legislation but through measures regulations passed by an agency with expertise in the matter. For this reason, I believe that we will have to take this issue up again next year, to direct the Department of Justice to study the problems at our borders and to pass regulations that are more finely-tuned to address those problems. In the meantime, H.R. 3633 will help to stem the tide of illegal importations of controlled drugs, which pose dangers to Americans when illegally distributed and used.

Mr. BURNS. Mr. President, I ask unanimous consent that the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill appear at the appropriate place in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 3633) was considered read the third time and passed.

AMENDING THE FOREIGN SERVICE ACT OF 1980

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 633, which was received from the House.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 633) to amend the Foreign Service Act of 1980 to provide that the annuities of certain special agents and security personnel of the Department of State be computed in the same way as applies generally with respect to Federal law enforcement officers, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BURNS. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 633) was considered read the third time and passed.

REQUIRING A STUDY REGARDING IMPROVED OUTDOOR RECREATIONAL ACCESS FOR PERSONS WITH DISABILITIES

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4501, which is at the desk.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4501) a bill to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BURNS. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 4501) was considered read the third time and passed.

TECHNICAL CORRECTION OF H.R. 3910

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 129, which was submitted by Senator MURKOWSKI.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A current resolution (S. Con. Res. 129) to correct a technical error in the enrollment of H.R. 3910.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BURNS. I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Con. Res. 129) was agreed to as follows:

S. CON. RES. 129

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of H.R. 3910 the Clerk of the House shall, in title IV, section 406, strike ''5 years after the date of enactment of the Omnibus National Parks and Public Lands Act of 1998'' and insert ''5 years after the date of enactment of this Act''.

MORNING BUSINESS

Mr. BURNS. Mr. President, we now enter a time for morning business, and I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDENT pro tempore. The able Senator from Virginia, Senator WARNER.

(Mr. BURNS assumed the Chair.)

THE PRESIDENT PRO TEMPORE

Mr. WARNER. Mr. President, I thank the distinguished President pro tempore. I think it should be noted from time to time, particularly on this, presumably one of the last 2 days of the Congress, that this distinguished President pro tempore has reported every morning the Senate has convened, so far as I know, to open the Senate. It is a responsibility he has taken unto himself with great dignity as he carries out his duties to the credit of this memorable institution, and we express our great appreciation to the President pro tempore. To the best of my knowledge, he has not missed a single day of this Congress in opening up the Senate, which is another record to add to the many, many records of our distinguished President pro tempore.

Mr. THURMOND. I thank the able Senator very much for his kind remarks.

Mr. WARNER. I thank the distinguished Senator.

I rise to address two subjects today, and I ask unanimous consent to use such time as I may require, although I will yield to others as they appear in the Chamber seeking recognition.

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

Mr. WARNER. I thank the Chair.

UNITED STATES-CUBA RELATIONS

Mr. WARNER. Mr. President, I have great concerns about our Nation's policy towards Cuba. Castro remains, in the mind of this Senator and the minds of most, as an individual who has brought great harm to that nation, and it persists to this day. The human suffering there is incalculable.

Some months ago, I joined with my distinguished friend and colleague, the senior Senator from Connecticut, Mr. DODD, who has had considerable experience in this region of our hemisphere, in trying to seek legislation to allow the sale of U.S. food, medicine and medical equipment to Cuba.

Regrettably, that has not been done in its totality. There have been some efforts, but nevertheless that continues to present itself as an example of how I believe—and others share my belief—that the overall policy between the United States of America and Cuba should be thoroughly, pragmatically and objectively reviewed. With that purpose in mind, I and other Senators—I think some 15 in number—have written the President of the United States requesting that he, hopefully jointly with the Congress, establish a commission to make such a study. In short, we wrote President Clinton recommending ''the establishment of a national bipartisan commission to review our current U.S.-Cuba policy.''

My reason for making this recommendation is simple and straightforward. The current United States-Cuba policy in effect for nearly 40 years—that is astonishing, 40 years—has yet to achieve its goal of a peaceful transition to democracy in Cuba. Of course, Castro remains the single most formidable obstacle to achieving that goal.

Now the time has come, in our judgment, for a thoughtful, rational and objective analysis of our current U.S. policy toward Cuba and its overall effect on this hemisphere. I am not alone

in putting forward this proposal. As I have previously stated, I was joined in this recommendation to the President by a distinguished and bipartisan group of Senate colleagues. In addition, a world-respected group of former senior Government officials of our United States have written to me—I asked for that letter and obtained it—in strong support of the establishment of the commission.

