Mr. TORRICELLI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3506

Mr. McCONNELL. Mr. President, I believe the amendment of the Senator from Pennsylvania may be pending.

The PRESIDING OFFICER. The Senator from Pennsylvania does have the pending amendment. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

Mr. President, I outlined the purpose of this amendment earlier today. What it does is provide for some $28.9 million of funding for the Comprehensive Test Ban Treaty Preparatory Commission. There is not a problem with the funding coming out of unobligated funds of prior years.

The Comprehensive Test Ban Treaty is pending before the U.S. Senate. Senator BIDEN and I had submitted a resolution sponsored by some 36 Senators which called for hearings before the Foreign Relations Committee and a vote by the Senate on ratification of the constitutional procedure.

The matter now pending is somewhat different, and that is to provide funding for the Preparatory Commission. The problem with testing, which is going on now, has become very acute during the course of the past several months—when India initiated nuclear testing, followed by Pakistan—those two countries with all of their controversy are on the verge of real problems.

I said earlier this morning that when Senator Brown and I traveled to India back in August of 1995 and talked to Prime Minister Rao, he was interested in having the subcontinent nuclear-free. Shortly thereafter, we visited Pakistan and saw their political leader, Prime Minister Benazir Bhutto, who had a similar view, but that situation has deteriorated materially.

In asking for a vote on this matter, it is not only to strengthen the position in conference where we know that on a voice vote, sometimes the position in conference is not as strong. But, also in the absence of the Senate taking up the Treaty, to have a show of support for the Treaty as I think will be reflected at least in part; although, you could support this amendment without necessarily committing to the Treaty.

Mr. President, at this time I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. SPECTER. Mr. President, as I outlined earlier, my cosponsor is the distinguished Senator from Delaware, Senator BIDEN. He has come to the floor. At this time, I yield to him.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Delaware.

Mr. BIDEN. Mr. President, I will not take much of the Senate's time. I think this debate is about the easiest debate the Senate can face. There is one simple reason to support the Specter amendment, of which I am a cosponsor, and the U.S. contribution to the Comprehensive Test Ban Treaty Preparatory Commission. It is real simple. It is in the national security interest of the United States. I reiterate what the Senator from Pennsylvania said. This is true whether or not you favor the test ban treaty or oppose it.

Most of the funding requested for the Preparatory Commission is to be devoted to capital expenditures on the international monitoring system, the ability to monitor. Improving our nuclear test monitoring capabilities is clearly of benefit to the United States—again, whether you are for or against this treaty—as well as to the benefit of the world community.

The recent nuclear weapons tests in India and Pakistan are a stark reminder of the importance of monitoring. The international monitoring system should improve the seismic monitoring of nuclear tests in India and Pakistan by nearly a full order of magnitude. That will lower the threshold of detectable yields by a factor between 5 and 10, depending on the test-site geology.

So if the detection threshold is a yield of 200 tons today, it would be 20 to 40 tons a few years from now. Let me say that again. If the threshold at which we can detect today is 200 tons, if this monitoring system is improved, as we fully expect it would be assuming we fund our part, it would reduce that to be able to detect 20 to 40 tons—but only if we pay our contribution.

The international monitoring system will also provide these improved monitoring capabilities in a more cost-effective manner than we can achieve them unilaterally. Countries other than the United States will bear roughly 75 percent of the costs. Where I come from, that is a pretty good deal. We pay three-quarters less than we would have to pay in order to be able to get 5 times the accuracy in terms of information, as much as 10 times the resolution we need to know if anybody has set off a nuclear test.

In addition, some of the improvement is literally unattainable through U.S.-sponsored monitoring alone, as some of the international monitoring sites will be in countries that refuse to contribute to a U.S. unilateral monitoring system.

The Preparatory Commission, Mr. President, is investing—is investing—now in an international monitoring system, even though the Comprehensive Nuclear Test Ban Treaty might not come into force for some years.

There are two important reasons to support this. First, if we do consent to U.S. ratification of the treaty, we will want to be able to verify compliance as soon as the treaty enters into force. Any delay in funding the international monitoring system would translate into a delay in achieving the needed verification capabilities. Second, the improved monitoring achieved through new or upgraded sensor sites will contribute to U.S.—and world—monitoring capabilities as soon as they are in place, not just after the treaty enters into force.

U.S. agencies need to monitor possible nuclear weapons tests worldwide whether or not we ratify the treaty. Even so, opponents of ratification should support this funding. What would we do if we were here on the floor and said, ''You know, there's going to be no test ban treaty. We just want to know what's going on in the rest of the world. We want to know. And guess what? A whole bunch of nations will join in with us to increase the capability of monitoring a test by roughly tenfold, a minimum of fivefold. And all we have to do is contribute, in this case, one-quarter of the cost''?

Would we conclude not to do that? Would we sit here and say, ''No, no, no, we don't want to know; we don't want to pay 25 percent of the cost to increase our ability to detect testing that is up to 10 times more sensitive than what our capability now is''?

What are we talking about here? I mean, what rationale can there possibly be? I suspect my friends will say, ''Well, you know, if we go ahead and do this, then we're on a slippery slope to ratifying that God awful treaty.'' I think it is a good treaty, but that is the best argument you can come up with unless you say, ''We don't want to know. We don't want to know whether or not a nation is detonating a nuclear device that is in the 20 to 40 ton range. We're satisfied knowing all they can do is under 200 tons. Once they get above that, that is when we'll pay attention to it.''

Mr. President, in sum, the international monitoring system will make a real contribution to U.S. monitoring capabilities. That contribution will be much less expensive than sustaining those sites unilaterally. And it will come on line as soon as the equipment is installed.

Lest anybody have to be reminded, we live in a very dangerous world. The proliferation of nuclear weapons is occurring and it is a real risk. It seems to me, Mr. President, again, whether or not you are for the test ban treaty, the national interests requires these monitoring investments. So I strongly urge—strongly urge—all of my colleagues to support this amendment.

Mr. President, I yield the floor.

Mr. JEFFORDS. Mr. President, the Senator from Pennsylvania has raised

a very important issue, one that has not been given sufficient attention by this body this year—that of the Comprehensive Test Ban Treaty (CTBT). Ratification of the CTBT is one of the single most important steps the Senate could take today to improve our national security and reduce the future threat of a missile attack. This treaty exists only because the United States made it a priority and put a lot of energy into its formulation. Entry into force of the treaty will now occur only if the U.S. Senate engages these issues directly and begins the ratification debate. I realize that many of my colleagues do not support the treaty. But I think most Senators would agree that this is an important debate, one that should not be allowed to slip off the Senate's fall agenda.

The amendment before the Senate would fully fund the Administration's request for $28.9 million to cover the U.S. contribution to the Comprehensive Test Ban Preparatory Commission. This organization will be responsible for coordinating the efforts of the CTBT signatories to monitor compliance with the treaty and seek to prevent break-out of the treaty. The organization plans to build 171 monitoring stations around the world, greatly enhancing the ability of the U.S. and other countries to detect a nuclear explosion.

Not only is this function critically important to our national security, it comes at a bargain price: the U.S. pays only 25 percent of the cost of the Preparatory Commission. The remainder is borne by the other signatories to the treaty. As we struggle to stretch every defense dollar a bit further, I don't think we can afford to let this bargain escape us.

Mr. President, I know there are many obstacles to entry into force of the CTBT. And without active, engaged U.S. leadership, it might never happen. But we have a lot at stake here, both for today's security needs and to prevent future nuclear weapons threats. It is much easier to prevent the emergence of such threats than it is to protect against them once they have been developed. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MCCONNELL. Mr. President, would the Senator from Oregon withhold just for a minute?

Is the debate completed on the Specter amendment? I was thinking, since Mr. SMITH of Oregon is here——

Mr. SPECTER. Mr. President, I thank the distinguished chairman. No one has risen to speak in opposition to the amendment as of this point. And in the event nobody does, I think the debate is concluded. The distinguished Senator from Delaware spoke; and I have spoken on two occasions. I think the issue is before the body. So, in the absence of any opposition, I think we are ready to go to a vote when that is convenient for the managers.

Mr. MCCONNELL. I thank the Senator.

I ask unanimous consent that the Specter amendment be temporarily set aside.

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

Mr. SMITH of Oregon addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. SMITH of Oregon. Mr. President, I send two amendments to the desk and ask for their immediate consideration.

The PRESIDING OFFICER. Are the amendments offered en bloc?

Mr. SMITH of Oregon. They are not, Mr. President. They are separate.

The PRESIDING OFFICER. Does the Senator from Oregon ask unanimous consent that they be considered together?

Mr. SMITH of Oregon. I think they need to be considered separately. They are on entirely different issues.

The PRESIDING OFFICER. Which amendment does the Senator wish to present to the body at this time?

Mr. SMITH of Oregon. If the clerk will read the first one before him, I will proceed with that.

AMENDMENT NO. 3520

The PRESIDING OFFICER. The clerk will report the first amendment.

The legislative clerk read as follows:

The Senator from Oregon [Mr. SMITH], for himself, Mr. THOMAS, Mr. BROWNBACK, Mr. ALLARD, Mr. BOND, Mr. GRAMS, Mr. DODD, Mr. SESSIONS, Ms. COLLINS, Mr. WYDEN and Mr. D'AMATO, proposes an amendment numbered 3520.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following new section, and renumber the remaining sections accordingly:

SECTION 1. SHORT TITLE.

This section may be cited as the ''Equality for Israel at the United Nations Act of 1998''.

SEC. 2. EFFORT TO PROMOTE FULL EQUALITY AT THE UNITED NATIONS FOR ISRAEL.

(a) CONGRESSIONAL STATEMENT.—It is the sense of the Congress that—

(1) the United States must help promote an end to the inequity experienced by Israel in the United Nations whereby Israel is the only longstanding member of the organization to be denied acceptance into any of the United Nations region blocs, which serve as the basis for participation in important activities of the United Nations, including rotating membership on the United Nations Security Council; and

(2) the United States Ambassador to the United Nations should take all steps necessary to ensure Israel's acceptance in the Western Europe and Others Group (WEOG) regional bloc, whose membership includes the non-European countries of Canada, Australia, and the United States.

(b) REPORTS TO CONGRESS.—Not later than 60 days after the date of the enactment of this legislation and on a semiannual basis thereafter, the Secretary of State shall submit to the appropriate congressional committees a report which includes the following information (in classified or unclassified form as appropriate):

(1) Actions taken by representatives of the United States, including the United States Ambassador to the United Nations, to encourage the nations of the Western Europe and Others Group (WEOG) to accept Israel into their regional bloc;

(2) efforts undertaken by the Secretary General of the United Nations to secure Israel's full and equal participation in that body;

(3) specific responses solicited and received by the Secretary of State from each of the nations of Western Europe and Others Group (WEOG) on their position concerning Israel's acceptance into their organization; and

(4) other measures being undertaken, and which will be undertaken, to ensure and promote Israel's full and equal participation in the United Nations.

Mr. SMITH of Oregon. Mr. President, I rise today to offer an amendment requiring the Secretary of State to report on actions taken by our Ambassador to the United Nations to push the nations of the Western Europe and Others Group to accept Israel into their group.

As you may know, Israel is the only nation among the 185 member states that does not hold membership in a regional group. Membership in a regional group is the prerequisite for any nation to serve on key United Nations bodies such as the Security Council.

In order to correct this inequality, I am introducing ''The Equality for Israel at the United Nations Act of 1998.'' I believe that this legislation will prompt our United Nations Representative to make equality for Israel at the United Nations a high priority.

I am proud to be joined by Senators BROWNBACK, ALLARD, BOND, GRAMS, DODD, SESSIONS, COLLINS, WYDEN, D'AMATO and THOMAS as original cosponsors of this important legislation.

Mr. President, Israel has been a member of the United Nations since 1949, yet it has been continuously precluded from membership in any regional bloc. Most member states from the Middle East would block the vote needed to join their own regional group.

The Western Europe and Others Group, however, has accepted countries from other geographical areas such as the United States and Australia, for example.

This year United Nations Secretary General Kofi Annan announced that ''It's time to usher in a new era of relations between Israel and the United Nations * * * One way to rectify that new chapter would be to rectify an anomaly: Israel's position as the only Member State that is not a member of one of the regional groups, which means it has no chance of being elected to serve on main organs such as the Security Council or the Economic and Social Council. This anomaly would be corrected.''

I believe it is time to back Secretary General Annan's idea with strong support from the United States Senate and I ask all my colleagues to join me in sending this message to the UN to stop this discrimination against Israel.

AMENDMENT NO. 3521

Mr. SMITH of Oregon. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. SMITH], for himself, Mr. BIDEN, Mr. D'AMATO, and Mr. JOHNSON, proposes an amendment numbered 3521.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, add the following:

SEC. . SANCTION AGAINST SERBIA-MONTENEGRO.

(a) CONTINUATION OF EXECUTIVE BRANCH SANCTIONS.—The sanctions listed in subsection (b) shall remain in effect until January 1, 2000, unless the President submits to the Committees on Appropriations and Foreign Relations in the Senate and the Committees on Appropriations and International Relations of the House of Representatives a certification described in subsection (c).

(b) APPLICABLE SANCTIONS.—

(1) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to work in opposition to, and vote against, any extension by such institutions of any financial or technical assistance or grants of any kind to the government of Serbia-Montenegro.

(2) The Secretary of State should instruct the United States Ambassador to the Organization for Security and Cooperation in Europe (OSCE) to block any consensus to allow the participation of Serbia-Montenegro in the OSCE or any organization affiliated with the OSCE.

(3) The Secretary of State should instruct the United States Representative to the United Nations to vote against any resolution in the United Nations Security Council to admit Serbia-Montenegro to the Untied Nations or any organization affiliated with the United Nations, to veto any resolution to allow Serbia-Montenegro to assume the United Nations' membership of the former Socialist Federal Republic of Yugoslavia, and to take action to prevent Serbia-Montenegro from assuming the seat formerly occupied by the Socialist Federal Republic of Yugoslavia.

(4) The Secretary of State should instruct the United States Permanent Representative on the Council of the North Atlantic Treaty Organization to oppose the extension of the Partnership for Peace program or any other organization affiliated with NATO to Serbia-Montenegro.

(5) The Secretary of State should instruct the United States Representatives to the Southeast European Cooperative Initiative (SECI) to oppose and to work to prevent the extension of SECI membership to Serbia-Montenegro.

(c) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) the representatives of the successor states to the Socialist Federal Republic of Yugoslavia have successfully negotiated the division of assets and liabilities and all other succession issues following the dissolution of the Socialist Federal Republic of Yugoslavia.

(2) the government of Serbia-Montenegro is fully complying with its obligations as a signatory to the General Framework Agreement for Peace in Bosnia and Herzegovina.

(3) the government of Serbia-Montenegro is fully cooperating with and providing unrestricted access to the International Criminal Tribunal for the Former Yugoslavia, including surrendering persons indicted for war crimes who are within the jurisdiction of the territory of Serbia-Montenegro, and with the investigations concerning the commission of war crimes and crimes against humanity in Kosova.

(4) the government of Serbia-Montenegro is implementing internal democratic reforms.

(5) Serbian, Serbian-Montenegrin federal governmental officials, and representatives of the ethnic Albanian community in Kosova have agreed on, signed, and begun implementation of a negotiated settlement on the future status of Kosova.

(d) STATEMENT OF POLICY.—It is the sense of the Congress that the United States should not restore full diplomatic relations with Serbia-Montenegro until the President submits to the Committees on Appropriations and Foreign Relations in the Senate and the Committees on Appropriations and International Relations in the House of Representatives the certification described in subsection (c).

(e) EXEMPTION OF MONTENEGRO.—The sanctions described in subsection (b)(1) should not apply to the Government of Montenegro.

(f) DEFINITION.—The term ''international financial institution'' includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(g) WAIVER AUTHORITY.—

(1) The President may waive the application in whole or in part, of any sanction described in subsection (b) if the President certifies to the Congress that the President has determined that the waiver is necessary to meet emergency humanitarian needs or to achieve a negotiated settlement of the conflict in Kosova that is acceptable to the parties.

