

of Hispanic origin." By 2050, projections are that 1 in every 4 Americans will be Hispanic.

An article in *The Economist* of April 21, 1998, stresses the value of the Spanish language to America's fastest growing minority group. "America's Latinos are rapidly becoming one of its most useful resources."

In the western hemisphere, Spanish is clearly a prominent language. With established and emerging markets in Mexico, Central America, and South America, the Spanish language is a key to foreign competition in our own hemisphere.

As the world economy moves into the next century, it has become clear the "domestic-only market planning" has been replaced by the era of international trade agreements and the creation of regional trading blocs. In 1996, the total volume of trade with Mexico was estimated at \$130 billion. Our trade with the rest of Latin America that same year was \$101 billion.

Spanish is clearly a growing cultural and economic force in our hemisphere. It is also the common language of hundreds of millions of people. Recent economic trends of this decade show Latin America as the most promising future market for American goods and services.

With Latin America as the next great market partner of the United States, those Americans who know both English and Spanish will have many new grand opportunities. Mexico's recently hired and celebrated its one-millionth maquiladora worker in international manufacturing plants along our border. This milestone event unquestionably shows the value of knowing two languages as manufacturing expands among the hundreds of Fortune 500 companies now manufacturing in Mexico.

Mr. President, I have long believed that New Mexico and other border states are uniquely poised to create the focal point of North American trade with South America. I agree with *The Economist* observation that "America's Latinos are rapidly becoming one of its most useful resources." I predict that English Plus Spanish will be one of the major marketable skills for the next century.

In conclusion, I would like my colleagues to see the value of "English Plus" Spanish in our own hemisphere. "English Plus" and other European languages has long been a shared value, and "English Plus" African and Asian languages have become very important also. In every corner of the world, foreign languages matter to us for cultural, economic, and security reasons.

Worldwide, we see a renaissance in cultural assertiveness where countries take greater interest in preserving and sharing their own cultural identities. As nations grow more interdependent economically, there is a parallel interest in maintaining their own cultural integrity, with language as a key linchpin of cultural identity.

Mr. President, our nation's potential markets in Mexico, Central America, and South America alone spell a vital future for "English Plus" Spanish. If we want to continue to expand our nation's cultural and economic American influence in the world, then we urge the adoption of "English Plus" as our national policy. We believe this approach will lead to a more prosperous and secure world.

We believe we should not isolate America to English only and to do that would be a big mistake. The Senate resolution I am speaking of supports and encourages Americans to master English first and English plus other languages. We believe we should add to that, but not English only. We see English plus other languages as a more sensible statement of our national policy. Our Nation is rich in resources. We want to encourage American citizens to learn other prominent languages that the world uses and that we must use in the world and that many in our country use as part of their cultural background.

Mr. President, I ask unanimous consent that our resolution regarding English plus other languages be printed in the RECORD.

SENATE RESOLUTION 107—TO ESTABLISH A SELECT COMMITTEE ON CHINESE ESPIONAGE

Mr. SMITH (of New Hampshire) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 107

Resolved,

SECTION 1. ESTABLISHMENT OF THE SELECT COMMITTEE.

(a) IN GENERAL.—There is established a temporary Select Committee on Chinese Espionage (hereafter in this resolution referred to as the "select committee") which shall consist of 12 members, 6 to be appointed by the President pro tempore of the Senate upon recommendations of the Majority Leader from among members of the majority party, and 6 to be appointed by the President pro tempore of the Senate upon recommendations of the Minority Leader from among members of the minority party.

(b) CHAIRMAN.—The Majority Leader shall select the chairman of the select committee.

(c) VICE CHAIRMAN.—The Minority Leader shall select the vice chairman of the select committee.

(d) SERVICE OF A SENATOR.—The service of a Senator as a member or chairman on the select committee shall not count for purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate.

(e) RULES AND PROCEDURES.—A majority of the members of the select committee shall constitute a quorum thereof for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking testimony. The select committee shall adopt rules of procedure not inconsistent with this resolution and the rules of the Senate governing standing committees of the Senate.

