

working to bring to the floor and pass a bill that passed the Banking Committee 20-0 and that would do something we have not done since 1990: to set in place a new permanent law to protect America's access to the high-tech world market and at the same time protect our national security.

We thought yesterday that we had reached an agreement in principle that would allow us to bring the bill to the floor. The problem with reaching agreements in principle is that, as one of my famous constituents once said, the devil is in the details. We found ourselves today thinking we had such an agreement but having great difficulty getting the language to comport to what each individual felt the principle to be. Under those circumstances, I thought good faith required that the bill be pulled down. So we pulled the bill down, and it will not come up under this consent agreement unless an agreement is worked out among the parties that were engaged in this negotiation.

I think we all agree that no one acted in bad faith, but what happened was, on a very complicated and very important matter, agreeing in principle is not agreeing to the details.

We are hopeful that in the next few days we might still work out these details. If we do, then we will go to this unanimous consent agreement and bring the bill back up. If we don't work out those differences, we will not.

Before I yield the floor, because I know the distinguished Senator of the Foreign Relations Committee wants to take the floor, I will make a general point.

We started dealing in export control in 1917 with the Trading With the Enemy Act. We then had the Neutrality Act in 1935, and, with the beginning of the cold war, the Export Control Act became law in 1949. We were in a life and death struggle with the Soviet Union. There was an "evil empire." There was a cold war. We won the cold war, and export control on a multilateral basis played a key role in that victory.

In those days, two things existed which no longer exist. One was that the United States had a virtual monopoly in high technology. Indeed, we were the world's undisputed leader in technology. Virtually, every area in the world had been decimated by World War II, and we stood supreme. So technology was an American monopoly.

Second, in 1949, most of the new technology was driven by defense research. Our legitimate concern, life and death struggle concern, was that this defense research embodied in American industry would end up leaking abroad where it could threaten American national security.

By 1990, our consensus had started to fade on the Export Administration Act, and while for two brief periods—from March 1993 through June 1994, and from July 1994 to August 1994—we had temporary solutions, since 1990 we have

had no permanent law to protect American national security.

Today, the world is very different. We have won the cold war. Today, technology is driven by private industry. Today, it is not defense labs that are generating the new technology that drives American business, it is American industry.

We had set out in our export law the number of MTOPS, millions of theoretical operations per second, that a restricted computer could employ, thinking we were protecting what we then called supercomputers. Now, any schoolchild with a computer has the technical capacity, or can get it, and exceed that limit. The number of MTOPS is doubling every 6 months.

So we were faced with a decisive question: Can we pass a law and control this technology? We could pass a law and stop it in the United States, but it would occur elsewhere in the world.

What we ultimately have to decide is: Is our security tied to our being the leader in technology, or is it tied to our ability to hold on to the technology we have and not share it with anybody?

I believe in the end that American security is tied to our leadership in technology. I believe that we have put together a good bill. There is a debate about the details, and there are legitimate differences. As Thomas Jefferson once said: Good men with the same facts are prone to disagree. I have seen nothing in my political career or personal life to convince me that Jefferson was wrong about much of anything, but he was certainly not wrong about this.

We have put together a bill that we believe meets national security concerns. But trying to deal with concerns about Presidential powers and waivers is extremely complicated. Yesterday we reached an agreement in principle. There was the nucleus of the agreement, but getting to the details this morning proved more difficult than we anticipated. To be absolutely certain that everyone's rights are preserved, and to be certain we are dealing in good faith, I concluded—and all of the members of the negotiation agreed—that the bill should be pulled down. As a result, I pulled it down.

I am hopeful that perhaps as early as tomorrow these differences can be worked out. I don't know whether they can or they can't. I believe America would be richer, freer, happier, and more secure if they could. If they are not worked out, it won't be because I didn't make the effort. I want it to be worked out. I hope it can be. Whether it can be or it can't be, I want to be certain that we are dealing in good faith and that we are dealing with each other on that basis.

