

all of the private interests in the Interior Columbia Basin, all of the Members of Congress who represent any part of that basin, but the continuance of which is demanded by the President as the price of signing an appropriations bill for the Department of Interior.

I held a field hearing on this subject in Spokane, WA, with unanimous or near unanimous opposition to the program as it is being conducted at the present time. Both the bill that I am in charge of managing and the bill that has already passed the House of Representatives dramatically changes and minimizes that program.

At the behest of this administration, however, a Seattle Congressman put up an amendment to restore the program to its present pristine size. Every Member of the House of Representatives representing any part of the Columbia Basin voted against that amendment, and yet the administration continues to demand it, with all of the interference of private agriculture that it entails.

No. 9, the Department of Agriculture budget—welfare over farmers. Two-thirds of the Department of Agriculture's budget is earmarked for food and for welfare programs. The essential research conservation and on-the-ground farmer programs get lost in the shuffle. Only when there is a crisis does the Secretary of Agriculture pay any attention to them.

For 3 consecutive years, the administration's request for farmer programs have decreased while the amount requested for food and nutrition programs has increased. No one disputes the importance of those food and nutrition programs, but we cannot very well feed America without providing the funding and infrastructure necessary to enhance the production of the most healthy, abundant, safe and inexpensive crops in the world.

No. 8, Columbia-Snake River dams. The President's Council on Environmental Policy of the Department of the Interior had made it quite clear that major dam removal is very high on their agenda of courses of action for the Columbia and Snake Rivers. The Columbia Basin in eastern Washington, in eastern Oregon, and in Idaho, was literally a dust bowl until the introduction of irrigation. Without it, those States would not lead the country in apples, hops, asparagus, and potato production.

The Columbia Basin is a cornucopia for the Nation's food supply. Dam drawdown or removal would shut down agriculture in the region. In addition, of course, those rivers provide the avenues of transportation to get those agricultural products to market, a transportation system that would be destroyed by dam removal.

No. 7, China trade policy—Washington wheat farmers seem not worth helping by this administration. For more than 20 years, China has refused to import Pacific Northwest wheat be-

cause of unfounded, nonscientific phytosanitary reasons. They call it "TCK smut." TCK smut has never been detected in Washington wheat. It does exist, however, in the fields of our wheat-growing counterparts—Canada, France and Germany; but China imports from all three.

The administration seeks a new set of trade relations with China. The President went to China. The President, in order to keep peace with China, did not so much as mention these trade barriers, ignoring the plight of our wheat farmers in the Pacific Northwest. His first priority should be to get that barrier lifted.

No. 6, repeated efforts to eliminate agricultural research. For the past 2 years, the administration has recommended zeroing out all of the national regionally based agriculture research programs. These programs conduct research necessary to all food-producing regions of the country. The administration's insistence on nationalizing these programs is ludicrous. Obviously, cotton research cannot and should not be conducted in eastern Washington; and red delicious apple research is not conducted in Mississippi. These regional programs have bolstered our already strained land grant education university programs. They are absolutely essential, and yet the administration would wipe them out.

No. 5, no movement on fast-track trade negotiating authority. Fast track is essential to establishing trade relations with Chile. Currently, the United States exports face an 11-percent tariff in that country, giving our competitors an 11-percent advantage. Yet, because of objections from members of his own party, the President has abandoned the cause of fast-track trade authority.

No. 4, the agricultural labor shortage—not our problem. The administration does not seem to believe that there is an agriculture labor shortage and is opposed to the Guest Worker Program to address this issue that has already passed the Senate of the United States. In the face of that fact, the General Accounting Office estimates that over one-third of our Nation's migrant workforce is illegal. By doing nothing, the Clinton administration is making lawbreakers out of law-abiding agriculture employers and proposes to do nothing about it.

No. 3, sanctions against Pakistan. Sanctions are killing our agriculture industries. With more than 40 percent of the world's population under U.S. sanctions, the American farmer is locked out of many markets. The President instantly imposed sanctions on Pakistan as a result of its nuclear tests, and only as a result of action by Congress have those sanctions or the effect of those sanctions been at least partially removed with respect to Pakistan.

No. 2, the Endangered Species Act and private property rights. The Endangered Species Act impacts eastern

Washington farmers and many others more than any other environmental regulation, and yet the administration, rather than assist in reasonable amendments to the Endangered Species Act, insists on ever more rigid enforcement and ever more interference with the ability of our farmers to grow the food and fiber that the Nation needs.

No. 1, AL GORE. President Clinton has officially tagged the Vice President as the administration's environmental leader. He is the promulgator of most of the policies that I have already discussed and has constructed environmental roadblocks and headaches for farmers from Washington State all across the United States to Florida.

No one knows the land better than America's hard-working farm families. The District of Columbia, the administration, and AL GORE should not be dictating to America's farmers how to till, harvest, irrigate, employ, and manage their farms. AL GORE and his administration need to focus on foreign trade and agricultural research, not on locking up private property and over-regulating the family farm.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

PRIVILEGE OF THE FLOOR

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Ed Fienga from my staff be allowed on the floor during the debate on the defense appropriations bill.

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

Mrs. HUTCHISON. 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. FEINGOLD. 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. 3397

(Purpose: To achieve the near full funding of the Army National Guard operation and maintenance account that the Senate provided for in the concurrent resolution on the budget for fiscal year 1999 (H. Con. Res. 28), as agreed to by the Senate, and to offset that increase by reducing the amount provided for procurement for the F/A-18E/F aircraft program to the amount provided by the House of Representatives in H.R. 4103, as passed by the House of Representatives)

Mr. FEINGOLD. 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 Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 3397.

Mr. FEINGOLD. 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 13, line 9, increase the amount by \$219,700,000.

On page 25, line 25, reduce the amount by \$219,700,000.

Mr. FEINGOLD. Mr. President, my amendment would allow the National Guard to almost fully fund its operation and maintenance, or O&M account, for the coming fiscal year. This year's Defense Department budget request left the National Guard with a \$634 million budget shortfall, including a \$450 million shortfall in the Guard's O&M account. This request fell on the heels of a \$743 million shortfall for the current fiscal year. I think these shortfalls are wrongheaded and unacceptable.

Fortunately, both Houses of Congress have acted more responsibly in funding the National Guard. Even with the improvements from both Houses, though, the Senate appropriations bill we are currently considering leaves the Guard's operation and maintenance account \$225 million short. The House bill leaves an even greater gap of \$317 million. My amendment would add \$220 million to the National Guard's O&M account, leaving just a \$5 million shortfall to that account.

According to the National Guard, shortfalls in the operation and maintenance account compromise the Guard's readiness levels, capabilities, force structure, and end strength. Failing to fully support these vital areas will have a direct as well as indirect effect. The shortfall puts the Guard's personnel, schools, training, full-time support, and retention and recruitment at risk. Perhaps most importantly, however, I know firsthand that it is eroding the morale of our citizen-soldiers, as I have had the opportunity to visit some of the armories in Wisconsin and have heard this concern firsthand.

With that in mind, 26 State adjutants general—a majority of the adjutants general in this country—have contacted my office to voice their support for this amendment. The leaders of the National Guard units in Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Kansas, Maine, Maryland, Massachusetts, Michigan, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, Wyoming, and my own home State of Wisconsin support my amendment. I would like to thank them for their dedication and support, and I hope we decide to heed their call for support of the National Guard.

Mr. President, in spite of the National Guard's budget concerns, the administration continues to deliver insufficient budget requests given the National Guard's duties; yet, the administration increasingly calls on the Guard to handle some very wide-ranging tasks. These shortfalls have an increasingly greater effect given the National Guard's increased operations burden. This is as a result of new missions, increased deployments, and training requirements, including the missions in Bosnia, Iraq, Haiti, and Somalia.

As I am sure my colleagues know by now, the Army National Guard represents a full 34 percent of total Army forces, including 55 percent of combat divisions and brigades, 46 percent of combat support, and 25 percent of combat service support; yet, the Guard only receives 9.5 percent of Army funds.

To offer a comparison with the other Army components, the National Guard receives just 71 percent of requested funding, as opposed to the Active Army's 80 percent and Army Reserve's 81 percent. I think it is time we move toward giving the National Guard adequate and equal funding. This amendment almost achieves funding equity for the National Guard, and the National Guard is the Nation's only constitutionally mandated defense force.

Not only have we failed to invest fully in the National Guard, we have failed to invest fully in the best bargain in the Defense Department. That should not come as a surprise, however. DOD has never been known as a frugal or practical department—from \$436 hammers to \$640 toilet seats to \$2 billion bombers that don't work and the Department doesn't seem to want to use. The Department of Defense has a storied history of wasting our tax dollars. Here is an opportunity to spend defense dollars on something that actually works, that is worthwhile, and enjoys broad support on both sides of the aisle.

In this regard, the National Guard fits the bill. According to a National Guard study, the average cost to train and equip an active duty soldier is \$73,000 per year, while it costs only \$17,000 per year to train and equip a National Guard soldier. The cost of maintaining Army National Guard units is just 23 percent of the cost of maintaining active Army units. It is time for the Pentagon to quit complaining about lack of funding and begin using their money a little more wisely and efficiently.

Finally, my amendment doesn't terminate any program, nor does it create unsupported cuts to existing programs. This amendment merely follows the recommendation of the other Chamber.

Early this year, the House overwhelmingly supported DOD authorization and appropriations bills that provide \$2.6 billion to procure 27 Super Hornet aircraft. I think, and the General Accounting Office thinks, that is actually far too much money for a

plane that provides only marginal benefits over the current, reliable Hornet. But it is better than the \$2.8 billion for 30 Super Hornets that the bill contains. I think we should follow the prudent lead of our colleagues in the other body on this issue.

Mr. President, I ask unanimous consent that the text of the House National Security Committee's report on its fiscal year 1999 DOD authorization bill, which specifically addresses the Super Hornet, be printed in the RECORD.

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

F/A-18E/F

The budget request contained \$2,787.8 million for 30 F/A-18E/F aircraft and \$109.4 million for advanced procurement of 36 aircraft in fiscal year 2000.

Based on the results of the Quadrennial Defense Review (QDR), the committee notes that the Department has reduced the total procurement objective from 1,000 to 548 aircraft and has also reduced procurement in the future years defense program (FYDP) from 248 to 224. The committee notes that the Department plans to request increases of six aircraft per year for each of the next three fiscal years until its maximum production rate of 48 aircraft per year is attained in fiscal year 2002. However, for fiscal year 1999, the requested increase from fiscal year 1998 is 10 aircraft.

The committee is also aware that the Department has increased the number of low rate initial production (LRIP) aircraft in fiscal years 1997, 1998 and 1999 from 42, as approved in 1992 by the Defense Acquisition Board (DAB), to its current plan of 62 aircraft. The Department's Selected Acquisition Reports indicate that both its initial plan of 42 LRIP aircraft and its current plan of 62 LRIP aircraft were predicated on a procurement objective of 1,000 aircraft. The committee notes that were the Department to comply with the 10 percent LRIP guideline contained in section 2400 of title 10, United States Code, 55 LRIP aircraft should be sufficient.

During the past year, the committee has followed the Department's challenges in solving an uncommanded rolling motion problem that occurs at altitudes and angles of attack in that portion of the flight envelop where the F/A-18E/F performs air combat maneuvers. The Department's Director of Operational Test and Evaluation recently testified that the most promising solution to this problem—a porous wing fairing—causes unacceptable airframe buffeting and that the final solution to the problem may include other combinations of aerodynamic alternations to the wing surface. According to the Director, the root cause of the problem and modifications to the porous wing fairing are still being investigated, and the wing fairing configuration flown during developmental testing does not incorporate the production representative wing fold mechanism. Additionally, the Director stated that the Department would not have a complete understanding of the impact of the design fix, including uncertainty over air flow effects around the weapons pylons, until the conclusion of operational testing in 1999. Moreover, the Director also noted other concerns with the aircraft such as deficiencies in the performance of its survivability and radar jamming systems.

