modify the amendment to make it germane in a postcloture situation?

The PRESIDING OFFICER. Once cloture is invoked, it would take unanimous consent to modify the amendment.

Mr. COCHRAN. I thank the Chair.

Mr. LEVIN. The reason I raise this, Madam President, is this is an example of where we are prematurely faced with a cloture vote. I say premature, because we have not had an opportunity to vote on key amendments and will not have an opportunity to vote on key amendments, including the Cochran amendment, before cloture. Because under the unanimous-consent agreement that we are operating under, cloture is going to be voted on first. That is the first vote tomorrow.

It strikes me as being unfair to amendments and to those sponsors of amendments who have put in a serious effort on major security issues.

I do not know how I am going to vote on the Cochran amendment. I am studying the amendment. It raises a very significant issue relative to American security. But it is not technically germane because of our postcloture rules. It surely is relevant to this bill in any, I think, general sense. We are talking about the security of this Nation and we are trying to weigh the issue here, the pros and cons of the Cochran amendment. Surely, it is a serious national security issue which the Senator from Mississippi has raised, the chairman of a subcommittee which has had hearings into a very important issue.

So I urged before that we not invoke cloture tomorrow for a number of reasons and stated that there were a number of very significant pending amendments that would be or might be ruled nongermane after cloture, and I failed to list this amendment as an example of that type of amendment that could very well fall although I think by any reasonable definition of national security this surely is relevant to that issue.

So I commend my good friend from Mississippi for raising this issue.

Again, it is an issue that I am going to be giving some real study to this evening. It is a very thoughtful amendment. It is a carefully drawn amendment. It is based on a current classification. And I want to commend him on it and hope that he will be able to at least have a vote on his amendment. That very well will be impossible if cloture were invoked tomorrow.

Madam President, I want to ask another parliamentary inquiry because there is a second-degree amendment which is also pending, a second-degree amendment to the Cochran amendment. I ask the Chair the following question.

Would the question put relative to the Grams amendment receive the same response from the Chair as my question relative to the Cochran amendment?

The PRESIDING OFFICER. After conferring with the Parliamentarian, the Chair would give the same response to the question with regard to the Grams amendment.

Mr. LEVIN. I thank the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THURMOND. 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. THURMOND. Madam President, I am just notifying Senators that if they have any amendments, come over and we'll take them up. This is the time and this is the place. We are just killing time here, wasting time, wasting the Government's time, wasting our time waiting on people to come in and offer amendments. I want to say to my colleagues, if you have an amendment, come on over here and let's take it up and get action on it. I am here waiting to cooperate. Thank you very much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THURMOND. 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. SPECTER. I thank the distinguished chairman of the Armed Services Committee for asking the quorum call be rescinded and I thank the Chair for waiting. I knew today we would be discussing the Department of Defense authorization bill. As soon as I completed work on our hearings for tomorrow, the Government Operations Committee, I notified the floor that I would be coming over and I thank the Chair for waiting and I thank the distinguished chairman for waiting.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have sought recognition to discuss an amendment which has been circulated with both the majority and minority, which refers to establishing procedures for a report not later than 90 days after the enactment of the defense authorization bill, for the Secretary of Defense to submit to the congressional defense committees a report containing the following: No. 1, an assessment of the current policies and practices of the Department of Defense with respect to the protection of members of the Armed Forces against terrorist attack abroad, including any modifications of such policies or practices that are proposed or implemented as a result of the assessment; and, second, an assessment of the procedures of the military departments intended to determine accountability, if any, in the command structure in instances in which a terrorist attack results in the loss of life at an installation or facility of the Armed Forces abroad.

This report is being sought because of what happened on June 25, 1996, when a bomb detonated not more than 80 feet from the Air Force housing complex known as Khobar Towers in Dhahran, Saudi Arabia, killing 19 members of the Air Force and injuring hundreds more, as many as 400 more.

This incident came under very intensive scrutiny by the Intelligence Committee, which I chaired last year. I have very serious reservations as to the adequacy of the Department of Defense response to the kind of threat which was posed by having those living quarters within 80 feet of a fence.

The Department of Defense had a report on June 13, 1996 from the Bureau of Intelligence and Research, Department of State, highlighting security concerns in the region in which Dhahran was located. Previously, in January 1996, the Office of Special Investigations of the Air Force issued a vulnerability assessment for the complex, and that assessment highlighted the vulnerability of perimeter security at the complex, given the proximity of the complex to a boundary fence and the lack of the protective coating mylar on its windows. And then, just 8 days before the terrorist attack, the Department of Defense received an intelligence report detailing a high level of risk to the complex. That report went to the highest levels of the Department of Defense and had the picture of Khobar Towers on it.

Immediately after the incident occurred, the Secretary of Defense, William J. Perry, said that it was very unusual to have a bomb of the magnitude of 3,000 to 5,000 pounds used in the Mideast. I took issue with that statement on a factual basis that on October 23, 1983, according to the results of the Long Commission, a bomb weighing 12,000 pounds had killed 283 marines in Beirut, in the Mideast. That is the same region where, regrettably, terrorist attacks have become all too commonplace. So it struck me as strange that the Secretary of Defense would say that a bomb weighing 3,000 to 5,000

pounds was unusual in the Mideast, when there had been a bomb of 12,000 pounds, as I say, in 1983, detonated, giving tremendous warning for just this kind of attack; and that, in fact, a reading of the Long Commission report, for anybody who had read it, would have demonstrated the kind of threat which was posed by a high-powered bomb detonated near a fence in that area.