(f) VACANCIES.—Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee.

SEC. 2. JURISDICTION.

(a) IN GENERAL.—There shall be referred to the select committee, concurrently with referral to any other committee of the Senate with jurisdiction, all messages, petitions, memorials, and other matters relating to United States-China national security relations.

(b) EFFECT ON OTHER COMMITTEES JURISDICTION.—Nothing in this resolution shall be construed as prohibiting or otherwise restricting the authority of any other committee of the Senate or as amending, limiting, or otherwise changing the authority of any standing committee of the Senate.

SEC. 3. REPORTS.

The select committee may, for the purposes of accountability to the Senate, make such reports to the Senate with respect to matters within its jurisdiction as it shall deem advisable which shall be referred to the appropriate committee. In making such reports, the select committee shall proceed in a manner consistent with the requirements of national security.

SEC. 4. POWERS OF THE SELECT COMMITTEE.

(a) IN GENERAL.—For the purposes of this resolution, the select committee is authorized at its discretion—

- (1) to make investigations into any matter within its jurisdiction;
- (2) to hold hearings;
- (3) to sit and act at any time or place during the sessions (subject to paragraph 5 of rule XXVI of the Standing Rules of the Senate), recesses, and adjourned periods of the Senate;

(4) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(5) to make expenditures from the contingent fund of the Senate to carry out its functions and to employ personnel, subject to procedures of paragraph 9 of rule XXVI of the Standing Rules of the Senate; and

(6) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable basis the services of personnel of any such department or agency.

(b) OATHS.—The chairman of the select committee or any member thereof may administer oaths to witnesses.

(c) SUBPOENAS.—Subpoenas authorized by a majority of the select committee shall be issued over the signature of the chairman and may be served by any person designated by the chairman.

SEC. 5. TREATMENT OF CLASSIFIED INFORMATION.

(a) EMPLOYEES.—

(1) IN GENERAL.—No employee of the select committee or person engaged to perform services for or at the request of such committee unless such employee or person has—

(A) agreed in writing and under oath to be bound by the rules of the Senate and of such committee as to the security of such information during and after the period of his employment or relationship with such committee; and

(B) received an appropriate security clearance as determined by such committee in consultation with the Director of Central Intelligence.

(2) CLEARANCE.—The type of security clearance to be required in the case of any employee or person under paragraph (1) shall, within the determination of such committee in consultation with the Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

(b) SECURITY OFFICER.—The select committee shall designate a security officer

qualified to administer appropriate security procedures to ensure the protection of confidential and classified information in the possession of the select committee and shall make suitable arrangements, in consultation with the Office of Senate Security, for the physical protection and storage of classified information in its possession.

SEC. 6. TREATMENT OF PRIVATE INFORMATION.

(a) RULES AND PROCEDURES.—The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons.

(b) DISCLOSURE.—Nothing in this resolution shall be construed to prevent the select committee from publicly disclosing any such information in any case in which such committee determines the national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 7. PRESIDENTIAL REPRESENTATIVE.

The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

SEC. 8. TERMINATION OF SELECT COMMITTEE.

Unless specifically reauthorized, the select committee shall terminate at the end of the 106th Congress. Upon termination of the select committee, all records, files, documents, and other materials in the possession, custody, or control of the select committee, under appropriate conditions established by the select committee, shall be transferred to the Secretary of the Senate.

Mr. SMITH of New Hampshire. Mr. President, I rise today just as the Cox report is about to enter the public domain. This report—a bipartisan report by Congressman CHRIS COX of California and Congressman NORMAN DICKS of Washington—will go to an issue of great importance to the United States; it is the issue of Chinese espionage in the United States.

I am rising on the Senate floor today to introduce legislation—which I will do at the conclusion of my remarks—establishing a bipartisan select committee to examine Chinese espionage against United States national security interests, responding to what is increasingly being viewed as the greatest security breach against the United States in our history—the loss to China of our most sensitive nuclear warhead data over many years from the Los Alamos National Lab, and from other national security facilities and programs.