In light of the significantly higher increase in production proposed for fiscal year 1999, the apparent excess number of LRIP aircraft,

and the development and testing issues yet to be fully resolved, the committee recommends a reduction of \$213.1 million and three aircraft. Of the total \$213.1 million reduction, initial spares is reduced by \$8.4 million. The committee believes that an increase of seven aircraft from the approved fiscal year 1998 level is appropriate and further believes that a total of 59 LRIP aircraft, approximately 11 percent of the total procurement objective, will meet requirements for operational testing and evaluation and will also be sufficient to meet both initial training requirements and the first operational deployment scheduled for fiscal year 2002.

Mr. FEINGOLD. Mr. President, I would like to quote the chairman of the House Military Procurement Subcommittee, DUNCAN HUNTER. Speaking of the National Security Committee's Super Hornet procurement decision, Representative HUNTER said, "We think it's a rational, responsible reduction, a balanced reduction."

Mr. President, it is time we prioritized this Nation's defense needs. The National Guard provides a wide range of services, from combat in foreign lands to support in local weather emergencies, all at a fraction of the cost of the Active Army. The National Guard needs and deserves our full support. And it is for that reason that I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I intend to move to table this amendment.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I would like to commend the Senator from Wisconsin for presenting this amendment. I would have to speak against that.

It is true that the budget request submitted by the administration for the National Guard had a shortfall for O&M activities in the Guard in the amount of about \$770 million. On our chairman's initiative, we placed an amount of \$320 million to make up for part of the shortfall.

In addition to that, the administration had zero dollars for procurement of new equipment based upon the philosophy that if the regular services, the Regular Army, purchases equipment, some of the leftovers may go for the Guard. We did not concur with that. We appropriated \$500 million for the Guard to get new equipment.

Having said that, Mr. President, I believe it should be noted that every service, every component of every service, is faced with shortfalls. There is a shortfall in Navy O&M. They would like to have more steaming time. They want their ships to be out there for maneuvers. We can't do that. The Army Tank Corps would like to have more petroleum and gasoline so that the men who drive these tanks may get more experience and be ready for combat, if such is necessary. Artillerymen would like to have more ammunition for firing range practice.

Mr. President, we have the sad chore of trying to balance all of the accounts and, at the same time, realizing that if this Nation is to continue being the superpower of this world and thereby deter any nation from any mischievous action, we have to provide funds to modernize. The accounts that may be affected by this amendment would stop the modernization program.

Mr. President, although I agree that the Guard should be receiving much more, I will have to concur with my chairman's action when he moves to table this.

Thank you.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, we have had a series of visits with the Joint Chiefs of Staff. I particularly recall the discussion I had with Secretary of the Navy John Dalton and with Admiral Johnson. There is no question that the Navy representatives have informed our committee that full F/A-18E/F funding is the administration's top appropriations priority for defense and the Navy.

This amendment would take these funds from that priority, the F/A-18E/F, and move it to the National Guard. We have added, as I stated this morning, \$95 million to augment the Guard and Reserve personnel accounts.

We have added for the Guard and Reserve operation and maintenance funds an additional \$225 million.

Finally, we added \$450 million to the Guard and Reserve procurement account.

I have to tell the Senator we have exceeded the requests in many instances. We added almost \$1 billion in the zero sum budget for the Guard and Reserve priorities.

Furthermore, the F/A-18E/F is just entering production. The Senator's amendment will seriously disrupt the production program, and substantially increase the unit cost, if the Senate approves this amendment. To me it does not make common sense to increase the cost of the F-18, the Navy's top priority planes which we must buy to meet the Navy's previously approved program requirements. We have helped the Guard and Reserve. I do not think we should punish the Navy in order to help them any more.

If the Senator wishes to make any comments, I yield to him for those comments.

I intend to make a motion to table his amendment. But before I do that, I ask unanimous consent that, on any votes that are laid aside in order to join the priority list that is already in existence under the Guard and Reserve the common procedure of a minute on each side be the procedure for this bill: That there be 2 minutes equally divided on any vote that occurs on this bill on an amendment that is set aside for a later time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, let me first of all say that the two Senators who have spoken in opposition to this amendment are not only very sincere in their support of the National Guard but they have demonstrated in committee a serious concern about increasing funding. And their efforts have gone a long way to make sure that we have less of a shortfall than was originally occurring. That is encouraging. However, as was admitted by those opposed to this amendment, we still have a \$225 million shortfall in the O&M account at the National Guard. This is a serious shortfall.

I am not suggesting that we remove this funding from vital areas, but this is about priorities within the defense budget. I think it is a pretty easy call. Although I would prefer that we not move forward with the Super Hornet airplane, what I am suggesting here is not a dramatic reduction in those planes. I am simply suggesting we take what has already been passed in the House; that is, instead of having 30 of the Super Hornets, we procure 27—3 fewer. For three fewer of these planes, we could fully fund the National Guard O&M account.

This is not an attempt, as the Senator from Alaska, suggested, to seriously disrupt the production of the Super Hornet. Very candidly, Mr. President, I would prefer to do that, because the General Accounting Office has pointed out that the Super Hornet is not substantially better than the current plane. It is going to cost \$17 billion more than the current plane. That is a huge amount of money.

But that is not what this amendment does. All this amendment does is say let's adopt what the House did, which is have 27 Super Hornets instead of 30, and use the money that is saved to fully fund the National Guard, or virtually fully fund the National Guard O&M account.

Mr. President, these shortfalls for the National Guard are serious. I have had the opportunity to visit armories in Oak Creek, WI, and Appleton, WI, and spend a fair amount of time speaking to the officers and the guardsmen and guardswomen who are trying so hard to do the job that they are expected to do, constituting 34 percent of our entire Army's sources and resources. They are having morale problems. Otherwise, why would 26 adjutant generals in this country write in support of this amendment? They are very concerned.

Mr. President, my amendment is simply about priorities. It is a modest reduction in the number of these Super Hornets that are going to be procured, and in return for something that is far more vital at this point. And that is fully funding the O&M account for the National Guard.

Mr. President, in light of the fact there will be a motion to table at some

point, I strongly urge my colleagues to put these modest resources in the National Guard, which supports our Army and which exists in our communities in every one of our States, rather than three more airplanes that, frankly, have not been proven to be substantially better than the current plane that has done a good job in the Gulf war and other situations.

Mr. President, I yield the floor.

Mr. STEVENS. Mr. President, if there is no further debate on this matter, I move to table the Senator's amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. STEVENS. I now ask that that amendment be set aside.

Is the standing order that all of the votes we ask for the yeas and nays on prior to 2 o'clock will be automatically set aside?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3398

(Purpose: To limit the use of funds pending establishment of the position of Deputy Under Secretary of Defense for Technology Security Policy)

Mr. KYL. Mr. President, if it is in order, I would like to send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

Mr. KYL. And ask for its immediate consideration.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 3398.

Mr. KYL. 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 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) None of the funds appropriated by this Act may be obligated or expended for the establishment or operation of the Defense Threat Reduction Agency until the Secretary of Defense takes the following actions:

(1) Establishes within the Office of the Under Secretary of Defense for Policy the position of Deputy Under Secretary of Defense for Technology Security Policy and designates that official to serve as the Director of the Defense Security Technology Agency with only the following duties:

(A) To develop for the Department of Defense policies and positions regarding the appropriate export control policies and procedures that are necessary to protect the na-

tional security interests of the United States.

(B) To supervise activities of the Department of Defense relating to export controls.

(C) As the Director of the Defense Security Technology Agency—

(i) to administer the technology security program of the Department of Defense;

(ii) to review, under that program, international transfers of defense-related technology, goods, services, and munitions in order to determine whether such transfers are consistent with United States foreign policy and national security interests and to ensure that such international transfers comply with Department of Defense technology security policies;

(iii) to ensure (using automation and other computerized techniques to the maximum extent practicable) that the Department of Defense role in the processing of export license applications is carried out as expeditiously as is practicable consistent with the national security interests of the United States; and

(iv) to actively support intelligence and enforcement activities of the Federal Government to restrain the flow of defense-related technology, goods, services, and munitions to potential adversaries.

(2) Submits to Congress a written certification that—

(A) the Defense Security Technology Agency is to remain a Defense Agency independent of all other Defense Agencies of the Department of Defense and the military departments; and

(B) no funds are to be obligated or expended for integrating the Defense Security Technology Agency into another Defense Agency.

(b) The Deputy Under Secretary of Defense for Technology Security Policy may report directly to the Secretary of Defense on the matters that are within the duties of the Deputy Under Secretary.

(c) Not later than 10 days after the Secretary of Defense establishes the position of Deputy Under Secretary of Defense for Technology Security Policy, the Secretary shall submit to the Committees on Armed Services and on Appropriations of the Senate and the Committees on National Security and on Appropriations of the House of Representatives a report on the establishment of the position. The report shall include the following:

(1) A description of any organizational changes that have been made or are to be made within the Department of Defense to satisfy the conditions set forth in subsection (a) and otherwise to implement this section.

(2) A description of the role of the Chairman of the Joint Chiefs of Staff in the export control activities of the Department of Defense after the establishment of the position, together with a discussion of how that role compares to the Chairman's role in those activities before the establishment of the position.

(d) Unless specifically authorized and appropriated for such purpose, funds may not be obligated to relocate any office or personnel of the Defense Security Technology Administration to any location that is more than five miles from the Pentagon Reservation (as defined in section 2674(f) of title 10, United States Code).

Mr. KYL. Mr. President, might I ask of the distinguished chairman whether this would be an appropriate time to discuss briefly the amendment or whether we should lay it aside and move to other business? What would be the chairman's pleasure?

Mr. STEVENS. Mr. President, I just delivered a copy of the Senator's

amendment to the minority and other committees affected. He is at liberty to make such comments he wishes to make, but we will not be able to have final consideration of the matter until we have heard back from Senator INOUE and his people on his side of the aisle. The Governmental Affairs Committee is also considering this issue.

Mr. KYL. What I might do then, Mr. President, since we want to handle this in a way agreeable to the chairman, if there is no one else to present an amendment right now, rather than defer business, I will go ahead and describe the amendment but do it briefly and then, when the chairman is ready to proceed with other business, lay it aside and handle it in that fashion, if that is agreeable with the chairman.

Mr. STEVENS. Fine.

PRIVILEGE OF THE FLOOR

Mr. KYL. Mr. President, in that event, let me first ask unanimous consent that two fellows from my office, John Rood and David Stephens, be granted floor privileges for the debate on this matter.

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

Mr. KYL. I thank the Chair.

Mr. President, I will describe this amendment briefly.

Frankly, this came out of the revelations concerning the alleged transfer of certain technology to the Chinese Government as a part of the process of launching American satellites on Chinese rockets, the so-called Loral-Hughes matter. But it really goes beyond that. It is a question of whether or not the Defense Department has in process an adequate way of reviewing the requests for export licensure and the conditions attached to those licenses to ensure that national security is not jeopardized.

That role has in the past been played by an agency of the Defense Department called the Defense Technology Security Agency. It goes by the name of DTSA for the people who understand it. The point of this memorandum is to ensure that DTSA will continue to have a prominent role in the evaluation of export licenses and the kinds of conditions that would be attached to them.

In fact, we ensure as a result of this amendment that the role is prominent by restoring the position of the Deputy Under Secretary for Technology Security Policy within the Office of the Under Secretary of Defense for Policy, and thereby ensure, as I say, a prominent role for this agency. The Deputy Under Secretary would have access to both the Under Secretary of Policy and the Secretary of Defense himself.