(2) Such a waiver may only be effective upon certification by the President to Congress that the United States has transferred and will continue to transfer (subject to adequate protection of intelligence sources and methods) to the International Criminal Tribunal for the former Yugoslavia all information it has collected in support of an indictment and trial of President Slobodan Milosevic for war crimes, crimes against humanity, or genocide.

(3) In the event of a waiver, within seven days the President must report the basis upon which the waiver was made to the Select Committee on Intelligence and the Committee on Foreign Relations in the Senate, and the Permanent Select Committee on Intelligence and the Committee on International Relations in the House of Representatives.

Mr. SMITH of Oregon. Mr. President, we have all watched the events in Kosovo with alarm and distress over the past several months. The situation on the ground continues to deteriorate and no progress has been made on a negotiated solution to the conflict.

Serb paramilitary groups and Yugoslav army units are conducting offensives in Kosovo that have the effect of driving tens of thousands of Kosovar Albanians from their homes. Innocent civilians have been killed. Villages throughout the province have been razed. Humanitarian workers in Kosovo are in great danger as they try to fulfill their mission of delivering food, medicine, and other necessities to the refugee population.

In fact, just recently, in a despicable act, three aid workers with the Mother Theresa Society in Kosovo were deliberately killed by Serbian forces as they attempted to deliver humanitarian assistance to Kosovars that had been displaced by the conflict. Fighting has occurred on the border with Albania, highlighting the potential for this conflict to spread throughout the Balkans, and even involve Greece and Turkey, two of our NATO allies.

Mr. President, I lay the blame of this disaster on the shoulders of one man: Slobodan Milosevic. Mr. Milosevic, currently President of the Federal Republic of Yugoslavia, rose to power in 1989 by exploiting and manipulating Serbian nationalism in Kosovo—a process that led directly to the horrific war in Bosnia and resulted in the death of tens of thousands of Bosnians of all ethnic groups. In his desperate effort to hold onto power, Milosevic has reverted to his old tricks: he is using the status of Kosovo—a province which is overwhelmingly populated by ethnic Albanians—to consolidate and perpetuate his authority and position.

The six-nation Contact Group charged with monitoring events in the former Yugoslavia has issued various sets of demands since the crisis began in February—demands which Milosevic repeatedly ignores. I am aware of the diplomatic effort underway to start the process of negotiating a settlement. Yet no solution will endure that does not guarantee the Albanians in Kosovo their full political rights and civil liberties.

Mr. President, for several years, the Clinton Administration has maintained a policy of upholding the so-called ''outer wall'' of sanctions against the Federal Republic of Yugoslavia. The FRY is what remains of socialist Yugoslavia, and consists of two republics, Serbia and Montenegro.

The outer wall denies United States' support of FRY membership in international organizations. It denies United States' support for FRY access to economic assistance provided by international financial institutions. And the outer wall withholds full United States diplomatic relations with the FRY.

The Administration has stated that the FRY and Mr. Milosevic must fulfill five conditions before the outer wall of sanctions is lifted. The amendment that we have before us today requires the President to certify these five conditions are met before any action is taken to lift or to weaken the outer wall.

These five conditions as laid out by senior officials of the Clinton Administration are as follows. First, all succession issues due to the break-up of the Socialist Federal Republic of Yugoslavia—in particular, the division of assets and liabilities—must be resolved

with the other republics that emerged from the dissolution of that country. Second, the FRY must comply with all of its obligations as a signatory of the Dayton Accords. Third, the FRY must cooperate with the War Crimes Tribunal that is investigating and prosecuting war criminals in the former Yugoslavia. Fourth, the FRY must make substantial progress in implementing democratic reforms. And finally, the FRY must make progress in resolving the situation in Kosovo.

When discussing ''progress'' in Kosovo, I want to emphasize that progress does not mean the end of the Serbian policy of ethnic cleansing in Kosovo. Nor does it mean Serbian paramilitary forces ceasing their operations directed at civilians in Kosovo. That is not progress. Progress is a negotiated settlement that allows ethnic Albanians to exercise their political rights.

Let me be clear: the problem here is Mr. Milosevic, not the Serbian people. The Serbian people must not be blamed for the irrational policies promoted by Milosevic. I want to be helpful to those in Serbia who are courageously opposing the detrimental policies propounded by him. These individuals are trying to establish independent media that will provide unbiased reporting to the Serbian people; they are working to strengthen the democratic opposition, small though it is, to Milosevic's stronghold on power; they are trying to develop a civil society based on the rule of law. They need our help—and they deserve our help.

But Mr. Milosevic—and the Serbian people—must understand that Milosevic either needs to comply with the five conditions laid out by the Administration or his country will continue to be isolated into the next century.

Before continuing, Mr. President, I must take note of the positive developments that have occurred this year in Montenegro, Serbia's partner in the FRY. Montenegro has made great strides in implementing necessary reforms to make the transition from a socialist state with a centrally planned economy to a free market democracy.

Events in Montenegro prove that democracy can take root and flourish in the FRY, but requires leaders that are committed to a pluralistic, multi-ethnic state. It is in our interests to support Montenegrin President Djukanovic in his effort to consolidate and accelerate the democratic reform process. Though Mr. Milosevic has made every attempt to frustrate President Djukanovic's efforts, the Montenegrin people have spoken—and their choice is democracy.

Mr. President, the amendment we have before us clearly states exactly what Mr. Milosevic needs to do for his country to join the family of Western nations. This is not a secret to him. It has been the position of this Administration for several years. What is new, however, is that this amendment prohibits the FRY from joining international organizations, such as the United Nations and the Organization for Security and Cooperation in Europe, and prohibits the FRY from gaining access to assistance from international financial institutions until each of these five conditions are met.

What we are asking for is responsible behavior. Before lifting the outer wall of sanctions—which in effect is a reward for Serbia—we should expect nothing less.

I urge my colleagues to support this amendment.

Mr. President, I understand that these amendments may be accepted by the managers of the bill. So I will not ask for the yeas and nays.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, the Smith amendments are cleared on both sides.

The PRESIDING OFFICER. Is there further debate?

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I will not take any more of the Senate's time. I learned a long time ago from a former chairman named Russell Long that when you are about to accept something, let it be accepted.

I rise to cosponsor an amendment that codifies the so-called outer wall of sanctions on the government of Serbia-Montenegro.

Mr. President, as we know, for the last decade Slobodan Milosevic has pursued his mad dream of a Greater Serbia. The result has been hundreds of thousands dead, millions made homeless, and centuries-old Serbian culture eradicated from sections of the former Yugoslavia.

And Milosevic is continuing his murderous policies in Kosovo, while playing games with us in Bosnia and frustrating democratic reforms in Serbia.

The amendment that Senator SMITH, Senator D'AMATO, Senator JOHNSON, and I are proposing codifies five categories of sanctions.

First, the Secretary of the Treasury is to instruct the U.S. executive directors of the international financial institutions to work in opposition to and vote against, any extension by these institutions of any financial or technical assistance or grants of any kind to the government of Serbia. Montenegro's reformist government is exempted from these sanctions.

Second, the Secretary of State is to instruct the U.S. Ambassador to the OSCE—the Organization for Security and Cooperation in Europe—not to join any consensus to allow the participation of Serbia-Montenegro in the OSCE.

Third, the Secretary of State is to instruct the Representative to the United Nations to vote against any resolution in the U.N. Security Council to admit Serbia-Montenegro to the U.N.

Fourth, the U.S. is to oppose the extension of the Partnership for Peace program to Serbia-Montenegro.

Fifth, the U.S. is to oppose the extension of membership in the Southeast European Cooperative Initiative to Serbia-Montenegro.

How might Milosevic avoid these sanctions?

The amendment would drop these sanctions if the President certifies that Serbia-Montenegro has taken five steps.

First, Serbian representatives must be negotiating in good faith with the other successor states of the former Yugoslavia on the division of assets and liabilities and other succession issues.

Second, the government of Serbia-Montenegro must be complying fully with its obligations as a signatory to the Dayton Accords.

Third, the government of Serbia-Montenegro must be cooperating fully with, and providing unrestricted access to, the International Criminal Tribunal for the former Yugoslavia.

Fourth, the government of Serbia-Montenegro must be implementing internal democratic reforms, including progress in the rule of law and independent media. In this regard it is worth noting that the government of the Republic of Montenegro is already in compliance.

Fifth, the government of Serbia-Montenegro must meet the requirements on Kosovo enumerated elsewhere in this Act.

Mr. President, Slobodan Milosevic has jerked this country around long enough. This amendment makes clear to him what he has to do in order to have the outer wall of sanctions removed.

The ball is squarely in his court.

I urge my colleagues to vote for this amendment.

I thank the Chair and yield the floor.

Mr. President, I compliment my friend from Oregon in leading the way on this. I think the balance here is real. I think it is very important. I think it is totally consistent with the direction we have been going in the way the Senate should act relevant to the sanctions and the exceptions we grant the President for other reasons relating to other than that very high bar of the national security test.

I compliment him. I thank him for the modification.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendments of the Senator from Oregon?

Does the Senator from Oregon wish them to be voted on en bloc?

Mr. SMITH of Oregon. Yes. Mr. President, I would make that request.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the two amendments of the Senator from Oregon.

The amendments (No. 3520 and No. 3521) were agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote.

Mr. SMITH of Oregon. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I thought we were ready for a finite list of amendments, but apparently we are not. The Senator from Oklahoma has been waiting patiently for a couple of hours. The Senator from New York also would like to make just a brief comment on the IMF provision. I know that the Senator from Idaho has brief comments to make as well. I wonder if it is all right with the Senator from Oklahoma, since his amendment is going to be a contentious amendment, if we dispose of comments of the Senator from New York and the Senator from Idaho, which I understand are going to be quite brief.

Mr. INHOFE. I have no objection.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, may I thank the distinguished manager of the legislation and my colleague and friend from Oklahoma for his courtesy.

Mr. President, the Foreign Operations Appropriations bill before us addresses a matter of the utmost urgency: the need to replenish the resources of the International Monetary Fund.

Title VI of the bill provides $14.5 billion—the amount of the United States' quota increase—which will augment the general funds available to the IMF. The need for this measure is undeniable: the Fund's resources have been seriously depleted as a result of the Asian financial crisis—specifically, the $36.1 billion in assistance committed to Indonesia, Thailand, and Korea—and now nearly drained by ominous developments in Russia. Not to mention the potential ''contagion'' effect. The bill also approves the United States' $3.36 billion contribution to the New Arrangements to Borrow—a new fund that will provide additional resources to respond to financial crises of such consequence that they threaten the stability of the international monetary system. Unfortunately, we have entered a period in which crises of such magnitude are upon us.

Action on the IMF funding request is surely overdue. The President sought these funds in his requested supplemental appropriation for Fiscal Year 1998. The Senate readily agreed, approving the IMF funding amendment offered by the distinguished floor manager, the Senator from Kentucky, by a resounding vote of 84–16. That was on March 26. Regrettably and incomprehensibly, the measure was then dropped in conference at the urging of the House. It is now more than five months later, with no action by the other body, and global financial markets are in yet more precarious positions.

I spoke this morning with our esteemed Secretary of the Treasury, Secretary Rubin, who reiterated the importance of immediate action on this legislation. There is no end in sight to the Asian financial crisis, which began more than a year ago in Thailand. The President today is in Russia, which is on the brink of financial collapse. These events, particularly those in Russia in recent days, ought to convince us that this is not the time to put into jeopardy the IMF as an active participant in world financial matters.

It is true that the Russian economy is small. As pointed out in Saturday's New York Times, the drop last week in the value of stocks on the Tokyo Stock Exchange—some $241 billion—was roughly the size of the entire annual output of the Russian economy at present exchange rates. Western Europe's exports to Russia account for well under 0.4 percent of their GDP. And for the United States, the amount is minuscule. Total U.S. exports to Russia in 1997 reached $3.4 billion, a mere 0.04 percent of our GDP.

But it would be a serious mistake to minimize the potential impact of the current crisis in Russia. As The Financial Times pointed out last weekend, in its August 29–30, 1998 issue,

> Events in Moscow have moved with bewildering speed. The rouble and stock market are plunging, and there is a run on the banks. Most of the reformers seem to be out of the government, replaced by politicians who can be relied on only to set policies to meet the desires of Russia's oligarchs. . . . However, it is already clear that the impact of this crisis will be greatly disproportionate to Russia's size. At worst, the crisis could trigger a new round of contagion, sending western stock markets crashing, and the world into recession . . .

And yet, the economic consequences of the current turmoil in Russia are not nearly as serious as the potential political consequences, which may have profound implications for the people of Russia—and indeed for the entire globe in this nuclear age.

For instance, Dr. Murray Feshbach, who warned so presciently in the early 1980s about the troubles afflicting the Soviet Union, continues to document frightening Russian public health problems. The life expectancy of Russian men dropped from 62 years in 1989 to 57 years in 1996. There is no historical equivalent. It has increased slightly in the last year, but remains at appalling levels. A century ago, a 16 year-old Russian male had a 56 percent chance of surviving to age 60. In 1996, a 16 year-old Russian male had only a 54 percent chance of surviving to age 60. Two percent less than he would have had he been born a century earlier!

The military is not spared the problems afflicting the Russian economy or the health of its citizens. Last month, an army major in central Russia took to the streets with a tank to protest the failure to pay wages. The first rule of government is pay the army. Russian soldiers are reduced to begging for food. The decrepit state of the military leaves Russia, for the most part, undefended. Except, Sir, for nuclear weapons, of which it has over 20,000.

A recent National Security Blueprint, issued by President Boris Yeltsin on December 17, 1997, is a remarkable document. It is a 14,500-word assessment of Russian national security published openly in an official paper. It acknowledges the ethnic tensions which exist in Russia and notes how the weak economy exacerbates those forces. It states:

> The critical state of the economy is the main cause of the emergence of a threat to the Russian Federation's national security. This is manifested in the substantial reduction in production, the decline in investment and innovation, the destruction of scientific and technical potential, the stagnation of the agrarian sector, the disarray of the monetary and payments system, the reduction in the income side of the federal budget, and the growth of the state debt.

It goes on to warn:

> The negative processes in the economy exacerbate the centrifugal tendencies of Russian Federation components and lead to the growth of the threat of violation of the country's territorial integrity and the unity of its legal area.
>
> The ethnic egotism, ethnocentrism, and chauvinism that are displayed in the activities of a number of ethnic social formations help to increase national separatism and *create favorable conditions for the emergence of conflict in this sphere.*

(Emphasis supplied.)

Mr. President, the IMF, with its emphasis on economic reform, has a role to play here. Now is not the time to call into question the United States' commitment to that institution. We can debate whether the amounts provided in this bill will be enough. Indeed, a persuasive article in this morning's Washington Post by Susan Eisenhower, chairman of the Center for Political and Strategic Studies here in Washington, states:

> Simply put: The IMF multiyear ''bailouts'' were enough to obligate Russia to implement Western-designed programs, but not enough to do the job. Total Western assistance to Russia has been a fraction of what West Germany has spent in East Germany since unification.

It may be time for us to concede that the situation in Russia merits a much more aggressive assistance program, on the order of the Marshall Plan that was so effective in reviving Western Europe. Fifty years ago, from 1948–1952, the United States gave about $3 billion a year to fund the Marshall Plan. A comparable contribution in round numbers, given the current size of the United States economy, would be about $100 billion a year for five years. And yet, the United States' total bilateral assistance to Russia in the five-year period from fiscal years 1992 through 1996 was merely $3.1 billion.

Certainly the 20,000 nuclear weapons in Russia's hands ought to persuade us that a more serious approach to Russia's economic problems is required. Without question, the first order of business must be the passage of this legislation, to secure funding for the IMF. And after that, we ought to begin a serious debate on what more can and should to be done.

Mr. President, I thank the Chair. I yield the floor.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, thank you, very much. May I also thank the Senator from Oklahoma for his patience. He has an amendment to offer.

