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The Feds are a big, strong, bulky group of people going after this lady. Earning \$1,200 a month income, she is no match for the Feds. She called OFAC and told them she had not been home to get her mail and she had not responded to their notice because her son had brain cancer and died. She asked if they would give her a hearing. Absolutely not, they said. Wouldn't give her a hearing and would not reduce her fine by one cent.

I met Joan at a conference and I got involved in her case. I called OFAC and said: You ought to be embarrassed.

I know there is law against U.S. citizens traveling in Cuba. It is a foolish law that ought to be repealed. The House of Representatives has now, incidentally, voted to prohibit the enforcement of that law. But the fact is this country long ago decided to try to punish Fidel Castro by limiting the ability of the American people to travel. The nuttiest idea I ever heard of. So we end up saying to Joan Slote that you have to pay a fine.

Well, I got involved and said to the OFAC folks: You ought to be ashamed of yourself and you ought to be embarrassed. They agreed to reduce her fine to \$1,900. I don't think she should have paid a cent, but they reduced it to \$1,900. So Joan paid \$1,900 with two checks. She paid the \$1,900. She lives on \$1,200 a month.

Then this morning I received this email from her:

I sent the settlement money in two payments, one in July and paying it all by the end of August. I checked with the bank and the bank said the checks have not been cashed as of a week ago. Two weeks ago I got a letter from a collection agency asking for about \$10,000 and a letter from the Social Security system telling me they will start reducing my Social Security payments in November.

Shame on the Federal Government. Do we have completely and totally incompetent Federal agencies? No. 1, they are chasing old ladies riding bicycles when they ought to be chasing terrorists. She may not like me calling her an old lady, but she is a 74-year-old senior bicyclist. She is proud of what she does. She bicycles in the Olympics. And she has the Federal Government after her. They ought to be chasing terrorists, not retired schoolteachers biking in Canada. What are they thinking? Is there no common sense at all at the Office of Foreign Assets Control.

I had the Secretary of the Treasury in front of a committee a year and a half ago. He got in trouble because he answered the question honestly. I liked him. He was a guy who said what was on his mind. I said: Let me ask you a question. Don't you think if you could use your assets the way you want to use your assets in the Office of Foreign Assets Control, you would pull employees off of tracking little old schoolteachers and others from bicycling in Cuba and instead use all of your muscle and all of your energy and all of your

resources to track terrorism? Don't you think that is where the priorities ought to be?

Well, he did not answer. I asked again. He didn't answer. I asked again and finally he said: Of course. Of course I prefer that be the case. But he got in mighty big trouble, according to the press, with the White House because there is a political correctness about this issue of travel to Cuba and they want the Office of Foreign Assets Control to clamp down on the folks. Go get them.

Let me tell you who they are getting: Joan Slote. She should not have had to pay a penny. Not a penny.

How about Cevin Allen, Washington State. He traveled to Cuba to bury the ashes of his late father, a Pentecostal minister of prerevolutionary Cuba who wanted his ashes buried on the grounds of the former church he had in Cuba. OFAC tried to slap his son with a \$20,000 fine for taking his father's ashes to bury them on the church grounds in Cuba.

He told the hearing that I chaired on this subject that the trip to Cuba let him deal with the pain of losing his parents. But he said the good feelings from giving them the burial he knew they wanted and reuniting with friends from his childhood when his parents were missionaries in Cuba were crumbled when he came home to face hostile officials and the fine for traveling to Cuba illegally.

Then there is Tom Warner who is 77 years old. Tom Warner has not even traveled to Cuba. He is a World War II veteran. He posted on his Web site the schedule for the February 2002 annual meeting of the United States-Cuba Sisters Cities Association in Havana. What happened to him? This 77-year-old World War II veteran heard from OFAC. OFAC accused him of organizing, arranging, promoting, and otherwise facilitating the attendance of persons at a conference in Cuba without a license. Mind you, this World War II veteran never went to Cuba. He simply posted on a Web site the information he had about a Sisters Cities meeting in Cuba. Warner got a letter from OFAC giving him 20 days to tell OFAC everything he knew about the conference and the organizing folks who participated in it. He has since, of course, hired a lawyer.

I just don't understand. We can travel to Communist China. We can travel to Communist Vietnam. We can travel virtually anywhere in the world except for three countries: Cuba, Libya, and, for now, Iraq.

