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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, You are more willing to bless and guide us than we are to ask for Your help. Forgive that obstinance in us that resists Your intervention and inspiration with "I'd rather do it myself!" independence. Father, enable us to be open to receive Your wisdom, vision, and direction. We know in our hearts that we were never meant to make it on our own. When You step in to assist us, things just go better, problems are resolved, and relationships are more open, real, and mutually encouraging. Grant us the courage to admit our need for You and make this day one of consistent awareness of Your eternal presence in everything. You are Lord of all and come to aid us in our problems—big and small. Thank You, dear God. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today the Senate will resume consideration of the agriculture appropriations bill. Amendments are expected to be offered, and it is my hope the Senate can consider agriculture-related amendments during today's session of the Senate. All Senators can therefore expect rollcall votes throughout the session.

As a reminder, there will be no votes on Friday, June 25. However, votes are expected very likely into the evening on Thursday in an effort to complete action on the important agriculture appropriations bill.

I might also say that Senator DASCHLE and I are in the process of exchanging some suggestions of how we might further consider the Patients' Bill of Rights issue.

Mr. President, I ask unanimous consent that Senator INHOFE be permitted to speak in morning business for up to 30 minutes.

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

Mr. LOTT. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

ORDER OF PROCEDURE

The PRESIDING OFFICER. The Chair now recognizes the Senator from Oklahoma for 30 minutes.

Mr. INHOFE. I thank the Chair.

Mr. KENNEDY. Mr. President, will the Senator yield for just a brief question? The Senator, as he knows, is recognized for 30 minutes. I would like to ask that 30 minutes be reserved on this side as well.

Mr. INHOFE. Reserving the right to object.

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

Mr. INHOFE. I am reserving the right to object.

The PRESIDING OFFICER. Was there a reservation on the request?

Mr. INHOFE. Yes.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. I am still reserving the right to object.

Mr. KENNEDY. I will withdraw the request for the moment.

The PRESIDING OFFICER. The request is withdrawn. The Senator from Oklahoma is now recognized.

Mr. INHOFE. I thank the Chair.

Mr. KENNEDY. I apologize to the Senator. If I could make that request—

Mr. INHOFE. I object.

Mr. KENNEDY. I think the matter has been cleared.

Mr. INHOFE. All right. No objection.

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

The Senator from Oklahoma is again recognized.

THE CLINTON NATIONAL SECURITY SCANDAL AND COVERUP

Mr. INHOFE. Mr. President, I ask that you listen again. I am going to pick up on the incredible but true story of the Clinton administration's betrayal of national security and the scandalous coverup that continues as we speak. In doing so, I fully realize that the majority of Americans will not believe me. They have continued to believe our President even after he has demonstrated over and over that he has no regard for the truth.

Though you would never realize it by listening to the national media or the Clinton spin doctors, the recently released Cox Report has revealed a wealth of information on how the Clinton administration has undermined national security to simultaneously pursue its misguided foreign policies and self-serving domestic political agendas.

On the one hand, there is the mind-boggling story of how the Clinton administration deliberately changed almost 50 years of bipartisan security policies—relaxing export restrictions, signing waivers to allow technology transfers, ignoring China's violation of arms control agreements, and its theft of our nuclear secrets, opening up even more nuclear and high technology floodgates to China and others—thus harming U.S. national security.

On the other hand, there is the continuing coverup—the effort to hide from Congress and the American people the true damage that has been done to national security and the Clinton administration's central role in allowing so much of it to happen on their watch.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Over three months ago—on March 15—I spoke on this floor about China's theft of the W-88 nuclear warhead. To remind you, this is the crown jewel of our nuclear arsenal. It is the warhead that has 10 times the explosive power of the bomb that was dropped on Hiroshima and yet just a fraction its size. I spoke about how serious this was to our national security—how it was a story with life and death implications for millions of Americans.

I told how President Clinton was directly responsible for downplaying the significance of and covering up this story. While the information on the W-88 design—the crown jewel of our nuclear arsenal—was stolen in the late 1980's, the theft was first discovered in 1995 by this administration. So people remember, it was the Chinese walk-in informant to the CIA that gave us all this information. I told how it was this administration and this President who deliberately covered up this vital information from Congress and the American people and, at the same time, lulled our people into a false sense of security by repeating the lie that there were no nuclear missiles targeted at America's children.

