

AMENDMENT NO. 3385, WITHDRAWN

Mr. STEVENS. Mr. President, I ask unanimous consent to withdraw amendment No. 3385.

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

The amendment (No. 3385) was withdrawn.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

AMENDMENT NO. 3379

The PRESIDING OFFICER. The first vote is on amendment No. 3379.

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have been ordered.

This is the McConnell amendment. There are 2 minutes equally divided.

Mr. GLENN. Mr. President, I urged last night to put this on the table. This would really knock the socks off any election law enforcement over at the FEC. We oppose this very much. It would mean there would be a restriction on the FEC that is not on any other agency or department of government as far as their general counsel goes and their staff director.

The efforts to oust him over there, I think, are unconscionable. He has been doing a good job. This just stands starkly opposed to our efforts for campaign finance reform.

At the appropriate time I will move to table this, but I yield the remaining time to Senator LEVIN.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, this amendment is directly aimed at the independence of the Federal Elections Commission. It is aimed at no other commission. Its purpose is obvious—to eliminate a general counsel who has taken an independent position, following the Federal Election Commission's decision relative to soft money and other issues. We should not muzzle them. We should not throttle them. We should not destroy their independence.

Mr. MCCONNELL. Mr. President, the amendment is really quite simple. The Federal Election Commission is like no other commission of the Federal Government. It has three Republicans and three Democrats. The general counsel, under the current system, could serve for a lifetime. All the McConnell amendment does is require that every 4 years the general counsel come up for reappointment and not be reappointed unless he can achieve at least four votes, thereby demonstrating to the full Commission, on a bipartisan basis, enough confidence to continue for another 4-year term.

This guarantees that the general counsel will operate in a bipartisan manner, because a general counsel who, after 4 years, could not achieve votes from both parties, it seems to this Senator, clearly would fail a test of bipartisanship.

This is not about the current occupant of the office. It is about ensuring that the Federal Election Commission continues to operate on a bipartisan basis. I hope the amendment will be approved.

Mr. GLENN. Mr. President, I move to table the amendment.

The PRESIDING OFFICER. The question is on the motion to table the McConnell amendment numbered 3379.

Mr. GLENN. 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.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 3379. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

The PRESIDING OFFICER (Mr. SMITH of Oregon). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 246 Leg.]

YEAS—45

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Inouye	Reed
Byrd	Johnson	Reid
Cleland	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Torricelli
Dorgan	Landrieu	Wellstone
Durbin	Lautenberg	Wyden

NAYS—54

Abraham	Faircloth	McCain
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Hatch	Shelby
Coats	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Enzi	Mack	Warner

NOT VOTING—1

Helms

The motion to lay on the table the amendment (No. 3379) was rejected.

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

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

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, we have had, obviously, extensive consultation

about how to proceed to this point. There is disagreement about this particular amendment and how we can complete the Treasury-Postal Service and other related agencies appropriations bill at this time.

In the interest of Senators to have time to work on the substance, what we have agreed to do is to set this bill aside—I will ask unanimous consent to that effect in a moment—and we would go on to the Department of Defense appropriations amendments and continue to work progressively, with the idea of finishing the Department of Defense appropriations bill as early as possible—hopefully, even tonight—which will allow us time to work on some nominations and allow Senators to attend the funeral tomorrow and adjourn for the recess at a reasonable hour tomorrow, or earlier if there is any way of doing it.

I ask unanimous consent that the pending Treasury-Postal Service appropriations bill be laid aside, not to recur prior to September 1, unless agreement is worked out in the meantime. There is hope that could be done. Maybe we could act on it after the DOD appropriations bill is completed. If not, it would be September 1. And no call for the regular order serves to displace the treasury bill, when it is pending in September, in the status quo.

Mr. DASCHLE. Mr. President, reserving the right to object, just for purposes of clarification, this would lock into place the current situation. The pending amendment would be, of course, the McConnell amendment. Senators wishing to offer amendments in the second degree subject to recognition would be recognized as authors of amendments in the second degree.

It is with that understanding that I do not object. I am sure the majority leader would clarify and would conform with that understanding.

Mr. LOTT. Mr. President, that is correct. Second-degree amendments would be in order. We are freezing everything in place. We would not take it up again before September 1, unless an agreement were worked out. When we do go back to it, we will be right where we are now, and second-degree amendments will be in order.

Mr. GLENN. Mr. President, reserving the right to object, and I don't plan to object, I want to clarify, this would in no way affect the voting order we agreed to last night on other amendments?