I personally saw that fence in August 1996 when I visited Khobar Towers in Dhahran as part of my effort and the Intelligence Committee's efforts to try to find out exactly what had happened there. We had testimony from General Peay, who was the four-star commander in the area, who testified before a Senate committee in early July. Asked about the closeness of the perimeter fence to those living quarters, ''Was it too close?'' he said words to the effect of, ''I don't know. I just don't know.''

Certainly after the fact it is hard to understand how a ranking general would not know that that fence was too close to the living quarters and, realistically, before the fact, it seems hard to understand how the commanding general would not know about the extraordinary and unwarranted danger which was faced by the airmen who were living in those quarters.

The Chairman of the Joint Chiefs of Staff, General Shalikashvili, had visited Dhahran in the spring of 1996 and was within sight of Khobar Towers, although, as I understand it, he did not actually visit Khobar. But a question to be raised and a question to be answered, which has not yet been answered by the Department of Defense, is why the Chairman of the Joint Chiefs of Staff when in the area, within sight of Khobar Towers, knowing what the security risks were, did not take a look at that facility and make an assessment as to the vulnerability, since he was on the spot. That is especially true in light of the fact that there had been an attack in Riyahd, Saudi Arabia, in November 1995, killing a number of Americans, and that four Saudis had been executed by the Saudi Government in late May 1996, which would give rise to a concern as to what the militants in Saudi Arabia would do next. That was especially troublesome to the United States from a number of points of view, one of which was that the FBI, charged with investigating those matters overseas, had not been given access to those terrorists before they were executed.

So, here you have the general on the spot, a brigadier general, with the fence 80 feet from the towers, you have the four-star general in command of the overall area even after the fact, not knowing whether there was an unacceptable risk, and you have the Chairman of the Joint Chiefs of Staff in the vicinity, within sight of Khobar Towers, and no corrective action taken notwithstanding all of these warnings which had been given in a number of contexts about the danger which was present there.

Following the attack on Khobar Towers, a commission was formed with General Downing, a retired four-star general, in command. When he testified before the Intelligence Committee on September 19, 1996, among other questions I asked him about a series of criteria established by the Secretary of Defense, Secretary William J. Perry, about what the responsibility was of the Secretary of Defense.

General Downing testified that even under Secretary Perry's two standards they were not met. The first two standards articulated by Secretary Perry were ''establishing the policies and guidance for our commanders, including the policy and guidance for force protection.''

I asked General Downing:

> . . . Was there an adequate policy and guidance on force protection?

General Downing's response:

> No, there was not, Senator.

Then I asked about Secretary Perry's second criterion, organizing and structuring the Department of Defense in such a way that force protection is optimal. Then the question was:

> So did they meet the second criterion which stated ''organizing and structuring the Department of Defense in such a way that force protection is optimal?''

General Downing:

> The answer is no.

I ask unanimous consent, Mr. President, that at the conclusion of my remarks this extract from the hearings before the Intelligence Committee be printed in the RECORD.

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

(See exhibit 1.)

Mr. SPECTER. Mr. President, in sequence, the committee then learned that there had been a report on the force protection issue, ''Force Protection in Southwest Asia, An Air Force Perspective,'' dated September 17. Our committee learned about this as a result of a report in the press, the Washington Post specifically, on October 10, 1996. So by letter dated October 17, 1996, Senator ROBERT KERREY, vice chairman of the Intelligence Committee, and I, in my capacity as chairman, wrote to Secretary of the Air Force, Sheila Widnall, asking for a copy of that report.

I ask unanimous consent that the letter dated October 17, 1996, be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. SPECTER. Mr. President, the next sequence of events was a letter which I sent to Secretary Perry, with a copy to Air Force Secretary Widnall, dated November 5, 1996, which reads as follows:

> This letter constitutes a formal complaint on the obstruction by you, others and the Department of Defense on the inquiry by the Intelligence Committee to determine whether there was an intelligence failure relating to the terrorist attack in Dhahran on June 25, 1996 on the following:
>
> 1. Prohibiting key witnesses from being interviewed by this Committee (Brigadier General Terryl Schwalier, Colonel Gary Boyle, Lt. Colonel James Traister).

Notwithstanding our efforts to interview these key personnel, the Department of Defense precluded the Intelligence Committee from conducting those interviews.

Second, in my letter to Secretary Perry, I pointed out the concerns we had on prohibiting General Downing from testifying before the Intelligence Committee except on the terms set forth by the Secretary of Defense with that questioning only being in closed session. With our interest in having an open session, with General Downing having told the Intelligence Committee that he was employed by the Department of Defense and had to comply with instructions not to testify in open session, the impact of that was obvious. When General Downing testified in closed session that Secretary Perry had not even followed the Secretary's own criteria for force protection, it was not much of an impact contrasted to what it would have been had it been in open session.

The third item:

> Refusing to give this committee access to an Air Force report which, as reported in the Washington Post on October 10.

Then, finally, on November 6, after this letter was faxed on November 5, we received a response from General Trapp dated November 6, 1996, which I ask unanimous consent be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 3.)

Mr. SPECTER. Then there is my reply dated December 5 stating that that reply was insufficient, and referring to other letters. I ask unanimous consent that my letter of December 5 be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 4.)

Mr. SPECTER. Mr. President, I then note an article in the New York Times dated December 12, 1996, which discussed release of another report which apparently had been leaked to the New York Times for reasons set forth in the New York Times article, which said:

> Officials sympathetic to the Air Force position made available Wednesday selected parts of a classified review the Air Force conducted into the bombing. The review, written by Lt. Gen. James F. Record, commander of the 12th Air Force, cites, for example, the assessment of a senior U.S. intelligence official in Riyadh, the Saudi capital, that the intelligence reports given to General Schwalier ''did not give a target'' for the terrorist attack.

