

will end and a political resolution will be what results from their efforts, and that the atrocities will stop.

It is obviously up to the floor managers on how they want to consider this, but I don't have any objection to it being on this bill or any other bill. I just wanted to make an observation. That was all I was trying to suggest to my friend and colleague. I do believe that Madeleine Albright and the President have done a good job expressing how all Americans feel about this. Nonetheless, we will support this sense-of-the-Senate resolution.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I thank my friend from Connecticut. I know he is sincere in every word he says. But let me tell him what my friend and his friend, Madeleine Albright's crowd, did down at the State Department. This gentleman with whom I met yesterday was told: Well, we will send some functionary from the State Department to meet you in a restaurant somewhere, but we will not meet with you at the State Department. Now, come on; that is the worst example of "get aside, we are not interested in you" to the Chechen people. I resent it.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3280.

The amendment (No. 3280) was agreed to.

Mr. HELMS. I thank the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent to speak for 2 minutes as in morning business.

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

VICTIMS OF GUN VIOLENCE

Mr. DODD. Mr. President, I thank the distinguished chairman and the ranking Democrat for their patience.

Every day that we have been in session over the last several weeks, the Democratic leader or his designees have identified those people who on this date in the year past lost their lives to gun violence in the United States. It is a way in which we have tried to highlight the significance of this issue. We have talked about Columbine High School and the tragedy of people losing their lives on that day.

The point the leader and those of us who support his efforts in the area of gun control have tried to make is that every single day in this country, there is a Columbine High School, and there has been for some time. So today, in that spirit of reminding our colleagues and the country again of the ongoing tragedy that occurs every single day in the United States, I will read the names of those people who on June 9, 1999, all across our country, lost their lives.

This is not the complete list in that this list only represents 100 cities with a population of more than 12,000 people.

There are many other communities for which we don't have data.

The names are the following: Humberto Albear, Houston, TX; Jeffrey Barbush, St. Louis, MO; Guido Colomo, Houston, TX; Maria Cruz, Philadelphia, PA; Bernard Freeman, Chicago, IL; Scott J. Hawkins, Baltimore, MD; Robert Koch, Davenport, IA; Johnnie Martin, Chicago, IL; Martin Mendoza, Memphis, TN; Terrance Morrison, Boston, MA; John Rice, Philadelphia, PA; Gerardo Rios, Charlotte, NC; Cherie Shaw, Charlotte, NC; Chon Tang, Houston, TX; Tracy Taylor, Chicago, IL; Oscar J. Tunales, Laredo, TX; unidentified male, Norfolk, VA.

Mr. President, the violence still continues in this country. While there is no simple answer, including gun control, there are many other aspects that provoke and cause this level of violence. There are several measures that could be adopted by the Congress that would reduce this wave that continues every single day in our country.

In memory of these 17 people and more—I assume, since we do not reflect communities of 12,000 or more who lost their lives, that almost that many will lose their lives today somewhere in this country—it is our fervent hope that we will do a better job in reducing this level of violence in our country.

I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, when we were debating the authorization bill earlier this week, it had come to my attention that there would be an amendment offered dealing with the testing program of the National Missile Defense System and that some criticism was going to be cited in support of that amendment attributed to Mr. Ted Postol, who is a physicist at the Massachusetts Institute of Technology.

That amendment has not yet been offered. We are now on the appropriations bill. I expect we will hear, during the debate on this bill, suggestions that we are either appropriating too much money for national missile defense or the program is flawed or in other ways criticism of this program on various—some imagined, some maybe real—bases, complaining about the national missile defense appropriations and theater missile defense appropriations contained in this bill.

I am rising today almost as a preemptive debate against these criticisms which I expect will be made by some Senators. They will use Mr. Ted Postol from MIT as the authority for their arguments. So I wish to give the Senate some background, particularly in view of the New York Times article this morning as an example of merchandising, again, of a lot of these arguments that have been made by Mr. Postol.