Mr. LOTT. Everything would be just like it is at this very moment on this appropriations bill.

Mr. GLENN. Thank you.

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

Mr. LOTT. I yield the floor.

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 1999

The Senate continued with consideration of the bill.

The PRESIDING OFFICER. The clerk will report the defense bill.

The legislative clerk read as follows:

A bill (S. 2132) making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

AMENDMENT NO. 3397

The PRESIDING OFFICER. There are 2 minutes equally divided on the Feingold amendment.

Mr. FEINGOLD. Mr. President, this amendment is about the National Guard. This amendment is about priorities in our Armed Forces, not about the merits of any aircraft proposed to be added to the Navy's aviation fleet. This amendment fills in almost all of the dangerous \$225 million shortfall in the National Guard's O&M account. As an offset, we use the House's recommendation on Super Hornet procurement for the coming fiscal year.

Mr. FEINGOLD. Mr. President, this amendment is supported by 25 State adjutants general. I hope my colleagues contact their State adjutants generals to get their opinion before casting their vote. I urge colleagues to support the National Guard and to vote against tabling this amendment.

Mr. STEVENS. Mr. President, this amendment will eliminate the Navy's highest priority, or I would say the Defense Department's highest priority for the Navy, the F-18 E/F. It would move that money into the National Guard. We have already increased the National Guard by more than \$500 million above the budget request. So that approval of the National Guard Adjutants is a facade. This is to kill the F-18. I urge that the Senate support my motion to table.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 3397.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

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

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote "aye."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 80, nays 19, as follows:

[Rollcall Vote No. 247 Leg.]

YEAS—80

Abraham	Craig	Hatch
Akaka	D'Amato	Hollings
Allard	DeWine	Hutchinson
Ashcroft	Dodd	Hutchison
Baucus	Domenici	Inhofe
Bennett	Dorgan	Inouye
Biden	Durbin	Kempthorne
Bond	Enzi	Kennedy
Boxer	Faircloth	Kerry
Brownback	Feinstein	Kyl
Burns	Ford	Landrieu
Byrd	Frist	Levin
Campbell	Glenn	Lieberman
Chafee	Gorton	Lott
Cleland	Gramm	Lugar
Coats	Grams	Mack
Cochran	Grassley	McCain
Collins	Gregg	McConnell
Coverdell	Hagel	Mikulski

Moseley-Braun
Moynihan
Murkowski
Murray
Nickles
Reed
Robb
Roberts

Roth
Santorum
Sarbanes
Sessions
Shelby
Smith (NH)
Smith (OR)
Snowe

Specter
Stevens
Thomas
Thompson
Thurmond
Torricelli
Warner

NAYS—19

Bingaman
Breaux
Bryan
Bumpers
Conrad
Daschle
Feingold

Graham
Harkin
Jeffords
Johnson
Kerrey
Kohl
Lautenberg

Leahy
Reid
Rockefeller
Wellstone
Wyden

NOT VOTING—1

Helms

The motion to lay on the table the amendment (No. 3397) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, could we have order for just one moment.

The PRESIDING OFFICER. The Senate will be in order.

Mr. STEVENS. Mr. President, I want to inform the Senate that tomorrow there will be another funeral. It is the funeral for Officer Chestnut. The agreement today was we would not have any votes until 1 p.m. Then we made that 2 p.m. because of the Intelligence Committee meeting. But we are going to have the same agreement now that we will not vote on the amendments that we take up later this evening until tomorrow at 1 p.m.

I am soon going to seek agreement that all amendments will have to be debated tonight, and we will start voting tomorrow at 1 p.m. on those that require a vote. We will have taken over half—we have agreed to take over half the amendments we know of now, and we very soon hope to be able to know what amendments there are, but we will work out that time agreement.

I think Senators should realize that without regard to anything else we do now, we are going to be here tomorrow, and we are going to start voting at 1 o'clock and not before. The alternative is if we get through these—we might be able to get through them tonight if Senators want to do that and be finished tonight. But we can't do that unless we see the amendments.

Now, I have asked two or three times for an agreement that Senators bring amendments through, that we have a time limit on when they must be disclosed, and we will try that again after the next vote. But we have to have some certainty. If Senators want to, we are going to be here until Sunday, because I will never, never allow a defense bill to hang over a recess. It just will not do. And I think anybody who understands defense understands it cannot happen. So we are going to finish this bill tonight or tomorrow or Saturday or Sunday. My plane doesn't leave until Monday.

