

IFT-4 was certified 12 days before the test took place on January 18, 2000.

The certification for IFT-5 was issued 8 days before that test last summer, but the certification actually had to be modified on July 7, the day before the test because of changes in the test plan.

I have a chart on my right. On this column, we talk about test events. We talk about the day the test was performed. Then we talk about the day that it was certified for compliance with the ABM Treaty.

As you can tell from the many times I mentioned earlier in several examples, it was just a day before the actual test flight for compliant certification.

My point is to expect us to have compliance during the budget deliberations before the Senate hearing simply doesn't make any sense.

However, I will note that there are at least two exceptions to this practice. Last year, Congress approved a budget that included military construction funding for a radar in Alaska that Congress knew was non-compliant with the ABM Treaty. And in January 1994, a compliance review of the proposed THAAD program determined that it was not in compliance with the terms of the ABM Treaty. Yet in the fall of 1994, Congress voted to approve the BMDO budget—one that included a program that was certified to be non-compliant.

It is also interesting to note that THAAD program testing was approved in January of 1995 on the condition that its ability to accept data from external sensors be substantially limited. Only in 1996 was THAAD testing with external cuing data approved because the determination was finally made that THAAD did not have ABM capabilities. I believe this stands as a good illustration of two salient facts: first, that ABM Treaty compliance is in part a matter of both legal and political judgment; second, that the United States has always reserved for itself the authority to judge the compliance of its own programs.

Bearing these facts in mind, I would argue that this administration has been very straightforward with Congress. The President, the Secretary of Defense, and the Deputy Secretary have all told us that the United States and Russia need to move beyond the ABM Treaty. They have told us that the President's commitment to deploy missile defenses and the missile defense program he has proposed are on a collision course with the ABM Treaty. They have told us that the BMDO test program was not designed either to violate or comply with the Treaty, but that it was designed to proceed as efficiently as possible toward the goal of developing effective missile defenses. They have told us that, as a result, there will be serious issues concerning treaty compliance that will arise in a matter of months.

My colleague from Mississippi, Senator COCHRAN, tried to make that

point—that we need to focus on what our needs are and shoot towards those defensive needs.

Secretary Wolfowitz has even identified the key issues that he expects will emerge. The Secretary, Deputy Secretary, and Lt. Gen. Kadish have also told us that BMDO program activities have not been fully vetted through the certification process—as is typically the case. Consequently, the legal and political judgements to resolve those issues have not been made yet.

I would further argue that statements by Secretary Wolfowitz, Lt. Gen. Kadish, and others in the administration have been remarkably open and consistent in this area. Lt. Gen. Kadish indicated in a briefing several weeks ago his understanding that the BMDO program proposals for fiscal year 2002 would be compliant with the ABM Treaty, with the important caveat, that some issues needed to be clarified by the compliance review process. Secretary Wolfowitz went into considerable detail concerning areas in which the proposed program would “bump into” treaty constraints. An administration document says that the proposed program would be “in conflict” with the treaty “in the matter of months, not years.”

Whether someone says the program is “awaiting clarification” or “that it may bump up against” or “come into conflict with” the ABM treaty, the point is that this is a serious issue that needs to be resolved. And that was precisely the Deputy Secretary's point—that several months ahead of time, the department would know what key program issues would need to be resolved through the established compliance review processes, and that they would be resolved through these processes in regular order.

In considering how we ought to handle these issues, we need to bear in mind that there is a wide range of opinion concerning the value of the ABM Treaty. Some believe that the ABM Treaty is the foundation stone on which U.S. security is built. Others argue that the ABM Treaty is gone and has simply outlived its usefulness and some agree with the administration that the Nation needs to move on to a new strategic framework to guide our relations with Russia.

Given this range of opinion, and the administration's view that the treaty's value has been overtaken by events, the use of well-established processes and procedures to judge the treaty compliance of BMDO program activities hardly seems radical or unusual. Indeed, it seems a modest and conservative approach.

Secretary Wolfowitz outlined for us several possible outcomes of these deliberations within the compliance review process. The nation may have moved beyond the ABM Treaty to a new strategic framework with Russia and the program will not be constrained by the treaty. The program activities in question might be deemed

to be compliant with the treaty. Or on the other hand, the program activities might be deemed to be inconsistent with the treaty.

In the absence of an alternative framework, according to the Secretary, the Nation will be faced with an unpalatable choice—either we must alter the test program so that it is compliant with the treaty but is less efficient and more costly, or we must face the prospect of exercising our rights under article XV that allows the nation to withdraw from the treaty. Please note—and this cannot be stressed too much—in all of these cases, the United States will remain in compliance with our obligations under domestic and international law.