The fact is, other Communist countries, we are told, will move in the right direction through engagement: engage them in trade and travel and that is the way to persuade them to move in the right direction towards greater human rights, towards democracy.

With Cuba, for 40-some years, we have been telling people: Well, you cannot travel there, you cannot trade

there, because somehow that would be giving aid and comfort to the Castro government.

Well, the best way to give aid and comfort to the Castro government is to continue this embargo. The best way to undermine the Castro government is through trade and travel. It is what we do in China. It is what we do in Vietnam. It is what we ought to do with respect to Cuba. But the reason I came to the floor today is to say this poor woman ought not to be chased by the Federal Government. She has done nothing wrong. She made a mistake by responding to an advertisement in a magazine that said what she was going to do on this bicycle trip was not illegal. She did it in good faith and now comes home to have the Federal Government chase her.

What is galling to me is the agency in the Federal Government—the Treasury Department and this little organization called OFAC, which we require to track terrorists—is using their resources to chase Joan Slote. Shame on them.

We are going to try to change the law in the Senate. I am going to offer an amendment to the Treasury appropriations bill that is identical, word for word, with every punctuation mark, that was in the House bill. I think it passed the House by 40 votes. My expectation is, if we have a chance to vote on it, it will pass the Senate as well.

It simply says this travel ban makes no sense. We ought not enforce the travel ban. No one ought to be chasing a retired schoolteacher or a bicyclist or someone who takes their father's ashes back to bury in Cuba.

I don't know. Maybe the folks at Treasury can be just embarrassed into doing the right thing. But it is inexplicable to me that we talk about homeland security, we talk about fighting terrorism, and then we have an agency of the Federal Government that is using its resources to do this.

Yes, I know what the law is. But I also know what the priority is: to use scarce enforcement dollars to track terrorists. Common sense would tell you not to divert those dollars to try to take part of the Social Security payments away from this retired woman because she went on a bicycle trip in Cuba.

That is the kind of heavy-handed Federal Government I do not want to be a part of. I believe we ought to do something legislatively to address that situation, and I intend to do that when we have the right appropriations bill on the floor of the Senate.

NUCLEAR WEAPONS

Mr. DORGAN. Mr. President, while I am on the floor, I wish to mention that a couple of my colleagues—I believe, Senator FEINSTEIN and Senator KENNEDY—will be on the floor later today with an amendment dealing with the issue of nuclear weapons. I want to join

them in pointing out my special concern about what is happening with respect to nuclear weapons.

We have roughly 30,000 nuclear weapons in the world—30,000 nuclear weapons, the use of any one of which would cause a catastrophe, as all of us know. So we have had what we call a doctrine of mutually assured destruction for a long, long while, with the other nuclear superpower believing no one would be able to use a nuclear weapon in an attack because they would be obliterated by the other side.

That doctrine of mutually assured destruction has lasted for well over a half century. There are many in the world that aspire to achieve nuclear weapons for their own use—terrorists and other countries.

The world depends on us and on our leadership to stop the spread of nuclear weapons. There is no—I repeat, there is no—duty that is more important, in my judgment, than for this country to use its leadership capability to stop the spread of nuclear weapons. For surely, if nuclear weapons proliferate in this world, they will, one day, be used, and when used in anger will persuade others to use them; and this Earth will not be the kind of Earth that we recognize in the future.

The Energy and Water appropriations bill contains certain money to develop new bunker-buster nuclear weapons and to come up with so-called advanced concepts for new more “useable” nuclear weapons, and it has money to make it easier to end the ban on testing so we would begin testing once again.

This is, in my judgment, reckless discussion, reckless talk. It certainly falls under the rubric of free speech and free debate, but I happen to think this country ought to say to the rest of the world: We want to reduce the number of nuclear weapons, No. 1. And we don't need to develop new nuclear weapons. We have far more than anyone needs. And second, the last thing we ought to do is to suggest to anyone there is a green light for anyone to use, at any time, under any circumstances, nuclear weapons.

Here on this chart is what the House of Representatives said in their report recently about the administration's plans for nuclear weapons:

It appears to the Committee the Department is proposing to rebuild, restart, and redo and otherwise exercise every capability that was used over the past forty years of the Cold War and at the same time prepare for a future with an expanded mission for nuclear weapons.