Mr. DODD. Will the Senator yield?

Mr. STEVENS. What is the next vote?

Mr. DODD. Will the Senator yield, Mr. President?

I inquire of the chairman of the committee, are we going to have votes this evening? Why wouldn't we vote on into the evening rather than having votes hanging over until tomorrow?

Mr. STEVENS. We might be able to do that.

Mr. President, I ask unanimous consent that no vote on this bill take more than 15 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. DODD. Are we going to have votes then this evening, all into the evening?

Mr. STEVENS. We are going to vote on amendments when they come up. Whenever they come up, we will vote on them. Most of them are going to be motions to table, I will tell you. Most of them are going to be motions to table because most of this stuff is not relevant to this bill at all. So you might as well be put on notice, Republican or Democrat, I am going to move to table any nonrelevant amendments.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. If I can question the floor manager relative to his intent, if we are in tomorrow and votes start at 1 o'clock, might it be possible to stack the votes in the event that actuality should be determined, because the last plane that I can catch is 2:20; otherwise, I have to leave the next day. And I don't request special consideration. On the other hand, it just means another day's delay. So if we did go into tomorrow and we start voting, the 2:20 plane is the last one I can catch.

Mr. STEVENS. I tell my colleague I will do my best.

I renew my unanimous consent request that all remaining first-degree amendments in order to be offered to this bill must be presented and offered before 5 p.m.

Mr. BAUCUS. Mr. President, objection. I object.

Mr. STEVENS. There is the answer to my friend. I do not see how we can finish before 2:30 tomorrow afternoon unless we know what we are voting on.

What is the next order of business, Mr. President?

AMENDMENT NO. 3124

The PRESIDING OFFICER. The pending question is on the Hutchinson amendment No. 3124. There are 2 minutes of debate equally divided.

Mr. STEVENS. Mr. President, I might say I am prepared to accept this. It is a sense-of-the-Senate amendment primarily.

This is the Senator from Arkansas. I do have a tabling motion in place on this, do I not?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. I ask for the vote after 1 minute on each side.

The PRESIDING OFFICER. There are 2 minutes equally divided.

The Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

There are 2 minutes equally divided. The Senator deserves to be heard.

Mr. HUTCHINSON. Mr. President, thank you for bringing the Senate to order.

This is an amendment that would simply deny visas and travel to those in the Chinese Government who the Secretary of State finds, by credible evidence, are involved in either forced abortions or religious persecution. It is not MFN, it is not IMF, it is not sanctions, but it would deny visas. China denies these practices are taking place. If that is the case, there would be no obstruction at all in diplomatic relations.

We provide in the amendment, and I hope everybody will look closely at the amendment, a Presidential waiver if it is in the national interest. This amendment passed overwhelmingly in the House of Representatives. I think, since the President returned, the most recent round of arrests of democratic dissidents underscores the need for this amendment.

It is a rifleshot, not a shotgun. We want to go after the bad guys, and that is all. It is not against trading. It doesn't deal with trading. A vote against tabling this amendment is a vote for freedom in China.

I ask my colleagues to oppose the tabling motion.

The PRESIDING OFFICER. The question occurs on the motion to table.

Mr. STEVENS. Senator THOMAS has a minute on our side.

The PRESIDING OFFICER. The Chair was under the impression the Senator from Alaska yielded back the time. If that is incorrect—

Mr. STEVENS. No; I did not.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I urge my colleagues to follow the leadership of the floor leader and the bill leader here on this one. No. 1, it doesn't belong in this area. We are taking away all these amendments. I think that is the right thing to do.

The second point is those of us who have been working in this area for a very long time feel as if there is a process that is going on to make things better with China, to make our relations better.

No one disagrees with doing something about religious freedom. No one disagrees with any of these issues. The question is, How do you best do it? And the best way to do it is not to refuse to provide visas to the Chinese.

I urge we table this amendment.

Mr. STEVENS. Vote.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

The result was announced—yeas 29, nays 70, as follows:

[Rollcall Vote No. 248 Leg.]