Through no one's fault, and with the best of intentions, congressional efforts to examine this matter have been disjointed and inconsistent. I respect every Senator on both sides of the aisle who has been working and doing their best to try to get to the bottom of this, especially the chairmen of those committees with some claim to jurisdiction over the Labs and over this whole issue of Chinese espionage.

Unfortunately, that is the problem. There are too many individuals conducting too many independent investigations, if you will, and too many committees going down the same path.

The result has been a duplication of witnesses, many of whom have come back and testified four or five times before the Senate. I don't think this makes a lot of sense.

I think my colleagues on these respective committees—and I chair a subcommittee on the Armed Services Committee with direct jurisdiction over this matter, so I say that as one who would be involved in such an investigation—will agree that there is too much duplication. We need to streamline this effort and we need to put the full weight of the Senate behind it. That means an investigation, a true investigation, the power to call witnesses and administer oaths, and a unified focus of our shared bipartisan concern.

I have had the privilege to serve on two such bipartisan committees. One, the Senate Ethics Committee, is a nonpartisan committee, really, of three members from each party. We look at all the matters before us in a truly nonpartisan way. That is exactly what needs to be done here.

I also served on the Senate Select Committee on POWs and MIAs a few years ago, where Senator JOHN KERRY was the chairman and I was vice chairman. It was a bipartisan effort. That is what it is going to take in the Senate, just as the House has been well-served by its committee chaired by Congressman COX of California and Congressman DICKS of Washington. It was a bipartisan effort and it has come to a bipartisan—and unanimous—conclusion.

We need to do this in the Senate. We need to take what was in that report, review it carefully, find out where it leads, and take appropriate action. But I do not think we are going to accomplish that if we are going to have all of these witnesses called in five, six, seven, or eight times before all these different committees, and not have one consistent message. It will waste a lot of money and time. I think it is better to consolidate, which is why I am calling for a select committee.

I am not interested in scoring partisan points here. This is concerns the national security of the United States of America. No partisan points were scored in the classified presentation I attended the other day with Congressman Dicks and Congressman Cox. It was presented in a way that I felt was truly bipartisan. Members of both parties were there. It is a lot bigger than that. The national security of the United States is a lot more important than any of the partisan attacks. We all want answers. We deserve answers, and we deserve to put these witnesses under oath, under threat of perjury, and to speak before the Senate—together, not as five or six different committees of jurisdiction.

The Cox committee did heroic work in the House—much of it despite obstacles put in their path by the administration. They had to dig and claw to get the information, and the report that will be released tomorrow has

been blocked for several months by the administration.

It is time for the Senate now to do its part, to focus its collective concern about these matters into a coherent and effective committee. I believe a select committee with a specific intent, with the opportunity to call witnesses, to put people under oath, and to have investigators look into this is the correct approach. Otherwise, it is going to be defused all over the Government and we are going to have all kinds of stories popping up from this committee and that committee, this subcommittee and that subcommittee, and this Senator and that Senator, and it will all be disconnected.

So I urge colleagues to support this legislation. I urge our leaders to support it as well. I think it is a good idea. It has worked in the past when we have had serious issues like this. And our effort here is to gain the truth, to get the facts. I believe this select committee will get the job done.

I want to review briefly what has happened, and why I think it is so important to have a select committee.

About 5 months ago, a special congressional committee investigating security problems with China questioned whether the Department of Energy had adequate safeguards to protect its nuclear secrets. On February 1, 1999, President Clinton responded, saying safeguards were “adequate” and getting better.

That was the statement of the President on February 1. With all due respect, and being as nice about it as I can, that was not true then. It is not true now.

One week later, on February 8, Mr. Lee failed a polygraph test. More than a month later, the FBI finally searched his computer. This is not something one can take lightly. When the President says that safeguards were “adequate” and getting better, that simply was not true.

Between the time the Justice Department refused the FBI's request for a court order to search Lee's computer and Lee's firing, there were more than 300 break-ins involving the computer network on which Lee had allegedly transferred nuclear secrets.