On May 11, Mr. Ted Postol, a physicist at the Massachusetts Institute of Technology, wrote to a number of Clinton administration officials claiming to have discovered evidence that the National Missile Defense system now being tested will be easily defeated by simple countermeasures, that the Ballistic Missile Defense Organization's own data proved this, and that BMDO and its contractors conspired to hide this information by tampering with flight test data. Mr. Postol also claimed that BMDO had altered the National Missile Defense flight test program in order to hide the truths he claimed to have discovered.

Mr. Postol says he discovered the fatal weakness in the NMD system after studying BMDO data from Integrated Flight Test 1A, which was conducted in June, 1997, and was a test of a prototype kill vehicle built by the Boeing Company for the NMD interceptor missile. The test was not an attempt to destroy the target, but only to understand the seeker's performance. It was intended specifically to understand how well the infrared sensor on the kill vehicle performed, compared to expectations, when it encountered a target warhead and a number of decoys and other penetration aids.

Mr. Postol contends that the results of Flight Test 1A showed that the NMD kill vehicle could not distinguish between a simple balloon decoy and an actual warhead, and that the entire test program, beginning with Integrated Flight Test 2, was restructured using far simpler targets to cover up this deficiency in the capacity of the vehicle to operate properly.

This contention by Mr. Postol is just not true. The facts are that Flight Test 1A involved a kill vehicle built by the Boeing Company. Flight Test 2 was conducted with a kill vehicle built by Raytheon, and used exactly the same target complex as Flight Test 1A, contrary to Mr. Postol's claims. Simpler targets were used in Flight Tests 3 and 4 because these tests had different objectives. Flight Tests 1A and 2 were intended to characterize the performance of the competing seekers; Flight test 3 was the first attempt to intercept and destroy a target warhead. Just as testing of any new aircraft begins with a taxi test, then a simple takeoff and landing, the first NMD intercept testing began with a single warhead accompanied by a balloon decoy. Subsequent tests will become progressively more difficult, an approach which follows the recommendations of a panel of experts headed by retired Air Force Chief of Staff Larry Welch. In fact, the Welch panel recommended that the Defense Department attempt its first intercept without countermeasures of any kind, in order to begin the testing as simply as possible, but BMDO believed it was worth the risk to attempt a more complicated test.

Mr. Postol appears to be unaware that the Boeing kill vehicle is no longer being used in the flight test program. The competing kill vehicle built

by Raytheon, which has independently developed software, was selected for the NMD system and has been used in every test since Flight Test 1A.

Mr. Postol claims to have discovered in the data from Flight Test 1A that—and I quote—“the Exoatmospheric Kill Vehicle (EKV) will be defeated by the simplest of balloon decoys.” The fact is that in Flight Test 3, on October 2, 1999, exactly the opposite happened, when the EKV disregarded a balloon decoy and successfully destroyed its target.

This isn't the first time Mr. Postol has been notoriously wrong about our missile defense program. In 1994, when the United States was preparing to conduct the first flight test of its Theater High Altitude Area Defense—or THAAD—system, he and some of his colleagues at MIT, in an article in *Arms Control Today*, claimed to have demonstrated that theater missile defenses like THAAD would—and I quote—“almost certainly have significant capabilities against strategic RVs [reentry vehicles]” and that any agreement permitting such capabilities would—I quote—“significantly erode the ability of the ABM Treaty to control strategic defenses by allowing systems that could defend areas of tens of thousands of square kilometers.”

As it turns out, in spite of that suggestion by Mr. Postol and his colleagues from MIT, even the government of Russia never complained about THAAD or similar systems which Mr. Postol said would so upset the strategic balance. And when other technical experts challenged his conclusions, Mr. Postol adopted the tactics of questioning the competence and integrity of his critics. A technical team under contract to the Defense Department reviewed Mr. Postol's THAAD findings and found they contained errors. Mr. Postol's response was to write a series of letters to government officials, accusing the technical team whose findings differed from his of “spreading false and misleading information” that “impugns the scholarly reputation of myself and my colleagues.” He accused the general officer heading the Ballistic Missile Defense Organization of mismanagement and of “providing false information to members of the Russian Duma” in an attempt to—in his words—“influence the Russian debate through subterfuge.” Mr. Postol demanded that the Defense Department retract its study and issue a letter acknowledging its errors. DoD did none of this because they were right all along and it was Postol and his MIT colleagues who were wrong again.