YEAS—29

Akaka	Glenn	Moynihana
Baucus	Grams	Murray
Bingaman	Hagel	Reed
Bond	Hollings	Robb
Bumpers	Inouye	Roberts
Burns	Jeffords	Rockefeller
Chafee	Kennedy	Stevens
Cleland	Landrieu	Thomas
Domenici	Levin	Thurmond
Feinstein	Lugar	

NAYS—70

Abraham	Faircloth	Mack
Allard	Feingold	McCain
Ashcroft	Ford	McConnell
Bennett	Frist	Mikulski
Biden	Gorton	Moseley-Braun
Boxer	Graham	Murkowski
Breaux	Gramm	Nickles
Brownback	Grassley	Reid
Bryan	Gregg	Roth
Byrd	Harkin	Santorum
Campbell	Hatch	Sarbanes
Coats	Hutchinson	Sessions
Cochran	Hutchison	Shelby
Collins	Inhofe	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kerrey	Specter
D'Amato	Kerry	Thompson
Daschle	Kohl	Torricelli
DeWine	Kyl	Warner
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Lieberman	
Enzi	Lott	

NOT VOTING—1

Helms

The motion to lay on the table the amendment (No. 3124) was rejected.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I am informed now there are at least two, maybe three, amendments that will be offered to this amendment. Under the circumstances, I would like to just suggest we set that aside for a minute and have the proponents of the second-degree amendments talk to the author of the first-degree amendment to see if we might work something out as to how we limit the time or deal with this, if that is agreeable. If it is, then I would ask it be temporarily set aside.

I would like to take up the amendment No. 2964.

The PRESIDING OFFICER (Mr. GORTON). Is that a unanimous consent request?

Mr. STEVENS. It is a request. I ask unanimous consent that it be temporarily set aside, and we take them up one by one. Hopefully, they will talk while we are doing this.

Mr. HUTCHINSON. Reserving the right to object, will the Senator yield for a question?

Mr. STEVENS. Yes.

Mr. HUTCHINSON. When we temporarily set this aside and do the negotiations on the various second-degree

amendments that are to be considered, when do you anticipate returning to—

Mr. STEVENS. I say to the Senator, there are two other amendments we could act upon now. Your amendment will automatically be the order when we finish those.

The PRESIDING OFFICER. The regular order would bring back the amendment.

Mr. STEVENS. Yes.

Mr. HUTCHINSON. Thank you.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

Without objection, it is so ordered.

AMENDMENT NO. 2964

Mr. STEVENS. Mr. President, the next amendment would be amendment No. 2964, offered by Senator ABRAHAM. There was no request for time that I know of for this. We are prepared to and do ask that—are the yeas and nays ordered on that amendment? I do not think they have been ordered. Have they?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. STEVENS. I ask for the adoption of Senator ABRAHAM's amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the Abraham amendment No. 2964.

The amendment (No. 2964) was agreed to.

Mr. MCCAIN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Was there one more amendment we had to dispose of before we come back to the regular order?

The PRESIDING OFFICER. There is the Kyl amendment.

Mr. STEVENS. For the information of the Senate, Senator KYL asked that his amendment be set aside temporarily because the Armed Services Committee is meeting to consider a similar amendment. We would like to have that set aside until Senator KYL asks that it be brought up. I ask unanimous consent that Senator KYL's amendment be set aside.

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

We have two amendments pending from the Senator from Texas, Mrs. HUTCHISON.

Mr. STEVENS. There is one amendment on which the debate has been finished.

May I inquire of the Senator from Texas, is debate finished on the one amendment?

Mrs. HUTCHISON. That is correct. I have spoken on the first amendment, No. 3409. I am happy to yield back time on that.

Mr. STEVENS. Mr. President, I am informed there is reluctance to accept that amendment until the Bosnia amendment is considered. I ask unanimous consent to set it aside temporarily, also, until that is resolved.

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

AMENDMENT NO. 3124

Mr. STEVENS. We come back, then, to the pending amendment. As I understand, it is the regular order. And that is the amendment that was not tabled.

The PRESIDING OFFICER. The amendment of the Senator from Arkansas, Mr. HUTCHINSON. The motion to table was not agreed to.

Mr. STEVENS. That is open to amendment.

Mr. President, I think they are following the suggestion and perhaps discussing those second-degree amendments. I ask unanimous consent that, again, that be the pending business but it be temporarily set aside until the sponsor of that amendment can return to the floor. I also ask unanimous consent that we proceed with the Bosnia amendment by the Senator from Texas.

The PRESIDING OFFICER. Without objection, the pending amendment will be amendment No.—I ask the Senator from Texas, 3409 or 3413?

Mrs. HUTCHISON. Amendment No. 3413 has to do with Bosnia.

The PRESIDING OFFICER. Amendment No. 3413.

The Senator from Texas is recognized.