So, by this time, some of the Air Force were dissatisfied with General Downing's report and wanted a report

which would satisfy them. So another report had been commissioned, this time to be written by Lt. Gen. James F. Record.

On seeing that additional news leak of the report, which the Intelligence Committee did not have a copy of, Mr. President, I then wrote to Secretary Widnall on the same day, December 12, noting the access by the New York Times but no access by the Senate Intelligence Committee.

Again, I ask unanimous consent that the New York Times article of December 12, and my letter to Secretary Widnall dated December 12 be printed in the RECORD at the conclusion of my remarks.

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

(See exhibits 5 and 6.)

Mr. SPECTER. Mr. President, in the next series of events, I note a story in the New York Times which, again, makes reference to these reports which the Intelligence Committee never had access to, quoting ''Gen. Ronald Fogleman, the Air Force Chief of Staff, arguing that the case for accountability is nothing more than a Washington scalp hunt.''

I then wrote, again, to Secretary of the Air Force, Sheila Widnall, on April 25, 1997, noting the comments by General Fogleman and again asking that these reports be made available to the Senate, to me, and to the Senate Intelligence Committee.

I again ask unanimous consent that at the conclusion of my remarks copies of the New York Times article dated April 15, 1997, together with my letter dated April 25, 1997, be printed in the RECORD.

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

(See exhibits 7 and 8.)

Mr. SPECTER. Mr. President, all of these letters to Secretary of the Air Force went unanswered. Then, on May 21 of this year, the Air Force had the responsibility of coming to the Defense Appropriations Subcommittee. I had an opportunity, finally, to ask Secretary Widnall these questions and why there had not been any response to any of these letters of inquiry and the question of General Fogleman on this subject.

Finally, subsequent to that meeting, I received a very brief letter from Secretary Widnall, in fact, after I had bumped into her in the hallway on the 7th floor of the Hart Building and said to her, ''Madam Secretary, why don't you at least respond to the letters saying that you can't respond if that is your point because there is an inquiry underway?''

In the context of all the letters which had been written and that conversation, I finally received a letter saying she could not respond, the matter was being reviewed now by the new Secretary of Defense, and that, in due course, a copy of the report would be obtained by Senators.

Here we are on July 7, 1997 and still no copy of the report has been made available to this Senator or, to the best of my knowledge, to other Senators, but copies of the report were made available to the news media as it suits the purposes of the Department of the Air Force and the Department of Defense.

Mr. President, in offering this amendment, it is my hope we will have a statement of law requiring a report so we know what action is being considered in the future to protect personnel of the Department of Defense from terrorist attacks. News reports of the past week, an article in the Washington Post a week ago yesterday, reported the Secretary of Defense expected to make a finding sometime during the month of July. It is my hope that when the Secretary of Defense speaks on the subject, that he will go beyond the conduct of General Schwalier, which was criticized in the early report, and will pick up the issues of the conduct of the Department of Defense generally.

Brigadier General Schwalier's conduct was criticized in the Downing report, but, to my way of thinking, that is not nearly enough of an answer as to the conduct beyond Brigadier General Schwalier, moving to a four-star general, moving to the Chairman of the Joint Chiefs of Staff, General Shalikashvili, and moving to the Secretary of Defense himself, William J. Perry.

In this context, it is my judgment that the record shows forcefully and conclusively that there were warnings all along the line; that when you have a fence 80 feet from living quarters of hundreds of Air Force personnel within easy distance of a large bomb, a bomb, according to defense estimates, the Secretary of Defense, of 3,000 to 5,000 pounds, substantially smaller than the experience of the 12,000-pound bomb in Beirut in 1983, that there was forceful, obvious, and conclusive neglect of duty. It goes beyond the brigadier general on the scene. It goes to the commanding four star general, it goes to the Chairman of the Joint Chiefs of Staff and it goes to the Secretary of Defense.

If we are to have confidence in what the Secretary of Defense does in putting young men and women in harm's way, then there has to be accountability for the 19 airmen who died on June 25 in Khobar Towers and for the 400 who were wounded. That, Mr. President, is what I hope will come from the findings of the Secretary of Defense.

In the meantime, this requirement for a report will be some help to the future. But if we permit on this record those responsible, those in the chain of command to go by unscathed, unreprimanded, unaccounted for, then it is a blank check and open invitation for this kind of conduct to be repeated in the future.

The problems of terrorism are too serious to turn our back on what happened at Dhahran on June 25, 1996. I personally consider inexcusable that we have had more than a year pass and nothing has been said in an official way by the Department of Defense, the Department of the Air Force, and all of the components, this is to say nothing about who the terrorists are who have escaped punishment, and that is a matter which yet has to be reckoned with.

But within our own Department of Defense, we have a right to expect better, and I, for one, am awaiting the report of the Secretary of Defense to see what the position of the Department of Defense is. But at least as to the future, we will have some indication as to what precautionary measures will be taken for the future, but there also has to be an answer for the past. I thank the Chair. I yield the floor.

EXHIBIT 1

SENATE SELECT COMMITTEE ON INTELLIGENCE
CLOSED HEARING: THE DOWNING REPORT ON KHOBOR TOWERS, SEPTEMBER 19, 1996

Chairman SPECTER. I am going to try to finish up in the course of the next few minutes. It's been a long morning for you, I know, gentlemen.

I want to go to Secretary Perry's testimony on his articulation of the responsibility of the Secretary of Defense, and what I want to try to do is get your insights, your judgment, General Downing, having headed the task force and having done the investigation, having a lot of experience in the military, from 1962 when you graduated from West Point, to 1996, when you had retired, this is what Secretary Perry said as to his responsibility.

I manifest this responsibility in four important ways. First of all, by establishing the policies and guidance for our commanders, including the policy and guidance for force protection.