When Ho Lee was hired by Los Alamos National Laboratories in 1978, he first came under suspicion in 1982 when he made a telephone call to a scientist from Lawrence Livermore Lab who had been fired as a result of an investigation into evidence that a spy had passed neutron bomb secrets to China.

In 1989, when Lee's 5-year security renewal was up for review, Energy Department officials learned of the FBI's inquiry into Mr. Lee. But a file put together on Lee that was sent to DOE headquarters for security review was “lost.” And it was not until 1992 that the Department hired an outside contractor to reconstruct the “lost” file.

In 1994, a Los Alamos employee reported to security officials that Lee was “embraced” by a Chinese intelligence officer during a delegation

visit, and that Lee had discussed with the Chinese the nuclear weapons code similar to the ones he is now suspected of stealing.

In 1995, the Energy Department and the CIA began to learn the record of China's alleged espionage.

In early 1995, scientists at the Los Alamos Nuclear Lab had told Mr. Notra Trulock, then intelligence director at the Energy Department, of their fears that China had achieved a remarkable breakthrough in its nuclear tests. About that same time those fears were raised, U.S. intelligence files showed that a Chinese agent had handed over a secret document to American officials containing evidence that China had stolen design data on American nuclear warheads and missiles.

In 1996, the CIA concluded American secrets had been stolen. Lee emerged in early 1996 as the FBI's "prime suspect" at the Laboratories.

In 1996, Mr. Trulock tried to raise warnings about espionage at the Laboratories but was thwarted by his superiors at the Energy Department. Trulock said he finally talked to administration officials as early as April of 1996. He said he met with Sandy Berger. He said Mr. Berger had said subsequently that he briefed Mr. Clinton and took steps to address the problem.

We are in 1996 now—3 years ago. President Clinton denied that. But I will get to that in a minute.

Like all employees, Lee had signed a waiver permitting his e-mail and personal computer to be reviewed without his knowledge. Despite the waiver, the Justice Department, in 1996, decided that a court warrant would be needed before his computer could be searched, and denied the request.

Coincidentally—or not—in 1996, President Clinton relaxed all controls on sales of advanced computers to countries like China. The next year, his administration resisted congressional efforts to retighten those controls. The Cox committee reportedly concluded that some of the computers sold to China went to organizations involved in military activities, and they might have been used for military purposes—like upgrading nuclear weapons or developing more accurate missiles.

When something goes to China, it does not just go to private industry. It goes to the military too. Let's make sure we understand that.

The relaxation of export controls on technology is something I have been hammering away at in my subcommittee—the Strategic Forces Subcommittee—in the Armed Services Committee for seven years. I have watched these controls relax in this administration. I have watched the State Department and the Defense Department and the Justice Department lose the fight time after time after time to the Commerce Department.

In 1996, President Bill Clinton shifted licensing responsibility for some commercial satellite sales from the secu-

rity-oriented State Department to the business-friendly Commerce Department.

I do not know what most Americans think about all of this, but I am going to say what I think about it. I think this is the worst breach of national security in the history of the United States of America. It is not just about Los Alamos, as we are going to find out tomorrow when this report is declassified when we can talk about it in more detail. Unfortunately, I cannot talk about some of it today. But I urge everyone to get a copy of it and you will see what I am talking about. The Rosenbergs in 1953 were executed, in my view, for less than what has happened here.

I have seen, time after time, witness after witness from this administration come before the Armed Services Committee—either taking the fifth amendment, refusing to come, or fleeing the country, or lying under oath, or being unable to remember. That is one thing during some financial inquiry about who gave how much money to some candidate. But I am going to tell you one thing. I am not going to stand for people coming before the Senate—when the security of the United States of America is at stake, when nuclear weapons have been transmitted to a foreign nation who is an enemy of the United States—I am not going to stand for people coming before this Senate and not telling the truth.