AMENDMENT NO. 3413

Mrs. HUTCHISON. Mr. President, amendment No. 3413 is to condition the use of appropriated funds for the purpose of an orderly and honorable reduction of U.S. ground forces in Bosnia.

It is a fact that the U.S. Armed Forces have accomplished the military mission assigned to them as a component of the implementation and stabilization forces. The continuing and open-ended commitment of U.S. ground forces in the Republic of Bosnia and Herzegovina is subject to the oversight authority of Congress.

Mr. President, this is the first time that Congress will vote on any kind of resolution that would establish some kind of policy on Bosnia since the President decided that it would be an unending mission.

On November 27, 1995, the President said that America would be part of a multinational military implementation force that would terminate in about a year. The President declared the expiration of the mandate to be December 20, 1996.

The Secretary of Defense and the Chairman of the Joint Chiefs of Staff at the time expressed the critical importance of establishing a firm deadline in the absence of which there is a potential for expansion of the mission of U.S. forces. That was a forceful statement by the Chairman of the Joint Chiefs. He said it is a recipe for mission creep not to have a termination date.

On October 3, 1996, the Chairman of the Joint Chiefs announced the intention of the United States to delay removal until March 1997. In November of 1996, the President announced that we would delay until June of 1998. The

President did not request authorization by the Congress of a policy that would result in the further deployment of U.S. forces in Bosnia until June 1998.

Notwithstanding the passage of two previously established deadlines, the reaffirmation of those deadlines by senior national security officials, and the endorsement by those same national security officials of the importance of having a deadline, nevertheless, the President announced on December 17, 1997, that establishing a deadline had been a mistake and that U.S. ground combat forces would be committed to the NATO-led mission in Bosnia for an indefinite amount of time.

What my amendment does is very simple. It says that funds appropriated will not be made available except as conditioned below; that the President will bring the number of troops down to 6,500 by February of next year and 5,000 by October of 1999, so we are staying within this fiscal year. Now, the exceptions are very broad at the discretion of the President and the Secretary of Defense that U.S. forces would have enough forces to protect themselves as the drawdowns proceed. So we are, of course, going to give the protection to the forces as the drawdown goes forward.

This doesn't take us out of Bosnia, which many in this body feel that we should do, that we should begin this at the base, for an honorable withdrawal. It just says, by the end of the fiscal year of the budget that we are considering, that our troop level would be down from about 8,500 to about 5,000. This should start the process of working with our allies to have a better distribution and sharing of responsibility among our allies and the United States.

This is a European security issue. The United States has approximately double the number of forces that any of our European allies have. We want to be a good ally. In fact, I don't want to pull up stakes and leave Bosnia without doing it in a responsible way. I think that is our responsibility. But, in fact, many of us have asked the President repeatedly to lay the groundwork with an established and clear mission that has a chance to succeed, a mission that has a finite term so that both our allies and any enemies of our cause would know exactly what to expect from America. That would not be possible at this time. We have said we were going to leave twice, and we have not left. We have not left, and we have not laid a proper base to leave.

What I am asking the President to consider and what I ask the American people to consider is that we start the process of realigning the forces in Bosnia so that our contribution would be reduced and our allies in NATO would begin to take a greater share of the burden.

Why is this important? We are looking at a time when our military readiness is being called into question. In

fact, if you look at all of the responsibilities that America has in the world, we are spending too much on Bosnia and putting the future security of the United States and our ability to respond in the future in other places where America may have to respond, even unilaterally, in jeopardy. That is not the course we should be taking.

It is most important that America start with the issue of Bosnia and address it in a way that we should by putting it in context with our overall responsibilities in the world. The Bosnia operation has already diverted nearly \$10 billion from our national defense. A growing lament at the Pentagon among senior officers is that we are in danger of returning to the hollow forces of the militaries of the late 1970s.

Let me mention some of the indicators that demonstrate our military is once again at risk. Last year, the military had its worst recruiting year since 1979. The Army failed to meet its objective to recruit infantry soldiers, the single most important specialty in the Army. A Senate Budget Committee investigator recently reported finding serious Army-wide personnel and readiness problems. At the National Training Center, where our troops go for advanced training, units rotating in typically come with a 60 percent shortage in mechanics and often a 50 percent shortage in infantry. These shortages were blamed on the fact that these personnel, especially the mechanics, are deployed abroad for missions such as Bosnia.