At that time, I spoke of six proven incontrovertible facts, and let me repeat them now:

1. President Clinton hosted over 100 campaign fundraisers in the White House, many with Chinese connections.

2. President Clinton used John Huang, Charlie Trie, Johnny Chung, James Riady, and others with strong Chinese ties to raise campaign money.

3. President Clinton signed waivers to allow his top campaign fundraiser's aerospace company to transfer U.S. missile guidance technology to China.

4. President Clinton covered up the theft of our most valuable nuclear weapons technology.

5. President Clinton lied to the American people over 130 times about our nation's security while he knew Chinese missiles were aimed at American children.

6. President Clinton single-handedly stopped the deployment of a national missile defense system, exposing every American life to a missile attack, leaving America with no defense whatsoever against an intercontinental ballistic missile.

On March 15, I began my speech by asking the American people to listen as I told them "a story of espionage, conspiracy, deception, and cover-up—a story with life and death implications for millions of Americans—a story about national security and a President and an administration that deliberately chose to put national security at risk, while telling the people everything was fine."

In the three months since I made these statements, none has been refuted.

Now, I come before you to tell some of the rest of the story that we have learned since March 15. And it is a truly astounding story. We thought the

W-88 story was bad—and it is. But with the release of the Cox Report last month, the American people have been presented with documented evidence that the harm President Clinton has done to U.S. national security is enormously worse than we thought.

On March 15, I said that, as damaging as the W-88 breach was, I believed we had not yet scratched the surface of the national security scandal exposed by this one revelation. I must say that I was right—even beyond my own worst fears.

Let's not be distracted by the self-serving Clinton spin: that everybody does it; that it all happened during previous administrations; that this is only about security at the nuclear weapons lab; that there is equal blame to go around on all sides; that President Clinton acted quickly and properly when he found out; and that the only problem is now being fixed.

I am here today to tell you that all of this is wrong. The Clinton spin is nothing more than a dishonest smokescreen designed to divert attention from the real issues. It is also, I believe, an attempt to dissuade people from actually reading the Cox Report and discovering for themselves that the Clinton spin is a snare, a delusion, and a lie.

This is why I want to take some time to walk through some of the more important revelations in the Cox Report and to remind my colleagues that we have an obligation to tell the American people the truth—the truth that the media is inexplicably ignoring and that the President seems to hope the people will never find out on their own.

First, let us begin with a simple fact: Sixteen of the 17 most significant major technology breaches revealed in the Cox Report were first discovered after 1994. With the lone exception of the W-70 technology that was discovered back in the 1970's during the Clinton administration, all the rest of them were discovered since 1994. Again, that is when they had the individual who came into the CIA and exposed all of those.

Let me repeat—sixteen of the 17 most significant major technology breaches revealed in the Cox Report were first discovered during the Clinton administration. Those who tell you otherwise are willfully lying to you.

Second, of the remaining 16 technology breaches, one definitely occurred during the Reagan administration—the W-88 Trident D-5. Seven occurred sometime before 1995, though it is unclear exactly when. And eight occurred—without question—during the Clinton administration.

Let's take a closer look at these. The seven that occurred before 1995 included breaches of information on all of the currently deployed nuclear warheads in the U.S. intercontinental ballistic missile arsenal: the W-56 Minuteman II; the W-62 Minuteman III; the W-76 Trident C-4; the W-78 Minuteman Mark 12A; and the W-87 Peacekeeper. In addition, there was the breach of

classified information on reentry vehicles, the heat shield that protects warheads as they reenter the Earth's atmosphere when delivered by long-range ballistic missiles.

Let me repeat that all of these technology breaches were first discovered in 1995. They were discovered when a Chinese "walk-in" agent actually approached the CIA at a location outside of China and handed them a secret Chinese government document containing state-of-the-art classified information about the W-88 and the other U.S. nuclear warheads. We still don't know why he did this, but he did.

The Cox Report also tells us that the Energy Department and FBI investigations of this matter have focused exclusively on the loss of the W-88, which we know happened around 1988. There have been no investigations undertaken about the loss of the other warheads, the timing of whose loss cannot be as clearly pinned down.