This is important, Mr. President, for the following reasons:

No. 1, DTSA is the single agency in the Government reviewing the national security implications of an item for export;

No. 2, DTSA coordinates input from the services, military branches, the Joint Chiefs and the defense agencies;

No. 3, DTSA routinely supports the Department of State in its investigations of these matters;

No. 4, creating a Deputy Secretary of Technology Security will ensure that the Department of Defense is represented at a sufficiently high level at the interagency meetings that occur to discuss these export licenses.

And, finally, providing the Deputy Under Secretary with the authority to interact directly with the Secretary of Defense will enable the Deputy Secretary to bring items of immediate concern directly to the Secretary to discuss with the Secretary of Commerce and the President.

The Department of Defense is the only agency with the expertise, the personnel, and the ability to assess the impact of exports on the national security of the United States, and this ought to be our No. 1 concern. The Persian Gulf war demonstrated the value of the United States maintaining a technical edge on the battlefield. Maintaining that edge in the future is dependent upon keeping sensitive technologies out of the hands of potential adversaries.

Questions regarding the appropriate role of the Department of Defense in considering exports of dual-use items have obviously been of concern for a number of years. But, as I said, the alleged transfer technology to the Chinese Government has really elevated this concern to the point that there are those of us in Congress who want to ensure that the Department of Defense continues to have an important role here.

Early in the 1990s, Congress examined the problems with export control and how it was possible that American companies, with the knowledge of the Department of Commerce, could have contributed to the Iraqi arms buildup, as we know occurred. We learned, for example, that between 1985 and the imposition of the U.N. embargo on Iraq in August of 1990, the Department of Commerce approved for sale to Iraq 771 export licenses for dual-use goods. Some of these sales involved technologies that very probably helped the Iraqis develop ballistic missile, nuclear, and chemical weapons. In some cases, Commerce approved the sale over strong objections from Defense or without even consulting the Department of Defense at all.

In 1994, the Export Administration Act expired and in 1996 dissolved, leaving no overarching legal forum to guide the export control policies of the United States. Export controls were at that point directed by Executive order. And this resulted in relaxed control over national-security-related equipment and technologies. The GAO has documented potential problems with changes that occurred in 1996 and with the Department of Commerce retaining the primary responsibility for oversight of important national security equipment or technology.

Let me just give a couple of examples here. On September 14, 1994, the De-

partment of Commerce approved an export of machine tools to China. The tools had been used in a plant in Ohio that produced aircraft and missiles for the U.S. military. Some of the more sophisticated machine tools were diverted to a Chinese facility engaged in military production, possibly cruise missile production.

Under current referral practices, the majority of applications for the export of categories related to stealth are not sent to the Department of Defense or the Department of State for review. Without such referrals, it cannot be ensured that export licenses for militarily significant stealth technology are properly reviewed and controlled.

A third example: Commercial jet engine hot section technology was transferred to the Department of Commerce in 1996. Defense officials are concerned about the diffusion of technology and the availability of hot section components that could negatively affect the combat advantage of our aircraft and pose a threat to U.S. national security concerns. So the Defense Department must have an active role and a strong position in advising the President about the national security implications of exporting these and other important dual-use technologies. In order to do this, the Secretary of Defense must have the best advice available. This amendment will ensure that Secretary Cohen and all subsequent Secretaries have that advice.

Mr. President, at the appropriate time I hope we can engage in further discussion of this to ensure that the national security of the United States is not impaired.

At this time, unless there is anyone else who would like to discuss it, I am happy to have the chairman or the ranking member move to other business.

Mr. STEVENS. Mr. President, I ask this amendment be set aside for later consideration so we may have consultation with other committees and Members involved in this subject. We did not have this on our list and have not distributed it until just now. I ask unanimous consent it be put aside until other Members have a chance to review it.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BOND. 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. 3397

Mr. BOND. Mr. President, we have had a brief debate. The manager of the bill, the chairman of the committee, has moved to table the Feingold amendment. I want to add my comments to the debate on that issue.

This is an amendment which I strongly oppose and I urge my colleagues on both sides of the aisle to oppose it. This is part of a continuing campaign of harassment against the Navy's No. 1 program, the No. 1 program of the U.S. Navy. This campaign has had a long, and to date totally unsuccessful, history. We all know the problems in the court systems when individuals flood the courts with frivolous lawsuits. We, in providing procurement funds for the Navy, have had a string of what I consider to be less than good-faith, responsible amendments directed at this program.

The amendment before us purports to cut funds from a Navy procurement program and earmark them for the National Guard operations and maintenance fund. As a long-time and strong supporter of the National Guard, I recognize the limited funding the Guard has, and I have worked with my colleagues, the chairman and the ranking member of the Defense Appropriations Committee, and the Senator from Kentucky, my cochairman of the National Guard caucus, to fund adequately the Guard component of the total force. But I do not believe that pitting one service against the other, raiding the Navy's No. 1 procurement program, is the way to fill that funding requirement. No, this amendment is not a step forward for good government. It has been proposed for no other reason than as a reckless assault on a program which has successfully cleared every production hurdle with room to spare.

I have been advised by Major General Edward Philbin, Executive Director of the National Guard Association of the U.S., that NGAUS is not supporting this program because, among other things, it would simply create problems between the National Guard and the Navy. This, to me, is a very unfortunate step when, as pointed out by the distinguished Senator from Hawaii, all services are facing shortfalls. We have to address the inadequacy in funding for the National Guard and all of the other services. But I can tell you that this amendment is totally uncalled for.

The F/A-18E/F is the Navy's No. 1 priority procurement program. If you ask the Secretary of the Navy or any of the fleet carrier strike-fighter aviators what will enable the Navy to be viable in the 21st century and beyond, they will tell you it is the Super Hornet. Yesterday the CNO was in my office with one of the fine young men who fly the F/A-18. They reemphasize this is their No. 1 program. They cannot afford to take cuts in the program such as proposed on the House side, or particularly as proposed in this amendment. I think it is a sad day when some Members, for reasons known to themselves, would wish to pit the National Guard against the Navy. I think it is irresponsible and could lead to services raiding each other's accounts to achieve an individual Senator's political goals.

In January of 1997, the Senator from Wisconsin led an effort to terminate

the F/A-18E/F. He failed. Since then, he has continued what appears to be a vendetta against the program, and now his intent is slowly to drain the money from the aircraft by continuing a plan to reduce the number of aircraft and the funding available, to make a full-rate production decision nearly impossible.

When you talk with the people in the Navy who know what their needs are, who know what the future of naval aviation is, they will insist, and they will tell you that this is the airplane that they must have. If we want our men and women in naval aviation to carry out the missions we demand of them, then we have to provide them the modern, up-to-date, efficient aircraft, technologically superior, that the E/F F-18 gives us.

I remember full well several years ago when the distinguished ranking member of this committee, the Senator from Hawaii, said, "We don't ever want to send American fighting men and women into a battle evenly matched. We want to send them in with the technological superiority, the training, and the capability and resources to make sure they win."

Mr. President, that is what the 18E/F gives us. It gives us that technological superiority. It gives us the ability to make sure we have the best chance possible of bringing our naval aviators home safely, having accomplished their mission.

The F/A-18E/F has already been scrutinized in the Quadrennial Defense Review. It has been scrutinized by the National Defense Panel. It has undergone GAO study after GAO study. It has been tested by pilots at the Patuxent River Naval Air Station and the Naval Air Weapons Station, China Lake. It has accumulated 2,749 test flight hours, over 1,800 flights, and numerous aircraft carrier landings. It has never had a catastrophic failure. I wish other tactical air programs could meet these standards. It has test fired just about every weapon the Navy might need it to carry. It is on time, it is on budget, and it needs to get underway.

I ask my colleagues, if they have any question about the value of this plane, ask somebody who flies one. Ask somebody who has had the opportunity to fly it. Ask somebody who we are sending in harm's way, asking them to fly a fighter and attack aircraft off a carrier, ask them how important they think the F/A-18E/F is to their ability to carry out their mission and to come home safely. If you will ask the naval aviators, whose lives are on the line, I have no question what their response is going to be. I have heard it myself. Any of my colleagues who wish to contact somebody they know in naval aviation or in the Navy itself, I believe they will tell you it is the No. 1 priority.

Mr. President, this is simply a bad amendment, and I sincerely hope that my colleagues will vote overwhelmingly with the chairman of the committee and the ranking member to

table this unwise amendment. I thank the Chair. I yield the floor.

Mr. FEINGOLD. Mr. President, the distinguished Senator from Missouri states that my amendment is a "reckless assault" on the Navy's Super Hornet program. This could not be further from the truth.

My amendment to increase funding for the National Guard is simply that; an amendment to correct most of a dangerous shortfall in funding for the National Guard's operations and maintenance account. To raise as little controversy as possible in finding an offset to the funding increase, I chose a provision already agreed to by the other chamber. Not only did the House agree to funding procurement of 27 Super Hornets in FY99, the body authorized funding for the identical amount.

In speaking to the reduction, Chairman of the House Military Procurement subcommittee, DUNCAN HUNTER said, "We think it's a rational, responsible reduction, a balanced reduction." Does this mean Chairman HUNTER is recklessly assaulting the Super Hornet program? Is Chairman HUNTER diminishing the value of the Navy's aviation fleet? Is Chairman HUNTER questioning the value of the Super Hornet? I don't think Chairman HUNTER was, or ever will be, accused of any of those things. That's why, Mr. President, it boggles my mind why I now stand accused of all those things. It's a plain mischaracterization of my amendment.

This amendment is not about gutting the Super Hornet program. This amendment is not about pitting one service against another. This amendment is not about diminishing the Navy's aviation fleet. This amendment does not question the value of the Super Hornet.

Mr. President, this amendment is about an adequate level of funding for the National Guard and priorities in our armed forces. This amendment is about giving priority to the National Guard's readiness levels, capabilities, force structure, and end strength. This amendment is about bringing the Guard's personnel, schools, training, full-time support, and retention and recruitment to adequate levels. This amendment, is about ending a slide in the morale of our citizen-soldiers.

Finally, my friend from Missouri states that the National Guard Association of the United States does not support this amendment. I'm sure he made his case very forcefully to them. I counter by saying that the association does not oppose this amendment either. In fact, a majority of State Adjutants General, 26 of them so far, have contacted my office to add their names in support for my amendment. I hope my colleagues will draw their own conclusions from that figure. Indeed, I urge my colleagues to contact their State Adjutant General and ask them for their opinion of my amendment.

I urge my colleagues to support the National Guard, as I do. I urge my colleagues to vote against tabling my amendment.

AMENDMENT NO. 3124

(Purpose: Relating to human rights in the People's Republic of China)

Mr. HUTCHINSON. Mr. President, I call up amendment No. 3124 which I filed previously.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. HUTCHINSON] proposes an amendment numbered 3124.

Mr. HUTCHINSON. 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 99, between lines 17 and 18, insert the following:

TITLE IX

HUMAN RIGHTS IN CHINA

Subtitle A—Forced Abortions in China

SEC. 9001. This subtitle may be cited as the "Forced Abortion Condemnation Act".

SEC. 9002. Congress makes the following findings:

(1) Forced abortion was rightly denounced as a crime against humanity by the Nuremberg War Crimes Tribunal.

(2) For over 15 years there have been frequent and credible reports of forced abortion and forced sterilization in connection with the population control policies of the People's Republic of China. These reports indicate the following:

(A) Although it is the stated position of the politburo of the Chinese Communist Party that forced abortion and forced sterilization have no role in the population control program, in fact the Communist Chinese Government encourages both forced abortion and forced sterilization through a combination of strictly enforced birth quotas and immunity for local population control officials who engage in coercion. Officials acknowledge that there have been instances of forced abortions and sterilization, and no evidence has been made available to suggest that the perpetrators have been punished.