I think we have preserved that here today. I appreciate my colleagues' help. Someone could have done mischief by objecting; my preference was to go back to the status quo, but we

couldn't do that. We have achieved the same result with this agreement, and I thank my colleagues for agreeing to it.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

#### THE RADICAL AGENDA OF CEDAW

Mr. HELMS. Mr. President, earlier this morning I was thinking about 20 years ago when a delightful young lady Senator from Kansas served in this body, Nancy Kassebaum. She was a lady in every respect, and I miss her to this good day.

I was thinking about Nancy because today is International Women's Day. The radical feminists are at it again. They have chosen once again to press their case for Senate ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, and that has the acronym of CEDAW.

Let's examine this treaty which women organizations—including some of the more liberal women in Congress—are so eager to have approved by the Congress and reported out, first of all, by the Foreign Affairs Committee, on which I am chairman. They put out a press release yesterday that they were going to picket me. I guess they were going to scream and holler at me as they tried to do not long ago, which suits me all right because I have been screamed and hollered at before by the same crowd.

"This urgently needed" treaty, as they describe it, has been collecting dust in the Senate archives for 20 years. It was submitted by President Carter to the Senate in 1980. In these years since President Carter sent it to the Senate, the Democratic Party controlled the Senate for 10 of those years and the Democrats never brought it up for a vote.

Indeed, in the first 2 years of the Clinton administration, when the Democrats controlled not only the Senate but the White House, the Democrats never saw fit to bring this radical treaty up for a vote. They were silent in seven languages about it.

Now, suddenly, 20 years later, they demand to be given urgent priority in the recommendation of this treaty, and that it be considered first by the Foreign Relations Committee and then by the Senate.

I say dream on because it is not going to happen. Why has CEDAW, the Convention of Elimination of All Forms of Discrimination Against Women, never been ratified? Because it is a bad treaty; it is a terrible treaty negotiated by radical feminists with the intent of enshrining their radical antifamily agenda into international law. I will have no part of that.

Let me give a few examples of the world in which the authors and proponents of this treaty would have all live. Under this treaty, a "committee on the elimination of discrimination against women is established with the

task of enforcing compliance with the treaty."

Mr. President, how about a few excerpts from the reports that the committee has issued? They provide a telling insight into the hearts and minds of the authors who wrote this treaty in the first place.

What do they propose? They propose global legalization of abortion. The treaty has been intended, from the very beginning, to be a vehicle for imposing abortion on countries that still protect the rights of the unborn. For example, this committee has instructed Ireland a country that restricts abortion, to "facilitate a national dialogue on \* \* \* the restrictive abortion laws" of Ireland and has declared in another report that under the CEDAW treaty "it is discriminatory for a [government] to refuse to legally provide for the performance of certain reproductive health services for women"—that is to say, abortion.

Another issue: Legalization of prostitution. In another report issued in February of, 1999, the CEDAW committee declared:

The committee recommends the decriminalization of prostitution.

They even called for the abolishment of Mother's Day. The CEDAW crowd has come out against Mother's Day—yes, Mother's Day. Earlier this year, the committee solemnly declared to Belarus its "concern [over] the continuing prevalence of \* \* \* such [stereotypical] symbols as a Mother's Day" and lectured Armenia on the need to "combat the traditional stereotype of women in 'the noble role of mother.'"

There are not enough kids in day care, they claim.

The committee informed Slovenia that too many Slovenian mothers were staying home to raise their children. What a bad thing for mothers to do—think of it—staying home with their children. This committee warned that because only 30 percent of children were in day-care centers, the other 70 percent were in grave danger of, not get this, "miss[ing] out on educational and social opportunities offered in formal day-care institutions."

Another thing, mandating women in combat. Boy, they are hot to trot on that. In a 1997 report, the CEDAW committee mandated that all countries adopting the treaty must ensure the "full participation" of women in the military, meaning that nations would be required to send women into combat even if the military chiefs decided that it was not in the national security interest of, for example, the United States of America.