Two years later, in 1996, Mr. Postol's campaign against missile defenses had taken a new approach. In addition to arguing that systems like THAAD would undermine the Russian strategic deterrent, Mr. Postol argued that they would be easily defeated by countermeasures. He said in effect that U.S. TMD systems were so good that they

would threaten the Russian strategic force and at the same time so bad that they could be easily defeated by even the simplest of countermeasures. Both those claims could not be true.

Nonetheless, Mr. Postol continued to promote this argument, and created detailed drawings illustrating how an aspiring missile power might go about deploying countermeasures to U.S. defensive systems. These ideas were elaborated in an 80 page document which Mr. Postol distributed widely and which was eventually made available on the internet, so that anyone—including those who would benefit most from measures that could defeat U.S. weapon systems—could obtain it.

The claims that Theater Missile Defenses would both threaten deterrence and at the same time be overwhelmed by simple countermeasures is now being made by Postol and his co-authors for National Missile Defense. He is arguing that any nation which can build a long-range ballistic missile can necessarily build in measures that will allow it to penetrate missile defenses.

At the same time, these scientists believe, or say they believe, that deployment of a limited NMB system—even though they believe they can scientifically prove it will not work—will cause Russia to maintain higher force levels and China to construct a strategic buildup. All of this is contained in an elaborate, glossy, 175-page document which Mr. Postol and his colleagues have distributed widely.

It is relatively easy to conceive of devices that are theoretically possible using scientific principles. The best science fiction employs just such an approach. But it is another thing altogether to transform those concepts from the realm of ideas into hardware. Actually engineering a complex device like a weapon system is far different from merely imagining it. For every idea that is transformed into hardware and subjected to the real world's trials, many others, thought up by smart people with Ph.D.s from the best universities, are discarded as impractical. Countermeasures are no less subject to this reality than are the weapon systems they are intended to frustrate. Imagining is one thing; designing, building and testing is quite another.

Countermeasures aren't free. Every countermeasure which someone attempts to put on a ballistic missile costs real money. Countermeasures also consume weight and space, which mean lowered performance or less payload. Countermeasures introduce complexity, which means more things can go wrong and engineers must spend more time trying to ensure they go right. Engineers trying to perfect countermeasures are diverted from other activities they could be working on, such as extending a missile's range or improving its reliability. In short, successful pursuit of countermeasures means sacrificing something else, and some may not choose to make that sacrifice.

Countermeasures are an issue that must be taken seriously by the designers of our missile defense systems. And, fortunately, they are. Whether the weapon is an artillery piece or a ballistic missile, it will have to confront efforts to counter it. In fact, missile defense is itself a countermeasure to the ballistic missile. Missile defense should not be abandoned because of the probability that someone will attempt to develop a countermeasure. The talented men and women of our National Missile Defense program—who are operating in the real world in which ideas must be translated into hardware that works—are anticipating and preparing for countermeasures. This is a point that has apparently been lost on Mr. Postol and his concerned colleagues, who would have us believe that new capabilities materialize because they can imagine them.

I believe we are going to see more not less criticism as we move forward to implement the provisions of Public Law 106-38 and deploy our national missile defense system. Some of the critics have impressive academic credentials. Fortunately, however, people who are impressive experts in the design and construction of our modern weapons are working hard to carry out the mandates of our government to build missile defense systems that will protect our country and all our American citizens.

An interesting article was published this week in the June 5 issue of *National Review*, written by John O'Sullivan, entitled “By Winding Stair,” which discusses missile defenses and its antagonists. This is an interesting article and is relevant to the subject I have discussed. I ask unanimous consent a copy of that article be printed in the RECORD.

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

BY WINDING STAIR
(By John O'Sullivan)

Although at a glacial speed, and obstructed at every stage by the Clinton administration, America is moving steadily toward the deployment of a national system of missile defense. Public opinion has always been in favor of a commonsense protection against missile attacks from rogue states or accidental launches. Most Americans believe, indeed, that they already enjoy such a defense and are shocked when pollsters inform them otherwise. It was the politicians who needed convincing.