(B) People's Republic of China population control officials, in cooperation with employers and works unit officials, routinely monitor women's menstrual cycles and subject women who conceive without government authorization to extreme psychological pressure, to harsh economic sanctions, including unpayable fines and loss of employment, and often to physical force.

(C) Official sanctions for giving birth to unauthorized children include fines in amounts several times larger than the per capita annual incomes of residents of the People's Republic of China. In Fujian, for example, the average fine is estimated to be twice a family's gross annual income. Families which cannot pay the fine may be subject to confiscation and destruction of their homes and personal property.

(D) Especially harsh punishments have been inflicted on those whose resistance is motivated by religion. For example, according to a 1995 Amnesty International report, the Catholic inhabitants of 2 villages in Hebei Province were subjected to population control under the slogan "better to have more graves than one more child". Enforcement measures included torture, sexual abuse, and the detention of resisters' relatives as hostages.

(E) Forced abortions in Communist China often have taken place in the very late stages of pregnancy.

(F) Since 1994 forced abortion and sterilization have been used in Communist China not only to regulate the number of children, but also to eliminate those who are regarded as defective in accordance with the official eugenic policy known as the "Natal and Health Care Law".

SEC. 9003. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available for the Department of State for fiscal year 1999 to issue any visa to any national of the People's Republic of China, including any official of the Communist Party or the Government of the People's Republic of China and its regional, local, and village authorities (except the head of state, the head of government, and cabinet level ministers) who the Secretary finds, based on credible information, has been involved in the establishment or enforcement of population control policies resulting in a woman being forced to undergo an abortion against her free choice, or resulting in a man or woman being forced to undergo sterilization against his or her free choice.

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibition in subsection (a) or (b) with respect to a national of the People's Republic of China if the President—

(1) determines that it is in the national interest of the United States to do so; and

(2) provides written notification to Congress containing a justification for the waiver.

Subtitle B—Freedom on Religion in China

SEC. 9011. (a) It is the sense of Congress that the President should make freedom of religion one of the major objectives of United States foreign policy with respect to China.

(b) As part of this policy, the Department of State should raise in every relevant bilateral and multilateral forum the issue of individuals imprisoned, detained, confined, or otherwise harassed by the Chinese Government on religious grounds.

(c) In its communications with the Chinese Government, the Department of State should provide specific names of individuals of concern and request a complete and timely response from the Chinese Government regarding the individuals' whereabouts and condition, the charges against them, and sentence imposed.

(d) The goal of these official communications should be the expeditious release of all religious prisoners in China and Tibet and the end of the Chinese Government's policy and practice of harassing and repressing religious believers.

SEC. 9012. (a) Notwithstanding any other provision of law, no funds appropriated or otherwise made available for the Department of State for fiscal year 1999 for the United States Information Agency or the United States Agency for International Development may be used for the purpose of providing travel expenses and per diem for the participation in conferences, exchanges, programs, and activities of the following nationals of the People's Republic of China:

(1) The head or political secretary of any of the following Chinese Government-created or approved organizations:

(A) The Chinese Buddhist Association.

(B) The Chinese Catholic Patriotic Association.

(C) The National Congress of Catholic Representatives.

(D) The Chinese Catholic Bishops' Conference.

(E) The Chinese Protestant "Three Self" Patriotic Movement.

(F) The China Christian Council.

(G) The Chinese Taoist Association.

(H) The Chinese Islamic Association.

(2) Any military or civilian official or employee of the Government of the People's Republic of China who carried out or directed the carrying out of any of the following policies or practices:

(A) Formulating, drafting, or implementing repressive religious policies.

(B) Imprisoning, detaining, or harassing individuals on religious grounds.

(C) Promoting or participating in policies or practices which hinder religious activities or the free expression of religious beliefs.

(b)(1) Each Federal agency subject to the prohibition in subsection (a) shall certify in writing to the appropriate congressional committees, on a quarterly basis during fiscal year 1999, that it did not pay, either directly or through a contractor or grantee, for travel expenses or per diem of any national of the People's Republic of China described in subsection (a).

(2) Each certification under paragraph (1) shall be supported by the following information:

(A) The name of each employee of any agency of the Government of the People's Republic of China whose travel expenses or per diem were paid by funds of the reporting agency of the United States Government.

(B) The procedures employed by the reporting agency of the United States Government to ascertain whether each individual under subparagraph (A) did or did not participate in activities described in subsection (a)(2).

(C) The reporting agency's basis for concluding that each individual under subparagraph (A) did not participate in such activities.

SEC. 9013. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available for the Department of State for fiscal year 1999 to issue a visa to any national of the People's Republic of China described in section 9012(a)(2) (except the head of state, the head of government, and cabinet level ministers).

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibition in subsection (a) or (b) with respect to an individual described in such subsection if the President—

(1) determines that it is vital to the national interest to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

SEC. 9014. In this subtitle, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

Mr. HUTCHINSON. Mr. President, I turn, I believe, to an issue of great, great importance to this body and to the Nation. In defending his policy before he left for China, President Clinton said:

We do not ignore the value of symbols, but in the end, if the choice is between making a symbolic point and making a real difference, I choose to make a difference.

I say to my colleagues, today we have a chance to make a difference. The President went on and said:

When it comes to advancing human rights and religious freedom, dealing directly,

speaking honestly with the Chinese is clearly the best way to make a difference.

While in China, President Clinton was allowed to make some tempered remarks on human rights abuses in China, though, unfortunately, he was quick to equate them with problems in America. He came back from China hailing his trip as a success and praising President Jiang and saying—I quote again—"feeling the breeze of freedom."

Only a week after President Clinton's return from China, China demonstrated the impact of this rhetoric on their attitude and their policies by arresting 10 democracy advocates. There their crime was not rape. It was not theft. It was not burglary. It was not grand larceny. It was not fraud. Their crime was that they dared to start a democratic opposition party.

The Washington Post reported—it is obvious in the headline—on Sunday, July 12, on the front page, "Chinese Resume Arrests, 10 Detained a Week after Clinton Visit."

Fortunately, five of these activists were subsequently released. But when the supporters of democracy protested these arrests in an open letter to the Communist Government, it was no surprise the Chinese Government kindly responded by arresting yet another dissident, Xu Wenli.

According to the Associated Press, on July 24, 1998, the Chinese Government detained four more dissidents, bringing the known number of detained dissidents since the President returned from China to 21. Twenty-one dissidents have been detained since July 10, and three remain in custody at this moment.

On July 29, the Associated Press reported that the Chinese Government detained the democracy activist Wang Youcai for the second time this month. I will simply say, this is not the "breeze of freedom," but it is rather the draft of repression.

Some would like to argue that President Clinton's televised comments in China were a historic breakthrough in emboldening democracy activists throughout China. Unfortunately, the President's remarks were broadcast in the middle of the day when few Chinese were watching television. His remarks were not repeated on the evening news and were completely omitted from the next day's state-controlled newspapers. I remind my colleagues also that Chinese activists already had their momentum, and that momentum was of their own creation from the 1989 demonstrations at Tiananmen Square.

We see that President Clinton spoke directly to the Chinese people, at least some of them. We see the symbolic point that he made, but what we do not see is that there was any difference made in the policy of the Chinese Government. In fact, their response was one of impudence, one of, if you will, a reinforcement of their policy of repression, and I believe the arrests that the Washington Post and all the major

media in our country spoke of within a week of the President's return is testimony to the failure of our policy of appeasement.

As this chart is on the floor of the Senate with that headline, "Chinese Resume Arrests," it stands as, I think, irrefutable evidence that the current policies failed to bring about the desired changes, the changes that we all desire in China.

They resumed arrests. A policy of appeasement has never worked, and it is not working today. Today, we, as a body, have the opportunity to move beyond rhetoric into real action with the amendment that I have offered.

The amendment is composed of two parts: one dealing with forced abortions and one dealing with religious persecution in China. This will have brought most of the House-passed measures last year—the Chinese freedom policy measures sponsored by my good friend and colleague, CHRIS COX—this will have brought most of those now to a vote in the Senate. I am glad to say that my friend, SPENCE ABRAHAM, the Senator from Michigan, intends to offer the human rights monitors amendment later on this bill.

I am also glad that an amendment that I had filed dealing with satellite technology transfers and moving the authority for that waiver process back to the State Department and away from the Commerce Department is, as I speak, being worked out in the State Department authorization conference committee, and I trust and hope that it will be in that conference report when it is presented to the Senate later.

I want to provide my colleagues with some background on this amendment. As many of my colleagues will recall, in November of last year, a number of China-related bills were overwhelmingly passed by the House of Representatives. This is that package of bills sponsored by Congressman Cox, a "policy for freedom," it was called. Since that time, most of these measures have languished in Senate committees without hearings, without movement and without consideration.

On the defense authorization bill, we adopted several of these House provisions that I offered at that time. However, the remainder of those were not passed because my efforts to offer them were thwarted by those who did not desire to have that debate on these China provisions before or during the President's trip to China. I simply say the President has returned. This is our opportunity now.

My amendment, which I am glad to say is bipartisan and that Senator WELLSTONE from Minnesota, who is on the floor—and I welcome his remarks in support of this—is cosponsoring this amendment, mirrors the language that passed overwhelmingly in the House of Representatives last November.

The provision on forced abortions—by the way, the Nuremberg Tribunal on War Crimes condemned forced abortions, rightfully, as being a crime

against humanity. This is not a pro-life, pro-choice issue. Pro-choicers overwhelmingly in the House of Representatives voted for this provision because this is, in fact, a crime against humanity.

To compel and to force—to use coercion—take a woman in the seventh, eighth, ninth month of pregnancy and compel her, against her wishes, to have an abortion, that is a crime against humanity. That is why that provision in the House of Representatives passed by a vote of 415–1–415–1.

The second provision, the "free the clergy" portion, of the amendment passed the House of Representatives last November by a vote of 366–54.

Now, what does the amendment do? It condemns religious persecution and forced abortion in China. The amendment would prohibit the use of American funds, appropriated to the Department of State, the USIA or AID, to pay for the travel of Communist officials involved in repressing worship or religious persecution.

So where there is credible evidence that these officials are engaged in these horrendous practices, they would be denied visa approval, they would be denied travel expenses, per diem by the American Government, by the American taxpayer. It would deny visas to officials engaged in religious persecution and forced abortion.

The amendment would force the Department of State to raise, in every bilateral and multilateral forum, the issues of individuals in prison, detained, confined, or otherwise harassed by the Chinese Government on religious grounds. It simply means that we are going to require our diplomats, when engaging in bilateral and multilateral discussions, to raise these important issues of religious persecution and forced abortions so that that discussion and our concern—the concern of the American people—is reflected by our diplomatic corps.

This amendment would make freedom of religion one of the major objectives of the United States foreign policy with respect to China.

And lastly, concerning religious persecution, this amendment would demand that Chinese Government officials provide the United States State Department with the specific names of individuals, the individuals' whereabouts, the condition of those individuals, the charges against them, and the sentence that it imposed against them.

So individuals who have been arrested and incarcerated because of their faith, because of their religious practice, we would demand that the Chinese Government provide information about the condition, the whereabouts of those individuals and how long the sentence was. The same would be applied to those engaged in forced abortions.

Mr. President, since the founding of the People's Republic of China almost 50 years ago, the Government has savaged and persecuted religious believers

and subjected religious groups in China to comprehensive control by the state and the Chinese Communist Party.