This is the world that the advocates of this CEDAW treaty want to impose on America. That is why they are picketing my office right now, demanding the Senate Foreign Relations Committee consider this treaty and report it out to the Senate for approval.

I say to these women who are picketing my office: Dream on. If its au-

thors and implementers had their way, the United States, as a signatory to this treaty, would have to legalize prostitution, legalize abortion, eliminate what CEDAW regards as the preferable environment of institutional day care instead of children staying at home.

This treaty is not about opportunities for women. It is about denigrating motherhood and undermining the family. The treaty is designed to impose, by international fiat, a radical definition of "discrimination against women" that goes far beyond the protections already enshrined in the laws of the United States of America. That is why this treaty was publicly opposed in years past by, as I said earlier, Nancy Kassebaum and many others, who felt as I did then, and still do, that creating yet another set of unenforceable international standards would dilute, not strengthen, the human rights standards of women around the world.

We need only to look at the conditions of women living in countries that have ratified this treaty, countries such as Iran and Libya, to understand that Nancy Kassebaum was right in her opposition to the Treaty on the Elimination of All Forms of Discrimination Against Women. The fact is, the United States has led the world in advancing opportunities for women during the 20 years this treaty has been collecting dust in the Senate's archives. I suspect that America will continue to lead the way, while the CEDAW crowd and the treaty sits in the dustbin for a few more decades to come. If I have anything to do with it, that is precisely where it is going to remain.

I do not intend to be pushed around by discourteous, demanding women no matter how loud they shout or how much they are willing to violate every trace of civility.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent there be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each until 3 p.m. today.

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

Mr. ENZI. Mr. President, several of us have comments that we wish to make on the Export Administration Act. Senator THOMPSON was waiting before I was, so I yield.

The PRESIDING OFFICER. The Senator from Tennessee.

#### THE EXPORT ADMINISTRATION ACT

Mr. THOMPSON. Mr. President, I thank Senator ENZI very much. I do wish to make a couple of comments in response to the chairman of the Banking Committee, the Senator from Texas.

First of all, I appreciate his taking the bill down and giving us an opportunity for further discussions and negotiations. Apparently, there are still some items on which some Members are trying to come together. I must say, and have said to my friends, Senator GRAMM and Senator ENZI, that my concern goes deeper than some of the details we are working on right now. Unless some very substantial changes can be made, which I do not anticipate, I could not support the bill. I will not be the one standing in the way of proceeding on the bill, but I reserve all my rights as we proceed and discuss it. It does need full discussion. It is a very serious matter. I am afraid it has not yet gotten the attention it deserves. We will have some amendments, hopefully, to improve the bill as we go along.

I agree with my friend from Texas that it is a different time. We are not in the cold war anymore. No one can put the technological genie back in the bottle. But our export policies have quite adequately taken that into consideration. In fact, many on this side of the aisle, people around the country, have been quite critical of this administration because of the liberality or the looseness of the export controls that we are operating under now, under Executive order. As we know, we have not had a reauthorization of the Export Administration Act since 1994. We have been operating basically on Executive orders. I personally feel the Executive orders we are operating under with regard to our export controls are too loose and need tightening.

We saw what happened with regard to the exporting of our satellite technology and the Hughes and Loral situation that is under investigation by the Justice Department right now, where we got the Chinese to send our satellites up in orbit but apparently in the process gave the Chinese some very sophisticated technology that would assist them with regard to their missile program. So Congress reacted to that.

The Commerce Department had, previous to that, transferred the jurisdiction of satellites from the State Department to Commerce. It was all under Commerce. We took a look at that and said that does not belong in Commerce. Commerce has a legitimate concern about trade and exports for sure, but that is not the only concern. When you are exporting materials that have national security significance, so-called dual-use items that might be militarily significant to countries that you do not want to be helping, then the State Department needs to be concerned, too. So Congress insisted that jurisdiction be brought out from Commerce and given back to the State Department.

We have also seen what the administration has done with regard to high-performance computers. They reassess the situation every 6 months. They are increasing the MTOPS level for the export of high-performance computers to