I rise to thank the chairman, the Senator from Kentucky, and the ranking member, the Senator from Vermont, for his help on two amendments which I placed in this foreign ops bill, and also some very important language that they worked out with me with regard to the IMF.

By way of explanation, the amendments require U.S. directors of international institutions (such as the IMF and Agency for International Development, AID) to use the voice and vote of the United States to encourage purchase of American products, commodities and equipment. This legislation requires that our directors of international organizations use their influence to encourage purchase of U.S. ag commodities.

The amendments also require the Secretary of the Treasury to report to Congress annually on the efforts of the heads of federal agencies and the U.S. executive directors of international financial institutions to promote the purchase of American commodities. We can't just tell these directors to promote our products, we must also have some accountability, so we can encourage and see the results of U.S. agricultural commodities actually being purchased.

This is strong, unambiguous language. The concept and language of this amendment affecting surplus commodities should be applied to the equally important issue that funds made available through this bill should purchase American agricultural products.

If we are going to ask American farmers and ranchers to pay their taxes to support the financial assistance provided in this bill, then we should ask their American representatives in these international financial institutions to urge the purchase of American agriculture commodities with the funds made available with this bill.

The foreign operations bill also attempts to increase exports of American products and also seeks to make sure that the International Monetary Fund will not subsidize the foreign semiconductor industry to the detriment of American semiconductor companies. Specifically, the provisions require the Secretary of Treasury to certify to Congress that no IMF resources will support semiconductor and other key industries in any form, and that the Secretary of the Treasury will instruct the U.S. Executive Director of the IMF to use the voice and vote of the United States to oppose disbursement of further funds if such certification is not given.

Mr. President, I thank the chairman and the ranking member again for working with me on this particular language which is critically important to the semiconductor industry. Senator CRAIG and I have met with a number of individuals from the U.S. Treasury, including the Secretary of Treasury, Robert Rubin, prior to his trip to Asia. I believe that he delivered a very strong message to the countries in Asia.

As we have talked about the semiconductor business, the transparency issue of the International Monetary Fund, as well as agriculture, they are all linked together because when we met with a number of the national ag commodity groups, they all said there is a crisis that exists in agriculture today, and one of the elements that they stressed that was important was to see the recovery of economies around the world, certainly in Asia so that those markets, again, are available to U.S. agricultural commodities.

So, again, I thank the Senator from Kentucky for his great help and leadership on this issue.

Mr. MCCONNELL. Mr. President, I, too, thank and congratulate the Senator from Idaho for his amendments and his good work in this regard.

Now, the long-suffering Senator from Oklahoma is next.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I thank the Chair. I thank the distinguished Senator for yielding.

AMENDMENT NO. 3366

(Purpose: To require a certification that the signing of the Landmine Convention is consistent with the combat requirements and safety of the armed forces of the United States)

Mr. INHOFE. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 3366.

Mr. INHOFE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 82, line 16, after the end period insert: ''This subsection shall not apply unless the Joint Chiefs of Staff and the unified combatant commanders certify in writing to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives that the signing of the Convention is consistent with the combat requirements and safety of the armed forces of the United States.''.

Mr. INHOFE. There is some language that was put on this bill by the very distinguished Senator from Vermont. I will read that language to you. The language states:

Statement of Policy. It is the policy of the United States Government to sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction as soon as practicable.

My amendment merely agrees to that language but adds, provided ''the Joint Chiefs of Staff and the unified combatant commanders certify in writing to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives that'' such a step ''is consistent with the combat requirements and safety of the armed forces of the United States.''

So essentially what we are doing is saying that we agree that the language is—even though I would prefer the language not be in there, the language remain in there, but it be qualified. I am always a little bit confused and disturbed when I see the qualifier ''as practicable.'' I don't know what ''as practicable'' means, and so I think this actually would improve the language that was put in by the Senator from Vermont giving some qualifications.

I think also that the Senator from Vermont has a lot of passion on this issue. I certainly understand that. When I was a freshman, I was seated up there where the President is seated right now and listened to his comments for about an hour. I know his concern comes from the heart. I think he is also equally concerned about the safety of troops deployed overseas, thousands of troops in South Korea and troops all around the world.

A statement that was made by the Senator from Vermont, referring to the Ottawa Treaty, was: I think we can get to it sooner, and I and others will be pushing to do so. So I think there is going to be an ongoing effort to get to this treaty sooner than some of us would want to do that.

The fact is that our senior military commanders, both those currently in uniform and many of those now in retirement, have already put us on notice: The U.S. military requires the ability to make responsible use of self-destructing APLs. This is particularly true in those situations where American forces are forced to operate in hostile territory, often severely outnumbered. The alternative to the responsible use of antipersonnel landmines is to have their positions overrun, to beachhead loss and heavy casualty loss unnecessarily sustained.

So, Mr. President, here is what every Member of the Joint Chiefs of Staff and every one of the unified combatant commanders wrote last year, and I am quoting right now.

Self-destructing landmines are particularly important to the protection of early entry and light forces which must be prepared to fight outnumbered during the initial stages of deployment. The lives of our sons and daughters should be given the highest priority when deciding whether or not to ban unilaterally the use of self-destructing APLs.

I ask unanimous consent to have the full text of this extraordinary letter dated July 10 of 1997 printed in the RECORD.

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

THE JOINT CHIEFS OF STAFF,
Washington, DC, July 10, 1997.

Hon. STROM THURMOND,
Chairman, Senate Armed Services Committee, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We are seriously concerned about the new legislative proposal to permanently restrict the use of funds for new deployment of antipersonnel landmines (APL) commencing January 1, 2000. Passing this bill into law will unnecessarily endanger U.S. military forces and significantly restrict the ability to conduct combat operations successfully. As the FY 1998 Defense Authorization Bill and other related legislation are considered, your support is needed for the Service members whose lives may depend on the force protection afforded by such landmines.

We share the world's concern about the growing humanitarian problem related to the indiscriminate and irresponsible use of a lawful weapon, non-self-destructing APL. In fact we have banned non-self-destructing [dumb] APL, except for Korea. We support the President's APL policy which has started us on the road to ending our reliance on any anti-personnel landmines. Having taken a great step toward the elimination of APL, we must at this time, retain the use of self-destructing APL in order to minimize the risk to U.S. soldiers and marines in combat. However, we are ready to ban all APL when the major producers and suppliers ban theirs or when an alternative is available.

Landmines are a ''combat multiplier'' for U.S. land forces, especially since the dramatic reduction of the force structure. Self-destructing landmines greatly enhance the ability to shape the battlefield, protect unit flanks, and maximize the effects of other weapons systems. Self-destructing landmines are particularly important to the protection of early entry and light forces, which must be prepared to fight outnumbered during the initial stages of a deployment.

This legislation, in its current form, does not differentiate between non-self-destructing and self-destructing APL. Banning new deployments of APL will prevent use of most modern U.S. remotely delivered landmine systems to protect U.S. forces. This includes prohibiting use of most antitank landmine systems because they have APL embedded during production. Self-destructing APL are essential to prevent rapid breaching of anti-tank mines by the enemy. These concerns were reported to you in the recent ''Chairman of the Joint Chiefs of Staff Report to Congress on the Effects of a Moratorium Concerning Use by Armed Forces of APL.'' Also of concern is that the bill's definition of an APL jeopardizes use of other munitions essential to CINC warplanes.

We request that you critically review the new APL legislation and take appropriate action to ensure maximum protection for our soldiers and marines who carry out national security policy at grave personal risk. Until the United States has a capable replacement for self-destructing APL, maximum flexibility and warfighting capability for American combat commanders must be preserved. The lives of our sons and daughters should be given the highest priority when deciding whether or not to ban unilaterally the use of self-destructing APL.

Sincerely,

Joseph W. Ralston, Vice Chairman of the Joint Chiefs of Staff; Dennis J. Reimer, General, U.S. Army, Chief of Staff; Ronald R. Fogleman, General, USAF, Chief of Staff; J.J. Sheehan, General, USMC, Commander in Chief, U.S. Atlantic Command; James L. Jamerson, General, USAF, U.S. Deputy Commander in Chief, Europe; Henry H. Shelton, General, U.S. Army, Commander in Chief, U.S. Special Operations Command; Howell M. Estes, III, General, USAF, Commander in Chief, NORAD/USSPACECOM; Walter Kross, General, USAF, Commander in Chief, U.S. Transportation Command.

John M. Shalikashvili, Chairman of the Joint Chiefs of Staff; Jay L. Johnson, Admiral, U.S. Navy, Chief of Naval Operations; C.C. Krulak, General, U.S. Marine Corps, Commandant of the Marine Corps; J.H. Binford Peay, III, General, U.S. Army, Commander in Chief, U.S. Central Command; J.W. Prueher, Admiral, U.S. Navy, Commander in Chief, U.S. Pacific Command; Wesley K. Clark, General, U.S. Army, Commander in Chief, U.S. Southern Command; Eugene E. Habiger, General, USAF, Commander in Chief, U.S. Strategic Command; John H. Tilelli, Jr., General, U.S. Army, Commander in Chief, United Nations Command/Combined Forces Command.

Mr. INHOFE. As I said, I don't want to change the language. I don't think I want to change the intent of the language of the Senator from Vermont, but nonetheless this does put language in there that would take our troops out from harm's way.

I know that the Senator from Vermont has some comments to make perhaps in opposition to this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thought the Senator was going to be speaking longer.

Mr. President, I would like to read what is in the bill. It says:

> It is the policy of the U.S. Government to sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction as soon as practicable.

That is a convention that has now been signed by some 129 nations, including every one of our NATO allies except Turkey and every other Western Hemisphere country except Cuba. It says we will sign it as soon as practicable. It does not set a deadline. Other nations far less powerful than the United States have said they can sign it, but we have not signed it. We have said that even though we are the most powerful nation history has ever known, we are not powerful enough to sign the anti-landmine treaty, but we wish other nations would. And we have encouraged other nations to give up their landmines, in laudatory fashion—nations nowhere near as powerful as we, nations that face a lot more threats on their borders than we.

Mr. President, I happen to disagree with the President of the United States in that regard. I do agree with my friend from Oklahoma that both he and I are concerned about the men and women that we send into combat. My son is a marine. He is a rifleman in the Marine Corps. When he was called up for Desert Storm, his MOL was carry the SAW, light machine gun, and he was listed as a ''casualty replacement,'' encouraging terminology for parents of all young marines who are so listed—the idea that they are the ones who go first into combat carrying a gun with others behind them to pick up the guns, the weapons, and so on, if the first one falls, which in this instance would have been our son.

Now, we are fortunate the war ended so quickly that neither he nor the others in his unit ended up in harm's way. But I have to assume he may be called up again. And as a parent and a U.S. Senator, the last thing in the world I want to do is anything that increases the threat to our own troops or that in any way diminishes our ability to defend ourselves.

But having said that, I am also struck by the number of generals, the number of combat leaders, including the retired commander in chief in Korea, including the former supreme allied commander of NATO in Europe, including a number of others who have called for such a ban on landmines because it has become such a double-edged sword, aside from the fact that most people who are killed by landmines today are civilians, not combatants.

The United States was the first Nation in the world to actually pass landmine ban legislation, legislation that banned the export of landmines from this country, something hotly contested in this Chamber. And in a roll-call vote, 100 Senators voted for that amendment, voted for the Leahy law, and it became law—100 U.S. Senators across the political spectrum. In fact, many have said that that legislation was the trigger that got us to where we are today, where 129 nations have signed the Ottawa Treaty.

We expect 40 ratifications by next month. That is the fastest that any international humanitarian law or arms control treaty has ever in history come into force. I think that shows the tremendous international support and momentum for this treaty and for the end to the endless slaughter of innocent people by landmines.

Now, the United States has not signed it, and even if the United States does sign it, even if the United States does sign it, it then has to come to the Senate where two-thirds of the Senators present and voting have to vote to approve such a treaty before the President can ratify it. The President of the United States cannot ratify such a treaty unless two-thirds of the Senators present and voting vote to allow him to ratify it. And actually, if we did, he still doesn't have to ratify it but, of course, would.

Mr. President, even though a majority of the Senators in this body have signed legislation, cosponsored legislation that would ban United States use of anti-personnel mines except in Korea, in an attempt to work closely with the Department of Defense, the Joint Chiefs of Staff and particularly General Ralston for whom I have immeasurable respect, the President of

the United States, the Secretary of Defense, and the National Security Adviser, I worked hard to agree on an approach that was acceptable to everyone. The language in this bill, which the Senator from Oklahoma wants to modify, is consistent with that agreement. My language simply says it is our policy to sign the treaty as soon as practicable. And that reflects the understanding that the administration is searching aggressively for alternatives to landmines. And General Ralston has assured me that they are doing that and I have confidence in him.

Incidentally, several types of landmines we use are not prohibited by the Ottawa Treaty, neither command detonated Claymore mines, nor anti-tank mines. But I am concerned that my friend from Oklahoma now wants to give a veto to a whole lot of other people. The fact of the matter is, no treaty is going to come up here with any chance of being approved by two-thirds of the Senate unless the President, the Secretary of Defense, the Joint Chiefs of Staff, and everybody else support it. But the Senator from Oklahoma wants to require that each of the unified combatant commanders has to agree—it apparently isn't enough that the Commander in Chief, or the Secretary of Defense, agrees.

I have dealt in good faith with the Joint Chiefs of Staff and the President and the National Security Adviser and the Secretary of Defense. My language reflects that. And I agreed not to oppose a waiver of my moratorium legislation, and other things that the Pentagon wanted. The amendment by the Senator from Oklahoma places that agreement in jeopardy.

I know there may be others who wish to speak. I will give a longer tutorial on the landmines issue later today or tomorrow. But let's be clear. My language does not have us ratifying the Ottawa Treaty or anything like that. We are not ratifying it here, even though 40 of those nations will have done so very shortly, the fastest that any international law or arms control treaty has ever been agreed to come into force. No. Even with my language, the United States is still one of the lone holdouts in the world. Certainly among our NATO allies we are the most significant holdout.

I tell my friend from Oklahoma, if he went to some of the parts of the world where we use the Leahy War Victims Fund and saw the numbers of civilians blown apart by landmines, he would understand my concerns. And if he received the letters or talked to the military officers I have talked to who have been injured, or seen their fellow soldiers killed or wounded by our own landmines, he would understand. And if he had heard some of the speeches by our allies who ask why the most powerful nation on Earth wants them to give up their landmines but refuses to give up ours, then he would also understand my concern.

Mr. President, I will have more to say and I suggest the absence of a quorum.

I withhold that, Mr. President, if the Senator from Oklahoma wishes to speak. I withhold the suggestion of the absence of a quorum.

Mr. INHOFE. I thank the Senator from Vermont. Most of the things he stated so eloquently I do agree with. I would like to discuss a couple of them, however.

The 125 nations or so that we are talking about that he referred to who signed this Ottawa Treaty—obviously, we have not. I don't think it is good policy for us to say that we didn't sign it ourselves but we encourage others to do it.

I have not seen any documentation of that. If I did, it wouldn't really be too meaningful to me.

Mr. LEAHY. Will the Senator yield?

Mr. INHOFE. Of course.

Mr. LEAHY. We have encouraged others to give up their landmines. We have done this around the world, as we should. In the Ottawa Treaty, no; in fact, in the Ottawa Treaty, when it was being negotiated in Oslo, the United States came in at the last minute and expressed some interest but we did everything possible to thwart it up to that point.

Mr. INHOFE. I thank the Senator for that clarification.

A statement that was made by the Senator from Vermont was that, if you go to parts of the world where you can see the damage inflicted by these, you perhaps will feel differently. I suggest to the Senator, I have been there, and I remember the problems we had in Nicaragua and Honduras. There is nothing that is more repugnant, nothing that is sadder than seeing the effect of landmines on individuals. However, what we are talking about now is many of those landmines were not U.S. landmines. Those were landmines that were made in other parts of the world. We are talking about self-destructing landmines, self-disarming landmines, and landmines that, in the opinion of our military leaders, are necessary to save the lives of Americans.