I will say it on the record: somebody is going to be held accountable for what has happened. Somebody is going to be held accountable. Every nuclear weapon in the United States arsenal has been compromised—every one of them, every warhead. I am not going to stand by and take no for an answer. I am not going to stand for this being obfuscated all over the Senate and all over the country with defused, mixed messages. We will get to the bottom of this. Nobody in this Senate should have any objection to that. Whoever did this, whoever is responsible for this, wherever it leads, needs to be held accountable, period.

In 1996, the American intelligence community concluded that China had stolen the secret design information about the neutron bomb. In April 1997, the FBI recommended measures to tighten security at the Labs.

No action was taken; no action.

In July 1997, Mr. Trulock, concerned about lack of progress, went back to the White House to ask for assistance. He gave National Security Adviser Sandy Berger a fuller briefing. Berger briefed the President of the United States as early as July 1997. Twice in 1997 the Justice Department rejected a request by FBI counterintelligence officials to seek a search warrant authorizing more aggressive investigative techniques, including a wiretap and clandestine searches of homes, offices, and computers. The request for a wiretap was turned down by a political appointee, Frances Townsend. A request for a wiretap was turned down.

The numbers of wiretaps authorized each year is classified, but we know there are hundreds in any given year. We also know that seldom are more than two or three in a given year denied. Put yourself in Frances Townsend's place at the Justice Department for a moment. Somebody comes in from the FBI and says, we have a problem. Somebody stole all the nuclear weapon secrets from the United States of America and sent them to China. We have a suspect. We need to wiretap him. And your answer is, no.

Now, I am not going to accept some feeble explanation about why that happened. Somebody is going to answer that question in my presence in this Senate before I leave here; I state that right now.

In August of 1997, FBI Director Louis Freeh recommended Mr. Lee's access to classified information be cut off immediately. What happens? Lee is still granted access to top secret warhead data despite the recommendation. What is going on? This kind of thing does not happen unless somebody makes it happen and wants it to happen.

When the FBI Director says no, the answer is no. But somebody decided that Mr. Freeh was not going to have the last word here. They decided that Mr. Lee was going to continue to have access to top secret warhead data.

During the 1998 congressional investigation into satellite export controls, Trulock has said, acting Energy Secretary Elizabeth Moler ordered him—I emphasize the word "ordered," because I heard him say it in my presence—ordered him not to disclose the Chinese espionage in testimony before the U.S. Congress. A political appointee in the Energy Department ordered Mr. Trulock, a subordinate, not to tell the Congress.

Now she denies it. Clearly, we need these two witnesses to come forth in public session before this select committee. Let the public decide who is lying and who isn't.

Mr. Lee retained access to classified information after he came under suspicion of spying, from October 1997 to October 1998.

On April 28, 1999, the Clinton administration finally admitted that secret nuclear weapons data had been compromised. They finally admitted it when Bill Richardson, the new Secretary of Energy, to his everlasting credit pushed this issue and refused to stand for it anymore.

Wen Ho Lee was fired on March 8. His computer was not searched until the following week. They found he had transferred legacy codes covering many U.S. nuclear weapons from the classified to an unclassified computer system where they could be vulnerable to outsiders. In a computer search, more than 1,000 top secret weapons files had been deleted after being improperly transferred from a highly secure computer system.

Those are the facts as I can outline them without going into classified materials. I point out in the framework of the last 4 or 5 months, this information has been withheld from the public. Certain Senators and Congressmen, if they took it upon themselves, could get a briefing on the Cox report, but it was not allowed to be released.

What happened? What did the President know and when did he know it? That sounds familiar.

March 19, 1999, at a press conference, the President assured the public, "There has been no espionage at the Labs since I've been President." Let me repeat that: "There has been no espionage at the Labs since I've been President."

And, "No one reported to me that they suspect that such a thing has occurred."

The President, in March of this year, March 19, says, "There has been no espionage at the Labs since I've been President," and, "No one reported to me that they suspect that such a thing has occurred."

Mr. Berger told the Cox Committee he didn't speak with the President about Chinese spying for at least a year, but he did say he did it in early 1998. Berger's aides now say he remembers informing Clinton in July of 1997.

