because he is gay. They claim it is because of his views on certain issues involving gay rights or something to that effect. The truth is, I do not know exactly what their objections are.

But there is a more important truth. If Senators disagree with this nomination, let them come to the floor. Let us debate this out in the open. That is what the tradition of the U.S. Senate about deliberative action is all about. So I challenge my colleagues who have holds on this nomination to come to this very floor, explain why they believe James Hormel is unfit to become an American Ambassador because he happens to be gay. Let other Senators and the American people judge on the merits of this argument.

The issue is a very simple one. We have a qualified nominee who was resoundingly approved by the Senate Foreign Relations Committee. He is entitled to a vote. And as a United States Senator, I am entitled to cast my vote for him.

Madam President, I have language which would be a sense of the Senate to express the intention of the Senate to consider the nomination of James Hormel as United States Ambassador to Luxembourg, that the Senate would make clear its intention to consider this nomination before a certain date and to vote. I will not bring this amendment up on this bill. But this is an amendment that I will bring to the floor of the U.S. Senate on another bill. It is time for us to speak up. It is time for us to deal with what is an injustice.

Mr. President, I will work with my colleagues from California, Senator FEINSTEIN and Senator BOXER. And I will work with other colleagues as well.

Let me just conclude by reading on this matter—and I say to my colleague from Arkansas, I have just one other matter in morning business to cover, and I shall be brief—from the Fort Worth Star-Telegram, ''Senate Should Be Allowed To Vote.'' In an editorial calling for Republicans to let the Senate vote on James Hormel, the Fort Worth Star-Telegram writes:

> Conservatives, like Sens. Gordon Smith of Oregon and Orrin Hatch of Utah take him at his word and support his nomination. Some others, harking to conservative groups that are part of the GOP constituency, do not. Yet they say the issue is not his sexual orientation. If it is not, then the Senate should be allowed to vote, yea or nay. If sexual orientation actually is the issue, then the Senate needs to take a look at itself in the mirror.

I repeat that. ''If sexual orientation actually is the issue''—I say this to the majority leader. I call on the majority leader to bring this matter before the Senate for a vote. I quote the Fort Worth Star-Telegram, the conclusion:

> If sexual orientation actually is the issue, then the Senate needs to take a look at itself in the mirror.

We will not know until we have this nomination out on the floor. And we must do that. I hope the majority leader will take action. I have an amendment that I will bring to the floor if that is what is necessary. I think it is time for all of us to speak up.

Madam President, I just have one other matter that I want to cover in morning business.

HEALTH CARE

Mr. WELLSTONE. Mr. President, let me just briefly speak to one major public policy question that we will deal with in the U.S. Senate. I want to talk about something that has happened in the past couple of years which has had a major impact on the lives of people in Minnesota and across the country. I think people are scratching their head and trying to figure out when we had a referendum on this or when we voted.

The topic is all the ways in which large insurance companies are dominating managed health care plans, all the ways the pendulum has swung so far in the other direction. Many citizens that need the care cannot get the care they needed.

Jenna Johnson is only 15 years old. She suffers from cerebral palsy, seizures and a deteriorating condition called dystonia, which causes her to lose most of the muscle control in her body. She takes multiple prescription medications, undergoes countless hours of physical therapy, and relies on special medical equipment to live her life. Her treatments have nearly broken her body, colleagues, but her spirit and determination remain firmly intact.

In the spring of 1966 Jenna's dystonia worsened. She was fragile from weight loss caused from the 22 pills she took daily to combat her symptoms. The medication caused serious side effects, ranging from damage to her stomach lining to psychotic episodes. The Johnsons found a specialist, a world-renowned pediatric surgeon in Pittsburgh that was an expert in treating conditions similar to Jenna's. He had the expertise in testing and surgery to place an internal pump and catheter to deliver medication.

To make a long and very painful story short, this procedure was Jenna's only hope. She was slipping away before her parents' eyes.

Minnesota is a great health care State. We have the University of Minnesota. We have the Mayo Clinic. Many people from other States—Delaware, Nebraska or Arkansas—quite often are referred to our State. But in this particular case, the expert that could help was a pediatric surgeon in Pittsburgh. The doctor was out of the plan and out of the State and the Johnsons were out of luck.