Next, we move to the other eight major technology breaches revealed in the Cox Report. All of these were not only first discovered during the Clinton administration, they also happened during the Clinton administration:

No. 1, the transfer of the so-called Legacy Codes containing data on 50 years of U.S. nuclear weapons development including over 1,000 nuclear tests;

No. 2, the sale and diversion to military purposes of hundreds of high performance computers enabling China to enhance its development of nuclear weapons, ballistic missiles, and advanced military aviation equipment;

No. 3, the theft of nuclear warhead simulation technology enhancing China's ability to perfect miniature nuclear warheads without actual testing;

No. 4, the theft of advanced electromagnetic weapons technology useful in the development of anti-satellite and anti-missile systems;

No. 5, the transfer of missile nose cone technology enabling China to substantially improve the reliability of its intercontinental ballistic missiles;

No. 6, the transfer of missile guidance technology (by President Clinton to China) enabling China to substantially improve the accuracy of its ballistic missiles—these same missiles that are targeting U.S. cities;

No. 7, the theft of space-based radar technology giving China the ability to detect our previously undetectable submerged submarines; and

No. 8, the theft of some other "classified thermonuclear weapons information" which "the Clinton administration" (not the Cox committee) "has determined . . . cannot be made public."

We used to think China was decades behind us in terms of building a modern advanced nuclear arsenal. Now we learn that, later this year, China is planning to test its new JL-2 long range ICBM, a submarine launched ballistic missile with MIRV capability—meaning multiple independently targeted warheads on each missile—almost a replica of our Trident ICBM.

This missile will have a range of over 13,000 kilometers and could reach anywhere in the United States from protected Chinese waters.

In addition, we know that China has been helping North Korea, among others, with weapons and technology. North Korea is also expected to test its long range Taepo Dong II missile later this year.

I am reminded of something that happened last August when I made a request to sort of see where we were and where North Korea was in terms of a threat to the United States.

In a letter that I received from General Shelton, who was depending on our intelligence system for his response, he said it would be at least three years before the North Koreans would have a multiple-stage rocket. That was August 24. Seven days later, on August 31, they fired a multiple-stage rocket.

I remind my colleagues we have no defense against either of these potential threats, because of the policy decisions of the Clinton administration. Someone very smart back in 1983 determined that we would need a national missile defense system in place by Fiscal Year 98. We were on track to meet the deadline until 1993 when President Clinton, through his veto power, stopped this missile defense system.

But as the Cox Report points out, nuclear espionage by China is only one part of the problem. China's efforts to acquire U.S. military related technology is pervasive. Operating through a maze of government and quasi-government entities and front companies, China has established a technology gathering network of immense proportions.

The Congressman from Pennsylvania, Congressman CURT WELDON, has done extensive research in putting this together, and other charts to show exactly what capacity China has to collect our nuclear secrets.

When there is time to look at it, it shows you operational entities of the Chinese military in red, the Chinese military entities and those in contact involving financial entities in green, and you have the Chinese military front companies in blue.

You can see that this is well thought out. It took many years to put it together to make it effective.

They are willing and able to trade, bribe, buy, or steal to get U.S. advanced technology—all for the purpose of enhancing their long-term military potential. Their success is often determined largely by our willingness to make it easier for them to get what they want.

The Cox Report has shed light on the fact that the Clinton administration has actually helped China in its technology acquisition efforts or made it easier for them to commit thefts and espionage. You know the truth is always difficult and controversy is difficult. It is easier to take polls and tell people what they want to hear. But I have to make a decision—who do I love more—this President or America.

I find that to be very easy in this case.

The following are just some of the things that the Clinton administration has done. And I want to applaud Congressman WELDON for helping to bring many of these things to light.

No. 1, in 1993, the Clinton administration removed the color-coded security badges that had been used for years at Energy weapons labs claiming they were "discriminatory"—as if that makes any sense whatsoever. Now just a few weeks ago, in the wake of all these revelations, the Energy Department has reinstated the color-coded badges.

But during the time that these thefts took place, they were not able to wear these badges.

No. 2, in 1993, the Clinton administration put a hold on doing FBI background checks for lab workers and visitors, an action which helped to dramatically increase the number of people going to the labs who would previously have not been allowed to have access.

No. 3, in 1995, the Clinton administration took the extraordinary action of overturning its own agency's decision to revoke the security clearance of an employee found guilty of breaching classified information. When this happened, it sent a message to employees throughout the Department, that this administration was not serious about countering breaches of classified information.

No. 4, the Clinton administration deliberately, and many would say recklessly, declassified massive amounts of nuclear-related information in what the Clinton administration touted as a new spirit of openness.

No. 5., in the W-88 investigation, the Clinton administration turned down four requests for wiretaps on a suspect who was identified in 1996 and allowed to stay in his sensitive job until news reports surfaced in 1999.