Mr. President, this is serious business. When atomic secrets in 1953 were passed to the Russians, a man and a woman—a husband and a wife—were executed. We have got to get to the bottom of this. Any Senator worth his or her salt, regardless of political party, ought to be ready to go on this with no nonsense.

We are not going to accept ridiculous "I don't remember" answers anymore. I do not want to hear any of this. And I do not want to be bound by some committee rule where I have 5 minutes to ask a question, and the witness answers for 4½ minutes, and I cannot ask any more. I want the time to ask my questions. I want the time for every Senator to ask these questions on behalf of the American people.

I have never in my life seen anything like the witnesses they have paraded before the committees of this Congress that I have been a party to—Government Affairs Committee investigations, the Armed Services Committee—time and time and time again, saying "I don't remember, I can't recall."

That is not good enough. That does not cut it. And it does not cut it on the part of the President of the United States, either. He should have been up here testifying during his impeachment trial. By golly, if we have to have him come up here and testify on this, then bring him up here. This is the national security of the United States we are talking about. This is classified, nuclear, codeword-level information that has been passed, and the President needs to tell us what he knows, if he knows anything.

According to the New York Times, what counterintelligence experts told

senior Clinton administration officials in November of 1998 is that China poses an acute intelligence threat to the weapons labs—an acute intelligence threat to the weapons labs. We now know the President had been briefed in November of 1998 about FBI and CIA suspicions, and in January had even received the secret Cox report detailing those security lapses during the Clinton watch.

What is going on here? All right, so he does not tell us the truth about Monica Lewinsky. But this is national security. According to Mr. Berger, his own National Security Adviser, President Clinton was told about the problems at the weapons labs in July of 1997 or February of 1998.

On May 9, 1999, Tim Russert, on "Meet The Press," extracted from Energy Secretary Bill Richardson the acknowledgment that President Clinton was "fully, fully briefed," an admission for which, news reports say, Richardson was savaged by Clinton aides.

Here is the explanation. Clinton put in "at the labs" and "against the labs" because we technically don't know if the stolen info came from the labs or somewhere else. Richardson also said, "there have been damaging security leaks. The Chinese have obtained damaging information during past administrations and the current administration."

Perhaps this spying started in previous administrations, but this administration knew it was going on and did not respond to it. That just does not cut it. This is not about "what is is." This is about the security of the United States of America.

On May 23, 1999, the deputy intelligence director at the Department of Energy suggested the White House was informed about China's theft of United States nuclear secrets much sooner than it has acknowledged.

The inaction from this administration did not come in a vacuum. It came in the thick of a 1996 reelection effort that we now know included campaign contributions from those with ties to the Chinese Government, ties to the military, and ties to the intelligence organization. Mr. Berger first briefed in April of 1996, and not until 2 years later does the White House move to tighten security after receiving more detailed evidence in 1997. NSC sought a narrowly focused CIA report to cast doubt on Energy Department claims.

At the same time the FBI and CIA were investigating the source of the Los Alamos leak, Vice President AL GORE was passing the hat among wealthy Buddhist nuns, the President was serving coffee at the White House to PLA arms dealer Wang Jun, and the administration responded favorably to a request from the man who would be the Democratic Party's largest single donor in 1996, Loral chairman Bernard Schwartz, to transfer authority over licensing of satellite technology from the State Department to the Commerce Department. Two years later,

Loral would be granted a Presidential waiver to export its technology to China, even though it was under criminal investigation by the Justice Department for previous technology transfers.

Wake up, America. Wake up. What is going on here? Who knows what? Officials from those two companies, I have news for you. You are coming in here, and you are going to answer some questions as well.

In April of 1996, Energy Department officials informed Mr. Berger that Trulock had uncovered evidence which showed that China had learned how to miniaturize nuclear bombs and it appeared the Chinese had gained that knowledge through the efforts of a spy at the Los Alamos Labs. Berger was told the spy might still be there.

