

additional financial or personnel resources that may be required by the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands, in order to enable the Tribunal to adequately address preparation for, indictment of, prosecution of, and adjudication of allegations of war crimes and crimes against humanity posed against Yugoslav President Slobodan Milosevic and any other person arising from the conflict in the Former Yugoslavia, including in Kosovo; calls on the United States to engage with our NATO allies and others in a discussion of measures to be taken to apprehend indicated war criminals and persons indicated for crimes against humanity with the objective of concluding a plan of action that will result in these indictees' prompt delivery into the custody of the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands; calls on the United States to urge the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands, to promptly review all information relating to Yugoslav President Slobodan Milosevic's possible criminal culpability for conceiving, directing, and sustaining a variety of actions in the Former Yugoslavia, including Kosovo, that have had the effect of genocide, of other crimes against humanity, or of war crimes, with a view toward prompt issuance of a public indictment of Milosevic; and calls upon the United States to adopt a policy of having no dealings with Milosevic at any level in any context other than as a defendant before the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands and to make every effort to support his immediate apprehension.

Mr. President, I urge my colleagues to join me in this sense of the Senate resolution, to demonstrate once again that we are not blind to the suffering that Milosevic continues to inflict on innocent people in the Balkans, for no reason other than to secure his own political power. By supporting and seeking prompt enactment of this resolution, we will show that Milosevic cannot act with impunity, that the world will hold him accountable, and that the United States is prepared to take a leadership role in obtaining justice for those killed, maimed, or injured as this man pursues his political ambitions. ●

#### SENATE RESOLUTION 254—EXPRESSING THE SENSE OF THE SENATE RECOGNIZING 100 YEARS OF GUAM'S LOYALTY AND SERVICE TO THE UNITED STATES

Mr. AKAKA submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 254

Whereas the Chamorro people have inhabited Guam and the Mariana Islands for at least 4,000 years and developed a unique and

autonomous seafaring agrarian culture, governing themselves through their own form of district government;

Whereas in 1565 the Kingdom of Spain claimed the islands of the Chamorro people, which were named the Ladrões by Ferdinand Magellan in 1521 and renamed the Marianas by the Jesuit missionary Diego Luis de San Vitores in 1668, to secure the trans-Pacific route of the Manila-Acapulco Galleon Trade, then, upon San Vitores's death in 1672, the islands were placed under military governance;

Whereas in 1898 the United States defeated the Kingdom of Spain in the Spanish-American War and acquired Guam, Puerto Rico, and the Philippines by virtue of the Treaty of Paris;

Whereas in signing the treaty, the United States Government accepted responsibility for its new possessions and agreed that Congress would determine the civil rights and political status of the native inhabitants, as stated specifically in Article IX;

Whereas, President William McKinley, by Executive Order 108-A on December 23, 1898, placed the island of Guam under the administration of the United States Navy, which administered and governed the island, initially as a coaling station, then as a major supply depot at the end of World War II;

Whereas a series of rulings popularly known as the "Insular Cases", issued by the United States Supreme Court from 1901 to 1922, defined Guam as an "unincorporated territory" in which the United States Constitution was not fully applicable;

Whereas the United States Naval Government of Guam was forced to surrender the island of Guam to the invading forces of the Japanese Imperial Army on December 10, 1941, after which Japanese occupation and control of Guam lasted until the United States Forces recaptured the island in 1944;

Whereas Guam is the only remaining United States territory to have been occupied by Japanese forces during World War II, the occupation lasting for 32 months from 1941 to 1944;

Whereas the people of Guam remained loyal to the United States throughout the Japanese occupation, risked torture and death to help clothe and feed American soldiers hiding from enemy forces, and were subjected to forced labor, ruthless executions, and other brutalities for their support of the United States;

Whereas upon liberation of the people of Guam, the island was returned to United States Navy governance, which, like its pre-war predecessor, limited the civil and political rights of the people, despite numerous appeals and petitions to higher authorities and Congress for the granting of United States citizenship and relief from military rule;

Whereas in 1945, upon establishment of the United Nations, the United States voluntarily listed Guam as a nonself-governing territory, pursuant to Article 73 of the United Nations Charter, and today Guam continues to be included in this list;

Whereas on March 6, 1949, the House of Assembly, the lower house of the popularly elected 9th Guam Congress, which was merely an advisory body to the Naval Governor of Guam, adjourned in protest over the limitation of its legislative rights granted to it by the United States Department of the Navy in 1947 and refused to reconvene until the United States Congress enacted an organic act for Guam;

Whereas the Organic Act of Guam (64 Stat. 384) passed by Congress and signed by President Truman on August 1, 1950, statutorily decreed Guam's status as an "unincorporated territory", established a three-branched civilian government patterned

after the Federal model, and conferred United States citizenship upon the people of Guam;