No. 6, in 1995, someone at the Department of Energy gave a classified design diagram of the W-87 nuclear warhead to U.S. News & World Report magazine which printed it in its July 31 issue that year. Representative CURT WELDON is still trying to get answers about how this leak was investigated and what was determined. He has good reason to believe the investigation was quashed because it was going to lead straight to President Clinton's Energy Secretary.

No. 7, career whistle-blowers at the Department of Energy who tried to warn of serious security breaches—including Notra Trulock, the former Director of Intelligence for the Energy Department, and Ed McCallum, the former Security and Safeguards Chief—were thwarted for years by Clinton political appointees who refused to let them brief Congress and others about what they knew. Trulock was demoted but will now get to keep his job. McCallum appears to be on his way to being scapegoated and perhaps fired for trying to tell the truth.

Members will remember we had extensive hearings. Notra Trulock testified under oath that he thought that the theft of the W-88 was so significant, he wanted to give it to Congress. He was refused being allowed to do that by the then-Acting Secretary of the Energy Department.

No. 8, rejecting advice from his Secretaries of State and Defense, President Clinton approved switching the licensing authority for satellites and other technology from the State Department to the Commerce Department, making it easier for China to acquire U.S. missile technology.

No. 9, President Clinton granted waivers making it easier for U.S. companies to transfer missile and satellite technology to China during the launching of U.S. satellites on China's rockets.

No. 10, in 1994, President Clinton ended COCOM, the Coordinating Committee on Multinational Export Control, the multinational agreement among U.S. friends and allies that they would not sell certain high-technology items to countries like China. When this happened, it opened the commercial floodgates. Ever since, there has been a wild scramble for competition to sell more and more advanced technology to China. As a result, the proliferation has never been worse than it has been in the last 6 years.

No. 11, in a series of decisions throughout his Presidency—and many surrounding the 1996 election—Clinton has consistently relaxed export and trade restrictions on various forms of high technology of interest to China.

Again, I applaud Congressman WELDON who put this chart together. This timeline was not put together because President Clinton took office in 1993, but that is when all the compromises took place. This timeline shows categories including machine tools, telecommunications, propulsion. All were compromised, or as we normally say stolen.

No. 12, President Clinton has ignored or downplayed numerous Chinese arms control violations by not imposing sanctions required by law. While we are selling more and more high tech to China, China is sending prohibited military technology to countries such as Pakistan, Iran, North Korea, Syria, Libya and Egypt.

What does the Clinton administration do? They do nothing. What are the motives for all this? Why did the Clinton administration act the way it did, with almost total disregard for any traditional concern for U.S. national security?

The Cox Report did not answer these questions because it was only concerned with the facts of the security breaches themselves, not what was behind it.

But FBI Director Louis Freeh did assign one man to look into this. His name was Charles LaBella, who became head of the Justice Department's China Task Force. He and his investigators

spend months looking into the connections, trying to connect the dots with campaign contributions, foreign influences and administration actions. What he found is laid out in a 100-page memo he prepared for Janet Reno. We know this memo argues in favor of the appointment of an independent counsel to carry on the investigation.

But the memo itself has reminded secret, even though it has been subpoenaed by Congress. Janet Reno, who rejected its recommendation for an independent counsel, has refused to release the memo to the Congress or to the public. It is time for that memo to be released.

FBI Director Freeh has testified that the public knows only about one percent of what the FBI knows about the Chinagate scandal. It is time for the truth to come out. It is time for the public to get some sense of the other 99 percent which is contained in the LaBella memo.

Mr. President, over the last six years, President Clinton and his administration have shown a pervasive disregard for national security. In both actions and inactions, this President has broken ranks with the bipartisan consensus about national security that helped us win the cold war.

His policies and attitudes towards export controls, nuclear weapons, militarily important high technology, and dealing with our adversaries in the world—have been strikingly different from those of all of his predecessors in the modern era.

His administration has acted as if the end of the cold war gave them carte blanche license to open the commercial and technology floodgates to countries like China simply because it was good for business, or good for getting campaign contributions, or good for other domestic political reasons.

The traditional concern about national security—about protecting our nuclear secrets, about maintaining our military and technological superiority, about sanctioning those in the world who engaged in flagrant and hostile espionage and proliferation—all that went out the window, replaced by other priorities this President somehow thought were more important.