As far as the alternatives, I hope that we are going to be able to come up with alternatives to landmines, even smart landmines. I will be the first one, when that time comes, to stand here on the floor of the Senate and change our policy so that we can more accurately use and effectively use these landmines. However, we can always change the law when that time comes.

In addition, the statement that I read was endorsed by every member of the Joint Chiefs of Staff and every one of the unified combatant commanders, which was:

> Self-destructing landmines are particularly important to the protection of early entry and light forces which must be prepared to fight outnumbered during the initial stages of deployment. The lives of our sons and daughters should be given the highest priority when deciding whether or not to ban unilaterally the use of destructive APLs.

I think some of the same language was used by our Commander in Chief when the President said, it was a year ago this month I believe, Mr. President, he said:

> As Commander in Chief, I will not send our soldiers to defend the freedom of our people and the freedom of others without doing everything we can to make them as secure as possible. There is a line that I simply cannot cross and that line is the safety and security of our men and women in uniform.

Mr. KYL. Will the Senator from Oklahoma yield for a question?

Mr. INHOFE. Yes.

Mr. KYL. I have a copy of what I believe is the amendment that the Senator from Oklahoma has offered. I wonder if this is the amendment, and I am going to read what I have:

> This subsection shall not apply unless the Joint Chiefs of Staff and the unified combatant commanders certify in writing to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives that the signing of the Convention is consistent with the combat requirements and safety of the armed forces of the United States.

Is that the Senator's amendment?

Mr. INHOFE. That is the language.

Mr. KYL. Mr. President, it seems that we would all want the military leaders of our country to agree that any policy that we adopt is commensurate with both combat requirements and the safety of the Armed Forces of the United States. And if they are not willing to certify that, then I certainly wouldn't want to be on record as supporting a policy or a treaty or a law that they felt was inimical to the safety of the Armed Forces of the United States. I guess I am really wondering what the controversy is about. Maybe there isn't much controversy.

Mr. INHOFE. I respond to the Senator from Arizona, at the very beginning when we opened our remarks, I said the language the Senator from Vermont put in this appropriations bill is left intact, but this one proviso is there. When we try to use the argument you are not going to be able to get the Joint Chiefs and the CINCs to agree, if they don't agree, I don't want to invoke this.

I will say, yes, that is the intent and the letter of this amendment. It is very simple, and I can't imagine anyone will want to go on record saying that we want to stop the use of any kind of landmines if it is not in the best interest of our fighting troops over there as certified by the Joint Chiefs and the CINCs.

Mr. KYL. Mr. President, if I can again ask the Senator from Oklahoma to yield, I certainly agree with that assessment. It seems to be a very reasonable proposition. I certainly hope our colleagues will agree with the amendment because of that.

Mr. INHOFE. I thank the Senator from Arizona.

I would like to comment on a couple of other things. In addition to the letter that was sent by the Joint Chiefs, here is a letter that was sent to the

President last July by 24 of the Nation's most distinguished retired four-star ground combatant commanders, including a former Chairman of the Joint Chiefs of Staff, a former supreme allied commander, Secretary of State, six former combatants of the Marine Corps, two former Chiefs of Staff of the Army, two recipients of the Congressional Medal of Honor and four service Vice Chiefs of Staff.

This is what they said. A month ago this letter was received by the President:

Studies suggest that U.S. allied casualties may be increased by as much as 35 percent if self-destructing mines are unavailable, particularly in the halting phase—

The halting phase, we are talking about should the North Koreans come down south of the DMZ, we would have a phase where we would not be as prepared.

They said:

—particularly in the halting phase of operations against aggressors. Such a cost is especially unsupportable since the type of mines utilized by U.S. forces and the manner in which they are employed by those forces do not contribute to the humanitarian problem that impels diplomatic and legislative initiatives to ban APLs.

I find it difficult right now in light of what happened this last week, in terms of the missiles that were launched from North Korea and the accuracy of those missiles with two phases, that we can question whether or not there is a threat out there.

These are the words that came from 24 of the Nation's most distinguished retired four-star ground combatant officers.

They went on to say:

Unfortunately, a ban on future deployment of APLs will in no way diminish the danger imposed by tens of millions of dumb landmines that have been irresponsibly sown where they inflict terror and devastation on civilian populations. Only the United States military and those of other law-abiding nations will be denied a means through the use of marked or monitored mine fields of reducing the costs and increasing the probability of victory in future conflicts.

Mr. President, I ask unanimous consent to have the full text of the letter from the retired generals dated July 21, 1997, printed in the RECORD.

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

AN OPEN LETTER TO PRESIDENT CLINTON

JULY 21, 1997.

Hon. WILLIAM CLINTON,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We write to express our strong opposition to U.S. participation in any international agreement that would prohibit the defensive use by American forces of modern, self-destructing anti-personnel landmines (APLs) and/or the use of so-called ''dumb mines'' in the Korean demilitarized zone. In our experience, such responsible use of APLs is not only consistent with the Nation's humanitarian responsibilities; it is indispensable to the safety of our troops in many combat and peacekeeping situations.

We are also concerned about the implications of legislation that would unilaterally deny the U.S. military the ability to deploy any kind of anti-personnel landmines (except command-detonated Claymores and, provisionally, those in the Korean DMZ). We agree with the Joint Chiefs of Staff who have—as stated by their Chairman, General John Shalikashvili—declared that a legislatively imposed moratorium on APL use: ''. . . constitutes an increased risk to the lives of U.S. forces, particularly in Korea and Southwest Asia, and threatens mission accomplishment. It is the professional military judgment of the Joint Chiefs of Staff and the geographic Combatant Commanders that the loss of APL which occurs as a result of this moratorium, without a credible offset, will result in unacceptable military risk to U.S. forces.'' In fact, studies suggest that U.S./allied casualties may be increased by as much as 35% if self-destructing mines are unavailable—particularly in the ''halting phase'' of operations against aggressors. Such a cost is especially unsupportable since the type of mines utilized by U.S. forces and the manner in which they are employed by those forces do not contribute to the humanitarian problem that impels diplomatic and legislative initiatives to ban APLs.

Unfortunately, a ban on future deployments of APLs will in no way diminish the danger posed by tens of millions of ''dumb'' landmines that have been irresponsibly sown where they will inflict terror and devastation on civilian populations. Detecting and clearing such mines should continue to receive urgent attention from our government and others. The unverifiability and unenforceability of a ban on production of such devices, however, virtually ensures that this practice will continue in the future. Only the U.S. military—and those of other law-abiding nations—will be denied a means, through the use of marked and monitored minefields, of reducing the costs and increasing the probability of victory in future conflicts.

Mr. President, we have fought our Nation's wars and our battlefield experience causes us to urge you to resist all efforts to impose a moratorium on the future use of self-destructing anti-personnel landmines by combat forces of the United States.

Sincerely,

Robert H. Barrow, General, U.S. Marine Corps (Ret.), Former Commandant.

Walter E. Boomer, General, U.S. Marine Corps (Ret.), Former Assistant Commandant.

Leonard F. Chapman, Jr., General, U.S. Marine Corps (Ret.), Former Commandant.

George B. Crist, General, U.S. Marine Corps (Ret.), Former Commander-in-Chief, U.S. Central Command.

Raymond G. Davis, General, U.S. Marine Corps (Ret.), Former Assistant Commandant, and Medal of Honor Recipient, (Korea).

Michael S. Davison, General, United States Army, (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

John W. Foss, General, United States Army, (Ret.), Commanding General, U.S. Army, Training and Doctrine Command.

Alfred M. Gray, General, U.S. Marine Corps (Ret.), Former Commandant.

Alexander M. Haig, Jr., General, United States Army (Ret.), Former Supreme Allied, Commander, Europe, Former Secretary of State.

P.X. Kelley, General, U.S. Marine Corps (Ret.), Former Commandant.

Frederick J. Kroesen, General, United States Army (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

Gary E. Luck, General, United States Army (Ret.), Former Commander-in-Chief, United Nations, Command/Combined Forces, Command, Korea.

David M. Maddox, General, United States Army (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

Carl E. Mundy, General, U.S. Marine Corps (Ret.), Former Commandant.

Glenn K. Otis, General, United States Army (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

Robert W. FisCassi, General, United States Army (Ret.), Former Vice Chief of Staff.

Crosbie E. Saint, General, United States Army (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

Donn A. Starry, General, United States Army (Ret.), Former Commanding General, U.S. Army Readiness Command.

Gordon R. Sullivan, General, United States Army (Ret.), Former Chief of Staff.

John W. Vessey, General, U.S. Army (Ret.), Former Chairman, Joint Chiefs of Staff.

Louis C. Wagner, Jr., General, U.S. Army, Former Commanding General, Army Materiel Command.

Joseph J. Went, General, U.S. Marine Corps (Ret.), Former Assistant Commandant.

William C. Westmoreland, General, United States Army (Ret.), Former Chief of Staff.

Louis H. Wilson, General, U.S. Marine Corps (Ret.), Former Commandant and Medal of Honor Recipient (World War II).

Mr. INHOFE. Mr. President, more recently, 16 of those generals have written a powerful open letter to the Senate opposing Senator LEAHY's effort to legislate U.S. compliance with the Ottawa Treaty. They said in part:

In our experience as former senior military commanders of American ground forces, such a decision would likely translate into the needless and unjustifiable death of many of this country's combat personnel and possibly jeopardize our forces' ability to prevail on the battlefield.

I again ask unanimous consent that the full text of the letter from the generals dated June 16, 1997, be printed in the RECORD.

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

AN OPEN LETTER TO THE SENATE

JUNE 16, 1998.

Hon. TRENT LOTT,
Majority Leader,
U.S. Senate,
Washington, DC.

DEAR SENATOR LOTT: We understand that the Senate may shortly be asked to consider an amendment to the FY 1999 Defense Authorization bill that would have the effect of creating a statutory requirement for the U.S. military to cease all use of anti-personnel landmines (APLs) by 2006, if not before. In our professional opinion as former senior commanders of American ground forces, such a decision would likely translate into the needless and unjustifiable death of many of this country's combat personnel—and possibly jeopardize our forces' ability to prevail on the battlefield.

As you may know, we were among the twenty-four retired four-star general officers who expressed to President Clinton our concerns about such an initiative last summer. In an open letter to the President dated July 21, 1997, we wrote: ''In our experience, [the] responsible use of APLs is not only consistent with the Nation's humanitarian responsibilities; it is indispensable to the safety of our troops in many combat and peacekeeping situations.'' The open letter went on to note that:

''Studies suggest that U.S./allied casualties may be increased by as much as 35% if self-destructing mines are unavailable—particularly in the 'halting phase' of operations against aggressors. Such a cost is especially unsupportable since the type of mines utilized by U.S. forces and the manner in which

they are employed by those forces do not contribute to the humanitarian problem that impels diplomatic and legislative initiatives to ban APLs.

''Unfortunately, a ban on future deployments of APLs will in no way diminish the danger posed by tens of millions of 'dumb' landmines that have been irresponsibly sown where they will inflict terror and devastation on civilian populations. Detecting and clearing such mines should continue to receive urgent attention from our government and others. The unverifiability and unenforceability of a ban on production of such devices, however, virtually ensures that this practice will continue in the future. Only the U.S. military—and those of other law-abiding nations—will be denied a means, through the use of marked and monitored minefields, of reducing the costs and increasing the probability of victory in future conflicts.'' (Emphasis added.)

We were deeply troubled to learn that President Clinton has recently agreed to impose constraints on and, within a few years, to ban outright the use of even self-destructing anti-personnel landmines. This is all the more remarkable given the opposition previously expressed by the Joint Chiefs of Staff and the Nation's Combatant Commanders to such limitations and President Clinton's own statement of September 17, 1997 when he announced his opposition to the Ottawa treaty banning APLs, declaring:

''As Commander-in-Chief, I will not send our soldiers to defend the freedom of our people and the freedom of others without doing everything we can to make them as secure as possible. . . . There is a line that I simply cannot cross, and that line is the safety and security of our men and women in uniform.''

We urge you and your colleagues to reject any legislative initiative that would have the effect of crossing the line—whether by endorsing new ''operational concepts'' (read, accepting more U.S. casualties) or other measures—that would jeopardize the safety and security of our men and women in uniform by impinging upon the U.S. military's ability to make responsible use of self-destructing/self-deactivating anti-personnel landmines and long-duration APLs in Korea.

Sincerely,

Robert H. Barrow, General, U.S. Marine Corps (Ret.), Former Commandant.

Raymond G. Davis, General, U.S. Marine Corps (Ret.), Former Assistant Commandant and Medal of Honor Recipient (Korea).

Michael S. Davison, General, U.S. Army (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

John W. Foss, General, U.S. Army (Ret.), Commanding General, U.S. Army Training and Doctrine Command.

Alfred M. Gray, General, U.S. Marine Corps (Ret.), Former Commandant.

Alexander M. Haig, Jr., General, U.S. Army (Ret.), Former Supreme Allied Commander, Europe, Former Secretary of State.

P.X. Kelley, General, U.S. Marine Corps (Ret.), Former Commandant.

Frederick J. Kroesen, General, U.S. Army (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

David M. Maddox, General, U.S. Army (Ret.), Former Commander-in-Chief, U.S. Army, Europe.

Carl E. Mundy, General, U.S. Marine Corps (Ret.), Former Commandant.

Robert W. RisCassi, General, U.S. Army (Ret.), Former Vice Chief of Staff.

Donn A. Starry, General, U.S. Army (Ret.), Former Commanding General, U.S. Army Readiness Command.

Gordon R. Sullivan, General, U.S. Army (Ret.), Former Chief of Staff.

Louis C. Wagner, Jr., General, U.S. Army (Ret.), Former Commanding General, Army Material Command.

Joseph J. Went, General, U.S. Marine Corps (Ret.), Former Assistant Commandant.

Louis H. Wilson, General, U.S. Marine Corps (Ret.), Former Commandant and Medal of Honor Recipient (World War II).

Mr. INHOFE. Mr. President, my concern here is that those individuals who are concerned—genuinely concerned—about the problems that exist over there are concerned about damage that is inflicted by these landmines, and certainly I am one of these individuals, are also concerned about the saving of American lives. We certainly should not contemplate doing so unless the Joint Chiefs of Staff and the unified combatant commanders formally change their minds and agree such a step can be taken without jeopardizing the U.S. forces.

I also have written a letter to the Chairman of the Joint Chiefs of Staff, General Shelton. This is just in the last few days. I have a letter back from General Shelton in which he talks about his opinion. In his response he said:

In your third question, you noted General Norman Schwarzkopf, who has been widely portrayed as a supporter of a complete ban on antipersonnel landmines, has been quoted in an interview with the Baltimore Sun as saying, ''I favor a ban on the dumb ones. Those are the ones that are causing humanitarian problems. I think the smart ones are a military capability we can use.''

Further quoting General Shelton, he said:

My view again is that our smart mixed ATAV munitions are critical to our efforts to protect our men and women in the field.

I ask unanimous consent that this letter also be printed in the RECORD.

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

U.S. SPECIAL OPERATIONS COMMAND,
OFFICE OF THE COMMANDER IN CHIEF,
Macdill AFB, FL, September 13, 1997.

Hon. JAMES M. INHOFE,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR INHOFE: Thank you for your letter of 12 September in which you state your concern about the compatibility of the emerging Oslo treaty on anti-personnel landmines (APL) with the military's requirements today and for the foreseeable future. I appreciate the opportunity to express my views on these issues as Commander in Chief, U.S. Special Operations Command.

Your first question asked for my view on the importance of retaining the Korean exemption, limiting the systems covered by the treaty to those ''primarily designed'' for anti-personnel purposes, and ensuring what we are able to continue using self-destructing/self-deactivating APL when packaged with anti-tank landmines.

In my view, each of those positions is critical. Anti-personnel landmines are integral to the defense of the Republic of Korea, and as long as there is risk of aggression in Korea and we do not have suitable alternatives fielded, we must ensure the best protection of our forces and those of our allies. I also believe that an accurate definition of anti-personnel (AP) landmines is essential to prevent the banning of mixed munitions under the treaty. Finally, I firmly believe that our anti-tank (AT) and anti-vehicle (AV) munitions—which are mixed systems composed entirely of smart AT and AP mines that self-destruct or self-deactivate in a relatively short period of time—are vital to the protection of our men and women in the field.