Thus, the suggestion that Senators should not agree to the BMDO budget because we don't have perfect visibility into the ABM Treaty compliance of Ballistic Missile Defense program activities strikes me as, at best, odd. It is inconsistent with past practice. It is inconsistent with established processes and procedures used throughout the Clinton administration and which the Bush administration intends to continue. And it is inconsistent with the simple fact that the United States will remain in compliance with our obligations under domestic and international law regardless of the conclusions of the established legal and political authorities regarding specific BMD test activities.

It does strike me as a path that indicates a desire for confrontation with the administration, not cooperation, and one that expresses philosophical opposition to missile defense rather than practical programmatic concerns. For the Congress to take the position that absolute adherence to the ABM Treaty is a prerequisite for approval of a BMDO budget would, in one stroke, undermine both tracks of the President's policy: to proceed with expedited development of missile defenses and to engage Russia in a constructive dialogue.

I urge all my colleagues to proceed in this matter in a calm, reasoned, and non-partisan manner that does not undermine the President or the flexibility to proceed in his discussions with Russia as he sees fit.

I thank the Chair. I yield the floor.

REMEMBERING KOREY STRINGER

Mr. DAYTON. Madam President, I rise in sorrow this morning to pay tribute to a highly respected Minnesotan, Mr. Korey Stringer, an all-pro offensive tackle for the Minnesota Vikings who died early this morning.

Mr. Stringer collapsed yesterday afternoon after the Vikings practice. He died early this morning due to complications from heat stroke.

Korey Stringer joined the Vikings as a first-round draft pick out of Ohio State University. He has been our starting right tackle ever since. Last year, he was named for the first time

to the all-pro team. Korey was more than an all-pro football player; he was an all-pro human being. He made Minnesota his year-round home, and he was one of the Vikings' most active community members.

He established his "Korey's crew" community service program at several local schools and libraries. He served as an outstanding leader, mentor, and role model for many Minnesota youngsters and adults.

Minnesota has lost one of our best citizens at the tragically early age of 27. Our hearts and our deepest sympathies go out to his wife Kelcie, his 3-year old son Kodie, and the rest of his family.

Korey, we will miss you. Rest in peace.

TRIBUTE TO MRS. BRIGITTE HANES

Mr. THURMOND. Madam President, I know that my colleagues are aware of the excellent services provided by the military liaison offices of the Senate. For many years military and civilian liaison officers have given invaluable assistance in the areas of constituent services, military issues, and fact-finding visits.

One of these liaison officers is Mrs. Brigitte Hanes. During the past nine years she has worked tirelessly solving the problems of soldiers and their families who have asked for help from their Senators.

The wife of an Army officer, Brigitte raised two daughters before embarking on her own career. First, she served on the staff of the Commander in Chief of the Joint Forces in Korea. Then she was the Personal Affairs Coordinator for foreign military students at the Command and General Staff College at Fort Leavenworth. Brigitte and her husband moved to Washington in 1991. It was December of that year that she went to work in the Army Senate Liaison Office.

She gained a reputation around the Senate as a very reliable person. Few people are more widely known and respected than Brigitte. She is known throughout the Senate as an expert in dealing with a range of constituent issues relating to the Army and many other military matters.

When I needed to get something done I would call Brigitte. For example: she arranged for the shipment of a wheel chair from a Senator's office to the mayor of a town in Bosnia. In fact she delivered it to Andrews Air Force Base herself to start it on its way. She talked to a deserter and although he was afraid, she convinced him to turn himself in to Army authorities. She talked a soldier into boarding a plane for Korea. He had called his mother from the airport and told her he was not going to get on the plane. She called the Senator's aide who put in a conference call to Brigitte. She got two years incapacitation pay for a Reservist whose unit administrator had been unable to get it for him.

In addition to her vast casework load she organized and escorted Senate staffers on very informative orientation visits to military posts where they could see the Army at work.

She has been honored repeatedly by her superiors who recognized what a valuable resource they had in Brigitte.

We will miss her support in the Army Senate Liaison Office when she leaves at the end of August to accept a promotion in the office of the Chief of Army Reserves' Legislative Liaison Office.

I would like to say thank you to Brigitte for her nine years of devoted service to the Senate and to wish her success and happiness in her new endeavor.