A growing sense of U.S. vulnerability led Congress to pass legislation in May 1999 mandating the deployment of a limited national missile-defense system as soon as technically possible. President Clinton signed the legislation, though he continues to drag his feet, insisting that a final decision to deploy will not be made until later this year on the basis of interceptor tests. Given that 2000 is an election year, however, and that there is growing bipartisan support for a decision to deploy, it looks a foregone conclusion.

If this progress is a reminder of Bacon's dictum that “all rising to a great place is by winding stair,” it is at least spiraling in the right direction. But among America's NATO

allies, a very different mood prevails. Europe as a whole has not fundamentally rethought its view of missile defense since the morning after Ronald Reagan's "Star Wars" speech, when it collectively decided that such schemes were technically impractical, strategically destabilizing, and a threat to arms control. To these earlier criticisms it now adds the post-Cold War complaint that an American decision to build missile defenses would alienate the Russians. Thus, Europeans on the NATO conference circuit regularly snipe at the proposed U.S. missile defense.

What is curious about this frozen attitude is not so much that it neglects the new risks from rogue states as that it ignores the fact that they especially threaten Europe. As seasoned defense expert William Schneider Jr. points out: "Current developments will enable proliferators in the Middle East and Asia to place all of Europe within range of ballistic missiles [possibly armed with mass-destruction warheads] within five years." And this threat is growing—with 36 nations possessing ballistic missiles, 17 nations thought to have chemical- and/or biological-warfare programs, 8 nations certainly owning nuclear weapons, and 4 nations believed to be "of nuclear-proliferation concern." Unfortunately for Europe, three of these last four are Iran, Iraq, and Libya, all on the periphery of the continent.

When such inconvenient facts are pointed out—and they seldom are—Europeans take refuge in the argument that deterrence will protect them against minor rogue states even more securely than it did against the mighty Soviet Union. Now, deterrence may well work for the major powers like Russia and China, which have relatively stable political establishments and a great deal to lose—though it has to fail only once for disaster to occur. But there are a number of reasons for doubting this assurance in other regards. In the first place, deterrence cannot protect against accidental launches, the danger of which increases with proliferation among states that currently operate unsafe airlines. Nor can it protect against a missile launched by a terrorist group with no return address. Nor can it provide a cast-iron defense against the miscalculation of a megalomaniac warlord.

And there is a more subtle danger. Will European nations be prepared to intervene to prevent the spread of Third World conflicts if their intervention provokes threats to retaliate with ballistic missiles? This danger is discussed in "Coming into Range," a report by the all-party Missile Proliferation Study Group in London. As it points out, Britain's defense planners have rightly been praised for their proposed creation of a Joint Rapid Reaction Force, built around two new aircraft carriers. The JRRF is intended to enable Britain to intervene swiftly and in force around the globe, and it is doubtless especially welcome to the Pentagon and the State Department as both potential military assistance and political cover. But the absence of a missile-defense system covering Britain may render the force largely useless. "The reality," says the study group's report, "is that in the absence of protection the crisis might literally come to us as the result of dispatching our forces to the crisis and, that being so, no decision to deploy those forces could be made." And if that is true for Britain, which, like France, still retains a culture of military patriotism, how much more likely it is that largely debellized nations like Germany and Belgium will shrink from military actions that entail such heavy risks. If Saddam Hussein had had long-range ballistic missiles capable of hitting Berlin, Paris, and London in 1990, how many European nations would have taken part in the Gulf War?

The implications of this for Europe are very serious. If no Western power deploys missile defense, which is what the Europeans now seem to want, then within a short time every NATO member will be a potential target of nuclear, chemical, or biological attack. Yet if only the U.S. has such a system, that might lead to rogue states' threatening to strike at European targets in retaliation for purely American military interventions. In either event, Europeans would be hostages—and the present system of international relations that rests ultimately on the West's willingness to use force would gradually unravel. The logical solution would seem to be an American-led worldwide system of missile defense organized and deployed, at least in part, through NATO.