The request for the procedure was immediately denied. After an appeals process of more than 30 days and countless visits to local doctors and letters to doctors in Pittsburgh and the HMO, the Johnson's plan finally allowed Jenna to undergo the procedure.

It is wrong, Madam President, when a sick child and her family have to spend all of their time and energy fighting their health plan to get the care their child needs.

Let me just simply say that, again, Jenna has had to struggle with the illness. Again, the Johnsons had to try to figure out how to get additional help. And again, after many appeals, the care was first denied and finally given care.

I want to simply point out what has now happened is that the Johnsons have been switched to another HMO and they have been told that any additional care that Jenna might need will be denied outright. Any additional care this courageous 15-year-old young woman will need will be denied. They are out of luck. The Johnson's family is at their wit's end. Jenna's family has joined several HMOs and they can still not find one that will provide the most basic of medical needs without dealing with an overly burdensome corporate review.

Now, let me just quote Jenna's mother, if I could, because I think this gets to what we are dealing with. Her mother, Cynthia, stated, ''Why, at a time of crisis, is emergency medical care denied? . . . If my daughter should have another emergency, what will we do?''

She feels vulnerable. She wants to get the care for her daughter, and because of the current situation in our country, she can't do it.

Now, Madam President, the pendulum has swung way too far. We talked about containing costs. Fine. But where is the protection for consumers? What happens to families that are dealing with chronic illnesses? What happens to families that need specialty care? What happens to families who are trying to get the best possible care for their children?

We have now moved to a system in our country which is increasingly corporatized and bureaucracized, where the bottom line has become the only line. We need to make sure that there is some protection for consumers.

I think there are three issues, and I will summarize them: One, who gets to define ''medical necessity?'' It is outrageous that doctors, nurses, nurse practitioners and nurse assistants, who know what needs to be done in treating a child like Jenna, or an adult, today find themselves unable to provide the kind of care they thought they would be able to provide to people when they were in medical and nursing school. They should be making the decision.

Secondly, it is just outrageous—we are talking about something called point-of-service option; people find themselves moved from one plan to another, from one year to another, and all of a sudden you have seen a doctor or have been to a clinic with your children and you are canceled out. You no longer have an option of being able to see a doctor or a clinic that has taken care of you and your children for a decade plus. All the trust, all the rapport, all of what makes for good medicine, goes out the window.

Finally, we have to make sure that if we are going to pass a strong Patient

Protection Act we have offices of consumer affairs in every State. They are independent with ombudsman that can be advocating for people. Family USA has done some fine work on this. It is not just an 800 number for people to call. People need to call a number, there needs to be an office that is there for consumers, where people can say, ''I was denied care, what do I do,'' and you have a skillful person that can be there as an advocate for people.

I am saying to my colleagues, especially my colleagues on the other side of the aisle, I don't know how many days we have left, probably fewer than 50 days or thereabouts. We have to get going on this. We have to get going on this.

We have an important effort on the floor this week, bipartisan effort, which I think reflects some very fine work. But overall we have not been doing a lot. We have not been doing a lot about making sure there is good health care for people. We have not been doing a lot by way of being there for consumers. We have not been doing a lot by way of making sure that children come to school at age 5, kindergarten, knowing the alphabet, knowing colors, shapes and sizes, knowing how to spell their name, having been read to, and ready to learn.

We have not been doing much by way of making sure that we move toward some system of universal health care coverage. There are over 40 million people that are uninsured. There are other families that are paying more than they should pay. There needs to be some income protection for them. What about a package of benefits for every citizen in the country comparable to what we have? What ever happened to the battle cry that we should pass legislation to make sure the people we serve have as good a health care as what we have? What about the strong patient protection?

I have a bill called the Healthy Americans Act, which I am introducing this week, which is a strategy to move toward universal coverage and says to Arkansas, Nebraska or Minnesota, if you agree to the national framework, there will be Federal grant money available to you to reach universal coverage. You decide how you want to contain costs. You decide how you want to deliver the care. We have to move toward that system of care. We haven't done that. We are not there on health care. We are not there on investment in children and education. We are not there on strong consumer protection, and we are not there on a lot of issues that are very important to working families and communities.