I think I already know your answer from your report, but was there an adequate policy and guidance on force protection?

General DOWNING. No, there was not, Senator.

Chairman SPECTER. Secondly, by organizing and structuring the Department of Defense in such a way that force protection is optimal. And I would include in that his testimony later where he said, quote, ''But General Downing is correct in saying that we do not have a budgetary focus on force protection, nor do we have a budgetary focus in our resource allocation process, in the institutional process by which we decide how to pass funds out to different programs.'' So did they meet the, quote, ''organizing and structuring the Department of Defense in such a way that force protection is optimal.''

General DOWNING. The answer is no. We gave them some recommendations on how to do that better.

Chairman SPECTER. And third, and I guess this is included in what I just said, by allocating resources to our commanders, including resources for force protection.

General DOWNING. Sir, we—that was one where we did not find—we found that—there was not a good structure for it, but that they had not been denied funds for force protection. The field had not been denied funds for force protection.

Chairman SPECTER. And finally, by carefully selecting and supervising the military and civilian leadership in the Department of Defense—and I asked you if that was meant, first as to the Secretary, and then as to the Joint Chiefs of Staff, who have these reports up from General Peay's unit as to delegation of authority and guidance, etc. Was that criterion met?

General DOWNING. Senator, I believe that the Secretary met that and that the inherent responsibility of commanders for force

protection is something I don't believe the Secretary of Defense has to tell a commander he needs to do.

Chairman SPECTER. How about as to the Joint Chiefs of Staff?

General DOWNING. The Joint Chiefs of Staff, we felt and we recommended that they change those command relationships.

EXHIBIT 2

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, October 17, 1996.

Hon. SHEILA E. WIDNALL,
Secretary of the Air Force,
The Pentagon, Washington, DC.

DEAR SECRETARY WIDNALL: As you know, the Committee is reviewing the adequacy of intelligence support and its use by consumers in the context of the recent terrorism incidents affecting your forces in Saudi Arabia. Recently it came to our attention that the Air Force completed a report entitled ''Force Protection in Southwest Asia, An Air Force Perspective,'' dated 17 September 1996. This report was quoted in Washington Post article appearing October 10, 1996.

Since we have been unable to obtain a copy of the report through your legislative liaison office, we are forwarding our request for a copy of this report directly to you and ask for your assistance. Given the widespread coverage of the report in the media and its importance to our ongoing oversight responsibilities, there can be little justification for not promptly providing a copy to the Committee.

Sincerely,

ARLEN SPECTER,
Chairman.
J. ROBERT KERREY,
Vice Chairman.

EXHIBIT 3

DEPARTMENT OF THE AIR FORCE,
Washington, DC, November 6, 1996.

Hon. ARLEN SPECTER,
Chairman, Select Committee on Intelligence,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This is in response to your joint letter of October 17, 1996, regarding what you describe as a document concerning force protection in Southwest Asia that was referred to in a Washington Post article on October 10, 1996.

Contrary to the implications in the article, the Air Force has not issued a report entitled ''Force Protection in Southwest Asia, An Air Force Perspective.'' Rather, a preliminary briefing was prepared by the Office of the Deputy Chief of Staff, Plans and Operations, for internal use on the consideration and evaluation of the protection of our forces against terrorism following the bombing of Khobar Towers in Saudi Arabia. That preliminary briefing has now been given to Lieutenant General Record for his use in reviewing this matter and considering issues of accountability. When Lieutenant General Record's process is complete, we will be glad to provide the Committee with the results of his review and related official documents.

A similar letter is being provided to Vice Chairman Kerrey who joined you in your letter.

Sincerely,

LANSFORD E. TRAPP, JR.,
Director, Legislative Liaison.

EXHIBIT 4

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, December 5, 1996.

Hon. SHEILA E. WIDNALL,
Secretary of the Air Force,
The Pentagon, Washington, DC.

DEAR SECRETARY WIDNALL: I want you to know that I consider the letter from Brig. Gen. Lansford E. Trapp, Jr., of November 6, 1996, *totally insufficient* in response to the letter from Senator Kerrey and me to you dated October 17, 1996, and the copy of the letter which I sent to you dated November 5, 1996, with the original going to Secretary Perry.

Sincerely,

ARLEN SPECTER.

EXHIBIT 5

[From the New York Times, Dec. 12, 1996]

AIR FORCE INQUIRY CLEARS GENERAL IN SAUDI BOMBING THAT KILLED 19

(By Eric Schmitt)

WASHINGTON.—The Air Force has concluded that the general in charge of a military housing complex in Saudi Arabia where 19 Americans were killed and 500 wounded in a terrorist truck-bombing last June took reasonable steps to protect against attack and should not be punished in any way.

The finding contradicts a major conclusion of a separate Pentagon investigation in September that singled out the Air Force officer, Brig. Gen. Terryl Schwalier, for failing to adequately safeguard the Khobar Towers complex in Dhahran, where the blast occurred.

Senior Pentagon officials, who described the results of the Air Force inquiry Wednesday on condition of anonymity, said the Air Force found the deaths a terrible tragedy, but not the fault of Schwalier.

The officials said the inquiry concludes that none of the 10 officers responsible for the safety of the troops in Dhahran violated any laws, Air Force regulations or codes of conduct.

Under military law, the Air Force decides who, if anyone, should be held accountable for a disaster like the Dhahran bombing. The punishments range from mild reprimands to court-martial proceedings that can lead to prison terms. In this case, the Air Force recommended that no punishment of any kind was warranted.