The head of the state's Religious Affairs Bureau said in 1996—and I quote the head of the Religious Affairs Bureau in China—"Our aim is not registration for its own sake, but control." Let me say that again. He said, "Our aim is not just registration, but control over places for religious activities as well as over all religious activities themselves."

When people say there is religious freedom in China, that they only require registration, please realize, the purpose of that registration is to control religious activities in China, an effort that they have been quite successful at. So religious organizations today in China are required to promote socialism and "patriotism" while the massive state party propaganda apparatus vigorously attempts to promote atheism and combat what they call "superstition."

Mr. President, the Chinese Government, the Communist Party, have in recent years intensified efforts to expel religious believers from the Government, the military, and the party, ordering a nationwide purge of believers in January of 1995.

I am very concerned about the mounting campaign of religious persecution being waged by the rulers of China. I believe this amendment is the least that we can do. Many of my colleagues have said that using trade policy is the wrong instrument in dealing with the repressive practices of the Chinese Government. I understand. In fact, I am sympathetic to that argument.

I never thought that most-favored-nation status was the best tool that we had, and yet when we come with a proposal like this, one that I have visited with Senator WELLSTONE about, and many of my colleagues about, when we come with one that denies visas and denies travel and per diem for those involved in these terrible practices, then I hear people saying that is the wrong tool to use, we should not use visas. This is the very least that we can do. If we are not willing to deal with the \$60 billion trade deficit that we give China—trade imbalance that we have with that country—then the least we can do is come back on this issue of visas, travel expenses, and raising the issue in our diplomacy and diplomatic efforts with the Chinese Government and make this something more than mere rhetoric.

I believe that these amendments are modest, that they are temperate, that they are well thought out. They have been repeatedly debated, not only in the House of Representatives but on the floor of the Senate as well.

I will ask my colleagues to support the amendments and to oppose any effort to table these amendments. I believe that there is clear evidence not only of religious persecution among Evangelical believers, among Roman

Catholic believers, but most obviously among Buddhist believers and the followers of the Dalai Lama. The repression ranges from ransacking homes in Tibet in search of banned pictures of the Dalai Lama to the closing and destroying of over 18,000 Buddhist shrines last spring. So the repression is real. And religious faith of all persuasions is in revival in China, but it is in revival in the face of intense persecution by the Chinese Government.

I will only briefly speak of the practice of forced abortions that are going on in China today. I believe that this is a practice that is indefensible by any civilized human being. In their effort and attempt to reach a 1 percent annual population growth, the Chinese authorities, in 1979, issued regulations that provided monetary bonuses and other benefits, as incentives, and economic penalties for those who would have in excess of one child.

They subject families in China to rigorous pressure to end pregnancies and to undergo sterilizations. And while the Communist Chinese Government today says that coercion is not an approved policy, they admit that it goes on. They have not provided our State Department any evidence that they are punishing the perpetrators of that terrible practice of coerced abortions and forced sterilizations in China today.

Even more tragic is their effort to eliminate those they regard as "defective." China's eugenics policy, the so-called natal and health care law, requires couples at risk of transmitting disabling congenital defects to their children to undergo sterilization.

So the practices continue in China; the abuses continue in China. This amendment is the very least that we can do in clear conscience. I have faith that my colleagues are going to support this amendment. I think it is something that is so essential that we do. This practice of coerced abortions—and, may I add, the practice of persecuting believers, religious believers—is morally reprehensible and indefensible.

It is clear, as well, that the desired changes that the policy of so-called constructive engagement has sought has failed.

I once again point to this headline in the Washington Post, which was, in various forms, the front page story all across this country this month: "Chinese Resume Arrests"—that in the wake of our President's visit to China.

So please look at the temperate tone of these amendments. Realize that the substance is simply denying visas, travel expenses, if you will, American-taxpayer-subsidized travel, in recognition of those who the State Department, the Secretary of State, has credible evidence indicating that they are involved in these inhumane practices.

I ask my colleagues to support this amendment when we vote this afternoon.

Mr. President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first of all, let me say that I am very proud to join with my colleague, Senator HUTCHINSON from Arkansas, in offering this amendment. Let me say, second of all, that while we do not agree on all issues—that may be the understatement of the year—we do have a common bond in our very strongly held views and, I think, passion when it comes to human freedom in our country and other countries and respect for human rights.

At the beginning, I would like to just start out by doing two other things before speaking right to the amendment.

PRIVILEGE OF THE FLOOR

Mr. President, I ask unanimous consent that Linn Schulte-Sasse, who is an intern with our office, be allowed to be on the floor during the debate on this appropriations bill.

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

Mr. WELLSTONE. I think my colleague from Arkansas will agree with me, it would be important, given this topic, given this debate, given this discussion, to mention Aung San Suu Kyi from Burma, a woman who just wanted to go to a meeting. That repressive junta Government would not let her do so. She spent 5 days in her car, refusing to leave, before she could go to this meeting. She never could get to the meeting. Now she is back safely at home. It reminds us, again, of the repression of this regime.

I hope that these junta leaders understand that all of us in the Senate, Democrats and Republicans alike, abhor their actions. From my point of view, we can't do enough as a country to isolate that repressive Government.

The core value that brings my colleague from Arkansas and the Senator from Minnesota together here today is freedom in human rights. I think that there is no better way to speak to this than to examine our relationship with the Government and 1.2 billion people in China.

I am concerned that the administration's "carrots only" policy has not worked well enough when it comes to accomplishing this goal of promoting freedom in human rights. I believe that the limited steps that the Chinese Government has taken to lessen political persecution or religious persecution has been when there has been American pressure. These included the prospect of a human rights resolution on China at the U.N. Commission on Human Rights in Geneva and the debate over annual MFN renewal. All of this has been important in communicating a strong statement to this Government that they are under our watchful eye, and that we speak out against persecution against people because of the practice of their religion or of their basic political viewpoint.

I had reservations, I have reservations about the June summit between the President and President Jiang

Zemin. I had hoped that there would be concrete results. I always believed it would have been better if the President had laid out clear human rights preconditions before visiting China. Having said that, I was still very hopeful that this visit would make a difference. I applauded the President speaking out while in China. But always the question was, what next? Will China now take realistic but meaningful steps, such as opening up Tibet to human rights monitors and foreign journalists? Will China release political prisoners? Will they put safeguards in place for the right of free association of workers, beginning a process of abolishing the arbitrary system of reduction through labor? Will they lift their official blacklist of prodemocracy activists now abroad who can't return to China?

I fear that what we have seen so far by way of agreements announced in Beijing are merely symbolic in nature. On Tuesday, Secretary Albright reported that Chinese dissidents are continuing to be rounded up. For example, last Wednesday the police arrested Zhang Shanguang, a prominent dissident, who had already spent 7 years in jail. What did he do? What was his crime? He tried to organize laid off workers. Also last week, a Chinese court sentenced another dissident to 3 years in prison for helping a fellow activist to escape from China.

Mr. President, I am all for having good relations with the Government. I am all for making sure that we have economic cooperation. I understand the market that is there. But I join with my colleague, Senator HUTCHINSON, in introducing this amendment, to say that whatever we do by way of our relations with China, we ought not to sacrifice a basic principle that we hold dear as a country, which is a respect for human rights and for human freedom of peoples.

This amendment started out to do three things. One will be taken care of in an amendment by my colleague, Senator ABRAHAM, which will increase the number of U.N. diplomats at the Beijing Embassy assigned to monitor human rights and add at least one human rights monitor to each U.S. consulate in this vast country. That is an important amendment. I hope my colleagues will support it.

The second point I want to make is that our amendment is divided into two parts. First, our amendment will demonstrate our commitment to religious freedom by banning travel to the United States by any Chinese official who has engaged in religious persecution. While membership in religious groups is increasing explosively in China, the Government continues to prosecute, continues to persecute, Muslim Uighurs, Tibetan Buddhists and Christians.

While harsh prison sentences and violence against religious activists still occur, state control increasingly takes the form of a registration process. This

is the way the Government monitors the membership in religious organizations.

According to the State Department's reports, Chinese officials have conducted a special campaign against all unauthorized religious activities by Christians. This included police detaining people, beating, and fining members of the underground Catholic Church in Jiangxi Province, and raiding the homes of bishops. That is what is happening in this country.

The Government has also carried out a major purge of local officials in certain heavily Muslim populated areas, and targeted again "underground" Muslim activities. The Government has banned the construction or renovation of 130 mosques, and arrested scores of Muslim dissidents.

In Tibet, human rights conditions remain grim, and have gotten worse this past year. Tibetan religious activists face "disappearance," or incommunicado detention, long prison sentences, and brutal treatment in custody.

Finally, this amendment, second part, demonstrates the abhorrence of the United States over the practice of forced abortion and sterilization. It targets officials involved in forcing Chinese women to undergo abortions and sterilization and bans their travel to the United States of America. Chinese population control officials, working with employers and work unit officials, routinely monitor women's menstrual cycles. They subject women who conceive without Government authorization to extreme psychological pressure, to harsh economic sanctions, including unpayable fines—in one province, twice a family's gross annual income—to loss of employment, and in some cases to the use of physical force.

Some people argue that we cannot influence China, that the country is too large, too proud, and that change takes too long. I disagree. Religious persecution, religious persecution, forced sterilization, forced abortion, people trying to speak out on behalf of their own human rights, all of these citizens have thanked us for speaking out; all of the human rights advocates have thanked us for helping to keep them alive by focusing attention on their plight and for fighting for reforms.

We cannot give up. We must continue to pressure China on these urgent matters. I urge my colleagues to vote for this very reasonable amendment, and I think Senator HUTCHINSON sends a very compelling and very powerful message, not only to the Government that we will not in any way, shape, or form stand by idly and be silent about this kind of repression, but also to the people in China, the citizens, that we support their efforts on behalf of human rights, on behalf of their right to be able to practice their own religion, on behalf of their right to be free from forced abortion and forced sterilization.

Colleagues, please give this amendment your overwhelming support.

I yield the floor.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I realize that standing and speaking in opposition would be condemned by some of my colleagues and my constituents. I also realize that my chairman will rise to table this amendment at the appropriate time. But I believe that something has to be said as to why some of us oppose this amendment.

Mr. President, we are blessed to be able to live in a great country. We just celebrated the 222nd anniversary of our birth. We have had a very illustrious and a glorious history. Yet, there are many chapters in our history that we would prefer not to discuss; we would prefer to just pass them over. The countries that we are speaking up against in Southeast Asia and Asia do not have a 222-year history. Yes, they may have been in existence for 4,000 or 5,000 years, but keep in mind that most of these countries have been under the yoke of some European power until just recently. Indonesia, until the end of World War II, was under the control, and therefore a colony of, Holland. China has been controlled by various countries. The Japanese have been there; the British have been there; the French, the Russians—and Americans. North Korea had been under the control of the Japanese up until World War II. The Philippines was our colony until the end of the war.

Our country is blessed with resources—all of the minerals that we need, all of the chemicals we need to make us the No. 1 high-tech country in the world, the most powerful military country in the world. These other countries are still struggling. I don't think we can expect these nations who are going through the evolutionary stage of just 50 years, as compared to our 222 years—we cannot impose and demand that our will be carried out.

We should remind ourselves that we, the people of the United States, and the Supreme Court of the United States have said that slavery was constitutional. That wasn't too long ago. And there are many fellow Americans who are still showing the effects of slavery to this day. Well, we pride ourselves on human rights, but hardly a day goes by when we don't see statistics that may not be the happiest. For example, I am vice chairman now of the Indian Affairs Committee. The things we are confronted with on a daily basis in this committee are sickening. For example, the unemployment rate in the Nation is less than 5 percent. The unemployment rate in Indian reservations today is over 50 percent. In some reservations, it is as high as 92 percent. Yes, there are reservations that are doing well—doing very, very well. But most of the 550 tribes are not doing well.