That distinguished group includes Howard Baker, Jr., former Senate majority leader; Frank Carlucci, former Secretary of Defense; Lawrence Eagleburger, former Secretary State; Henry Kissinger, former Secretary of State; William D. Rogers, former Under Secretary of State; Harry W. Shalaudeman, former Assistant Secretary of State and Malcolm Wallop, former U.S. Senator. Further, I am informed that former Secretary of State George Shultz supports our efforts.

Mr. President, it is my hope that President Clinton will act to implement our recommendation. Should he choose to do so, the analysis and recommendations that are put forth will provide both the Congress and the Administration with the means to shape and strengthen our future relationship with Cuba.

The recommendation that we have for this commission is parallel to one that was set up by a past President in response to the need to look at the overall hemisphere. It was known as the Kissinger Commission. It has, I think, the customary provisions in it whereby the President makes certain appointments and the Congress will make certain appointments. I think there will be a wealth of talent ready, able, and willing to step forward at the call of the Executive branch and the Legislative branch to take up the responsibility of a very serious challenge, to establish a revised policy between our Nation and Cuba.

Mr. President, I ask unanimous consent my letter to President Clinton, the letter sent to me by Lawrence Eagleburger, and an October 16, 1998, Washington Post editorial on this subject be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, October 13, 1998.

Hon. WILLIAM JEFFERSON CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We, the undersigned, recommend that you authorize the establishment of a National Bipartisan Commission to review our current U.S.-Cuba policy. This Commission would follow the precedent and work program of the National Bipartisan Commission on Central America, (the ''Kissinger Commission''), established by President Reagan in 1983, which made such a positive contribution to our foreign policy in that troubled region over 15 years ago.

We recommend this action because there has not been a comprehensive review of U.S.-Cuba policy, or a measurement of its effectiveness in achieving its stated goals, in over 38 years since President Eisenhower first canceled the sugar quota on July 6, 1960 and President Kennedy imposed the first total embargo on Cuba on February 7, 1962. Most recently, Congress passed the Cuban Democracy Act in 1992 and the Helms-Burton Act in 1996. Since the passage of both of these bills there have been significant changes in the world situation that warrant a review of our U.S.-Cuba policy including the termination, in 1991, of billions of dollars of annual Soviet economic assistance to Cuba, and the historic visit of Pope John Paul II to Cuba in 1998.

In addition, during the past 24 months numerous delegations from the United States have visited Cuba, including current and former Members of Congress, representatives from the American Association of World Health, and former U.S. military leaders. These authoritative groups have analyzed the conditions and capabilities on the island and have presented their findings in the areas of health, the economy, religious freedom, human rights, and military capacity. Also, in May 1998, the Pentagon completed a study on the security risk of Cuba to the United States.

However, the findings and reports of these delegations, including the study by the Pentagon, and the call by Pope John Paul II for the opening of Cuba by the world, have not been broadly reviewed by all U.S. policy makers. As Members of the U.S. Senate, we believe it is in the best interest of the United States, our allies, and the Cuban people to review these issues.

We therefore recommend that a ''National Bipartisan Commission on Cuba'' be created to conduct a thoughtful, rational, and objective analysis of our current U.S. policy toward Cuba and its overall effect on this hemisphere. This analysis would in turn help us shape and strengthen our future relationship with Cuba.

We recommend that the members of this Commission be selected, like the ''Kissinger Commission'', from a bipartisan list of distinguished Americans who are experienced in the field of international relations. These individuals should include representatives from a cross section of U.S. interests including public health, military, religion, human rights, business, and the Cuban American community. A bipartisan group of eight Members of Congress would be appointed by the Congressional Leadership to serve as counselors to the Commission.

The Commission's tasks should include the delineation of the policy's specific achievements and the evaluation of (1) what national security risk Cuba poses to the United States and an assessment of any role the Cuban government may play in international terrorism and illegal drugs, (2) the indemnification of losses incurred by U.S.-certified claimants with confiscated property in Cuba, and (3) the domestic and international impacts of the 36-year-old U.S.-Cuba economic, trade and travel embargo on: (a) U.S. international relations with our foreign allies; (b) the political strength of Cuba's leader; (c) the condition of human rights, religious freedom, freedom of the press in Cuba; (d) the health and welfare of the Cuban people; (e) the Cuban economy; (f) the U.S. economy, business, and jobs.

More and more Americans from all sectors of our nation are becoming concerned about the far-reaching effects of our present U.S.-Cuba policy on United States interests and the Cuban people. Your establishment of this National Bipartisan Commission would demonstrate your leadership and responsiveness to the American people.

We have enclosed a letter from former Secretary of State Lawrence Eagleburger outlining his and other former top officials support for the creation of such a commission. Thank you in advance for your thoughtful consideration.