Officials said Air Force Secretary Sheila Widnall and Gen. Ronald Fogleman, the Air Force chief of staff, had approved the decision to exonerate the officers. They said that the finding was expected to be announced later this month. Defense Secretary William Perry has the authority to overrule the Air Force decision, but Pentagon officials said that he would be unlikely to do so.

''Surely there is a desire to hang somebody for this,'' said a senior Pentagon official who supports the Air Force decision. ''But as you look back over the evidence it's pretty hard without 20–20 hindsight to say, 'I'd have done that.'''

The truck bomb exploded on Schwalier's last day as commander of the air base and housing complex in Dhahran. He is now in a Pentagon job overseeing Air Force operations and is awaiting a promotion to major general.

''It's the wrong call,'' one official involved in the initial Pentagon investigation said of the Air Force's decision to exonerate the general. ''It just bothers me from standpoint of the families. It's not right.''

The question of responsibility in the bombing has caused deep strains among the armed services.

While some senior officers have been reprimanded for their roles in recent military disasters, it is rare for a general to face court-martial.

When two Air Force F–15 fighters flying over northern Iraq mistakenly shot down two U.S. Army helicopters in 1994, killing all 26 people aboard, only a captain serving as a weapons-control officer in an AWACS control place went to trial. He was acquitted.

Similarly, none of the 16 officers, including two generals, who were disciplined in connection with the crash in April in Croatia that killed Commerce Secretary Ron Brown and 34 others, were court-martialed.

But a Defense Department investigation, headed by a retired Army officer, Gen. Wayne A. Downing, issued a scathing report that said Schwalier ''did not protect his forces from a terrorist attack.''

The Pentagon report said Schwalier did not heed intelligence reports that Khobar Towers was highly vulnerable to terrorist attack, even though there had already been one deadly terrorist bombing against U.S. troops in Saudi Arabia.

Among a number of warnings was one eerily prescient. A security officer wrote that the tightened security on the base could lead terrorists to strike with a truck bomb at the base's fence.

Air Force officials said they weighed the same evidence that Downing's commission examined, but came to very different conclusions about culpability.

Officials sympathetic to the Air Force position made available Wednesday selected parts of a classified review the Air Force conducted into the bombing. The review, written by Lt. Gen. James F. Record, commander of the 12th Air Force, cites, for example, the assessment of a senior U.S. intelligence official in Riyadh, the Saudi capital, that the intelligence reports given to Schwalier ''did not give a target'' for a terrorist attack.

In addition, Record's review quotes the U.S. consul general in Dhahran, David Winn, saying, ''No one really thought that anything would happen in Dhahran.''

Air Force officials also said Schwalier took several steps to protect the housing complex, from increasing the number of guard posts to installing a double row of concrete highway barriers around the fence-line.

Air Force officials acknowledged that those measures were inadequate. ''There's no disagreement there,'' said the senior Pentagon official who supports the Air Force decision. ''The fact is, 19 people were killed. But then the issue becomes, was there dereliction of duty?''

Record, who had the power to recommend Schwalier face court-martial, concluded there was no such neglect of duty. Widnall and Fogleman concurred.

''People need to understand that accountability is a two-edged sword,'' said the senior Pentagon official who supports the Air Force decision. ''If you examine someone's actions and you find them wanting, you hold them accountable. But if you define that as court-martialing everyone, I can't live by your definition.

''At the same time, if you believe that person is not culpable,'' the Pentagon official continued, ''then it's every bit your obligation to stand up and defend that person. If you don't do that, you'll erode the fighting spirit of commanders. You'll have people looking over their shoulders. They'll always know they'll be second-guessed by people in Washington.''

The attack in Saudi Arabia continues to create thorny problems for the Clinton administration. In response to FBI complaints that Saudi officials had been uncooperative in what was to have been a joint inquiry, Riyadh has recently turned over information to support its contention that the bombing plot was heavily supported by Iran.

The information included videotaped interviews with some of the several dozens suspects arrested after the bombing. But some law enforcement officials expressed skepticism over the interviews, saying they lacked credibility because the confessions may have been obtained under duress.

The Air Force signaled months ago it did not believe Schwalier was to blame. In an internal review that paralleled Downing's inquiry, Air Force officials said Schwalier's responsibility extended only to the fenced perimeter of the base.

Beyond that, the responsibility for security belonged to the Saudis. The truck bomb exploded in a parking lot just outside the base's property.

EXHIBIT 6

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, December 12, 1996.

Hon. SHEILA E. WIDNALL,
Secretary of the Air Force, The Pentagon, Washington, DC.

DEAR SECRETARY WIDNALL: Please reference my letters to you of October 17, November 5, and December 5, 1996.

According to The New York Times today, selected portions of the Air Force report on Dhahran have already been made available to the news media by representatives of the Air Force who are favorably disposed to the Air Force report.

I would like your prompt advice as to whether that news report is accurate.

In any event, this is a formal demand that the report be turned over to the Intelligence Committee forthwith.

Sincerely,

ARLEN SPECTER.

EXHIBIT 7

[From the New York Times, Apr. 15, 1997]

SECRETARY COHEN'S CALL

It will be interesting to see if Defense Secretary William Cohen has the moxie to hold the Air Force accountable for security failures in Saudi Arabia last year. So far the Pentagon's handling of the terrorist bombing in Dhahran that killed 19 American airmen and wounded 500 has followed a dismally familiar script. The Air force high command has sloughed off responsibility, betting that top civilians will once again bow to the shopworn argument that punishing individual commanders is unfair and would damage morale.

Mr. Cohen, who knew how to cut through thicker Pentagon smokescreens as a Senator, can set an admirably exacting standard for his stewardship as Defense Secretary by overturning the Air Force decision. The principle of civilian leadership of the military requires the application of independent judgment in cases like this. Since Air Force Secretary Sheila Widnall seems a willing captive of her service, Mr. Cohen must show that accountability in the American military is not governed by the protective instincts of the officer corps.