When you look at health statistics, they are worse than Third World countries. They are worse in cancer, worse

in respiratory diseases, worse in diabetes. And this happens in these United States. And if some other country should condemn us for this, we would stand up as one and say: It is none of your damn business.

Well, Mr. President, the question before us is, Do we contain and do we isolate China—a nation with a population of over one-fourth of the world's population? They have problems, as much as we have problems. The question is, Do we ignore them, realizing that they may someday acquire all the technology that they need to become a terrible world power? Or do we try to engage them and, hopefully, by practice and by model, convince them that our system is the best?

We seem to have done pretty well in doing this with the Soviet Union. We are told that the cold war is over now, that the power the Soviet Union had once upon a time is no more. Why? Because we had a policy of engagement. We continue to talk to them. We continue to exchange views. Yes, we propagandize them and they propagandize us. But because of our attitude, because of our resources, we have prevailed. I think the same can happen elsewhere.

Yes, we are dealing with countries that have a short contemporary history—Vietnam, Cambodia, Laos. These were European colonies. If one looks at the history of these colonies, the treatment was just as bad as the colonies in Africa. And now to suddenly say, "Now that you have freedom, we expect you to behave like Americans," I think is asking too much, Mr. President.

We speak of human rights. We will conclude this year the final payment of redress to Japanese Americans who were put in camps. Mr. President, I certainly recall that soon after December 7—on February 19, 1942—an Executive order was issued declaring that Japanese Americans were not to be trusted. Therefore, they had to be rounded up, with 48 hours' notice, and placed in 10 camps throughout the United States—no due process. No crimes were committed. Studies were made, investigations done, and there was not a single case of sabotage, not a single case of un-American activity. In fact, men volunteered from these camps to form a regiment, which I was honored to serve in, and we became the most decorated Army unit in the history of the Army. The United States is finally going to close that chapter.

But these things have happened to us. As a personal matter, I resented that when, on March 17, 1942, my Government said I was to be declared 4C.

In case people are not aware of what 4C is about, 1A is the Draft Board's declaration that you are physically fit, mentally alert. Therefore, you are qualified to put on the uniform of the United States; 4F, something is wrong with you, physically or mentally; 4C is a special designation for enemy alien. That was my designation.

So when one speaks of the history of the United States, there are chapters

that we don't wish to look at, because, if we start looking back to these chapters, you will find that we have gone through this painful evolution.

So I am telling my colleagues that this is not a simple amendment. It is an amendment that requires deep thought on our part. I hope that we leave it up to those who we rely upon in our State Department to do the best. We can always watch what is going on. Yes, they have forced abortion. I am against that. I am against religious persecution. We try to convince ourselves that there is no religious persecution in the United States. But I am certain we know that there is.

Mr. President, I will be voting to table this amendment.

Mr. HUTCHINSON addressed the Chair.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, it is with some reluctance that I respond to the comments, because I have such utmost respect for the Senator from Hawaii and his distinguished career, and all that he represents.

But I just want to clarify the perspective of the authors of this amendment. The issue is not imposing American values. Frankly, we don't and we can't impose anything on another nation. But what we can say is that the values are important.

I think it is terribly wrong to try to make a moral equivalency argument and say that examples of religious persecution that may exist in the United States can in any stretch of the imagination be compared to the wholesale religious oppression that exists in China today.

We simply don't have headlines in the Washington Post saying that there were "10 detained in Arkansas" because of their religious beliefs. We don't have that in this country, and we shouldn't. If we did there would be an outrage, and if we did we should be condemned by other nations in the world.

So the issue is not imposing American values. The issue is whether or not we as a body and we as a nation want to reflect certain fundamental beliefs and fundamental rights.

I add that these are not American values that we speak of. These are not American values that this amendment is addressing. These are human values. They are basic human rights.

It was not the U.S. Supreme Court that I quoted in condemnation of forced abortion. It was the Nuremberg War Tribunal that said forced abortion is a crime against humanity.

These are human values. We cannot excuse a nation by saying they are new at this thing of freedom. No. In fact, it is not that the communist rulers of China don't understand freedom. It is that they understand freedom all too well, and they are determined to repress it.

The issue in China is control, and the Chinese Communist Government is de-

termined to use whatever means necessary and whatever means at their disposal to insure that they maintain control, even to the point of persecuting those who might say there is a power above and beyond the power of the Chinese Government.

I say to my distinguished colleague from Hawaii that the issue is not isolation. It is certainly not isolation. There is no way that we could, even if we wished to, isolate the largest, most populist nation in the world.

It is, though, whether we as a country and we as a people are going to stand for something other than profits.

That is what this amendment is about. That is why I believe, I have faith, that my colleagues in the Senate will support an amendment that really reflects the best not only of American values but human values.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will take 2 minutes, because I know my colleague wants to move forward.

Mr. President, the Senator from Hawaii is the best of the best Senators. I don't like to be in disagreement with him. I am certainly not in disagreement with his analysis about our own history. There is nobody who can speak with more eloquence and more integrity about injustices in our country toward minorities and violations of people's human rights than the Senator from Hawaii. There is no question about it.

But I also believe, as my colleague from Arkansas has ably pointed out, that it is also important for other countries, and it would have been an important relation for our country to speak out.

When I think about South Africa, I think about what President Mandela said. One of the things he said over and over again, was when the people in the United States took action, it was when we put the pressure—not just symbolic politics—that things began to break open, and finally we were able to end the awful system of subjugation of people because of the color of their skin.

When I think even about our relations with the former Soviet Union, we were tough on these human rights violations.

I really believe that this amendment is just a very modest beginning which says, look, when you have people who are directly guilty of religious persecution, and when you have people who are directly guilty of forced sterilization, forced abortion—and we even had waivers for the Presidents. But what we are saying is then let's take this into account. They ought not to be given travel visas to our country.

This is moderate, I say to my colleagues. This is but a step forward. But it sends such a powerful and important message about what our values are all about, what we are about as a nation. And it supports the people in China.

This really is an important amendment. I hope that our colleagues will vote for it and will give it overwhelming support.

Mr. STEVENS. Mr. President, before I respond, I again would like to request Senators to come forward, and let us see their amendments.

Earlier today I said of the 46—it is now 47 amendments that we know of—that we had agreed to accept 23 of them.

My staff informs me that the difficulty is we can't accept them because we haven't seen the final version of them. We hope that those will be produced here so we can dispose of the amendments that we are willing to accept expeditiously with very short comments from Members.

We are going to have over 50 amendments. We are going to finish this bill by tomorrow. I advise Members and staff to start bringing in cots for people to rest on tonight unless we get through them very quickly.

Mr. President, I have to confess to my friends, both of them who have spoken in favor of this amendment, that this Senator is at a loss to understand section 9012, which says that no funds can be used to pay the travel expenses and per diem for the participation in conferences, exchanges, programs, et cetera, of any national from the People's Republic of China who is the head or political secretary of any Chinese Government-created or approved organization. And it lists the Chinese Buddhist Association, the Chinese Catholic Patriotic Association, the National Congress of Catholic Representatives, the Chinese Catholic Bishops' Conference, the Chinese Protestant Three-Self Patriotic Movement, the China Christian Council, the Chinese Taoist Association, the Chinese Islamic Association, and then a series of civilian and military officials and employees of Government to carry out the specific policies that are listed, such as promoting or participating in policies or practices which hinder religious activities, or the free expression of religious beliefs.

I am at a loss to understand that section. Perhaps the Senator would explain that to me.

Mr. HUTCHINSON. Mr. President, if the Senator will yield.

Mr. STEVENS. Yes.

Mr. HUTCHINSON. The officials that are listed of the various religious organizations that the Senator listed in the amendment are, in fact, Government employees, and Government agents.

They are those at the head of these associations. These are the registered churches that are used as tools and the agents of the Chinese Communist Government in the repression of those various groups. It does not refer to the pastors, the ministers, the priests of local congregations, but the heads of these associations which, in fact, work for the Communist Chinese Government and are those that are perpetrating the very persecution against those groups.

So while there are millions of Chinese today underground in unregistered churches, mosques, synagogues and temples, there is also the so-called Patriotic Church, the recognized church by the Government which is strictly controlled, names, addresses of worshippers to be turned into the Government. Messages that are proclaimed are closely censored by the Government. That is why those officials would be included if, in fact, the Secretary of State found credible evidence that they were practicing perpetrating religious persecution.

Mr. STEVENS. I am sad to say to my friend I don't understand that section to have that limitation, but, in any event, it is a very controversial subject to be added to the Defense appropriations bill. In conferring with Members yesterday, it was the position that we took at the time that we were going to do our utmost to keep controversial subjects that would lead to extended debate off of this bill. The only way to do that is, once we have had a short explanation of it in courtesy to the presenting Senator, it was going to be my intention to move to table any such amendment, not just this one but any such amendment.

Therefore, on the basis of the policy that we have announced, I move to table the Senator's amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The amendment is set aside and the vote will occur after 2 p.m. today.

Mr. STEVENS. Mr. President, I ask unanimous consent at the request of Senator THOMAS that a letter signed by himself and Senator MURKOWSKI, Senator BIDEN, Senator KERRY, Senator SMITH of Oregon, Senator HAGEL, Senator GRAMS, Senator FEINSTEIN, Senator ROBB, and Senator LIEBERMAN, and an excerpt from Newsweek 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, June 15, 1998.

DEAR COLLEAGUE: When the Senate returns to consideration of the DOD Authorization bill, S. 2057, we expect a series of amendments to be offered concerning the People's Republic of China. These amendments, if accepted, would do serious damage to our bilateral relationship and halt a decade of U.S. efforts to encourage greater Chinese adherence to international norms in such areas as non-proliferation, human rights, and trade.

In relative terms, in the last year China has shown improvement in several areas which the U.S. has specifically indicated are important to us. Relations with Taiwan have stabilized, several prominent dissents have been released from prison, enforcement of or agreements on intellectual property rights have been stepped up, the revision of Hong Kong has gone smoothly, and China's agreement not to devalue its currency helped stabilize Asia's economic crisis.

Has this been enough change? Clearly not. But the question is: how do we best encourage more change in China? Do we do so by isolating one fourth of the world's popu-

lation, by denying visas to most members of its government, by denying it access to any international concessional loans, and by backing it into a corner and declaring it a pariah as these amendments would do?

Or, rather, is the better course to engage China, to expand dialogue, to invite China to live up to its aspirations as a world power, to expose the country to the norms of democracy and human rights and thereby draw it further into the family of nations?

We are all for human rights; there's no dispute about that. But the question is, how do we best achieve human rights? We think it's through engagement.

We urge you to look beyond the artfully-crafted titles of these amendments to their actual content and effect. One would require that the United States to oppose the provision of any international concessional loan to China, its citizens, or businesses, even if the loan were to be used in a manner which would promote democracy or human rights. This same amendment would require every U.S. national involved in conducting any significant business in China to register with the Commerce Department and to agree to abide by a set of government-imposed "business principles" mandated in the amendment. On the eve of President Clinton's trip to China, the raft of radical China-related amendments threatens to undermine our relationship just when it is most crucial to advance vital U.S. interests.

Several of the amendments contain provisions which are sufficiently vague so as to effectively bar the grant of any entrance visa to the United States to every member of the Chinese government. Those provisions not only countervene many of our international treaty commitments, but are completely at odds with one of the amendments which would prohibit the United States from funding the participation of a great proportion of Chinese officials in any State Department, USIA, or USAID conference, exchange program, or activity; and with another amendment which urges agencies of the U.S. Government to increase programs between the two countries.