What action did the White House take? Absolutely nothing. But the warning came at an awkward time, the verge of the 1997 Strategic Partnership Summit with Beijing. The administration was also facing the congressional investigations into charges that the P.R.C. had illegally funneled money into their 1996 Clinton-Gore reelection campaign. I do not know where these dots connect or if they connect, but there were a lot of dots. Mr. Berger assigned an NSC staffer to look into things and asked the CIA to investigate. The CIA's report comes back that the Trulock analysis was an unsupported worst case scenario. That is not what he told us in private.

Finally, in February of 1998, President Clinton formally ordered the reforms into effect. But, curiously, Energy Secretary Federico Peña never followed the order and soon after left the Cabinet.

Reforms were not instituted until Bill Richardson did so in October of 1998, 30 months after Trulock's first warning, 9 months after the President's directive. In the meantime, Assistant Secretary Moler orders Trulock not to tell Congress because it could be used against President Clinton's China policy.

Do not tell Congress? If this Senate tolerates that kind of action, we deserve all the criticism we get and 10 times more. We have oversight responsibility. This area, the labs and the security of those labs and those weapons, is directly under this Senator's supervision and oversight responsibility as the chairman of the Strategic Forces Subcommittee. I am going to tell you something; I do not accept that answer. I am not going to accept that answer. Someone is going to talk, and whoever is accountable, in my view, if they did these things, they are going to go to jail, because that is where they belong. We are going to find out where this path leads, if it is the last thing I do.

Political contributions poured in and United States technology flowed out to China day after day, week after week, month after month, year after year—flowed out to China, made possible by

the easing of export controls to this strategic partner of the President's.

We are going to hear that this is China bashing. This is not China bashing. This is the national security of the United States. I hope when the American people read the Cox report, they will understand that the Chinese gained vital information on every nuclear warhead in our arsenal. They now have the missile to fire it, the warhead to put on it, and the targeting information to direct it at any city in the United States of America—all thanks to the relaxation of export controls, and to the fact we left a spy in our labs.

When are we going to wake up? All through March and April of 1999, the White House fought over the release and declassification of this report. No wonder they do not want it released. The Cox report believes China is still spying. I believe they are too. This has to be investigated.

In conclusion, we need a bipartisan select committee to find out where this trail leads, wherever it leads.

SENATE CONCURRENT RESOLUTION
33—EXPRESSING THE
SENSE OF CONGRESS REGARDING
THE NEED FOR VIGOROUS
PROSECUTION OF WAR CRIMES,
GENOCIDE, AND CRIMES
AGAINST HUMANITY IN THE
FORMER REPUBLIC OF YUGOSLAVIA

Ms. LANDRIEU (for herself and Mr. SPECTER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 33

Expressing the sense of Congress regarding the need for vigorous prosecution of war crimes, genocide, and crimes against humanity in the former Republic of Yugoslavia.

Whereas the United Nations Security Council created the International Criminal Tribunal for the former Yugoslavia (in this concurrent resolution referred to as the "ICTY") by resolution on May 25, 1993;

Whereas, although the ICTY has indicted 84 people since its creation, these indictments have only resulted in the trial and conviction of 8 criminals;

Whereas the ICTY has jurisdiction to investigate: grave breaches of the 1949 Geneva Conventions (Article 2), violations of the laws or customs of war (Article 3), genocide (Article 4), and crimes against humanity (Article 5);

Whereas the Chief Prosecutor of the ICTY, Justice Louise Arbour, stated on July 7, 1998, to the Contact Group for the former Yugoslavia that "[t]he Prosecutor believes that the nature and scale of the fighting indicate that an 'armed conflict', within the meaning of international law, exists in Kosovo. As a consequence, she intends to bring charges for crimes against humanity or war crimes, if evidence of such crimes is established";

Whereas reports from Kosovar Albanian refugees provide detailed accounts of systematic efforts to displace the entire Muslim population of Kosovo;

Whereas in furtherance of this plan, Serbian troops, police, and paramilitary forces have engaged in detention and summary exe-

cutation of men of all ages, wanton destruction of civilian housing, forcible expulsions, mass executions in at least 60 villages and towns, as well as widespread organized rape of women and young girls;