Your second question asked whether I thought a landmine ban that did not accommodate these positions would be in the national security interest of the United States. I do not. I believe that any treaty to which the United States agrees must ensure that these valid national security concerns are adequately addressed.

In your third question, you noted that General Norman Schwarzkopf—who has been widely portrayed as a supporter of a complete ban on anti-personnel landmines—has been quoted in an interview with the Baltimore Sun as saying: ''I favor a ban on the dumb ones; those are the ones that are causing the humanitarian problem. I think the smart ones are a military capability we can use.'' You asked whether I agree with this assessment.

My view, again is that our smart, mixed AT/AV munitions are critical to our efforts to protect our men and women in the field. As I noted earlier, these systems are composed entirely of smart mines that self-destruct or self-deactivate in a relatively short period of time. The military utility of these systems is, in my mind, unquestionable. Beyond that, however, I do want to reiterate that, because of the unique situation on the Korean peninsula, non-self-destructing (NSD) or ''dumb'' mines are essential to our commanders in the Republic of Korea as long as there is risk of aggression and we have not fielded suitable alternatives to the NSD mines used in Korea.

In your final question, you asked whether I will work to ensure that this capability is protected in any landmine treaty the U.S. signs. In response, let me state again that I firmly believe that any landmine treaty to which the United States becomes party must ensure protection of ''smart'' mixed systems.

As always, I appreciate your support of our men and women in uniform. With all best wishes from Tampa,

Sincerely,

HENRY H. SHELTON,
General, U.S. Army,
Commander in Chief.

Mr. INHOFE. Mr. President, this is very simple. It is not a complicated thing to deal with. It simply says that we take the language that is supported and has been put in by the distinguished Senator from Vermont and add—I will read it one more time, these words—

This subsection shall not apply unless the Joint Chiefs of Staff and the unified combatant commanders certify in writing to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives that the signing of the Convention is consistent with the combat requirements and safety of the armed forces of the United States.

So it is a very straightforward and simple amendment. Quite frankly, I want to have the input of the military when these decisions are made.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Vermont.

Mr. LEAHY. I will just respond briefly. Is the Senator speaking of holding onto landmines that the Joint Chiefs

have already said they are prepared to give up? Command detonated landmines are still available. We use those in Korea and elsewhere. Nothing bans those in this treaty. And as for self-destruct mines, the President has already said the Pentagon will give them up outside Korea by 2003, and in Korea by 2006. The Pentagon has also said it is searching aggressively for alternatives to the use of anti-personnel mines in mixed mine systems. These are self-destructing mines. So if there are military officers who are saying they oppose finding alternatives to these mines, they are speaking out of school. That is not consistent with the Pentagon's policy.

My friend from Arizona speaks of having the military's input. Of course we should have the military's input. If we were to sign any treaty of this nature, we would. And we would require two-thirds of the Senators to vote for it before the President could even ratify such a treaty.

A lot is made of Korea. Obviously we are concerned about the defense of Korea. But I say to my friends, talk to the former commander of our forces there, General Hollingsworth, or General Emerson. They say landmines caused more problems for our forces than they solved. Our forces are highly mobile. You don't want to impede their mobility by sowing a lot of landmines around. But anyway, the Pentagon has already said it is going to find alternatives to landmines in Korea.

Mr. ENZI. Mr. President, I rise to support the amendment on land mines to the Foreign Operations Appropriations bill offered by my colleague, the Senator from Oklahoma. This amendment, which seeks to preserve for our military commanders a weapons system which, among other things, mitigates the manpower disadvantage American forces routinely suffer, is needed now more than ever.

Every day seems to bring fresh evidence of two facts we have known to be true for some time: First, that our military is currently too small and stretched too thin for the many missions assigned to it; and second, that the international security situation is more volatile than it has been in a generation. Both situations argue heavily in favor of this amendment.

Even the most ardent defenders of our ongoing defense drawdowns cannot help but be alarmed at the sudden lack of trained manpower in our military. Recruiting goals are not being met and our long serving leaders—both officer and enlisted—are leaving the military in droves. One government report after another finds that our front line units are chronically undermanned. Next to these disturbing facts, we see that the situation in North Korea has recently taken a most frightening turn with their launch of a two-stage ballistic missile directly over the Japanese Islands. Japan has pulled out of the Light Water Reactor agreement which was our only real hope of keeping North Korea from resuming their nuclear weapons development program. Between our under strength military, and the new tension on the Korean Peninsula, it could be said that it has been many years since our military forces in South Korea have been in such an insecure and tenuous position. It is not idle hyperbole to say that South Koreans, and the forty thousand American troops who live at the pointy end of the spear in that country, depend on land mines for their lives.

In light of these developments, I cannot think of a worse time to pass a Foreign Operations Appropriations Bill that includes a provision which would facilitate the signing of the Convention of the Prohibition of anti-personnel land mines, quote—''as soon as practicable.''—unquote. A harmless sounding passage to be sure, but one which, in the hands of an administration prone to trading our national security for parchment, could be interpreted as clearance to sign that dangerous piece of paper.

Senator INHOFE's amendment would simply require that, before the administration signed any treaty that would take this critically important weapons system from our military, the Joint Chiefs of Staff, along with the Commanders in Chief of the various Combat Commands, certify that they can accomplish their missions without it.

Not in the last two decades have tensions been so high in that part of the world, Mr. President. It would seem that every possible factor is now conspiring to place our troops on the precipice: Our military is undermanned and underfunded; our diplomatic initiatives with the world's totalitarian regimes are breaking down everywhere; ballistic missile and nuclear weapons technology is proliferating at breakneck speed; and in Asia, the terrible economic situation there only serves to raise tensions and reduce available peaceful alternatives. I cannot envision a worse time to be taking military options away from our commanders in the field. But let me be clear: Even under the best of circumstances I would be against any attempt to take away military options from those commanders. And I will feel this way with particular regard to anti-personnel land mines until the proponents of this ban can give me a cogent answer to a simple question: How will taking self-destructing, self-deactivating land mines away from the United States military save one life in Angola, Cambodia or Afghanistan? Until I get a clear answer to that question, I will continue to defend our military from these misguided attempts to eliminate the means by which they accomplish the missions America deems fit to assign them, in the safest possible way. I support this amendment from the Senator from Oklahoma, and I encourage my colleagues to do so as well.

Mr. LEAHY. Mr. President, I ask unanimous consent that Senator LAUTENBERG be added as an original cosponsor of amendment No. 3516, original cosponsor of amendment No. 3514, and amendment No. 3520.

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

Mr. LEAHY. Mr. President, I see my colleague from Kentucky, the distinguished chairman of the subcommittee, on the floor, so I yield to him.

Mr. MCCONNELL. I say to my colleague from Vermont, we have—I hate to interrupt the debate on this amendment, but we have a unanimous consent agreement that has been cleared on both sides limiting the amendments. If it is all right with them, I would like to propound that at this particular time.

UNANIMOUS-CONSENT AGREEMENT

Therefore, Mr. President, I ask unanimous consent that during the remainder of the Senate's consideration of S. 2334, the following amendments be the only remaining first-degree amendments, other than the pending amendment, in order and subject to relevant second degrees. I further ask that following the disposition of the listed amendments, the bill be advanced to third reading and a vote occur on passage of S. 2334, all without intervening action or debate.

The amendments listed, Mr. President, are two by Senator BROWNBACK, one on Iran, one on Georgia; two by Senator COVERDELL, one relevant, one on Black Hawk helicopters; Senator CRAIG, four relevant; Senator COATS on North Korea; Senator DEWINE on Haiti, drugs, and Africa, three of them; Senator FAIRCLOTH on world economic conference; Senator HUTCHISON on North Korea; the Senator INHOFE amendment, which is pending, on landmines; Senator KYL, IMF; two amendments by the majority leader; two amendments on North Korea by the Senator from Arizona, Senator MCCAIN; two relevant amendments by myself; and one by Senator SHELBY, and the pending SPECTER amendment.

The PRESIDING OFFICER. Is there objection?

Hearing none, so ordered.

Mr. LEAHY. There are some more.

Mr. MCCONNELL. Sorry, Mr. President. There is another page, including, interestingly enough, all the Democratic amendments. What an oversight.

Mr. LEAHY. I knew you wanted to make sure those were in before you asked for unanimous consent.

Mr. MCCONNELL. Senator BIDEN, a relevant amendment; Senator BYRD, a relevant amendment; Senator BAUCUS, a relevant amendment; Senator BIDEN on another relevant amendment; Senator DASCHLE, two relevant amendments; Senator DODD on Human Rights Information Act; Senator FEINGOLD, two, one on Africa and one relevant; Senator FEINSTEIN, child abduction; Senator KERREY of Nebraska, relevant; my colleague, Senator LEAHY, two relevant and one on GEF; Senator MOYNIHAN, two, one relevant and one on IMF; Senator REID, relevant; Senator GRAHAM two, one on Haiti and one relevant.

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

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. If the managers have no objection, I would like to send an amendment to the desk.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 3366

Mr. INHOFE. If the Senator will yield, I would like to request the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 3522

(Purpose: To provide a substitute with respect to certain conditions for IMF appropriations)

Mr. KYL. I send an amendment to the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The bill clerk read as follows:

Beginning on page 119, line 1 of the bill, strike all through page 120, line 13, and insert the following:

SECTION 601. CONDITIONS FOR THE USE OF QUOTA RESOURCES.—(a) None of the funds appropriated in this Act under the heading ''United States Quota, International Monetary Fund'' may be obligated, transferred or made available to the International Monetary Fund until 30 days after the Secretary of the Treasury certifies that the Board of Executive Directors of the Fund have agreed by resolution that stand-by agreements or other arrangements regarding the use of Fund resources shall include provisions requiring the borrower—

(1) to comply with the terms of all international trade obligations and agreements of which the borrower is a signatory;

(2) to eliminate the practice or policy of government directed lending or provision of subsidies to favored industries, enterprises, parties, or institutions; and

(3) to guarantee non-discriminatory treatment in debt resolution proceedings between domestic and foreign creditors, and for debtors and other concerned persons.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I advise the Senator from Vermont that this is the original committee language.

Mr. LEAHY. Mr. President, I apologize to my friend from Arizona. I had been momentarily distracted. I thought it was an amendment to the Inhofe amendment. I did not realize that had been set aside. I would not have required the reading of the amendment.

Mr. KYL. That is quite all right. I am happy to make that clarification.

At this time I would like to yield to the Senator from Indiana for the purpose of laying down an amendment and making his statement on that amendment before I make my statement on my amendment.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I will soon send an amendment to the desk and then have it set aside. It doesn't have anything to do with landmines, but I would be happy to have the clerk read it.

AMENDMENT NO. 3523

(Purpose: To reallocate funds provided to the Korean Peninsula Energy Development Organization to be available only for antiterrorism assistance)

Mr. COATS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Indiana [Mr. COATS] proposes an amendment numbered 3523.

Mr. COATS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 31, line 7, strike ''and'' and all that follows through ''(KEDO)'' on line 9.

Beginning on page 32, strike line 10 and all that follows through line 24 on page 33 and insert the following: ''That, notwithstanding any other provision of law, of the funds appropriated under this heading not less than $56,000,000 shall be available only for antiterrorism assistance under chapter 8 of part II of the Foreign Assistance Act of 1961.''.

Mr. COATS. Mr. President, I want to speak on a broader subject. I want to take a few moments to discuss what has been a dramatic change in administration policy regarding the war on terrorism. According to the administration's chronology of Osama bin Laden's terrorist attacks against U.S. facilities or U.S. citizens, this individual is connected in one way or another to a series of disturbing terrorist incidents. This chronology, by the way, was offered by our National Security Advisor, Mr. Berger. I am taking this from that chronology of terrorist incidents. He has conspired to kill U.S. servicemen in Yemen in 1992. He plotted the deaths of American and other peacekeepers in Somalia in 1993. He assisted Egyptian terrorists who tried to assassinate Egyptian President Mubarak in 1995. He conducted a car bombing against the Egyptian Embassy in Pakistan in 1995. He plotted to blow up U.S. airliners in the Pacific and separately conspired to kill the Pope. He bombed a joint U.S. and Saudi military training mission in Riyadh in 1995. He issued a declaration of war against the United States in August of 1996. He stated, ''If someone can kill an American soldier, it is better than wasting time on other matters.'' In February of this year, Osama bin Laden stated, he declared his intention to attack—his network—their intention to attack Americans and our allies, including citizens, civilians, anywhere in the world. And as we all know, last month he has been directly linked to the bombing of U.S. Embassies in Dar Es Salaam and Nairobi.

Two weeks after this latest tragic incident, the U.S. launched a missile strike against one of bin Laden's facilities in Afghanistan, as well as against a Sudanese facility, which received initial financing from a bin Laden enterprise.

I, along with most Americans, welcome this administration's change in policy as a necessary and long overdue response. However, it is not to say that there weren't legitimate questions raised concerning the timing of this attack—I was one of those who raised such questions—and the timing of this policy change, coming as it did during the President's personal crisis. I was concerned that this sea change, this dramatic change in policy, might be misunderstood or misinterpreted by both allies and foes alike, thereby damaging and undermining the credibility of this administration's newly declared policy against terrorism.

Make no mistake, Mr. President, it is appropriate to respond whenever innocent Americans are attacked in acts of political terrorism. The alternative serves only to encourage those who seek to do us harm in pursuit of their private agendas. I caution, however, that we must also be certain of our targets and political objectives, and careful to make sure that our response is to reinforce and not undermine our policies.

Clearly, the U.S. strike and the administration's characterization of it as a ''war on terrorism'' is a notable departure from the policies and actions of the past several years. Rightly or wrongly, the Khobar Towers incident stands out as an example of U.S. inaction in the face of recent terrorist attacks.

Certainly the Khobar Towers investigation has been delayed and complicated by the need for close cooperation with the Saudi Government. But the current White House crisis raises serious doubts for our allies and gives fuel to our adversaries whose focus is likely to be the difference in the U.S. response to the deaths of American military personnel at Khobar and those in Nairobi and Dar Es Salaam. There may very well be justification for the difference in response, but it clearly signals a change in policy and, for many of us, a welcome change in policy.

More worrisome is that this newfound inclination to military action against terrorist organizations bears no resemblance whatsoever to the administration's so-called foreign policy priorities concerning rogue nations, such as Iraq and North Korea.

On February 17, 1998, President Clinton addressed the Nation. He said, ''. . .this is not a time free from peril, especially as a result of reckless acts of outlaw nations and an unholy axis of terrorists, drug traffickers and organized international criminals * * * and they will be all the more lethal if we allow them to build arsenals of nuclear, chemical and biological weapons

and the missiles to deliver them. We simply cannot allow that to happen. There is no more clear example of this threat than Saddam Hussein's Iraq. His regime threatens the safety of his people, stability of his region and the safety of all the rest of us.''

Yet, Mr. President, in the last few months, this administration has made what many see as a mockery of the inspection regime in Iraq, has failed to respond to the intelligence of an active nuclear program in North Korea, and has clearly allowed the North Koreans to continue to build a delivery system which will be capable of reaching the United States in its next phase of development.

The President himself said last February that ''we have no business agreeing to any resolution of [the Iraqi crisis] that does not include free, unfettered access to the remaining sites by people who have integrity and proven competence in the inspection business.''

This is a critical statement, one which I think bears repeating.

The President himself said last February that ''we''—meaning the United States—''have no business agreeing to any resolution of [the Iraqi crisis] that does not include free, unfettered access to the remaining sites by people who have integrity and proven competence in the inspection business.''