Finally, many of the amendments are drawn from bills which have yet to be considered by the committee of jurisdiction, the Foreign Relations Committee. That committee will review the bills at a June 18 hearing, and they are scheduled to be marked-up in committee on June 23. Legislation such as this that would have such a profound effect on US-China relations warrant careful committee consideration. They should not be subject of an attempt to circumvent the committee process.

In the short twenty years since we first officially engaged China, that country has opened up to the outside world, rejected Maoism, initiated extensive market reforms, witnessed a growing grass-roots movement towards increased democratization, agreed to be bound by major international non-proliferation and human rights agreements, and is on the verge of dismantling its state-run enterprises. We can continue to nurture that transformation through further engagement, or we can capitulate to the voices of isolation and containment that these amendments represent and negate all the advances made so far.

We hope that you will agree with us and choose engagement. We strongly urge you to vote against these amendments.

Sincerely,

Craig Thomas, Chairman, Subcommittee on East Asian and Pacific Affairs, Committee on Foreign Relations; Frank H. Murkowski, Chairman, Committee on Energy and Natural Resources; Chuck Hagel, Chairman, Subcommittee on International Economic Policy, Committee on Foreign Relations; Joseph R. Biden, Jr., Ranking Member, Com-

mittee on Foreign Relations; John F. Kerry, Ranking Member, Subcommittee on East Asian and Pacific Affairs, Committee on Foreign Relations; Gordon Smith, Chairman, Subcommittee on European Affairs, Committee on Foreign Relations; Rod Grams, Chairman, Subcommittee on International Operations, Committee on Foreign Relations; Charles S. Robb, Ranking Member, Subcommittee on Near East/South Asian Affairs, Committee on Foreign Relations; Dianne Feinstein, Ranking Member, Subcommittee on International Operations, Committee on Foreign Relations; Joseph L. Lieberman, Ranking Member, Subcommittee on Acquisition and Technology, Committee on Armed Services.

[From Newsweek, July 6, 1998]

HELP "INDEPENDENT SPIRITS"—A GULAG VETERAN APPRAISES CLINTON'S MISSION

(By Wang Dan)

President Clinton is taking a lot of heat for his decision to visit China in spite of the serious human-rights problems there. I spent seven years in prison in China for my activities on Tiananmen Square in 1989, so I certainly share the view that the Chinese government must change its ways. But I also think the American president can accomplish some positive things with his trip.

It's critically important to have a broad range of contacts with China. The West should not try to isolate the communist regime or limit contact to political exchange. Washington needs to maintain dialogue on many fronts at once: economic, cultural, academic, anything that helps build civil society. The key to democracy in China is independence. My country needs independent intellectuals, independent economic actors, independent spirits.

Economic change does influence political change. China's economic development will be good for the West as well as for the Chinese people. China needs Most Favored Nation trade status with the United States, and it should fully enter the world trading system. The terms of that entry must be negotiated, of course, but in any case the rest of the world must not break its contact with China.

President Clinton's visit to Tiananmen Square did not look like a sacrilege to the Chinese people. He didn't stand in the middle of the square, but along the side, outside the Great Hall of the People. All foreign leaders go there. Clinton was right later to mention the events of June 4, 1989. He must continue to stick up for such political prisoners as Liu Nianchun, imprisoned in 1995 for three years; Li Hai, a former student at Peking University sentenced to nine years in 1995; and Hu Shigen, another former Peking University student who was sentenced to 20 years in 1994. All were convicted on trumped-up criminal charges. These people must never be forgotten. Nor should the routine arrest and harassment of other dissidents, which continued last week.

It's hard to say exactly what Chinese leaders think about Clinton. The scandals in Washington allegedly implicating Chinese officials only make the picture murkier. But one thing is clear: China's leaders always view American presidents as competitors. They believe that the United States doesn't want China to grow, and they are suspicious of its motives. That made Clinton's task in China more difficult still. I wish him well.

Mr. STEVENS. 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. 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.

Mr. STEVENS. Mr. President, I keep asking and requesting that Members come forward with these amendments. I have asked now the leadership to clear a unanimous consent request that all amendments have to be filed by 4. I know it is not cleared yet, but I am again requesting that and letting people know somehow or other we are going to get these amendments. It may be that I will just have to move to go to third reading, we will have a vote to go to third reading and cut them all off.

For those people who want to go home, I will give them an avenue to get home, and that is let's just vote on this bill. But if people won't bring the amendments to us, we are going to have to take some drastic steps here to limit the number of amendments we can consider. I know that it is an extraordinary procedure, but these are extraordinary times. I would like at least to have the amendments we have said we would accept. Twenty-three Members out there with amendments I said we would accept, and they have not brought them over. I plead with the Senate to think about proceeding with this bill.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Texas is recognized.

AMENDMENT NO. 3409

(Purpose: To express the Sense of Congress that the readiness of the United States Armed Forces to execute the National Security Strategy of the United States is eroded from a combination of declining defense budgets and expanded missions, including the ongoing, open-ended commitment of U.S. forces to the peacekeeping mission in Bosnia)

Mrs. HUTCHISON. 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 Texas [Mrs. HUTCHISON] proposes an amendment numbered 3409.

Mrs. HUTCHISON. 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:

SEC. __. (a): Congress makes the following findings:

(1) Since 1989,

(A) The national defense budget has been cut in half as a percentage of the gross domestic product;

(B) The national defense budget has been cut by over \$120 billion in real terms;

(C) The U.S. military force structure has been reduced by more than 30 percent;

(D) The Department of Defense's operations and maintenance accounts have been reduced by 40 percent;

(E) The Department of Defense's procurement funding has declined by more than 50 percent;

(F) U.S. military operational commitments have increased fourfold;

(G) The Army has reduced its ranks by over 630,000 soldiers and civilians, closed over 700 installations at home and overseas, and cut 10 divisions from its force structure;

(H) The Army has reduced its presence in Europe from 215,000 to 65,000 personnel;

(I) The Army has averaged 14 deployments every four years, increased significantly from the Cold War trend of one deployment every four years;

(J) The Air Force has downsized by nearly 40 percent, while experiencing a four-fold increase in operational commitments.

(2) In 1992, 37 percent of the Navy's fleet was deployed at any given time. Today that number is 57 percent; at its present rate, it will climb to 62 percent by 2005.

(3) The Navy Surface Warfare Officer community will fall short of its needs a 40 percent increase in retention to meet requirements;

(4) The Air Force is 18 percent short of its retention goal for second-term airmen;

(5) The Air Force is more than 800 pilots short, and more than 70 percent eligible for retention bonuses have turned them down in favor of separation;

(6) The Army faces critical personnel shortages in combat units, forcing unit commanders to borrow troops from other units just to participate in training exercises.

(7) An Air Force F-16 squadron commander testified before the House National Security Committee that his unit was forced to borrow three aircraft and use cannibalized parts from four other F-16s in order to deploy to Southwest Asia;

(8) In 1997, the Army averaged 31,000 soldiers deployed away from their home station in support of military operations in 70 countries with the average deployment lasting 125 days;

(9) Critical shortfalls in meeting recruiting and retention goals is seriously affecting the ability of the Army to train and deploy. The Army reduced its recruiting goals for 1998 by 12,000 personnel;

(10) In fiscal year 1997, the Army fell short of its recruiting goal for critical infantry soldiers by almost 5,000. As of February 15, 1998, Army-wide shortages existed for 28 Army specialties. Many positions in squads and crews are left unfilled or minimally filled because personnel are diverted to work in key positions elsewhere;

(11) The Navy reports it will fall short of enlisted sailor recruitment for 1998 by 10,000

(12) One in ten Air Force front-line units are not combat ready;

(13) Ten Air Force technical specialties, representing thousands of airmen, deployed away from their home station for longer than the Air Force standard 120-day mark in 1997;

(14) The Air Force fell short of its reenlistment rate for mid-career enlisted personnel by an average of six percent, with key war fighting career fields experiencing even larger drops in reenlistments;

(15) In 1997, U.S. Marines in the operating forces have deployed on more than 200 exercises, rotational deployments, or actual contingencies.

(16) U.S. Marine Corps maintenance forces are only able to maintain 92 percent ground equipment and 77 percent aviation equipment readiness rates due to excessive deployments of troops and equipment;

(17) The National Security Strategy of the United States assumes the ability of the U.S. Armed Forces to prevail in two major regional conflicts nearly simultaneously.

(18) To execute the National Security of the United States, the U.S. Army's five later-deploying divisions, which constitute almost half of the Army's active combat forces, are critical to the success of specific war plans;

(19) According to commanders in these divisions, the practice of under staffing squads and crews that are responsible for training, and assigning personnel to other units as fillers for exercises and operations, has become common and is degrading unit capability and readiness.

(20) In the aggregate, the Army's later-deploying divisions were assigned 93 percent of their authorized personnel at the beginning of fiscal year 1998. In one specific case, the 1st Armored Division was staffed at 94 percent in the aggregate; however, its combat support and service support specialties were filled at below 85 percent, and captains and majors were filled at 73 percent.

(21) At the 10th Infantry Division, only 138 of 162 infantry squads were fully or minimally filled, and 36 of the filled squads were unqualified. At the 1st Brigade of the 1st Infantry Division, only 56 percent of the authorized infantry soldiers for its Bradley Fighting Vehicles were assigned, and in the 2nd Brigade, 21 of 48 infantry squads had no personnel assigned. At the 3rd Brigade of the 1st Armored Division, only 16 of 116 M1A1 tanks had full crews and were qualified, and in one of the Brigade's two armor battalions, 14 of 58 tanks had no crewmembers assigned because the personnel were deployed to Bosnia.

(23) At the beginning of fiscal year 1998, the five later-deploying divisions critical to the execution of the U.S. National Security Strategy were short nearly 1,900 of the total 25,357 Non-Commissioned Officers authorized, and as of February 15, 1998, this shortage had grown to almost 2,200.

(24) Rotation of units to Bosnia is having a direct and negative impact on the ability of later-deploying divisions to maintain the training and readiness levels needed to execute their mission in a major regional conflict. Indications of this include:

(A) The reassignment by the Commander of the 3rd Brigade Combat Team of 63 soldiers within the brigade to serve in infantry squads of a deploying unit of 800 troops, stripping non-deploying infantry and armor units of maintenance personnel, and reassigning Non-Commissioned Officers and support personnel to the task force from throughout the brigade;

(B) Cancellation of gunnery exercises for at least two armor battalions in later-deploying divisions, causing 43 of 116 tank crews to lose their qualifications on the weapon system;

(C) Hiring of outside contract personnel by 1st Armored and 1st Infantry later-deploying divisions to perform routine maintenance.

(25) National Guard budget shortfalls compromise the Guard's readiness levels, capabilities, force structure, and end strength, putting the Guard's personnel, schools, training, full-time support, retention and recruitment, and morale at risk.

(26) The President's budget requests for the National Guard have been insufficient, notwithstanding the frequent calls on the Guard to handle wide-ranging tasks, including deployments in Bosnia, Iraq, Haiti, and Somalia.

(b) Sense of Congress:

(1) It is the sense of Congress that—

(A) The readiness of U.S. military forces to execute the National Security Strategy of the United States is being eroded from a

combination of declining defense budgets and expanded missions;

(B) The ongoing, open-ended commitment of U.S. forces to the peacekeeping mission in Bosnia is causing assigned and supporting units to compromise their principle wartime assignments;

(C) Defense appropriations are not keeping pace with the expanding needs of the armed forces.

(c) Report Requirement.