As indicated on this other chart, here is the stockpile of nuclear weapons—roughly 30,000. We have about 10,000; the Russians have about 18,000—you can see a few others around—the use of any one of which or the stealing of any one of which or the loss of any one of which to a terrorist group or a rogue nation would be devastating if they were to detonate.

The people who are talking about developing new nuclear weapons are say-

ing: What we ought to do is take a look at earth-penetrating, bunker-buster nuclear weapons. What a wonderful idea that is, they say.

Well, the best scientists tell us you cannot penetrate the earth much more than 45 or 60 feet; you just can't. But they are talking about nuclear weapons up to 1 megaton, 60 to 70 times bigger than the Hiroshima bomb. That is what they talk about here: earth-penetrating, bunker-buster nuclear weapons. That means this country would build a nuclear weapon that we could actually use, not to deter someone else from using it, but a nuclear weapon that would be a useful weapon for designer purposes. If you have a bunker that you can't bust, lob over a nuclear weapon.

Here is a picture of what a 100-kiloton nuclear explosion 635 feet underground does at the surface. These are not tiny, little designer nuclear weapons. These are huge explosions.

The explosion shown on this picture was 635 feet underground. Likely, a bunker-buster weapon would be detonated at 50 to 60 feet underground.

The point is this: We have a responsibility in this country, it seems to me, on these policies to exhibit great restraint. We have countries in the world that do have nuclear weapons, and we worry a great deal about them using them. India and Pakistan each have nuclear weapons. They don't like each other very much. There have been moments when we have been very concerned about the command and control of nuclear weapons in some other countries.

Our job, at this point, is not to be talking about building new nuclear weapons: low-yield nuclear weapons, bunker-buster, earth-penetrator nuclear weapons, to begin testing nuclear weapons. Our job, it seems to me, is to talk about restraint.

We have all the nuclear weapons we will ever need, well over 10,000, both theater and strategic nuclear weapons. We do not need to be building more. We do not need to talk about using nuclear weapons. Those who talk about building specific-use nuclear weapons and saying there is a use for actual employment of nuclear weapons in conflict, that is not, in my judgment, in the long-term interests of this world or this country. I hope we will exhibit much more restraint than that.

I know some will say: Well, we are simply beginning research on some of these issues. I say we do not need to research earth-penetrating, bunker-buster nuclear weapons. That is not in our country's interest, with due respect.

What we ought to do is to exhibit every ounce of energy that we can and that we have to try to stop the spread of nuclear weapons, so that, God forbid, other countries do not acquire nuclear weapons, and then begin to work to reduce the number of nuclear weapons around the rest of the world.

I know the amendment that will be offered by my colleague Senator FEIN-

STEIN, this afternoon, will be controversial and will be debated. I respect people who do not share my own opinion on this issue, but I feel very strongly that the only conceivable future for nuclear weapons—for my children and grandchildren and yours—is to try to prevent nuclear weapons from ever again being used. That is the only thoughtful and conceivable future that will not address the future of this world in a very negative way.

We must use our leadership capabilities. We are a great country and a mighty country. We must use our capabilities to persuade others that the use of nuclear weapons is not something that is thinkable or conceivable. We must exert every energy to stop the spread of nuclear weapons to so many others who want to obtain them in a way that would be destructive to our long-term interests.

I yield the floor.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2004

THE PRESIDING OFFICER. Under the previous order, the hour of 2:30 p.m. having arrived, the Senate will resume consideration of H.R. 2754, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2754) making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes.

THE PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, when we called this bill up, we called up the House version. I ask unanimous consent that all after the enacting clause be stricken, the text of Calendar No. 213, S. 1424, the Senate committee-reported bill, be inserted in lieu thereof; the bill, as amended, be considered as original text for the purpose of further amendments; provided that no points of order be waived by reason of this agreement.

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

Mr. DOMENICI. Mr. President, as I understand it, the energy and water appropriations bill, as reported out unanimously by the subcommittee and Committee on Appropriations, is pending. One amendment—there may be others—we are awaiting is a Feinstein, et al., amendment to be offered and debated. I don't believe it serves any purpose for the Senator from New Mexico to discuss the issue until the amendment is offered. As a consequence, I am going to yield the floor and put in a quorum call, with the full understanding that Senator FEINSTEIN intends to offer shortly her amendment. And from what I understand, an hour later, at about 3:30, the distinguished Senator from Massachusetts, Mr. KENNEDY, is going to speak in support of the Feinstein amendment. In between those, I will speak, and there may very