Why do the Europeans not agitate for this? In part, no doubt, the explanation is intellectual inflexibility. They have been assuring the Americans for so long now, that "Star Wars" is a pipe dream that they cannot easily bring themselves to see that it has become a strategic necessity. And since one thread of French foreign policy in recent years has been to restrain what it sees as the overwhelming "hyper-power" of the U.S., Paris instinctively opposes anything that buttresses it. The unspoken objection to a missile-defense system is that it would work.

The Europeans' spoken, or admitted, objections are another matter. One is that the continent's governments, especially the Germans, have made arms control an unquestionable desideratum of foreign policy. They are accordingly very reluctant to endorse a policy that requires the rewriting or abandonment of the ABM treaty. It would ease their consciences if the Russians could be induced to go along with any such renegotiation. But the Clinton administration called off negotiations with Moscow on missile-defense cooperation in its first term, and at present it seems to see Mr. Putin as its ally against Congress on the issue. Both the Russians and (therefore) the Germans can probably be won over by a sufficiently determined president and a few sweeteners. But that probably requires a new man in the White House.

The other big problem is the nexus of money and the European Security and Defense Policy. The ESDP is a non-solution to a non-existent problem. It has no military value, but has the potential to divide the NATO alliance. In their zeal for Euro-integration, the Europeans have committed themselves to it, and the Americans, not wishing to confirm the French stereotype of a hegemonic Uncle Sam, have grudgingly gone along. Useless though it is, the ESDP will cost money at a time when the Europeans have very little to spare—indeed, the budgetary rules of the Maastricht treaty actually prevent their increasing defense expenditure. So there is great reluctance to consider any other program, in particular anything as costly as a NATO missile defense, even though, unlike the ESDP, it would actually provide Europe with more defense.

Of course, there are hopeful signs. Realization of their vulnerability is finally beginning to dawn on the British—notably on defense secretary Geoff Hoon. Because the U.S. wants to use British facilities such as the Fylingdales Early Warning Station in its own system, London sees the prospect of Anglo-American cooperation in return for military contracts and a share of the anti-missile umbrella. And much would change in NATO, as it did in 1981, if the next president proved to be a determined advocate of missile defense. After all, the Europeans have not been the only skeptics. Missile defense has had to contend with a hostile White House since 1993.

Mr. GRASSLEY. Mr. President, on behalf of the Chairman of the Budget Committee, who is necessarily absent, I submit his budget statement and scoring table on S. 2593, the Department of Defense appropriations bill.

I support S. 2593, the Defense appropriations bill for fiscal year 2001. As scored by the Congressional Budget Office without any further adjustments, the pending bill provides \$287.6 billion in total budget authority and \$178.9 billion in new outlays for the Department of Defense and related activities. When adjusted for outlays from prior years, the bill totals \$277.2 billion in outlays.

The bill, as reported, is consistent with the level of budget authority made available by the 2001 congressional budget resolution. It is also within the allocation of budget authority and outlays made available pursuant to section 302(b) of the Congressional Budget Act of 1974.

S. 2593 provides a 2.4 percent increase in overall procurement spending, a 4.5 percent increase in research and development, and a 0.4 percent increase in Operations and Maintenance.

I support this bill, and I urge its adoption. I want to complement the chairman of the Appropriations Committee for his work on this legislation.

Mr. President, I ask unanimous consent that a Senate Budget Committee table displaying the budget impact of this bill be placed in the RECORD.

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

S. 2593, DEFENSE APPROPRIATIONS, 2001—SPENDING COMPARISONS—SENATE-REPORTED BILL
[Fiscal year 2001, in millions of dollars]

	General purpose	Mandatory	Total
Senate-reported bill:			
Budget authority	287,415	216	287,631
Outlays	276,959	216	277,175
Senate 302(b) allocation:			
Budget authority	287,415	216	287,631
Outlays	279,578	216	279,794
2000 level:			
Budget authority	268,605	209	268,814
Outlays	261,933	209	262,142
President's request:			
Budget authority	284,305	216	284,521
Outlays	275,871	216	276,087
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation:			
Budget authority
Outlays	-2,619	-2,619
2000 level:			
Budget authority	18,810	7	18,817
Outlays	15,026	7	15,033
President's request:			
Budget authority	3,110	3,110
Outlays	1,088	1,088

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

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

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