More than 350 Air Force pilots turned down the \$60,000 bonuses they would have received to remain in the cockpit another 5 years—a 29 percent acceptance rate. That is compared with 59 percent last year and 81 percent in 1995. That is a stark trend. The Air Force is finding that whatever the perks, it can't hold its best pilots. Last year, about 500 pilots resigned. Most of them were lured by the airlines. This year the number will be 700, and the Air Force says it is not able to train enough new pilots to replace them.

When I have gone and visited our bases overseas and at home and I ask our enlisted military men and women why we are losing our experienced people, almost every time the answer is: Too much time away from our families on operations that don't seem that necessary. A Senate Budget Committee investigator also found that some small units are now being led by junior people because sergeants are off on peacekeeping duty. As a result, subunits from basic squads on up do not train with the leaders they would go to war with—breaking the rule of training just as you would go to war.

Since 1991, the United States has cut its Armed Forces by about a third. It may be more difficult, more risky, and possibly more costly to invade Iraq right now. We are going to debate and vote on a resolution today, hopefully, expressing our support for the President's strong actions toward Iraq. But

the fact is, if anything went wrong, we would have to divert troops from every theater in the world to prevail. Defense cuts of almost 50 percent over the last decade have put our security at risk. But this has been made worse by the diversion of U.S. resources and readiness to places where there is no security threat to the United States, such as Bosnia, Haiti, and elsewhere.

We have spent more time discussing Bosnia than missile defense, which is a security risk to our country. We are not developing a policy that is going to put our country in the best position to deal with the myriad of issues that will face this country and our security in the next century.

President Clinton and his administration are missing a big-picture view of the world and the proper role for the United States. Our growing involvement in Bosnia is a good example of that. Just last week, U.S. forces were directly involved in tracking down and capturing a war criminal.

The Dayton accords have made it clear that apprehension of war criminals would be the responsibility of the parties to Dayton—civilian police and government officials. In fact, a little more than 1 year ago now, the former NATO commander, George Joulwan, told the Congress this:

The military are not policemen. And I think the proper responsibility rests on the parties. That is what Dayton says. . . . [I]f we are not careful, we will go down this slippery slope where the military will be put in the position of hunting down war criminals. That is not within the mandate.

That is Gen. George Joulwan.

I joined with many of my colleagues in the Senate to oppose the decision to send troops to Bosnia. One of our principal concerns was that, once there, our mission would be indefinite, and that it might lead to mission creep. We were bolstered in our concerns by former Secretary of Defense William Perry and former Chairman of the Joint Chiefs, General Shalikashvili. They both warned that without a specific deadline for withdrawal there would be the potential for expanding the mission.

I am concerned that Secretary Perry's warnings are coming true. While we were on a recent recess, the President announced that thousands of U.S. troops would remain in Bosnia after the June 30 deadline, remembering that the Senate had unanimously endorsed that deadline of June 30, 1998, which his administration had established.

After 240 U.S. Marines were killed in Lebanon in 1984, Defense Secretary Caspar Weinberger established six principles upon which the decision to send U.S. ground troops should be based. Here is what he said:

The U.S. should not commit forces unless the engagement is in our vital national interest. If we do commit forces, we should have clearly defined political and military objectives. We should know how those objectives can be accomplished, and we should send the appropriate forces to complete the objectives. We must constantly reassess and

adjust our relationship between our objectives and forces, if necessary. The commitment of troops should be a last resort, not the first.

We have violated virtually every one of Secretary Weinberger's principles in Bosnia. It was supposed to be a 1-year peacekeeping operation that would keep the factions apart until their own forces could come in and keep the peace from the ground up. They would have local elections and general elections for their national leadership. They would begin to resettle refugees.

Dayton has long since passed. I was in Brcko a year ago, 1 week before the eruption there in which U.S. troops were harmed. I was able to see how far we had come. I have been to Bosnia four times.

What I saw in Brcko was the resettling of refugees who did not even meet their next-door neighbors from the other factions, and I thought this is going to take a long time. The atrocities committed right in Brcko against thousands of Muslims are as bad as anything I have ever heard reported from the Nazi atrocities of World War II. Yet, we are trying to say "come and live together like Americans do." It looks like we are trying to create multiethnic neighborhoods, forcing people to do this prematurely, after the atrocities that have occurred in that country. This in itself can be antipeaceful. I think it is going to prolong the uprisings if we try to force this before the people themselves are ready—before the wounds have healed.

So I hope that we can let things settle, let the peace settle in, and let's do what we said we were going to do. Let's start training the people who are there to be a peacekeeping and police force. This could be done in an orderly way. We could begin with a NATO force that transitions and trains the forces that would come in behind them. They will be able to keep their peace, but it will not be an incentive for them to take over this job if they know that we are going to be there to do it for them.