Yet, just last week, the lead inspector of the United States resigned in disgust at the pressure the Clinton administration has brought to bear to explicitly undercut the very inspection regime which the President said we have no business in changing. In his resignation letter, Scott Ritter, that inspector—someone who does have proven integrity and proven competence in the inspection business—said this:

> Iraq has lied to the special commission and the world since day one concerning the true scope and nature of its proscribed programs and weapons systems. This lie has been perpetuated over the years through systematic acts of concealment. . . . the commission has uncovered indisputable proof of a systematic concealment mechanism, run by the President of Iraq, and protected by the Presidential security forces. . . .
>
> The current decision by the Security Council and the Secretary General, backed at least implicitly by the United States, to seek a diplomatic alternative to inspection-driven confrontation with Iraq, a decision which constitutes a surrender to the Iraqi leadership . . . has succeeded in thwarting the stated will of the United Nations.
>
> The illusion of arms control is more dangerous than no arms control at all. What is being propagated by the Security Council today in relation to the work of the special commission is such an illusion, one which in all good faith I cannot, and will not, be a party to. I have no other option than to resign from my position here at the commission effective immediately.

That is a strong statement, Mr. President. It is a strong statement made by one who has a reputation for impeccable integrity and for total competence in the inspection business. Yet, he believed that his ability to carry out his assigned duties and his mission was undermined by the United Nations Security Council, with the implicit support of the U.S. Government, and he felt that the only course of action he had was to resign.

Clearly, last month's strikes are a substantial change from the administration's largely restrained reactions to previous terrorist attacks on Americans. To be fair, circumstances and the need to cooperate with foreign governments were behind some of that earlier reticence.

The President said: We must be prepared to do all that we can for as long as we can.

There is no question that we will face attempts at reprisal over years and years. This is something that seems all the more certain given the reports that bin Laden has offered bounties for terrorist actions resulting in the deaths of Americans. So we, indeed, must be prepared to act for as long as we must.

But we must recognize that in our endeavor to defeat terrorists, perhaps to a greater extent than ever before, our success will depend upon the ability to gather friends and allies together in a common struggle against this common enemy. Trust is the essential element in this equation. So it is imperative that the President of the United States be capable of establishing and maintaining the level of trust necessary to execute a successful policy against terrorism.

At the same time, we will need to increase our readiness to defend against the wide range of potential attacks on our citizens and interests as well as those of our friends and allies anywhere in the world.

Our planning and strategy must be sustainable over the long run. We need to find cheaper and more effective methods to attack terrorist infrastructures and planning. It seems woefully obvious that the use of costly weapons and defensive measures will have to be restricted to correspondingly grievous affects. Osama bin Laden unquestionably presents a significant and demonstrated threat to U.S. interests. But surely nations such as Iraq and North Korea represent a substantially greater magnitude of threat to our vital national interests. Moreover, these nations have demonstrated an intent to develop, and in the case of Iraq employ, weapons of mass destruction. Worse yet, these states seem willing to transfer such technology to other nations or groups who intend to use it against the United States and our allies.

Secretary Albright declared that ''the risk that leaders of a rogue state will use nuclear, chemical, or biological weapons against us or our allies is the greatest security threat we face.''

That statement does not square with the allocation of national security resources to operations in Haiti, Somalia, and Bosnia. It may be that these latter operations should enjoy some measure of emphasis. But, lacking a coherent foreign policy and corresponding national security strategy, it is difficult to judge and even more difficult to trust the rationale we are giving for our involvement in these operations.

If leaders of these rogue states—Iraq and Korea—do pose, as Secretary Albright has said, the greatest security threat that we and our allies face, then we must ask legitimate questions about the deployment of our security resources and national security assets in places of lesser importance, unless, of course, we are willing to support both in a measure necessary to be prepared and to accomplish both objectives at the same time.

Mr. President, let's take this newfound determination to combat terrorism, as declared by the President, at face value. In doing so, it is important, then, that the call to action must be more than mere rhetoric. It is important that the President articulate his policy and according strategy as well as initiate development of the capabilities that will be needed to affect that strategy. The current upside-down priorities wherein all too limited U.S. defense resources are spent on what are surely less critical operations in Bosnia and elsewhere need to be examined to reflect the serious threat to U.S. national interests that terrorism comprises, whether by rogue nations, states-sponsored groups, or actions of independents like bin Laden.

Yet the question remains: What are the Nation's capabilities to execute this administration's change in foreign policy about terrorism? What has been done to enhance the interagency process to address the transnational threat of terrorism? Has the administration developed the intelligence capabilities and the military capabilities to support this policy?

Some of our friends and allies rightly express the concern that the Clinton administration has not addressed some of these key issues, and that, therefore, when the United States starts to find out how hard and how expensive it is to pursue a long-term effort against terrorism, we will lose resolve and not sustain our efforts.

Many of us fear that the administration will merely add the military tasks associated with counterterrorism to the Pentagon's already stretched list of missions, and will do so without providing the additional funding required. In short, we will throw yet another rock in the military's already overflowing rucksack and expect them to shoulder the burden with the same budget and the same forces.

We must recognize the risk of pursuing such an approach with our military, a military that is currently ill-matched to this threat. Military budgets and force structure are down 35 percent to 40 percent since the cold war; while at the same time our peacetime commitments are up several hundred percent.

And perhaps most importantly, defense procurement is down nearly 70 percent from the Reagan administration when this Nation developed the

modernized, professional military that was victorious in the cold war. But we have been living off the Reagan buildup for nearly a decade, and the procurement holiday is over.

The average age of our fleet of aircraft, ships, tanks, and trucks and other equipment has been increasing year by year, and our forces are having a difficult time maintaining that equipment. This is a major source of the readiness problems confronted by our military today.

Yet, year after year this administration's budget falls short of its goal of procurement. And I project it will fall short again.

Significantly, the report of the National Defense Panel last December highlighted that this administration needs to provide $5 billion to $10 billion a year to transform our military so that our Nation can leverage advances in technology and will be prepared to address what are envisioned to be the fundamentally different operational challenges in the 21st century. One of those, and perhaps the most important of those, is terrorism.

In short, we still have a military designed to fight the conventional wars of the past, and it is poorly prepared to conduct this war on terrorism. Transformation to a national security posture necessary to address the threats of the future is necessary and cannot be successfully accomplished without a reallocation of resources and a revision of policy.

I, therefore, urge the President to prepare this Nation for this prolonged conflict against terrorism, but in doing so use more than just strong words, but prepare us in a way so that we have the resources in place to successfully account for this threat and protect the American people.

We face a range of threats and potential defensive strategies. Some of the latter could affect traditional American freedoms.

At the very least, there should be an open and serious debate over how far we can go, or how far we should go, in altering the security environment in America and at our facilities abroad. Although an easily-defended fortress sounds like a good idea for diplomatic security, it also restricts the very access that effective diplomacy often requires. And we must recognize this.

Mr. President, we face a difficult road in pursuit of a war on terrorism.

Like other Americans, I am committed to the elimination of this scourge of terrorism. But I cannot help but be somewhat skeptical of the administration's determination and their commitment, and unfortunately I fear that we will find few allies willing to risk their security and reputations on the strength of the current administration's say so. The ''say so'' must be followed with the ''do so.''

Mr. President, hidden beneath the headlines of the last 2 weeks was yet another explosive revelation. North Korea has reportedly had as many as 15,000 people working to build what some suggest is a nuclear reactor or fuel reprocessing facility buried deep within a mountain.

This, despite what the administration has touted as a landmark agreement stopping North Korea's nuclear weapons research and development program in exchange for food, energy, and the promise of two new light-water reactor power plants.

The State Department, by stating that it sees no nefarious intent because the concrete for this facility has not yet been poured, is asking us to trust their assessment of the situation. Only 6 months ago, the President certified to Congress that ''North Korea is complying with the provisions of the Agreed Framework'' and ''has not significantly diverted assistance provided by the United States for purposes for which it was not intended.''

We are now told by administration officials that this new facility should not be considered a ''deal-breaker'' because its completion ''will take half a decade or more.''

To add insult to injury, we have learned that North Korea has test fired a 1,200-mile-ranged ballistic missile into the Pacific Ocean, overflying Japan. And they did so just days after the Joint Chiefs issued their commentary on the Rumsfeld report in which they reasserted the administration's claims that there currently is no imminently discernible ballistic missile threat warranting a national missile defense. They state, moreover, their confidence that our intelligence community would provide ample warning to permit meeting such a threat in the context of the President's 3+3 strategy.

North Korea's test launch of this ballistic missile has demonstrated the truth of that old adage that actions speak louder than words. Doesn't the testing of a two-stage ballistic missile suggest that there is something for us to be worried about? How much harder can it be to launch a three-stage system capable of reaching the United States?

I am not nearly as cynical about our intelligence capabilities as some, and so it is not idle curiosity when I wonder out loud whether the State Department officials knew, as the Pentagon did, that North Korea was planning a missile test. And if so, did the State Department raise this issue with the North Koreans during last week's meetings on various subjects including that of the underground nuclear-related facility?

I can tell you that whatever the answer, it does not reflect well on the administration or the Secretary of State. Secretary Albright's comments yesterday that the test is ''something that we will be raising with the North Koreans in the talks that are currently going on,'' are less than inspiring and they fail to address the essential issue of what the U.S. did or might have tried to do to forestall this test.

Mr. President, I have sent an amendment to the desk. I have asked for it to be set aside. It addresses the question of the funding that is in this appropriation for North Korea related to development of nonthreatening nuclear facilities. Given the evidence and the information that we now have, these funds would be much better used on counterterrorism efforts, and this amendment seeks to transfer the funds for that purpose.

I will be debating this amendment at a later time. And I understand two amendments currently have been offered and are awaiting a vote at some time in the future. But I want to alert my colleagues that I think this situation in North Korea is critical. I think the continuation of the current administration policy in this regard, in transferring U.S. tax dollars in accord with an agreement that was designed to terminate North Korean involvement in development of any nuclear facilities that could be used for purposes other than providing power to their nation is a serious matter. I don't think continuation of funds for that purpose is appropriate. I think that money is much better used to help prepare us to implement the administration's new policy on the war on terrorism, and we will be discussing that amendment at some point in the future.

Mr. President, with that I yield the floor.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I understand we will now hear from the Senator from Arizona, Mr. MCCAIN, but I wanted to notify Senators that following Senator MCCAIN's presentation, it will be our intention to move to a vote with relation to the Specter amendment No. 3506 as quickly as possible, so that Senators might know that a vote following Senator MCCAIN's presentation is pending.

Mr. MCCAIN. Mr. President, what is the pending business?

The PRESIDING OFFICER. Under the previous order, the Coats amendment is set aside. The Senator is now recognized to offer an amendment.

AMENDMENT NO. 3500, AS MODIFIED

(Purpose: To restrict the availability of certain funds for the Korean Peninsula Energy Development Organization unless an additional condition is met)

Mr. MCCAIN. Mr. President, I have an amendment at the desk in the nature of a substitute.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. HELMS, and Mr. MURKOWSKI, proposes an amendment numbered 3500, as modified.

Mr. MCCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 33, line 4, before the colon insert the following: ''; and (4) North Korea is not actively pursuing the acquisition or development of a nuclear capability (other than the light-water reactors provided for by the 1994 Agreed Framework Between the United States and North Korea) and is fully meeting its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons''.

Mr. MCCAIN. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, I offer an amendment on behalf of myself and Senator HELMS and Senator MURKOWSKI pertaining to recent events in North Korea:

The announcement that U.S. intelligence has discovered a very sizable underground construction project in the mountains northeast of the nuclear complex at Yongbyon, and Monday's firing of an intermediate-range ballistic missile over Japanese territory.

Later I intend to propose another amendment expressing the sense of Congress that North Korea should be forcefully condemned for such an openly belligerent act while the United Nations is once again debating cooperative arrangements with the Stalinist regime in Pyongyang.

This amendment adds to the certification requirements a Presidential certification that North Korea is not pursuing a nuclear weapons capability. The distinction between what is currently in the bill and the provision in this amendment is crucial as it addresses new activities as opposed to those already identified and incorporated into the 1994 Agreed Framework.

Mr. President, it is instructive to go back in time and review the history of North-South relations on the Korean peninsula. Last summer, I came to the floor and submitted for the RECORD a comprehensive list compiled by the Congressional Research Service of North Korean provocations since its inception following the Second World War. That list detailed numerous terrorist acts, intelligence-related submarine incursions into South Korean territory, kidnappings of Japanese nationals for intelligence purposes, and armed incursions across the demilitarized zone.

At that point, I noted that the list illuminated an extraordinarily consistent North Korean pattern of alternating minor and manipulative gestures of goodwill with acts of terror and provocation toward its South Korean neighbor. To that list, we can now add new provocations towards Japan and the United States.

And make no mistake—Monday's missile firing was a message to the Japanese and to us that North Korea can strike our vital interests throughout the region. Japan's declaration of intent to terminate funding in support of the Agreed Framework should be supported and followed in kind by the United States.

At the time I spoke last summer, yet another North Korea-instigated border altercation had just transpired. Go back and look at the newspaper headlines pertaining to Korea at that time. The July 15, 1997, Washington Post included an article titled ''U.S. Says it Will Double Food Aid to North Korea.'' The following day, wire stories were headlined ''Korea-Border Gunfire Exchanged.'' That contrast is discouragingly consistent. Offers to agree to negotiate a final peace agreement with the South or provisions of food aid for North Korea's starving people regularly alternate with serious, often bloody transgressions against the South. But, the missile firing, while not entirely unexpected, expands significantly the scale of the threat to regional peace and stability posed by North Korea.

At the time the Agreed Framework was signed in October 1994, I expressed grave misgivings about its viability. I spoke at length on the floor of the Senate regarding North Korea's abysmal record of compliance with its previous commitments regarding its nuclear weapons program, listing nine such violations. Further, I emphasized the danger of an agreement that failed to adequately provide for full inspections of current and past nuclear sites, as well as of future such activities, prior to the provision of assistance to the North Koreans. Four years and $86 million later, we are no more confident than we have ever been about North Korea's intentions and capabilities in the nuclear realm. I predicted back then that North Korea would violate the spirit and the letter of the Agreed Framework, and I believe today that I was correct.

A North Korean nuclear weapons capability is one of the most dangerous scenarios imaginable, and it's entirely possible such a capability already exists. Bribing hostile, totalitarian regimes to not take steps deleterious to our best interests seldom succeed, as the very nature of such regimes is what makes them worrisome and unworthy of the kind of trust the 1994 agreement demands.

That is why the underground construction project is so troubling. Its precise nature is still a matter of speculation, but one thing is certain: North Korea does not have a history of concealing and protecting cultural activities and fast food restaurants. It does have a history of building underground military installations, including for the construction of ballistic missiles. North Korea does not deserve the benefit of the doubt. We have no option other than to assume that the excavation activities northeast of Yongbyon are designed with hostile intent.

I will not mince words or phrase my beliefs diplomatically. I do not have confidence the administration has in the past or will in the future handle North Korea with the firmness and resolve necessary to prevent the development of the most ominous of scenarios.

One U.S. official was quoted in 1996 with respect to the North Koreans as stating, ''They owe us some good behavior so we can continue to engage them.'' Mr. President, that is precisely the problem with the Administration's approach to North Korea. It ignores the underlying reality that the North Korean regime is inherently hostile and exceedingly belligerent. Temporary expressions of goodwill have not and will not translate into the kind of fundamental transformations in that regime necessary for us to ever have confidence that it will not exploit our goodwill. Any efforts of the international community to alleviate the suffering that North Korea itself has caused its people will be misused to allow it to maintain a military force that ensures the Korean peninsula will remain the most heavily fortified border in the world.

Missile firings such as North Korea conducted only occur within the context of relations on the brink of war. That does not mean that I believe a North Korean attack is imminent. I have no such belief. The nature of the act, however, should be interpreted very cautiously. During the height of the cold war, the Soviet Union launched missiles aimed directly at the Hawaiian Islands. During the peak of a crisis with Libya, Mu'ammar Qhadafi launched a missile that impacted near Malta. And most recently, China fired missiles perilously close to Taiwan in response to the latter's pending democratic elections. And now we can add to the list Pyongyang's launching of a Taepo Dong I missile against Japan and, presumably, against U.S. forces stationed there and in Guam.