(1) Not later than June 1, 1999, the President shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report on the military readiness of the Armed Forces of the United States. The President shall include in the report a detailed discussion of the competition for resources service-by-service caused by the ongoing commitment to the peacekeeping operation in Bosnia, including in those units that are supporting but not directly deployed to Bosnia. The President shall specifically include in the report the following:

(A) an assessment of current force structure and its sufficiency to execute the National Security Strategy of the United States;

(B) an outline of the service-by-service force structure expected to be committed to a major regional contingency as envisioned in the National Security Strategy of the United States;

(C) a comparison of the force structures outlined in sub-paragraph (c)(1)(B) above with the service-by-service order of battle in Operation Desert Shield/Desert Storm, as a representative and recent major regional conflict;

(D) the force structure and defense appropriation increases that are necessary to execute the National Security Strategy of the United States assuming current projected ground force levels assigned to the peacekeeping mission in Bosnia are unchanged;

(E) a discussion of the U.S. ground force level in Bosnia that can be sustained without impacting the ability of the Armed Forces to execute the National Security Strategy of the United States, assuming no increases in force structure and defense appropriations during the period in which ground forces are assigned to Bosnia.

Mrs. HUTCHISON. Mr. President, this amendment is a sense of Congress regarding the readiness of the U.S. Armed Forces to execute the national security strategy of the United States. So many people are now talking about the hollow military that we seem to be going into, and I think it is time that Congress address the concern that all of us have that we may be driving our military down to the point that we will not be able to respond if something happens where we are needed anywhere in the world.

So, I make the following findings:

That since 1989:

The national defense budget has been cut in half as a percentage of the gross domestic product;

The national defense budget has been cut by over \$120 billion in real terms;

The U.S. military force structure has been reduced by more than 30 percent;

The Department of Defense's operations and maintenance accounts have been reduced by 40 percent;

The Department of Defense's procurement funding has declined by more than 50 percent;

U.S. military operational commitments have increased fourfold.

It is clear the Army has reduced its ranks by over 630,000 soldiers and civilians, closed over 700 installations at home and overseas and cut 10 divisions from its force structure.

The Army has reduced its presence in Europe from 215,000 to 65,000 personnel.

The Army has averaged 14 deployments every four years, increased significantly from the Cold War trend of one deployment every four years.

The Air Force has downsized by nearly 40 percent, while experiencing a fourfold increase in operation commitments.

In 1992, 37 percent of the Navy's fleet was deployed at any given time. Today that number is 57 percent; at its present rate, it will climb to 62 percent by 2005.

The Navy Surface Warfare Officer community will fall short of its needs a 40 percent increase in retention to meet requirements;

The Air Force is 18 percent short of its retention goal for second-term airmen.

We know the Air Force is more than 800 pilots short, and we know that our experienced pilots have not re-upped, even in the face of a \$60,000 bonus.

The Army faces critical personnel shortages in combat units, forcing unit commanders to borrow troops from other units just to participate in training exercises.

In 1997, the Army averaged 31,000 soldiers deployed away from their home station in support of military operations in 70 countries with the average deployment lasting 125 days.

Critical shortfalls in meeting recruiting and retention goals is seriously affecting the ability of the Army to train and deploy. The Army reduced its recruiting goal for 1998 by 12,000 personnel.

The Navy reports it will fall short of enlisted sailor recruitment for 1998 by 10,000.

One in ten Air Force front-line units are not combat ready.

Ten Air Force technical specialties, representing thousands of airmen, deployed away from their home station for longer than the Air Force standard 120-day mark in 1997.

In 1997, U.S. Marines in the operating forces have deployed on more than 200 exercises, rotational deployments, or actual contingencies.

U.S. Marine Corps maintenance forces are only able to maintain 92 percent ground equipment and 77 percent aviation equipment readiness rates due to excessive deployments of troops and equipment;

The National Security Strategy of the United States assumes the ability of the U.S. Armed Forces to prevail in two major regional conflicts nearly simultaneously.

Mr. President, all of us, including the distinguished Senator from Kansas who is a former marine, know that "nearly" has been inserted into our national

security strategy. Our strategy used to be that we would have the ability to prevail in two major regional conflicts simultaneously. Today, we are saying "nearly simultaneously," yet none of us who have studied these issues believe that we are ready, today, even for this ramped down mission.

To execute the National Security of the United States, the U.S. Army's five later-deploying divisions, which constitute almost half of the Army's active combat forces, are critical if the success of specific war plans can be achieved.

According to commanders in these divisions, the practice of under staffing squads and crews that are responsible for training, and assigning personnel to other units as fillers for exercises and operations, has become common and is degrading unit capability and readiness.

In the aggregate, the Army's later-deploying divisions were assigned 93 percent of their authorized personnel at the beginning of fiscal year 1998. In one specific case, the 1st Armored Division was staffed at 94 percent in the aggregate; however, its combat support and service support specialties were filled at below 85 percent, and captains and majors were filled at 73 percent.

At the 10th Infantry Division, only 138 of 162 infantry squads were fully or minimally filled, and 36 of the filled squads were unqualified.

At the beginning of fiscal year 1998, the five later-deploying divisions critical to the execution of the U.S. National Security Strategy were short nearly 1,900 of the total 25,357 Non-Commissioned Officers authorized, and as of February 15, 1998, this shortage had grown to almost 2,200.

Rotation of units to Bosnia is having a direct and negative impact on the ability of later-deploying divisions to maintain the training and readiness levels needed to execute their mission in a major regional conflict. Indications of this include;

The reassignment by the Commander of the 3rd Brigade Combat Team of 63 soldiers within the brigade to serve in infantry squads of a deploying unit of 800 troops, stripping non-deploying infantry and armor units of maintenance personnel, and reassigning Non-Commissioned Officers and support personnel to the task force from throughout the brigade;

Cancellation of gunnery exercises for at least two armor battalions in later-deploying divisions, causing 43 of 116 tank crews to lose their qualifications on the weapon system;

Hiring of outside contract personnel by 1st Armored and 1st Infantry later-deploying divisions to perform routine maintenance.

Mr. President, these are the facts. Every one of the facts that I have read is absolutely in print, in the report of the Quadrennial Defense Review, in the DOD budget for fiscal year 1999, and a compilation of statements from the Department of Defense vice chiefs in a

hearing before the Senate Armed Services Committee, and every other part of what I have just read has been documented. These are from the Defense Department's own statistics.

So I am asking for the sense of Congress, that we declare that:

The readiness of U.S. military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions;

The ongoing, open-ended commitment of U.S. forces to the peacekeeping mission in Bosnia is causing assigned and supporting units to compromise their principle wartime assignments.

Defense appropriations are not keeping pace with the expanding needs of the Armed Forces.

So I am asking for a report by June 1, 1999 from: the President of the United States to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report on the military readiness of the Armed Forces of the United States.

The President shall include in the report a detailed discussion of the competition for resources service-by-service caused by the ongoing commitment to the peacekeeping operation in Bosnia, including in those units that are supporting but not directly deployed to Bosnia.

What we are asking, Mr. President, is for an assessment of where we are. We have all talked about the problems we have seen in small instances and different pieces of testimony. What I have done in this sense of the Senate is put it all together. I have taken from the Department of Defense its own authorization, its own budget, its Quadrennial Defense Review, from statements made before one of our two committees that talked about the problems in specific detail.

I think it is time that we in Congress now say we have put it all together and we want a report on the state of our readiness. Let's look at all of the factors and let's determine that we have a problem, that we have to determine what to do about it, and let's go forward and try to work with the administration, with the President, with the Secretary of Defense, and look at the big picture, and the big picture and the goal for all of us is that we would be able to meet the national security strategy of the United States, that we would be able to prevail in two major regional conflicts nearly simultaneously.

I prefer simultaneously, but, nevertheless, we are not even up to the goal that we have stated, and we want to do what is our responsibility in the U.S. Congress, and that is, ask for the report, let's study the problem and let's come up with a solution together with the Armed Services Committee and the Appropriations Committee of the U.S. Senate and the U.S. House.

Mr. President, I hope that my colleagues will support me in this sense of Congress. It is just the beginning of our responsibility to address what we see as the problems in our military and that we would then be able to take the report and take the necessary steps to correct the backward motion that we are making with regard to the military readiness and the security of our country.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The distinguished chairman of the Appropriations Committee, the Senator from Alaska.

Mr. STEVENS. Mr. President, I commend the Senator from Texas for her presentation. It is my hope we will be able to accept that amendment. I have referred it to my colleagues on the other side of the aisle, and we are hopeful that we can reach that conclusion later.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999—AMENDMENT NO. 3385

Mr. STEVENS. Mr. President, on another subject, time will expire at 2 o'clock on the items to be voted on included in the Treasury and general government operations bill. I offered amendment No. 3385 regarding recomputation of some Federal annuities. I point out that this option is not mandatory. The only way future retired employees can take advantage of this provision is if they make a payment into the Federal retirement system.

Several times in recent years, Congress has denied COLA adjustments for Federal employees. In some years, only Members of Congress were denied COLAs. In other years, other employees were affected.

My amendment provides that Federal employees covered by the Civil Service Retirement System and the Federal Employees Retirement System who did not receive automatic pay adjustments because of an act of Congress may, upon retirement, have their high-three salary recomputed as if they received the COLAs provided to annuitants.

This option cannot be exercised until the covered employee pays into the Civil Service Retirement Fund the amounts required by the amendment; namely, the contributions to the retirement fund the employee would have made if the employee had received the annuitant COLA.

It is really a fairness issue, to me. I am most concerned about survivors. Currently, 26 percent of all those who receive Federal annuities are survivors and the median time for a survivor annuity is just over 12 years. Survivors live on 55 percent of the employee's annuity. But, Mr. President, when an employee does not receive a COLA received by retired annuitants—and I point out that in almost every year, the retired annuitant, the people retired, have received the COLAs—then

it simply means that survivors of retired employees receive greater annuities, greater compensation than those received by survivors of employees who continued to serve during the period when Congress denied COLAs to current Members and employees.

I believe the right thing to do is to adopt this concept. It allows the employee or the survivor of the employee who has passed on to ask for recomputation of the high-three concept based upon an assumption that the retiree had received the cost-of-living adjustments that were given to retired annuitants in the period when those were denied to Congress or other Federal employees.

I urge my colleagues to adopt this amendment. I will have a minute to talk about it when the amendment comes up for a vote, as we start voting at 2 o'clock. I wanted this in the RECORD at this point.

I thank the Chair.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

Mr. STEVENS. Mr. President, I understand the Senator from California would like to speak on the Hutchinson amendment.

Mrs. FEINSTEIN. Not on this amendment, Mr. President, but the Hutchinson amendment.

Mr. STEVENS. The Hutchinson amendment that I made a motion to table, the one pertaining to China.

Mrs. FEINSTEIN. That is correct.

Mr. STEVENS. Although I made a motion to table, I think it is in order until 2 o'clock that they may be able to speak.

AMENDMENT NO. 3409

Mrs. HUTCHISON. I am prepared to leave the floor, but I have two things. First, I ask unanimous consent that Senator ABRAHAM be added as a cosponsor of amendment No. 3409.

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

Mrs. HUTCHISON. Secondly, I ask the manager of the bill if he still wants me to offer the other amendment that I was to offer, or would he prefer to go forward with Senator FEINSTEIN, and I can always do that after the votes.

Mr. STEVENS. Mr. President, I did request the Senator from Texas offer her Bosnia amendment so it will be the pending amendment after the votes this afternoon. I appreciate that she did that at this time. I urge she save the statement to be made until after the Senator from California, who has been waiting to make comments on the China amendment which I have already moved to table.

AMENDMENT NO. 3391, AS MODIFIED

Mr. STEVENS. Mr. President, I send to the desk a technical correction to amendment No. 3391 previously adopted. I ask unanimous consent that the amendment be modified. It is strictly a