I hope that we can create the base for an honorable exit. My amendment just tries to get a more equitable distribution of forces so that the burden is more equally shared between the United States and our NATO allies in Europe. It validates the legitimate responsibility that Congress has to authorize the long-term deployment of forces around the world by requiring a vote on the President's plan.

Without this amendment, we will be looking at American troops in Bosnia indefinitely. We will be looking at a never-ending commitment, and we will be taking resources that are vitally necessary for our own security and for our responsibilities around the world.

It is most important that we establish a policy that can succeed. Keeping thousands of American troops in a 30,000-troop enclave in Bosnia in perpetuity is not good military strategy and is not based on good policy. Remember what Shalikashvili said: "Hav-

ing a defined deadline is important to avoid mission creep." We have learned that before and we should not forget the lesson. I think it is important for us to begin to act like the superpower that we are. When a superpower makes a commitment, it must be willing to back it up and do what it says it is going to do. It is so important that we act firmly. It was important in Iraq. It is important in Bosnia that when we set deadlines, we meet them, so that everyone knows what to expect. It is most important, Mr. President, that we look at our security forces and the money that we are spending on our defense. We are lowering our defense expenditures while increasing the OPTEMPO—increasing the operations we are getting involved in around the world. This is despite warning after warning from past Presidents, from past Chairmen of the Joint Chiefs, from the experts who have seen history and have learned from it.

We can do things that no one else in the world can do. We can provide an umbrella of defense for ballistic missiles, for nuclear weaponry, but that takes a commitment of money and a commitment of will. If we are dissipating to the tune of about \$3 billion a year in a peacekeeping mission, which can be done just as well by any of our other allies, we are walking away from the responsibility we have to our allies to protect them in a way that only we can, because only we have the resources to do it.

Mr. President, I don't see how our colleagues can express alarm about the decline in U.S. readiness, and at the same time, ignore the policies that are causing the decline. It is our responsibility to act when our troops are going to be sent to an overseas conflict or missions of any kind when they are long-term. The President has now said it is going to be long-term—in fact, unending. If we don't have any set time, we will forget and the Bosnia operation will be in perpetuity. Those who are relying on us will continue to. Why shouldn't they? What incentive do they have to start the training of their own forces, which was envisioned in the Dayton accords?

I hope my colleagues will look at this very small first step in exercising Congress' responsibility. This is a precedent that has been set by Congresses in the past. We have set time deadlines. We have stopped the funding for operations that Congress did not think should be continued. This has happened in Cambodia, Vietnam, Somalia, Rwanda, and even in Korea, in the Philippines, and in Japan. We have spoken. In the past, Congress has stepped up to its responsibility. I hope it will today.

Mr. President, I will stop at this point because others want to speak. I do hope that my colleagues will focus carefully on this step. It is not even a major step of withdrawing from Bosnia. It is to just say we want our allies to accept more of the responsibility so that our troops will be able to do what

they do best, and that is to train for the contingency that only we can address; that we will have the money to be able to invest in the technology that will protect the world from ballistic missiles and nuclear, biological, and chemical weapons; and that we will not lose our most experienced personnel because they are worn out from mission fatigue on operations they do not see as threats to U.S. security.

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

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I rise today as a cosponsor of the Hutchison amendment, No. 3413, to the DOD appropriations bill concerning Bosnia.

I want to very sincerely commend the Senator from Texas for all the hard work she continues to devote to this important issue and for trying to craft a compromise that would be acceptable to a majority of our colleagues regarding the United States' ongoing presence in Bosnia and Herzegovina.

As my friend from Texas has already explained, this amendment mandates a withdrawal of U.S. forces participating in the NATO Stabilization Force, or S-FOR, requiring that that force, or any future multi-national successor force, shall not exceed 6,500 troops by February 2, 1999, and 5,000 troops by October 1, 1999. The amendment enforces these levels by tying any appropriated funds for the Bosnia mission to this troop reduction.

This amendment represents something less than a funding cut-off for the mission, although that is a policy I have pursued in the past.

Rather, it suggests a slow and careful drawdown of U.S. forces in the region. In fact, it allows for troops to stay there past October of next year!

Mr. President, this is July 30. This is exactly 1 month after the date that we were supposed to be out of Bosnia in the first place. That isn't even accurate, because really we were supposed to be out of Bosnia in the first place, according to the promises that were made by both parties, by December 30, 1996. So we are way beyond that date.