The security breakdown at the Khobar Towers apartment complex in Dhahran last June is beyond dispute. Though safeguards were enforced to prevent a suicide truck bomber from entering the compound, the towers were left exposed to attack from a nearby parking area. When a large truck bomb was detonated there last June, the explosion sheared off the northern facade of two towers.

The perimeter security fence was barely 35 yards from the buildings. Despite intelligence warnings about a possible terrorist attack, Air Force commanders made only a feeble effort to extend the perimeter. Even the most elementary and inexpensive defense—covering windows with a plastic film to prevent shattering—was not used. Many of the deaths and injuries were caused by flying glass.

These and other lapses were made plain in a Pentagon investigation conducted by a retired Army general, Wayne Downing. The Downing report concluded that Brig. Gen. Terryl Schwalier, the Air Force commander in Dhahran, ''did not adequately protect his forces from a terrorist attack.'' General Schwalier did not even bother to make security a primary concern on his watch.

Now comes Gen. Ronald Fogleman, the Air Force Chief of Staff, arguing that the case for accountability is nothing more than a Washington scalp hunt. His view, in essence, is that General Schwalier and his staff did everything they reasonably could to secure the compound and that the method and explosive power of the bombing exceeded any threat that could have been anticipated.

Yet the destruction of the Alfred Murrah Federal Building in Oklahoma City 14 months before the Dhahran attack showed the power of a large truck bomb placed near but not inside a high-rise building. It was lesson enough for the Secret Service, which quickly closed a stretch of Pennsylvania Avenue to expand the security perimeter around the White House.

General Fogleman mistakes his own blind loyalty for leadership. Morale is not served by dodging responsibility and circling the wagons around a fellow officer. Perhaps honor and duty are just quaint notions these days, but Mr. Cohen might actually do wonders for the morale of Americans in uniform if he rules that the Air Force cannot escape responsibility for its failures in Dhahran.

EXHIBIT 8

U.S. SENATE,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, April 25, 1997.

Hon. SHEILA WIDNALL,
Secretary, Department of the Air Force, Washington, DC.

DEAR SECRETARY WIDNALL: I have noted repeated press accounts on an Air Force report on the responsibility, if any, for the terrorist attack at Dhahran on June 25, 1996.

As you know, I have made repeated requests for copies of all DoD, including Air Force, reports on this incident.

According to press reports, Secretary of Defense William Cohen is personally reviewing this matter.

I would very much appreciate it if you would promptly provide to me a copy of any report on assessing responsibility for the Dhahran terrorist attack of June 25, 1996.

Sincerely,

ARLEN SPECTER.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBB. 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. ROBB. Mr. President, I would like to take just a few minutes to discuss an amendment I am offering to this year's DOD authorization bill that will make a real difference in the lives of all members of the naval service—and eventually all members of our Armed Forces. It will eliminate many long lines and hours of frustration, it will substantially reduce recordkeeping errors and it will save the DOD and the taxpayers hundreds of millions of dollars. And it represents the next phase of the effective utilization of smart card technology—a technology I have been encouraging and working on for many years.

Mr. President, when a new recruit joins the service today, he or she faces a long and tedious registration process. A typical new recruit faces hours of waiting in line to fill out forms with his or her name, date of birth, rank, military I.D. number, and so forth, only to be sent over to another line to fill out another form with much of the same information again. Not only is this process aggravating for our new recruits—it is a waste of the Armed Service's time and personnel. It takes dozens of people countless hours to process in each new recruit through this inefficient system, costing the service valuable time and money, that it could be putting to better use elsewhere.

Once registered, a new recruit is issued a handful of ID's and cards to carry. A typical service member today might be required to carry a general ID card, an immunization card, a meal card, an equipment card, a weapons card, a military driver's license, a vehicle registration, a card to pick up mail, a card to carry if staying as a guest at another base, and if lucky enough to be stationed near some good fishing, a fishing permit. With so much clutter, it is not uncommon for a service member to misplace one of their cards, which wastes even more of the military's time and resources replacing them.

For years, I have been looking at ways that the military could streamline the methods it uses for its registration and recordkeeping, looking for a way to improve what I saw as an outdated and inefficient system of issuing multiple cards containing duplicate information.

The Government and the private sector have been using cards for years as a means of information storage. Many of the earliest cards had just a name and number much like the Social Security card that is still in use today. As the need for increased security and efficiency in the transfer of information from a card grew however, we saw the introduction of cards that relied on new information storage systems like bar codes and magnetic stripes, much like the kind found on today's credit cards, ATM cards, telephone calling cards, and in dozens of other card-based applications. And as the technological capabilities of cards have increased, so has the number of cards that each of us carries every time we leave our residence.

Mr. President, we now stand on the brink of a new explosion in card technology, one that promises to offer us even greater convenience and efficiency in everyday life, saving money and time while increasing our control over the information we provide to others. After years of research and development, I am pleased to report that a new user-friendly card technology will soon allow us to replace the handful of cards now used in the DOD with a single, multiapplication ''smart'' card.

Mr. President, with the amendment that I am offering today, next year,

under a pilot program that I have been working closely with the Department of Defense and the Department of the Navy to develop, a new recruit will not face the long and wasteful lines, the duplication of information or the cumbersome bundles of cards that many of us remember. Instead, upon arriving at boot camp, each new sailor and marine will be issued a single card: the MARC card. Short for Multitechnology Automated Reader Card this card will be used across the entire Navy and Marine Corps next year, and if it works as well as some of us believe it will, we will then extend it to all of the Armed Forces.