Sincerely,

John Warner, Chuck Hagel, Rod Grams, James M. Jeffords, Michael B. Enzi, Bob Kerrey, Rick Santorum, Dirk Kempthorne, Kit Bond, John Chafee, Craig Thomas, Dale Bumpers, Chris Dodd, Pat Roberts.

BAKER, DONELSON, BEARMAN & CALDWELL,
Washington, DC, September 30, 1998.

Hon. JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: As Americans who have been engaged in the conduct of foreign relations in various positions over the past three decades, we believe that it is timely to conduct a review of United States policy toward Cuba. We therefore encourage you and your colleagues to support the establishment of a National Bipartisan Commission on Cuba.

I am privileged to be joined in this request by: Howard H. Baker, Jr., Former Majority Leader, U.S. Senate; William D. Rogers, Former Under Secretary of State; Frank Carlucci, Former Secretary of Defense; Harry W. Shalaudeman, Former Assistant Secretary of State; Henry A. Kissinger, Former Secretary of State; and Malcolm Wallop, Former Member, U.S. Senate.

We recommend that the President consider the president and the procedures of the National Bipartisan Commission on Central America chaired by former Secretary of State Henry A. Kissinger, which President Reagan established in 1983. As you know, the Kissinger Commission helped significantly to clarify the difficult issues inherent in U.S. Policy in Central America and to forge a new consensus on many of them.

We believe that such a Commission would serve the national interest in this instance as well. It could provide the Administration, the Congress, and the American people with objective analysis and useful policy recommendations for dealing with the complexities of our relationship with Cuba, and in doing so advance the cause of freedom and democracy in the Hemisphere.

Sincerely,

LAWRENCE S. EAGLEBURGER.

A GOOD IDEA ON CUBA

By chance, a record 157 countries voted in the U.N. General Assembly against the American embargo of Cuba just as a proposal for a high-powered national bipartisan commission to review the United States' whole Cuba policy was emerging from the Senate. In the Assembly, only Israel supported Washington in defense of an embargo that has been the centerpiece of American policy for 36 years and that has not been soberly reviewed since the Cold War ended. Sen. John Warner (R–Va.) is author of the review proposal. He has gotten heavy-duty legislators and former foreign policy officials to sign on.

So much has changed over the four decades of Cuban-American collision. The Cold War is over, terminating Cuban security threats to the United States. Cuba, by its own totalitarian rule and economic mismanagement, and not just by the embargo, has entirely lost luster as a model for modernizing states. The embargo has punished the Cuban economy, though it is slowly recovering, and also the Cuban people. The embargo has embellished the nationalist credentials of Communist ruler Fidel Castro. It has puzzled America's best friends, who do not understand why the United States treats Cuba as though the Cold War were still on.

The official answer is that the embargo is a lever to force the democratization of Cuba

and, by American law, the termination of Fidel Castro's rule. But the limited changes in this regard are owed less to official American isolation than to such regulated openings as the permissions for calls, emigration, humanitarian gifts and family trips and the historic visit of Pope John Paul II.

The American debate on Cuba has come to be an intense unproductive contest between the Miami exile right and its liberal critics. The Warner proposal promises to widen both the terms of the debate and the constituencies participating in it. A broad bipartisan review of Cuba policy is an idea whose time has come.

KOSOVO

Mr. WARNER. Mr. President, I have repeatedly taken the floor to speak about my great concern regarding the people who are suffering today in Kosovo. As I stated in my remarks on previous days, I visited Kosovo some weeks ago in the company of the KDOM—which is a most unusual organization—but it has the permission by which to take unarmed missions into the countryside around Pristina and elsewhere, to see the ravages of that tragic conflict.

Regrettably, even though we have now in place an agreement with Milosevic, the fighting and the strife continues. We have recently executed an agreement. I say ''we.'' Primarily, the United Nations and NATO have entered into an agreement with the Yugoslav Government, and President Milosevic signed it.

There have been some changes in the status of forces of the Yugoslav Army and the like, but it is a very fluid situation. We hear one day units are moving out and then today there are reports that other Yugoslav Army units are being redeployed. The suffering, however, continues and the winter is coming. The whole world is standing by to witness what is, I think, one of the greatest recent tragedies.

Weather is as cruel as weapons. I saw, for my own eyes, these people huddled in the hills, helpless, homeless, without food, without medicine; tens of thousands—we do not know with any specific accuracy how many there are, but it certainly is in excess of 100,000 human beings—innocent victims, by and large, of the conflicts, political and military, in this region of Kosovo.