Whereas since the granting of American citizenship, the people of Guam have greater participation in the American democratic processes and some measure of self-government;

Whereas the people of Guam, who strongly adhere to the belief that a government should derive power and right from the governed, successfully gathered enough support to push for the passage of the Elective Governor Act (Public Law 90-497) on September 11, 1968, and in which Congress granted the people of Guam the right to elect their own governor and lieutenant governor;

Whereas the Congress enacted the Guam-Virgin Islands Delegate bill on April 10, 1972, allowing for Guam to have a nonvoting delegate in the United States House of Representatives, and although the delegate is not accorded a vote on the floor of the House of Representatives, it is still one of the benchmarks in Guam's political evolution and heightens Guam's visibility in the national arena;

Whereas although Congress authorized in Public Law 94-584, the formation of a locally drafted constitution, the subsequent Guam Constitution, it was not ratified by Guam's electorate through a referendum on August 4, 1979;

Whereas concerns regarding Guam's political status led the Twelfth Guam Legislature to create the first political status commission in 1973, known as the Status Commission, the Thirteenth Guam Legislature in 1975 created another commission, known as the Second Political Status Commission, to address Guam's political status issue and explore alternative status options, and in 1980, the existing Guam Commission on Self-Determination (CSD) was created to identify and pursue the status choice of the people of Guam, and in 1996 the Twenty-Fourth Guam Legislature created the Commission on Decolonization to continue pursuing Guam's political status;

Whereas the CSD, after conducting studies on 5 Guam political status options, proceeded to conduct a public education campaign, which was followed by a status referendum on January 12, 1982 in which 49 percent of the people of Guam voted for Commonwealth, 26 percent for Statehood, 10 percent for Status Quo, 5 percent for Incorporated Status, 4 percent for Free Association, 4 percent Independence, and 2 percent for other options;

Whereas on September 4, 1982, a runoff was held between commonwealth and statehood, the top options from the January referendum, with the outcome of the runoff resulting in 27 percent voting for statehood and 73 percent of Guam's electorate casting their votes in favor of a close relationship with the United States through a Commonwealth of Guam structure for local self-government;

Whereas in 1988 the people of Guam first presented the Guam Commonwealth Act to Congress to meet the various aspirations of the people of Guam, which bill has been reintroduced by Guam's Congressional delegates since 1988 until the present;

Whereas Congress has continued to enact other measures to address the various aspirations of the people of Guam, while considering legislative approaches to advance self-government without precluding Guam's further right of self-determination, consistent with the national political climate that emphasizes decentralization of the decision making process from Washington to the local governments and a relationship with the Federal Government that is based on mutual respect and consent of the governed; and

Whereas the people of Guam are loyal citizens of the United States and have repeatedly demonstrated their commitment to the American ideals of democracy and civil rights, as well as to American leadership in times of peace as well as war, prosperity as well as want: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes 100 years of Guam's loyalty and service to the United States; and

(2) will use the centennial anniversary of the 1898 Spanish-American War to reaffirm its commitment to the United States citizens of Guam for increased self-government, consistent with self-determination for the people of Guam.

• Mr. AKAKA. Mr. President, I rise to submit a resolution to commemorate the centennial anniversary of U.S. relations with the territory of Guam, which was acquired by the United States as a result of the Spanish-American War in 1898. The Philippines and Puerto Rico were acquired at the same time under the terms of the Treaty of Paris, but the Philippines has since become an independent nation and Puerto Rico is a U.S. Commonwealth. The island of Guam remains an unincorporated U.S. territory and is geographically located in the western Pacific.

As we commemorate this historic moment in U.S.-Guam relations, I think it is fitting that we recognize the contributions and sacrifices that the people of Guam have made to our country, and the strategically significant role that Guam continues to play in the western Pacific. Guam is the only remaining U.S. territory that was occupied by Japan during World War II from 1941 to 1944, and served as a significant staging area for our military conflicts in World War II, the Korean War, the Vietnam War, and the Persian Gulf War. The people of Guam also served our nation well in assisting our efforts to resettle thousands of refugees affected by these conflicts. The island continues to be used by the U.S. military as a strategic post in the Pacific. We need to commend the people of Guam for their loyalty and their sacrifice to our country.

Because of Guam's great distance from the continental United States and close proximity to Asia, it is often difficult for Americans to remember that Guam is even a part of the United States and her people are U.S. citizens. Moreover, given Guam's history, isolation and small size, it is not easy for Americans and Congressional policymakers to understand the aspirations of the people of Guam and the issues confronting her political leaders.