This issue of whether or not the U.S. Senate is on the side of big insurance companies or the consumers will be a litmus test for all of us. After we get done with this bill, let's get a lot of this substantive legislation on the floor. My hope is—and I will finish on this—that I won't have to have an amendment calling for a vote on James Hormel, but rather will bring that to the floor and make sure we do that as well.

Mr. HUTCHINSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

THE GROWING THREAT OF CHINA TO THE UNITED STATES

Mr. HUTCHINSON. Madam President, the headlines in last week's newspapers ought to bring pause to this body and to all of us as Americans. The Washington Times, on Friday, had the headline ''China Targets Nukes at U.S.'' The inside part of that article, on a graphic, it says ''China's Long-Range Missiles,'' quoting a CIA report last May that ''13 of China's 18 CSS–4 missiles are now targeted at cities in the United States of America.''

This report was followed by a report in the Washington Times today, headlined ''U.S. Firms Make China More Dangerous: Technology Aid Helps Missiles Reach America.'' I will say that again. ''Technology Aid Helps Missiles Reach America.'' This was also reported in the New York Times, another major newspaper in the United States. These stories are based on a new CIA report released last week that noted that 13 of China's 18 long-range strategic missiles have single nuclear warheads aimed at U.S. cities. These missiles, with a range of over 8,000 miles, prove convincingly that China views the United States as its most serious adversary. This is further proof, I believe, that the current administration's policy of so-called constructive engagement has failed, and failed terribly, as China continues to go this route, as China continues to take provocative actions and actions that seriously endanger the security of the United States. It is important to note that these missiles are in addition to China's 25 CSS–3 missiles, with ranges of more than 3,400 miles, and its 18 CSS–4 missiles, with ranges exceeding 8,000 miles, and its planned DF–31, with a range exceeding 7,000 miles.

Until last year, China lacked even the intelligence, and certainly they lacked the technology necessary to manufacture boosters that could reliably strike at such long distances. In fact, it is reported that in a launch test of the boosters, their technology failed to launch the boosters three out of five times. That is a 60-percent failure rate. Likewise, they were years from developing the space technology necessary to launch multiple, independently targetable reentry vehicles, otherwise known as MIRVs, multiple warhead missiles. Now they are only years away, if not months, from having such technology.

Some time ago, I participated in a firing-line debate on the campus of the University of Mississippi. During that debate, when the issue of national security was raised, former Secretary of State Henry Kissinger reassured the audience of thousands, and the nationwide television audience of millions, that we need not be concerned about China's capability to launch missiles that might place American cities at risk. He said, in fact, it would be a couple of decades before China was anywhere near having the technology that could place the United States and American citizens at risk. Well, now we find that because of our own aid, and because of our own technology transfers to China, already we are seeing these missiles targeting American cities, and that this advanced technology is very much now at their disposal.

How did China get this technology? Two U.S. companies—the Loral Space and Communications Company and the Hughes Electronic Company—are under investigation by the State Department following a classified Pentagon report that concluded that the two companies illegally gave China space expertise during cooperation on a Chinese commercial satellite launch. This report concluded that ''the United States national security has been harmed.''

Here are the details: In 1996, during the course of an investigation of a Chinese rocket carrying a $200 million Loral satellite, scientists allegedly shared with their Chinese counterparts a report explaining the cause of the accident, which turned out to be an electrical flaw in the flight control system. This system is similar to those used on ICBM launch-guidance systems.

In February, with the investigation of this incident underway, President Clinton permitted Loral to launch another satellite on a Chinese rocket and to provide the Chinese with the same expertise that is at issue in the criminal case, officials have said. A senior official said the administration recognized the sensitivity of the decision but approved the launch because the investigation had reached no conclusions, and Loral had properly handled accident launches. The administration, he said, still could take administrative action against the companies if they were found to have violated export laws in their earlier dealings with the Chinese.

Another company—Motorola—is also involved in upgrading China's missile system. The chairman of the House Science Subcommittee on Space and Technology received word from an unnamed official from Motorola that they, too, have been involved in upgrading China's missile capability. Interestingly, this executive claims the work is being done under a waiver—a waiver granted from the Clinton administration—thus, circumventing all of the bans and restrictions on such technology transfers. This technology was supposed to be controlled, restricted. Madam President, trade in missile and space technology to China was supposed to be severely restricted under the sanctions related to the crackdown of the Tiananmen Square massacre. Unfortunately, this administration has implemented a give-give