The MARC card is a remarkable achievement. The MARC card can carry your security clearance. The MARC card can carry your meal information. The MARC card can hold your immunization records. The MARC card can serve as your room key.

Mr. President, the long-term savings that will result from this program will be substantial; the improvements in the increased speed and quality of services will be enormous. With the MARC card, we can reduce support infrastructure, thereby improving our tooth-to-tail ratio while making our sailors' and marines' lives easier.

The MARC card is one of the first widespread applications of the most exciting new card technology on the market today: the smart card. Smart cards, like the MARC card, rely on an integrated circuit chip—a microchip—to store more information and data than was ever before possible on a single card. Within each card is a small microprocessor along with a sizable memory capacity, which gives each smart card the capabilities of a small microcomputer.

The capabilities of the smart card are so great that a single card can perform all of the functions that this entire stack of cards that I am holding up right here used to perform of still perform today, for that matter, and will perform dozens of new time-saving applications as well. Unlike older cards, the smart card is easily updatable, and has the capability to constantly take on new information.

Yet the real strength of smart cards, like the MARC card lies not in the convenience of carrying so much information on a single card, but in the money that we can save as a result. By harnessing the strength and memory of a small computer inside of a portable plastic card, a multitude of new applications can be offered that will increase the efficiency of Government, cutting down expensive and unnecessary administrative costs while reducing waste, fraud, and abuse at all levels of government.

Mr. President, I have seen this card in action, and the savings and increased efficiency it can offer the members of our Armed Forces are really impressive.

In the past, when our sailors would dock at a naval base upon their return from sea they faced a long and tedious process of waiting in line after line to check in to their shore station. Often taking up to a week a sailor would need to fill out countless forms to register for quarters, for medical treatment, for security clearance, for his next assignment, for the mess hall et cetera.

But today at the Smart Base in Pascagoula, MS, the first naval base to automate its operations using the MARC card, a sailor who arrives off of the U.S.S. *Yorktown* faces a check-in time of just a few minutes. By simply walking up to a kiosk, he can insert his MARC card into a reader not unlike an automatic teller machine, and within seconds be assigned his quarters and other necessary information, while personal data needed by the command is simultaneously zipped electronically around the rest of the base. His MARC card even serves as his room key.

Not only does this process save sailors a lot of wasted time, but it reduces the number of administrative staff needed to check in an entire ship. To process every sailor from an arriving ship, a base need only have a handful of staff on hand and a few kiosks that interact with the MARC card.

Mr. President, the MARC card can improve the efficiency of every operation across the military. Let me give you an example. Today, when a sailor or marine heads to a mess hall to eat, he has to show his ID card, as well as his meal card to one of the duty personnel, who tediously records the information from both cards by hand into a ledger. After each meal another officer must spend hours reconciling who ate what on that particular day, at a great expense both in the time involved and the money it costs. On average, it takes a mess hall 4 to 6 hours a day to account for all the meals that are eaten.

With the MARC card, however, sailors and marines will simply swipe their cards through a reader as they enter the mess hall and be automatically accounted for by a computer. Anyone who tries to sneak an extra meal without paying is caught in the act, which helps the Navy reduce fraud. After each meal, the officer in charge of the mess hall will only need to call up a file on their computer to account for the meals served. The total time involved is reduced from several hours to just a few minutes.

Not only will this project save the Navy time and money—the food service savings alone will save over $2 million in the first year, a savings of 49 percent—it will also allow our Armed Forces to allocate more resources to the duties they most need to focus on. From security access to dining hall access, from checking out weapons to checking out library books, the MARC card can save the Armed Forces thousands of hours a year in wasted administrative costs.

The $36 million I am asking for in this amendment does not authorize any new spending—it only redirects the use of $36 million within the Navy and Marines O&M account that has already been authorized by the committee. Because the MARC card program has been so effective in reducing the costs of general administration in the military, our investment of $36 million in an expansion of the MARC program will save the Navy and Marines O&M account many millions more in fiscal year 1998 and beyond.

By investing $36 million, in the MARC program, the Navy's project manager, estimates that the savings to O&M from using the three MARC applications, already in place across the Navy and Marines will top $134 million in FY 98.

Now that's just the savings from using the MARC card in three applications—Food Service, Security Access, and Clearance Verification.

As other applications are deployed, the savings may top $200 million in just FY 98, and well over $500 million over the next 5 years.

Mr. President, with the budget situation, that we face today we are compelled to look to all areas of the government to eliminate needless administrative services and streamline the many duties that our government performs.

In this era of reinventing government, smart card technology has potential applications not just in the military but all across the government.

By eliminating long waits in lines at government agencies, by eliminating the manual entry of data all across government agencies, by doing away with duplication of data across the government by eliminating fraud, smart cards can slash the administrative costs of government while improving the quality and speed with which many government services are delivered.

Mr. President, the technology is here, in our hands, and the savings to be had are real, immediate, and substantial. I firmly believe that we should move forward with applying smart card technology, not only in the military, but all across the government.

Mr. President, I realize that smart cards are still a new technology right now, and that they're unfamiliar to many potential users.

I am aware that some people are uncomfortable with the idea of having a single card for everything they need.

Placing so much information on a single card raises more than a few eyebrows over privacy and security concerns.

And I know that a lot of people are concerned that by placing so much personal information on a single card an employer might have access to medical records, or a librarian might be able to find out what you ate for lunch that day.

Let me say that I share these concerns.

But in fact, Mr. President, while all this information may be carried on a

single card, powerful encryption technology ensures that personal information is seen only by those who the individual wants to see it.

The technology available today allows us to select what information is carried on our smart card and guarantees that we are the only ones who can grant access to that information.