THE NATIONAL YOUTH SCIENCE CAMP

Mr. REED. Madam President, every summer the senior Senator from West Virginia, Mr. BYRD, hosts a luncheon for the participants of the National Youth Science Camp.

This is a distinguished collection of high school students from every State in the Nation who have demonstrated exceptional abilities in the fields of science and technology. They participate in a two-week science camp in Green Bank, WV, and, afterwards, spend several days touring Washington, D.C. Their time in the Nation's capital culminates in the luncheon hosted by Senator BYRD.

At this year's luncheon, held in the Russell Caucus Room on July 19, Senator BYRD was introduced by a member of the board of the National Youth Science Foundation, Mr. Charles McElwee.

When Mr. McElwee introduced Senator BYRD at the luncheon, I was impressed. He recognized the remarkable accomplishments of the senior Senator from West Virginia: that Senator BYRD has served in the Senate for more than 42 years, has been elected to 8 consecutive 6-year Senate terms, and has held more Senate leadership positions than any other Senator in history.

Next, he referred to Senator BYRD's knowledge of Senate Rules, the Constitution, and the Bible, and his prolific writings on the histories of the U.S. Senate and the Roman Senate.

Mr. McElwee then proceeded to challenge the young, budding scientists "to make the most of [their] natural minds, as has Senator BYRD."

I consider this powerful introduction of Senator BYRD a touching example of how one of Senator BYRD's constituents feels about him. It highlights the esteem in which he is held by his fellow West Virginians, and I want to share it with my colleagues. Therefore, I ask that Mr. McElwee's introduction of Senator BYRD be printed in the RECORD.

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

INTRODUCTION OF HON. ROBERT C. BYRD, U.S. SENATE LUNCHEON FOR NATIONAL YOUTH SCIENCE CAMPERS

(By Charles McElwee)

How do I introduce a person before whom I stand in awe? How do I introduce and pay tribute to West Virginia's most respected and admired elected public official in the State's history? How do I make the introduction and hold the attention of youth, our guest science campers, when decades separate us in age? I resolved to try by relating the mind and accomplishments of our esteemed speaker to the minds and aspirations of our youthful listeners.

I commence by way of a reference to a renowned mathematician, John Forbes Nash, Jr. Nash was born and reared in Bluefield, West Virginia. He is recognized as a genius in mathematics, especially in game theory, for which he was awarded the Nobel Prize in Economics in 1994. His recent biographer has described Nash as having "A Beautiful Mind" and has given that title to her biography of him.

While I stand among a hundred, young, beautiful minds, I introduce a man with a singularly beautiful mind who has cultivated, developed and used his natural endowment to its fullest potential. I speak of the Honorable ROBERT C. BYRD, the senior United States Senator from your host state, the State of West Virginia, and your host for this luncheon today.

Senator BYRD has served in the United States Senate for more than 42 years and was reelected in 2000 to an unprecedented eighth consecutive six-year Senate term. He has held more leadership positions in the Senate than any other Senator in history, and presently serves as Chairman of the powerful Senate Committee on Appropriations.

Senator BYRD is a lawyer, having obtained his J.D. degree *cum laude* after ten years of study in night classes in law school, making him the only sitting member of either House of Congress to begin and complete law degree studies while serving in Congress.

I have already told you enough to establish that Senator BYRD is a man with a great mind and substantial achievements. But I don't want to stop there because I want to use this brief occasion of introduction to challenge you to make the most of your natural gifts of beautiful minds, just as Senator BYRD has done. Let me illustrate what a beautiful mind can accomplish when it is disciplined and applied.

(*Holding up a copy of the United States Constitution.*) Senator BYRD carries with him at all times when discharging his public duties a copy of the United States Constitution. His knowledge of this document is, in my opinion, unsurpassed by any other member of the Senate. He qualifies as a constitutional lawyer and scholar. In fact, Senator BYRD shared with another the first "We the People" award presented by the National Constitution Center to a constitutional scholar, who had demonstrated his love of, and concern for, the United States Constitution.

(*Holding up a copy of the Bible.*) Senator BYRD's knowledge of the Bible, King James version, is stupendous. He can recite from memory dozens of passages from both the Old and New Testaments. But more importantly, he and Erma, his beloved wife of sixty-four years, have shaped their lives to conform with biblical precepts.

(*Holding up a copy of one of Senator Byrd's favorite poems, "The Bridge Builder."*) Senator BYRD has an immense knowledge of English and American literature and has committed to memory a great store of verse. Two of his favorite poems are "The Bridge Builder" and "Fence or An Ambulance." Both refer to youth like you. In the first, an old man has