President Clinton claims he has “redefined” national security. In fact—as the Cox Report conclusively documents—he has “harmed” national security. This is the message that every American must understand.

My hope is that we never again have a President who is so disrespectful of, and inattentive to, traditional national security concerns.

Yesterday at the joint hearing of the Armed Services, Energy and Intelligence Committees, I asked whether or not it would be possible to put in place some safeguards so that no future President could ever again so successfully undo the country's national security defenses as this President has. We are working on an answer.

Some of us will continue to speak, out—seeing it as our highest duty of

public service. As I said on March 15—and repeat again here today—I only hope America is listening. We have a nation to save.

The truth will get out. Winston Churchill said:

Truth is incontrovertible: Panic may resent it, ignorance may deride it, malice may destroy it, but there it is.

I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I ask unanimous consent to speak in morning business.

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

PATIENTS' BILL OF RIGHTS

Mr. KENNEDY. Mr. President, last evening Senator DASCHLE was prepared to offer an amendment to the agricultural bill that was at the heart of the Patients' Bill of Rights. I believe that will be offered shortly on behalf of the Senator from California, Senator FEINSTEIN. We will have an opportunity to get into that discussion and debate.

I am hopeful, as are others, that we can work out a process and procedure by which we can have a full discussion and debate on this issue, and where we can have an orderly way of disposing of various amendments on the Patients' Bill of Rights. I am, however, somewhat distressed and disturbed by some of the comments I have read this morning on the AP relating to my friend from Oklahoma, Senator NICKLES, the Republican assistant majority leader.

He said he was willing to vote on the issue if the Democrats would agree to limit debate, but he said he was worried that Democrats will pressure some Republicans into supporting amendments that will increase the cost of health care, and therefore the number of Americans without any insurance. He also said he was worried the Democrats will force votes that can be misconstrued for political purposes. He would rather allow a yes or no on the entire package with only a handful of amendments.

I have more confidence than the assistant majority leader in our colleagues' ability to make discerning decisions about the merit of these various amendments, and that having been elected by the people, we are charged to make judgments on these measures. This is a new reason for not bringing legislation to the floor. Apparently, one of the leaders is concerned the members of their party would not be able to exercise a balanced and informed judgment in the best interests of the particular States the Senators represent. Of course, if that is going to continue to be the position of the leadership, it does not bode well for a full discussion and debate on this issue.

We have seen for the last 2 years a policy of delay and denial of the ability

to debate the issues that we referred to yesterday and on other occasions, and which we will have an opportunity again to debate today. But it is out of frustration that Senator DASCHLE has used the unusual procedure of offering this legislation on an appropriations bill, in the hopes we can work out an orderly process or procedure. I certainly support that process, since we have effectively been closed out from any opportunity to debate this issue.

It is a simple, fundamental, basic issue: whether decisions relating to the health of patients in this country are going to be decided by the health care professionals who have the training and skill and competency to make those judgments and decisions, or whether the decisions will be made by accountants in the insurance companies or the HMOs. That is really the basis of this whole debate and discussion. That is why virtually every leading health care organization, virtually every major professional health organization—the spokesmen and spokeswomen for children, for women's health, for the disabled, and for the patients' coalitions—has universally supported our proposal.

It is not, certainly, because it says “Democrat” on it. These organizations support measures on the basis of the merits, whether they are proposed by Democrats or Republicans.

There is uniformity among the various groups and organizations that the basic, fundamental issue of who decides what is medically necessary is really at the heart of the whole debate. It is reflected in different ways, as we illustrated in the course of the discussion over the past few days and today, but that is basically what is at the core of this proposition.

The Democratic leader indicated that if we took up the Republican proposal that was passed out of committee on a party-line vote—even though we had more than 20 amendments at that time dealing with the substance of the issues—we would limit our side to 20 amendments. He indicated he would be willing to limit discussion of these various amendments to a reasonable time period, expecting the opposition would have similar amendments.

Frankly, though, if the Republicans have the opportunity to put their bill before the Senate, I do not understand why they would need a great many more amendments. They already have their bill. If we had our bill before the Senate, we would not have to have a great many amendments because it is our bill. I think we can all understand the logic of that. If we have a particular proposal before us, we ought to be able to debate the changes that may be offered from the other side.

The other side has the right, their right as the majority, to lay their bill down. So when we say we need 20 amendments and they say they will need 20 as well, I do not quite follow that. But so be it.

I think we will find from the discussions taking place at the leadership