I have had the opportunity to get briefed by the Central Intelligence Agency, briefed by the Department of Defense; I try to remain as current as I can on this issue. The bottom line of what I am saying today is it is time that we look with great seriousness at the need to constitute a force which will have sufficient arms to go into that region and provide the stability necessary—I repeat, the stability necessary for the nongovernmental institutions and others to bring in the food, the medicine and the shelter that is required to support these people. It is as simple as that. They will simply perish by the tens of thousands without this sort of help.

The agreement provides for the OSCE to come in. This is the first time in the history of that organization that they have ever undertaken a challenge of this magnitude. They are not organized, really, to work to provide security which requires force of arms, but some attempt will be made along that line. The bottom line, I think, is someone has to stand up—and I am prepared to do it—and say that NATO is the only force constituted that can come in, in a short period of days, literally days, to give that degree of stability so these emergency supplies can come in. It is my grave concern that unless that is done and done promptly, the world will witness human suffering of a magnitude we have not seen, certainly, in a long time. I think only NATO can step in to do this.

I know the deep concern here in the Senate and elsewhere in the United States about employing any U.S. ground troops in the region of Kosovo. We went through those debates with regard to Bosnia. I personally was never in favor of it. But once we make a decision, as we have now made, and we have the agreements in place, there is absolutely no alternative but to faithfully try and execute our responsibility, together with NATO and the United Nations, to provide the environment in which, in the few weeks to come, we can save the lives of tens of thousands of innocent people. That can only be done by putting in place uniformed, organized, well-trained troops. Their presence could well be the deterrent to stop the fighting.

In my judgment, there are no clean hands in this situation. The preponderance of the atrocities obviously have been committed by the Serbian forces under the direction, either indirectly or directly, of Slobodan Milosevic. There is no doubt about that. But there also are some attacks being perpetrated by the KLA, which is that disparate group, relatively undefined, whose leadership changes from time to time, whose organization has very little coordination between the various bands of the KLA, but nevertheless they have perpetrated atrocities and, apparently, there are reports that some atrocities are continuing to be perpetrated by the KLA.

Only an absolutely neutral independence force, as constituted by the United Nations, together with NATO, can provide the security necessary to bring in the needed food and medicine.

In looking over the agreement, and in consultation with the Department of Defense, I have learned of one very interesting development. I have not, as yet, seen it in the open press, but I have obtained the authority of the Department of Defense to mention this, because I think it is a positive goal. There are certain positive goals that have been achieved by this agreement. This one will be severely criticized. I certainly have some criticism of it. But there are some positive results of the agreement that have recently been executed between the United Nations, NATO and the Yugoslav Government.

One of them, for example, is as follows:

> Under the agreement, Milosevic has been required to accept a continuing presence of NATO reconnaissance aircraft over his sovereign airspace in order to monitor its compliance with the terms of the accord.

Under that, we have today—and this is most important—six NATO military officers in Belgrade inside the Serbian air defense headquarters to act as liaison with NATO. We expect Yugoslav air defense personnel to report to the Combined Air Operation Center in Italy today to perform the same function.

That eliminates a lot of uncertainty that could spark a response by the Yugoslav air defense operations against our monitoring aircraft, and that must be avoided.

We expect this military-to-military coordination to eliminate any possibility of miscommunication on the implementation of the air verification regime.

I wish to say I find that to be a very positive part of this agreement. I just hope we will come to the realization that a second very positive step must be taken immediately, and that is placing security forces—and I think only NATO is able to do this within the few days that is required for those forces—to enable the food and medicine to reach those in need.

Unquestionably, Milosevic bears the primary responsibility for finding an acceptable political solution that grants the people of Kosovo some degree of autonomy. We know not that level at this time. A degree of self-governance has to come about and, most importantly, freedom from the oppression we have witnessed in the past months and, indeed, throughout the past decade when Milosevic removed from Kosovo its degree of autonomy and self-governance that it had some years ago.

Also, the ethnic Albanians bear responsibility for making this agreement a success as well. That primarily falls on the KLA. The political leadership of Kosovo and the Kosovo Liberation Army, or the UCK, as it is called, must refrain from violence and set up some establishment where they can have representatives at the negotiating table and negotiate in good faith and support the OSCE verification regime on the ground.

Mr. President, I will continue to monitor this. Of course, I will not have an opportunity to do so here on the floor of the Senate, but I will by other means, because I personally am gravely concerned about the plight of these homeless, helpless people who only ask for the opportunity to live in peace and quiet in their countryside and in their small homes, which I have seen in great numbers, but regrettably most that I saw had been blown up and devastated.

My prayers, and I think the prayers of the people of this country, are with