Whereas these reports of atrocities provide prima facie evidence of war crimes, crimes against humanity, as well as genocide;

Whereas any criminal investigation is best served by the depositions and interviews of witnesses as soon after the commission of the crime as possible;

Whereas the indictment, arrest, and trial of war criminals would provide a significant deterrent to further atrocities;

Whereas the ICTY has issued 14 international warrants for war crimes suspects that have yet to be served, despite knowledge of the suspects' whereabouts;

Whereas vigorous prosecution of war crimes after the conflict in Bosnia may have prevented the ongoing atrocities in Kosovo; and

Whereas investigative reporters have identified specific documentary evidence implicating the Serbian leadership in the commission of war crimes: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the United States, in coordination with other United Nations contributors, should provide sufficient resources for an expeditious and thorough investigation of allegations of the atrocities and war crimes committed in Kosovo;

(2) the United States, through its intelligence services, should provide all possible cooperation in the gathering of evidence of sufficient specificity and credibility to secure the indictment of those responsible for the commission of war crimes, crimes against humanity, and genocide in the former Yugoslavia;

(3) where evidence warrants, indictments for war crimes, crimes against humanity, and genocide should be issued against suspects regardless of their position within the Serbian leadership;

(4) the United States and all nations have an obligation to honor arrest warrants issued by the ICTY, and the United States should use all appropriate means to apprehend war criminals already under indictment; and

(5) NATO should not accept any diplomatic resolution to the conflict in Kosovo that would bar the indictment, apprehension, or prosecution of war criminals for crimes committed during operations in Kosovo.

Ms. LANDRIEU. Mr. President, this resolution, from the Senator from Pennsylvania and me, attempts to address the serious issue of war crimes. It calls for the Senate to make its voice clear on the issue of war crimes and the prosecution of those guilty of such crimes.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE
AUTHORIZATION ACT

KERREY AMENDMENT NO. 376

(Ordered to lie on the table.)

Mr. KERREY submitted an amendment intended to be proposed by him to the bill (S. 1059) to authorize appropriations for fiscal year 2000 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; as follows:

On page 357, strike line 13 and all that follows through page 358, line 4.

WARNER AMENDMENT NO. 378

Mr. WARNER proposed an amendment to amendment No. 377 proposed by Mr. ROBERTS to the bill, S. 1059, supra; as follows:

At the end of the amendment, add the following:

(c) REPORT.—Together with the certification under subsection (a)(1), the President should submit to the Senate a report containing an analysis of the potential threats facing NATO in the first decade of the next millennium, with particular reference to those threats facing a member nation or several member nations where the commitment of NATO forces will be "out of area", or beyond the borders of NATO member nations.

ROBERTS (AND OTHERS)
AMENDMENT NO. 377

Mr. ROBERTS (for himself, Mr. WARNER, and Ms. SNOWE) proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle D, add the following:

SEC. 1061. SENSE OF SENATE REGARDING LEGAL EFFECT OF THE NEW STRATEGIC CONCEPT OF NATO.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) not later than 30 days after the date of enactment of this Act, the President should determine and certify to the Senate whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States; and

(2) if the President certifies under paragraph (1) that the new Strategic Concept of NATO imposes any new commitment or obligation on the United States, the President should submit the new Strategic Concept of NATO to the Senate as a treaty for the Senate's advice and consent to ratification under Article II, Section 2, Clause 2 of the Constitution of the United States.

(b) DEFINITION.—For the purposes of this section, the term "new Strategic Concept of NATO" means the document approved by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C., on April 23 and 24, 1999.

(c) EFFECTIVE DATE.—This section shall take effect on the day after the date of enactment of this Act.

GRAMS AMENDMENT NO. 379

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the bill S. 1059, supra; as follows:

On page 453, between lines 10 and 11, insert the following:

SEC. 2832. LAND CONVEYANCES, TWIN CITIES ARMY AMMUNITION PLANT, MINNESOTA.

(a) CONVEYANCE TO CITY AUTHORIZED.—The Secretary of the Army may convey to the City of Arden Hills, Minnesota (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including