If the new underground complex being constructed in North Korea is, in fact, for the purpose of establishing a new nuclear weapons complex, the testing of the missile takes on an even more ominous tone. As some analysts have pointed out, a series of missiles like the Taepo Dong-class only make sense when armed with weapons of mass destruction. Even the psychological ramifications of these missiles stems entirely from North Korea's eventual ability to arm them with nuclear, chemical or biological warheads. We cannot afford to minimize the potential threat this new complex represents.

The other countries I have mentioned that launched missiles under crisis circumstances or, in the case of the Soviet Union, within the context of greatly heightened tensions, were largely deterrable. They could, we calculated, be dissuaded from taking that final step into the abyss. Far less certain is the calculus involving the North Korean government. There is no reason to believe that the regime of Kim Jong Il is susceptible to the kind of delicate maneuvering and counter maneuvering

characteristic of relationships predicated upon a balance of terror. On the contrary, we are dealing with the most unpredictable regime on earth.

Critics of missile defenses like to point out that deterrence through threat of retaliation is all that is needed to dissuade an opponent from crossing the ambiguous line that would trigger an overwhelming U.S. response, including our use of nuclear weapons. Saddam Hussein was ultimately deterred from employing chemical weapons against U.S. and coalition forces during Operation Desert Storm by the implied threat of a U.S. nuclear response. Ignored by such critics, however, are historically important incidences where dictatorial regimes struck out in anger and defiance against the logic of deterrence. A defeated Germany fired missiles against England designated ''V'' for ''Vengeance,'' and an equally defeated Iraq similarly lashed out against Israel with a barrage of missile attacks.

North Korea is a defeated country in terms of the level of famine and the utterly wretched condition of its society. Its willingness to strike out irrationally must be assumed. That is why I offer these amendments here today. That is why I once again come to the floor of the Senate to decry this administration and the United Nation's handling of relations with North Korea. The situation on the Korean peninsula is too inflammatory, the North Korean regime too unpredictable and violent for Congress to take anything other than the strongest measures to demonstrate our resolve to confront the threat accordingly.

Mr. President, I ask unanimous consent the following articles be printed in the RECORD: The Washington Post, Tuesday, September 1, ''North Korea's Defiance''; today's, September 1, Wall Street Journal, ''Pyongyang's Provocation''; New York Times, Wednesday, August 19, ''North Korea's Nuclear Ambitions''; and August 24, a Washington Post editorial entitled ''Politics of Blackmail.''

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 1, 1998]

NORTH KOREA'S DEFIANCE

North Korea is outdoing itself. In barely a week's time it has been caught building a secret underground nuclear facility, and now it has conducted a test of a new longer-distance missile. The North Koreans even had the effrontery and the foolishness to fire the second stage of this missile across sovereign Japanese soil—an unmistakable attempt to intimidate a nervous neighbor and, indirectly, its patrons.

The Stalinist regime's purpose seems clear. As it acknowledges, it has little else of value to export except the weapons it has accumulated to sustain its self-isolating hedgehog pose. Its missile exports, put at $1 billion a year, go to the rule-breaking countries, including Iraq, Iran, Syria and Pakistan. The negotiation on freezing its bomb capabilities that it has been conducting with a group of countries led by the United States amounts to a demand that it be paid off for doing the wrong thing—for rule-breaking. It becomes an increasingly keen question whether American accession to such a demand would be more of an incentive to cheat or to comply.

Ordinarily, in a negotiation, the arbitrary and hostile raising of the stakes by one party, which is what North Korea is doing, would be taken as a sign of bad faith and would cast into doubt the party's commitment to the stated goals of the negotiation. In this case the North Koreans are able to argue that Japan and South Korea and the European Union, as well as the United States, have been slow to pay as promised for the light-water nuclear power reactors and the fuel oil that make it possible for Pyongyang to renounce its nuclear ambitions. But what slows those countries down is less bad faith than understandable cash-flow problems and, at root, the sickening feeling that North Korea is playing them for a fool.

Some suggest that the anti-proliferation countries should be more sympathetic to the political requirements of Kim Jong Il as he reaches to consummate the transition from heir apparent to leader in his own right. This is absurd. The leadership of North Korea, whatever it is, has assumed national compliance obligations which, if they are not fully binding, are valueless. The notion that North Korea's defiance is a device intended to extract concessions from Washington may have some truth to it. It puts an extra burden on the Clinton administration to show that no concessions are available by that route. If that threatens to upend the whole negotiation—and it may—then North Korea alone will have to account for it.

[From the Wall Street Journal, Sept. 1, 1998]

PYONGYANG'S PROVOCATION

North Korea test-fired a new long-range ballistic missile over Japan Monday, prompting some stern words from Tokyo, but earning rewards from almost everyone else concerned. That's the way it works these days. Only last week, Washington and Seoul told North Korea that its suspected new nuclear weapons plant does not violate a 1994 agreement freezing the North's bomb program. If building more nukes is no big deal, who's going to complain about a few missiles to deliver them with?

Among other things, lobbing a Daepodong I into the Pacific was probably an advertisement by the world's leading missile supplier to some of the world's scariest customers, including Iraq, Iran, Syria and Pakistan. It also may have been a kind of giant birthday candle ahead of next week's 50th anniversary of North Korea's founding, and the possible accession of dictator Kim Jong II to the presidency. Most certainly, North Korea was telling the U.S., South Korea and other partners in the ill-starred nuclear power plant and oil giveaway consortium—also known as KEDO—that if those gifts aren't forthcoming soon, there's always another missile in Pyongyang's pipeline.

It worked. Within hours of splashdown—originally reported to be in the Sea of Japan—Seoul promised to pay 70% of the $4.6 billion cost of building North Korea two nuclear power plants, and Washington eagerly reconfirmed a pledge to arrange the financing needed. Japan spoiled the party by refusing to sign on for $1 billion of the reactor costs. But what should upset Tokyo most is how Bill Clinton has ensured that the U.S.—and by extension Japan and America's other allies—has no hope of an effective theater missile defense anytime soon. Looking around at the world today, in fact, it would appear that millions survive only because no crazed dictator or terrorist gang has got around to targeting them.

At the state level, it is difficult to think of any outrage that invites punishment these days. India and Pakistan, for instance, are under patchy sanctions for testing nuclear weapons last spring. But the countries and regions where killing sprees are under way or threatened (Kosovo, Congo, Sudan come immediately to mind) have generated little more than handwringing.

The Clinton Administration did interrupt its long streak of inaction recently by firing some missiles at terrorist training facilities in Afghanistan and a factory in Sudan said to be manufacturing chemical warfare components. At the same time, however, we learned that the United States was taking quite a different approach to Iraq's suspected chemical warfare program, and many have been calling off U.N. inspections of Saddam's facilities in an effort to avoid a messy confrontation either with America's allies or with the dictator Washington was vowing to bomb into oblivion only six months ago.

Although an American inspector with the U.N. team resigned in disgust last week, there is no sign that his gesture of displeasure with both U.N. and U.S. prevaricating over Iraq will change the status quo. In one of the most bizarre developments yet, a Sudanese official announced to the world that there was no way the bombed factory was making chemical weapons because it had the ultimate seal of approval in the form a U.N. permit to export ''medicines''—to Iraq. At the very least, that would seem to open up a very wide avenue for examining the U.N.'s decision to pick that particular factory for special exemption from sanctions so it could engage in trade with a country suspected of making weapons of mass destruction.

But that would mean lifting up the same U.N. petticoats that the United States is now used to hiding behind whenever Washington can't or won't come up with policies of its own. If you ask American officials why they have walked away from the dangerous mess in Afghanistan, they will tell you that they are supporting a U.N. process to bring peace to that unhappy country. In Afghanistan's case, it amounts to an excuse for doing nothing while an entire region veers toward chaos. Meanwhile, senior policy makers have their minds free to think about countries like North Korea—which have figured out that while nickel-and-dime killers like Osama bin Laden get bombed for their sins, if you fire a long-range ballistic missile over Japan and revive your nuclear weapons program, you get a strange new respect and an offer of $4.6 billion.

[From the New York Times, Aug. 19, 1998]

NORTH KOREA'S NUCLEAR AMBITIONS

North Korea seems to have been caught preparing to betray its 1994 commitment to trade in its nuclear weapons ambitions for $6 billion in international assistance. American intelligence agencies have detected construction of an elaborate underground complex. If completed, the nuclear reactor and plutonium reprocessing plant expected to be built there could allow the North to produce as many as half a dozen nuclear bombs two to five years from now. Washington must insist that work on this project be halted immediately. If North Korea wants economic cooperation from the United States it must honor its promise to renounce all nuclear weapons activity.

[From the Washington Post, Aug. 24, 1998]

POLITICS OF BLACKMAIL

It's doubly bad news that North Korea is building a secret underground nuclear facility. First, the idea that North Korea's Stalinist, hostile and repressive regime may once again—or still—be committed to acquiring nuclear weapons is ominous in its

own right. But the report calls into question as well a 1994 U.S.-North Korea agreement that is the basis for all other American dealings, with that isolated state.

From the start, there's been a question of who was stringing whom along with that agreement. Alarmed that North Korea was accumulating weapons-grade plutonium, the United States in 1994 agreed to lead a coalition of interested nations that would provide the impoverished North Koreans with two nuclear reactors of no military use, and a quantity of fuel oil, in exchange for the mothballing of a plutonium-producing reactor and other weapons facilities. The idea was to buy time, assuming that the world's last pure Stalinist dictatorship couldn't last forever, and it was a chance worth taking. But the danger was that the North Koreans were buying time themselves, taking advantage of U.S. generosity while pursuing their nuclear ambitions.

Outside nations have faced a similar dilemma as they confront famine in North Korea. There's little question that thousands are dying of hunger; there's no question that this starvation is entirely political, a result of North Korea's wildly flawed economics and the regime's total denial of freedom to its people. The West, including the United States, provides free food nonetheless. This is in part out of humanitarian principles and the belief that food should never be a political weapon, but it is also out of fear that a collapse in North Korea could cause the regime to lash out in some lunatic and destructive way.

On both counts, in other words, the North Korean regime successfully has practiced the politics of blackmail. If North Korea is taking the ransom—fuel and food—and going ahead with its weapons program, then it becomes clear that the blackmail policy has failed—clear that North Korea is stringing America along and not the reverse. So far the Clinton administration insists, at least in public, that North Korea is not yet in violation of the 1994 agreement. The legal technicalities it cites—such as that the 15,000 workers have not yet begun pouring cement for the new facility's foundation—are not reassuring. We hope that in private the administration is delivering a far firmer message. If North Korea's nuclear program is continuing, it shouldn't take long to figure that the whole deal must be off.

Mr. MCCAIN. Mr. President, these are important articles. They point out the history of our relations with North Korea on this issue. Also, ''. . . the ill-starred nuclear power plant and oil giveaway consortium—also known as KEDO—that if those gifts aren't forthcoming soon, there's always another missile in Pyongyang's pipeline.'' I think they are important additions to the record.

(At the request of Mr. MCCAIN, the following statement was ordered to be printed in the RECORD)

● Mr. MURKOWSKI. Mr. President. I rise today in support of Senator MCCAIN's amendment restricting the transfer of funds to the Korean Peninsula Energy Development Organization (''KEDO'') until the President certifies that North Korea is not actively pursuing the acquisition or development of a nuclear capability and is fully meeting its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

Mr. President, it is unfortunate that such language is necessary. For almost four years, the United States has provided funding to KEDO under an ''Agreed Framework'' negotiated by this administration with the leadership of the Democratic People's Republic of Korea.

Although this framework agreement was never submitted to the Congress for ratification, the Administration has come to Congress each year to ask for more and more money to carry out the Framework provisions to supply the North Koreans with heavy fuel oil and to run KEDO. Each year, the Administration has said that this is money well spent because the Agreed Framework has frozen and stopped the North Korean nuclear program.

I have been skeptical of the Agreed Framework since its inception. I have never understood how United States negotiators agreed to a deal that did not allow international inspectors immediate and complete access to North Korea's nuclear program, including the two suspected but undeclared nuclear waste sites. Not only did this failure to demand complete access mean that we might never know how much plutonium the North Koreans diverted prior to the 1994 crisis, but it has also led to this situation where the much heralded ''freeze'' may have provided convenient cover for North Korea's more sinister plans.

In the year following the signing of the Agreed Framework, former Majority Leader Bob Dole and I successfully added amendments to prohibit North Korea from receiving foreign assistance until the President certified to Congress that North Korea's nuclear threat had been eliminated. Both times the amendments were dropped in conference at the insistence of the Clinton Administration. Senator MCCAIN and I have come to the floor countless times since then to try and correct loopholes in the Agreed Framework. I felt then, as I feel today, that the Agreed Framework did nothing to eliminate the nuclear threat from North Korea.

In the last several weeks, disturbing intelligence information has surfaced that North Korea is constructing a vast underground complex that may be the site of another nuclear facility. This development alarms, but does not surprise, the Senator from Alaska.

Mr. President, the United States must demand immediate access to this site before another penny of taxpayer dollars goes to subsidize this terrorist regime.

If the North Korean regime is ready to put aside its drive for nuclear arms and to move toward the family of nations, then I believe the United States should rightfully welcome such a move and offer ''rewards.'' However, I strongly believe that North Korea must offer the concessions, and not the other way around.

For too long, I believe we have let the North Korean government dictate the terms of negotiations, while they gained valuable time to push the suspected nuclear program ahead. From the track record, it is hard to tell which country is a tiny, isolated, terrorist regime violating international agreements and which country is a superpower pulling the weight for the international community. This must change.

Mr. President, Senator MCCAIN's amendment is a step in the right direction, and I urge its immediate adoption.●

Mr. MCCAIN. Mr. President, I ask unanimous consent that Senator KYL be allowed to speak after the vote. I also ask unanimous consent that the vote on this amendment, the recorded rollcall vote on this amendment, be set aside pending the determination of the managers.

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

Mr. MCCAIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 3506

Mr. BENNETT. I call for the regular order with respect to the Specter amendment.

The PRESIDING OFFICER. The Senator has that right. The pending amendment is No. 3506, offered by the Senator from Pennsylvania.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that John Bradshaw, who is a fellow in my office, be allowed the privilege of the floor for the duration of the debate on this bill.

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

Mr. WELLSTONE. I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3524

(Purpose: To make available assistance for Georgia for infrastructure for secure communications and surveillance systems)

Mr. MCCONNELL. Mr. President, one of the amendments on the list previously approved has been cleared on both sides, an amendment by Senator BROWNBACK with regard to Georgia. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. If there is no objection, the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. BROWNBACK, proposes an amendment numbered 3524.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 26, line 5, insert ''and infrastructure for secure communications and surveillance systems'' after ''training''.

Mr. MCCONNELL. This amendment has been cleared on both sides, Mr. President.

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

The amendment (No. 3524) was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3506

Mr. LOTT. For the information of all Senators, we do have an amendment on which we are ready to vote. After brief remarks, I believe we will be prepared to go to a vote on that amendment.

We will then go to the low-level waste compact between Texas, Maine and Vermont. I believe the vote will be on that tomorrow morning. There will be some time before the vote, but I believe it is 30 minutes equally divided, or I hope that will be the time for a recorded vote.

Before we vote, though, I do want to urge my colleagues to oppose this amendment. First, there is no treaty to monitor, and there will not be one in the foreseeable future. Until all 44 specified nations ratify the Comprehensive Test Ban Treaty, it will not enter into force. So to be providing funds before we have anything to monitor seems very questionable to me.

We have not acted on this treaty. And certainly something of this magnitude should be given very serious, careful and extensive thought by the committee of jurisdiction and by the full Senate. We should not provide the funding that prejudges whatever the Senate may or may not do before it takes up the Comprehensive Test Ban Treaty.

Beyond that, I have grave reservations, I admit, about whether the CTBT is in America's national interest. I am not convinced it is effectively verifiable. I am convinced it will limit our ability to maintain the safety and reliability of our vital nuclear deterrent.