Even though we can store our financial and medical records on the same smart card the card's microchip is divided into separate compartments that make it impossible for our bank to see our medical records and our doctor to see our last bank deposit.

And if we should lose our card, anybody who finds it will discover that it's useless to them.

Because without the proper authorization code that only the individual knows—and with more sensitive applications, without biometric authentication like hand geometry scanners—the card won't work in the hands of anybody but its owner.

Just as our ATM card is useless to a thief without the proper PIN number, a thief will find that, without authentication by its owner, a stolen smart card is a worthless piece of plastic.

In an era where our personal information is becoming increasingly easier for others to access, where our very personal and private activities can be electronically tracked, smart cards are a way to return control over this information where it belongs: in the hands of the individual.

And with modern-day encryption and other security measures built into the chip on a smart card, the information on this card is more secure from theft or fraud than any credit card or ATM card in use today.

Mr. President, there is no doubt of the need for increased efficiency, security, and portability of information across all sectors of our Government.

We have the technology, literally, in our hands to make it happen.

Already, several other Government agencies have begun to implement this technology in a variety of applications across Government.

Today, for example, smart cards are used as identification and security badges in Government buildings.

In States like Wyoming, pilot programs are underway to use smart cards to electronically disburse WIC and food stamp benefits.

In several western States, a smart card called the health passport is being used to increase the portability and accessibility of an individual's medical records while safeguarding their confidentiality.

At colleges like the University of Michigan, a single smart card can call up a student's financial aid records, buy her books, and open the door of her dorm.

On our subways, and our military bases, in our hospitals, and our schools, across the public and private sector, smart cards can cut down the time we spend on burdensome administrative work and save us valuable time and resources.

But the reason I'm so enthusiastic about this new technology, Mr. President, is not just because smart cards can eliminate waste.

I'm not here speaking today simply because smart cards can save us time and money.

I'm strongly supportive of this new technology because smart cards can make our lives better and easier.

Whether it's reducing the time we wait in line at a government office or providing a doctor the information needed to save a life smart cards can make our entire infrastructure more user-friendly and efficient; smart cards make technology work better for us.

I am confident that pilot smart card programs, like the MARC program, will demonstrate the effectiveness of smart cards and the need for this technology across government, and will lead to increased use of this technology in our future.

That's why I'm so excited about it, and that's why I'm so pleased the managers seem willing to include this provision in their manager's amendment.

With that, Mr. President, I thank the chair, and I yield the floor.

Mr. LEVIN. Mr. President, I just want to commend the Senator from Virginia on his amendment. It is a very thoughtful amendment, the product of months, and, indeed, years of work by Senator ROBB. I hope that in the next day or two we will be able to work with the majority to see this amendment is adopted.

I want to commend the Senator on his constant attack on waste and his constant effort to achieve efficiency, not just in the military, but all branches of Government.

Mr. ROBB. I thank the distinguished Senator from Michigan. I did not display my own MARC card here, but it is my hope that in the not-too-distant future not only will all members of the Armed Services, but all members who interact or interface with our Federal Government will have one of these and be able to use them in the same efficient way that the MARC card is being used today, and is being used in this particular experiment.

I yield the floor.

Mr. THURMOND. I want to say to the able Senator from Virginia, Senator ROBB, that you made a very interesting discourse here. What the Senator is recommending appears to deserve serious consideration. That consideration, I am sure, will be given by the committee.

Mr. ROBB. I thank the distinguished chairman of the committee and the senior Senator from South Carolina.

MORNING BUSINESS

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

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

TRIBUTE TO J. MELVILLE BROUGHTON, JR

Mr. HELMS. Mr. President, North Carolina lost a very special, very valuable and very distinguished leader this past April. He was known affectionately and respectfully across our State, and far beyond in every direction, simply as Mel Broughton. His full name was J. Melville Broughton, Jr., but you seldom heard all of that name.

Mel Broughton, by all measurements, was one of those nature's noblemen who comes along only once in a while. Though his family was one of North Carolina's most distinguished, Mel Broughton was one of the least pretentious men I have ever known.

His grandfather was North Carolina's Governor during the World War II years, 1941 to 1944. And in November 1948, former Governor Broughton was elected to the U.S. Senate. But fate was to allow Senator Broughton to serve in the U.S. Senate only a few months, because he had been sworn in as a Senator shortly after his having been elected in November 1948 but he died of a heart attack the following March.

Incidentally, Mr. President, misfortune hovered over North Carolina throughout the 10-year period between the late 1940's and the following 10 years. Our State had a succession of 10 U.S. Senators during that decade. Five of them died in office; three were defeated in their reelection bids; and the two surviving Senators of that decade were Sam J. Ervin, Jr. and B. Everett Jordan. Senator Ervin served 20 years; Senator Jordan served 17.

But let me return, Mr. President, to Mel Broughton, Jr., who was honored by North Carolina's general assembly on June 26 of this year when both Houses of our State legislature adopted ''A joint resolution honoring the life and memory of J. Melville Broughton, Jr.''

As that resolution states, Mel Broughton was devoted to North Carolina and to the people of our State. And he served in countless ways. Only once did he venture into Federal service, and that was when President Ford nominated him to serve on the board of directors of the U.S. Legal Services Corporation. And during those years, one of his colleagues on the Legal Services Corporation board was a young lady who today is the First Lady of America, Mrs. Hillary Rodham Clinton.

Mr. President, needless to say, Dot Helms and I have long been devoted to the Mel Broughton family. As a matter of fact, Mel's parents, Governor and Mrs. Broughton, were very dear to us and thoughtful to us in so many ways.

And last, but certainly not least, I am privileged that Mel Broughton's son—one of them—whom all of us call Jimmy, is administrative assistant and