That is why I am pleased that President Clinton recently acknowledged that the federal government has a duty to fully consider the unique situation Guam faces on political status and land issues. I wholeheartedly agree with the President and urge that we engage the Government of Guam in a constructive discussion on Guam's quest for commonwealth status and the return of federal excess lands. One point I would like to make clear, however, is that I believe that federal excess land issues

can be addressed separately from commonwealth negotiations. The resolution of Guam's political status should not hinder the federal government's efforts to redress longstanding land issues. In fact, last year the Senate passed S. 210, an omnibus territories bill, which includes a provision which provides for the transfer of certain federal excess lands in Guam. With one third of the land in Guam controlled by the Defense Department, I think that the people of Guam have more than shouldered their burden as part of U.S. national security in the Asia-Pacific region. The federal impact on land use planning is more evident if you consider that Guam is just 30 miles long and nine miles wide. Let's recognize this year's centennial by enacting S. 210 and show that we do care about Guam's needs.

Mr. President, for the past 100 years, the people of Guam have served as loyal citizens to our country. They have worked hard to develop a private sector to supplement the jobs created by the presence of our U.S. military bases. They have done their best to promote economic self-sufficiency. They have been there for us all these years and I think it is time that we recognize this and show our appreciation. I believe that the United States should take this opportunity to give back to the people of Guam by seriously engaging them in political status and land issues. It is the last we can do for all that Guam has done for our country. •

#### AMENDMENTS SUBMITTED

#### THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

##### TORRICELLI (AND LAUTENBERG) AMENDMENT NO. 2973

(Ordered to lie on the table.)

Mr. TORRICELLI (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by them to the bill (S. 2057) to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle E of title III, add the following:

##### SEC. 350. PERSONNEL REDUCTIONS IN ARMY MATERIEL COMMAND.

Not later than March 31, 1999, the Comptroller General shall submit to the congressional defense committees a report concerning—

- (1) the effect that the Quadrennial Defense Review's proposed personnel reductions in the Army Materiel Command will have on workload and readiness if implemented; and
- (2) the likelihood that the cost savings projected to occur from such reductions will actually be achieved.

##### DOMENICI (AND OTHERS) AMENDMENT NO. 2974

(Ordered to lie on the table.)

Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. COCHRAN, Mrs. BOXER, and Mr. ROBERTS) submitted an amendment intended to be proposed by them to the bill, S. 2057, *supra*; as follows:

At the end of subtitle B of title II, add the following:

##### SEC. 219. SCORPIUS LOW COST LAUNCH DEVELOPMENT PROGRAM.

Of amounts authorized to be appropriated under section 201, \$20,000,000 shall be available for the Scorpion Low Cost Launch Development program, as follows:

(1) Of the amount authorized to be appropriated by section 201(3) for the Air Space Technology program, \$15,000,000.

(2) Of the amount authorized to be appropriated under section 201(4) for the Ballistic Missile Defense Organization Follow-on and Support Technology program, \$5,000,000.

##### THURMOND (AND OTHERS) AMENDMENT NO. 2975

Mr. THURMOND (for himself, Mr. LEVIN, Mr. COATS, and Mr. REED) proposed an amendment to the bill, S. 2057, *supra*; as follows:

At the end of subtitle D of title X, add the following:

##### SEC. 1064. SENSE OF CONGRESS REGARDING CONTINUED PARTICIPATION OF UNITED STATES FORCES IN OPERATIONS IN BOSNIA AND HERZEGOVINA.

(a) FINDINGS.—Congress makes the following findings:

(1) The contributions of the people of the United States and other nations have, in large measure, resulted in the suspension of fighting and alleviated the suffering of the people of Bosnia and Herzegovina since December 1995.

(2) the people of the United States have expended approximately \$9,500,000,000 in tax dollars between 1992 and mid-1998 just in support of the United States military operations in Bosnia to achieve those results.

(3) Efforts to restore the economy and political structure in Bosnia and Herzegovina have achieved some success in accordance with the Dayton Agreement.

(4) In February 1998, the President certified to Congress that the continued presence of United States forces in Bosnia and Herzegovina after June 30, 1998, was necessary in order to meet national security interests of the United States.

(5) There is, however, no accurate estimate of the time needed to accomplish the civilian implementation tasks outlined in the Dayton Agreement.

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

(1) United States ground combat forces should not remain in Bosnia and Herzegovina indefinitely in view of the world-wide commitments of the Armed Forces of the United States;

(2) the President should work with NATO allies and the other nations whose military forces are participating in the NATO-led Stabilization Force to withdraw United States ground combat forces from Bosnia and Herzegovina within a reasonable period of time, consistent with the safety of those forces and the accomplishment of the Stabilization Force's military tasks;

(3) a NATO-led force without the participation of United States ground combat forces in Bosnia and Herzegovina might be suitable for a follow-on force for Bosnia and