There are strong signs that India's decision to test nuclear weapons was, in part, a response to pressure to sign the CTBT. Ironically, the most tangible result of this treaty seems to be a nuclear arms race in Southeast Asia. So I just think this is not the time or the place to debate this treaty. Anything less than 67 votes in support of this amendment will send a strong signal that the Senate is prepared to reject this treaty. So I question even the proponents of the treaty wanting to do this at this particular time.

Whatever the arguments for or against the treaty, putting millions in this organization does not make sense at this time. So I urge the defeat of this amendment.

I yield the floor, Mr. President. I believe we are prepared to go to the vote.

(At the request of Mr. LOTT, the following statement was ordered to be printed in the RECORD.)

● Mr. HELMS. I strongly oppose this amendment, which seeks to provide funds to the Preparatory Commission for the Comprehensive Test Ban Treaty.

As I advised the President on January 21, of this year, at the conclusion of Senate debate on NATO expansion, the Foreign Relations Committee would then turn its attention to several other critical, pressing matters which could affect the security of the American people and the health of the United States' economy. Chief among these are the agreements on Multilateralization and Demarcation of the 1972 Anti-Ballistic Missile (ABM) Treaty.

The President promised more than a year ago to submit these treaties for the Senate's advice and consent, but we are yet to see that promise fulfilled. Nevertheless, the Foreign Relations Committee intends to pursue hearings on a number of associated issues—such as the recent Rumsfeld Commission report—with the presumption that the President's promise will be honored in the near term.

Indeed, Mr. President, in listening to various justifications for the proposed amendment (which discuss the ongoing development of nuclear weapons by India, Pakistan, North Korea, Iran, Iraq, etc.) I was struck by the urgent need—not for another arms control treaty—but for a national missile defense to protect the United States from these nuclear weapons when they are mounted on intercontinental ballistic missiles.

Let me repeat that for the purpose of emphasis. The last thing the United States needs is another arms control treaty. In presuming to fund the Preparatory Commission, and in attempting to dictate to the Foreign Relations Committee that CTBT consideration take precedence over the planned ABM Treaty hearings, the Senator from Pennsylvania (Mr. SPECTER) obviously is willing to place a higher priority on the test ban than on protecting the American people from ballistic missile attack.

Sure, I have heard the White House and the liberal media attempt to spin India's and Pakistan's actions into a justification for the CTBT. And some seem to have bought it hook-line-and-sinker. But as the Senate Foreign Relations Committee heard a week after the Indian tests, from several expert witnesses, India's nuclear tests demonstrate that the CTBT is a complete sham from a nonproliferation standpoint.

Mr. President, this Senator will take no part in papering over India's actions with another ban on nuclear testing. The world already has one such treaty, called the Nuclear Nonproliferation Treaty (NPT). We should demand that India sign on to that treaty, which already has 185 States Parties and has been in force since 1970, not a ''Johnny-come-lately'' CTBT, which is—in all respects—a far weaker version of the Nuclear Nonproliferation Treaty. The point is, Mr. President, there would be no cause for worry about Indian nuclear tests if India has agreed not to have these weapons in the first place.

On the other hand, only less than two dozen countries have ratified the CTBT, of whom only 6 are on the list of the 44 key countries which, pursuant to Article 14 of the treaty, must ratify before it can enter into force. In other words any one of these 44 countries (for example, India, Pakistan, North Korea, or Iran) can single-handedly derail the Comprehensive Test Ban Treaty's (CTBT) entry into force.

That is why, Mr. President, the CTBT is so low on the Committee's list of priorities. It has no chance of entering into force in the foreseeable future, regardless of what the U.S. Senate does, and regardless of whether we waste funds on the Preparatory Commission. I regret that it was necessary to come to the Senate floor and explain such an obvious fact.

All of this, of course, is without respect to the fact that the CTBT, by preventing tests to ensure the safety and reliability of the U.S. nuclear deterrent, is a bad idea from a national security standpoint, but that is a debate better reserved for a time and place when the CTBT realistically has a chance of entering into force.

In sum, Mr. President, I oppose the Specter amendment on both jurisdictional and substantive grounds. Now it is my understanding, on the basis of assurances given by the staff of the Foreign Operations subcommittee, that no funds can be provided to the Preparatory Commission without notification to and approval by the Foreign Relations Committee. However, that said, this amendment is part and parcel of the Clinton Administration's effort to cover up the collapse of its nonproliferation policy. By promoting the CTBT with no mention of the NPT, the Clinton Administration and Senator SPECTER propose a course of action

that will de facto legitimize Indian and Pakistani possession of these weapons, just so long as they are not caught testing them. Such a policy sets a poor precedent—if one is worried that other countries, such as Iran and Iraq, might seek to withdraw from the NPT, and escape international opprobrium by signing on to the CTBT as a declared nuclear power.

Instead, the Senate should demand that India and Pakistan join the NPT, and should insist on vigorous international sanctions against proliferant countries, to be lifted only after their nuclear programs have been rolled back.

India's nuclear testing also is compelling, additional evidence pointing to the need for a national missile defense to protect the United States. Because India can readily reconfigure its space-launch vehicle as an intercontinental ballistic missile (ICBM), its actions clearly constitute an emerging nuclear threat to the United States. For this reason, it is time that the Foreign Relations Committee review the antiquated ABM Treaty, which precludes the United States from deploying a missile defense. Sad to say, the Specter amendment plays into the hands of those who seek to detract attention from this effort.

Finally, Mr. President, India's (and Pakistan's) actions should make clear to all just how vital the U.S. nuclear deterrent is to the national security of the United States. What is needed, at this time, is not a scramble for an arms control treaty that prohibits the United States from guaranteeing the safety and reliability of its nuclear stockpile. What is needed is a careful, bottoms-up review of the state of the U.S. nuclear infrastructure, which I fear is in sad repair after six years of a moratorium. I expect that, after undertaking such a review, the United States will find that the CTBT is the very last thing the United States should consider doing.

Mr. President, I do hope Senators will oppose the Specter amendment.●

The PRESIDING OFFICER. Is there further debate on the Specter amendment?

If not, the question is on agreeing to amendment No. 3506 offered by the Senator from Pennsylvania, Mr. SPECTER. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI), the Senator from Texas (Mr. GRAMM), and the Senator from Arkansas (Mr. MURKOWSKI) are necessarily absent.

I also announce that the Senator from North Carolina (Mr. HELMS) is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote ''no.''

Mr. FORD. I announce that the Senator from New Mexico (Mr. BINGAMAN), the Senator from Ohio (Mr. GLENN), and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

The result was announced—49 yeas, 44 nays, as follows:

[Rollcall Vote No. 254 Leg.]

YEAS—49

Akaka	Durbin	Lieberman
Baucus	Feingold	Mikulski
Bennett	Feinstein	Moseley-Braun
Biden	Ford	Moynihan
Boxer	Graham	Murray
Breaux	Harkin	Reed
Bryan	Hollings	Reid
Bumpers	Jeffords	Robb
Byrd	Johnson	Rockefeller
Campbell	Kennedy	Sarbanes
Chafee	Kerrey	Specter
Cleland	Kerry	Stevens
Conrad	Kohl	Torricelli
D'Amato	Landrieu	Wellstone
Daschle	Lautenberg	Wyden
Dodd	Leahy	
Dorgan	Levin	

NAYS—44

Abraham	Gorton	McConnell
Allard	Grams	Nickles
Ashcroft	Grassley	Roberts
Bond	Gregg	Roth
Brownback	Hagel	Santorum
Burns	Hatch	Sessions
Coats	Hutchinson	Shelby
Cochran	Hutchison	Smith (NH)
Collins	Inhofe	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kyl	Thomas
DeWine	Lott	Thompson
Enzi	Lugar	Thurmond
Faircloth	Mack	Warner
Frist	McCain	

NOT VOTING—7

Bingaman	Gramm	Murkowski
Domenici	Helms	
Glenn	Inouye	

The amendment (No. 3506) was agreed to.

Mr. SPECTER. Mr. President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CHILD SURVIVAL AND DISEASE PROGRAMS FUND

Mr. DEWINE. Mr. President, I would like to express my strong support for the Child Survival and Disease Program Fund. I understand that the House Committee on Appropriations, as a part of its Foreign Operations, Export Financing, and Related Programs Bill, has recommended that $650 million be allocated to the Fund's programs for fiscal year 1999. On the House side, Subcommittee Chairman CALLAHAN has taken the lead in protecting these child survival programs and I commend him for his leadership on this issue. The Clinton administration, however, has reduced direct funding for child survival programs. In order to preserve the benefits of these important programs for children worldwide, I believe the Senate should accept in conference the House language that was agreed to in Committee for this Fund.

It is a tragedy that millions of children die each year from disease, malnutrition, and other consequences of poverty that are both preventable and treatable. The programs of the Child Survival Fund, which are intended to reduce infant mortality and improve the health and nutrition of children, address the various problems of young people struggling to survive in developing countries. It places a priority on the needs of the more than 100 million children worldwide who are displaced and/or have become orphans.

The Fund includes initiatives to curb the resurgence of communicable diseases such as malaria and tuberculosis. In the underdeveloped world, the Fund works towards eradicating polio as well as preventing and controlling the spread of HIV/AIDS.

Aside from addressing issues of health, the Fund also supports basic education programs. An investment in education yields one of the highest social and economic rates of return—because it gives children the necessary tools to become self-sufficient adults. Each additional year of primary and secondary schooling results in a 10–20% wage increase and a 25% net increase in income.

The programs supported by the Child Survival Fund are effective because they save three million lives each year through immunizations, vitamin supplementation, oral rehydration therapy, and the treatment of childhood respiratory infections, which are the second largest killer of children on earth. This year the Kiwanis International are leading a global campaign to raise seventy-five million dollars toward the elimination of Iodine Deficiency Disorder which is the world's most prevalent cause of preventable mental retardation in children. Eliminating the symptoms and causes of this poverty is not only the humane thing to do—it is also a necessary prerequisite for global stability and prosperity.

In my view, Congress needs to maintain its support for these valuable programs. It is my hope that the Senate Foreign Operations Subcommittee will accept the House language. The Child Survival and Disease programs are effective and are important. They should be continued. I would like to commend Representatives TONY HALL of Ohio and SONNY CALLAHAN of Alabama for their tireless leadership in the effort to eliminate global hunger.

I see the Chairman of the Senate Foreign Operations Subcommittee on the floor.

Mr. MCCONNELL. I thank the Senator from Ohio for his statement. I have listened very carefully to his remarks, and I commend him for his tireless efforts in supporting children's causes, here in the United States and throughout the world. I would like to assure him that I will give every possible consideration to his request when we go to conference.

Mr. DEWINE. I thank my distinguished friend from Kentucky, and I yield the floor.

Mr. ALLARD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3525

(Purpose: To require a report on Iraqi development of weapons of mass destruction)

Mr. MCCONNELL. Earlier today, due to a mistake, an amendment by Senator BOND was, we thought, approved but in fact was not sent to the desk. It is agreed to by both sides. So I would like to send the BOND amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. BOND, proposes an amendment numbered 3525.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

(a) FINDINGS.—Congress finds that—

(1) Iraq is continuing efforts to mask the extent of its weapons of mass destruction and missile programs;

(2) proposals to relax the current international inspection regime would have potentially dangerous consequences for international security; and

(3) Iraq has demonstrated time and again that it cannot be trusted to abide by international norms or by its own agreements, and that the only way the international community can be assured of Iraqi compliance is by ongoing inspection.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the international agencies charged with inspections in Iraq—the International Atomic Energy Agency (IAEA) and the United Nations Special Commission (UNSCOM) should maintain vigorous inspections, including surprise inspections, within Iraq; and

(2) the United States should oppose any efforts to ease the inspections regimes on Iraq until there is clear, credible evidence that the Government of Iraq is no longer seeking to acquire weapons of mass destruction and the means of delivering them.

(c) REPORT.—Not later than 30 days after the date of enactment of this Act, the President shall submit a report to Congress on the United States Government's assessment of Iraq's nuclear and other weapons of mass destruction programs and its efforts to move toward procurement of nuclear weapons and the means to deliver weapons of mass destruction. The report shall also—

(1) assess the United States view of the International Atomic Energy Agency's action team reports and other IAEA efforts to monitor the extent and nature of Iraq's nuclear program; and

(2) include the United States Government's opinion on the value of maintaining the ongoing inspection regime rather than replacing it with a passive monitoring system.

Mr. McCONNELL. Mr. President, there is no objection to the amendment.

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

The amendment (No. 3525) was agreed to.

Mr. McCONNELL. Mr. President, I move to reconsider the vote and move to lay it on the table.

The motion to lay on the table was agreed to.

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT CONSENT ACT—CONFERENCE REPORT

Mr. McCONNELL. Now, Mr. President, I ask unanimous consent that the Senate proceed as under the order to the Texas Low-Level Waste Disposal Compact conference report.

The PRESIDING OFFICER. Under the previous order, the clerk will report the conference report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 629) have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of July 16, 1998.)

Mr. ALLARD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WELLSTONE. I ask unanimous consent the quorum call be rescinded.

Mr. ALLARD. I object.

The PRESIDING OFFICER. Who yields time on the conference report?

The majority leader.

Mr. LOTT. Mr. President, I yield time to myself off the time for the conference report and observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. WELLSTONE. Mr. President, it may be, I say to my colleagues, because I have friends out here on the floor and we may have some real disagreement on this, but I want to make sure we proceed on this together. I think on the order of this, the proponents might want to go first. That is fine with me. I want to make sure we can have one understanding. Before the recess, it was my understanding, albeit not a written contract, that we would not burn up all the time; that we would reserve 1 hour equally divided for tomorrow before the final vote. I ask unanimous consent that we at least have that final hour to be equally divided before the vote tomorrow.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, reserving the right to object, I mention to the Senator from Minnesota, it is not my understanding an hour would be reserved. I understand most of the time will be used this evening, with the exception of 15 minutes to be equally divided prior to the vote tomorrow.

Mr. WELLSTONE. Mr. President, I say to my colleague, it is unfortunate that maybe there were a number of different parties involved in this, but I was very clear that I wanted to make sure there was time for this debate also tomorrow morning, not late tonight.

I say to colleagues—it is not personal to my colleague from Maine—I am going to object to adjournment tonight, and Senators are going to have to come back here tonight at midnight and vote if I don't get a half an hour tomorrow. I know what was said. I know what was the understanding, and this is an important enough issue that tomorrow morning—and the other side can take a half hour, too—that we should have a debate. It shouldn't go from 7 o'clock now until 10 o'clock, time is burned off, no time to discuss this tomorrow morning, and then there is a vote. I think that is unacceptable.

I guess we are starting the debate off in the wrong way. In all due respect, a lot of the decisions made on this matter have been made kind of in the dark of night in the conference committee. I want part of this debate to be open. I want Senators to be aware of this. I want the public to be aware of it.

I renew my request one more time just so I know where I am at tonight. I ask unanimous consent that we have an hour equally divided tomorrow morning before final vote.

Ms. SNOWE. Mr. President, reserving the right to object, it may well have been the understanding of the Senator from Minnesota that an hour would be set aside. That was not my understanding in terms of how this time would be divided, other than to say that most of the time was to be used this evening, with the exception of 15 minutes to be equally divided tomorrow.

I will agree to half an hour equally divided, if that will accommodate the Senator from Minnesota. But I, and I think the others involved in this debate, prefer to do most of the debate this evening. That was our understanding.

Mr. WELLSTONE. Mr. President, I say to my colleague, I am going to stick to this because this is, I think, an important issue. It takes time to lay out the context and the background. I know the way it works here. This now has been put off close to 7 o'clock. I understand that. I just think that 15 minutes is not a lot of time to go into the complexity of this. I know at least what was my understanding, and I say to my colleague from Maine, this was not a direct conversation with her. In no way, shape, or form am I trying to say she had implied otherwise.

I am going to be firm about this. Perhaps we could—and I wouldn't be totally satisfied with it—but perhaps we could save colleagues some trouble and