Our troops have been there since 1995—much longer than the original 1-year mandate, and already longer than the expanded 18-month mandate for S-FOR—and I do not think anyone has a good idea how many more years we will be there.

More significantly, the cost of our involvement in Bosnia has increased dramatically—easily more than quadrupling the original \$2 billion estimate to over \$9 billion.

The estimate is that it is now well over \$9 billion for this commitment that has already been spent or obligated.

Mr. President, I regret that the managers of this bill earlier today agreed to a provision that would allow \$1.8 billion in additional funds for the Bosnia

mission to be added to this bill with an emergency designation.

Mr. President, the mission in Bosnia has clearly ceased to be an emergency, and this amendment even recognizes that fact.

The fact that the emergency designation was inserted into the bill this morning unfortunately highlights the fact that we in Congress continue to be lax in establishing some kind of accountability for our continued operation in Bosnia, and particularly for the taxpayer dollars that are needed to support that operation, soon to approach the astounding figure of \$10 billion.

I recognize that my continued opposition to the mission in Bosnia is not shared by everyone in Congress. But I think all of us would agree that the Congress has a constitutional responsibility to provide a check on the manner in which the executive branch spends money.

This is the way the President spends an annual budget request to the Congress with his plans for the following year's spending. From time to time there are emergencies that can not be foreseen, and we deal with those accordingly as emergencies.

But let me repeat again, U.S. involvement in Bosnia has ceased to be an emergency.

Rather, our presence in Bosnia has clearly become a substantial, long-term commitment. It is something the United States has, for better or worse, decided to do for the long-term. And we need to evaluate this operation on its merits accordingly, and not pretend that it is an appropriate occasion for an emergency designation.

The amendment by the Senator from Texas can at least put some real pressure on the administration to develop plans for a reduction in troop levels in Bosnia. The amendment also would have a positive budgetary impact, because we would need fewer resources to support a smaller troop presence.

Mr. President, with or without this amendment, I think we all recognize that there will be troops in Bosnia next year.

So, this is not an emergency, and I think the Congress has a responsibility to face that fact and deal with it accordingly.

I hope, therefore, that those of my colleagues who do support the mission in Bosnia will cease to resort to maneuvers regarding the funding of this mission that seek to avoid our budget spending caps! This has been going on far too long, and has eaten up too many of our resources—human, financial and otherwise. We cannot continue with this budgetary game.

Mr. President, I am pleased once again to join the junior Senator from Texas in trying to assert some kind of accountability for this mission. I urge my colleagues to support her amendment.

Mr. President, I yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, it is with reluctance I rise to oppose the amendment offered by my colleague, the Senator from Texas, because we share much the same goal. We had the same concerns about the deployment of our troops to Bosnia initially. We had the same concerns about the Dayton accord, which, as presented to us, was transparent on its face. It was disingenuous on its face that we could accomplish the task incorporated in Dayton with a 1-year period of time of deployment of our troops on the ground, a timetable unachievable by any measure. The continued existence of our involvement in Bosnia is something that I don't support.

But I believe that the amendment has a fatal flaw, and the fatal flaw is that it makes Congress the determiner of how many troops and what time period those troops will be deployed once that decision has been made by the Commander in Chief, the President of the United States.

I find it difficult to stand up here and defend the powers of the President of the United States, particularly at a time like this. But there are constitutional prerogatives and constitutional powers that I think need defending regardless of what your personal assessment is of any particular President.

Second, I believe it is unwise policy for those of us to make decisions about the force levels of our troops or decisions that micromanage how those troops conduct themselves and how they accomplish their mission once the decision has been made. Clearly, our responsibility, if we disagree with the presence of those troops and the deployment of those troops, is to address that by eliminating the funding for those troops, but not to determine the force level of those troops, the kind of equipment they ought to have, and what their timetable ought to be.

I quote from a letter from the Secretary of Defense dated May 21, 1998, when he says, "Our military commanders in the field have determined the level and type of force required to carry out the mission within acceptable risks. The mission force and guidance of the force currently planned for have been fully agreed to by military authorities. Military commanders"—under the amendment offered here—"Military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational consideration, and the fluid tactical situations they face. In addition, legislating withdrawal would incite heightened intransigence and extremism."

Mr. President, we sadly learned in Somalia, to cite one example, the disastrous and tragic consequences of political decisions overriding military requests. We lost some brave Americans unnecessarily because the political decision was made to not provide those

forces with the necessary equipment and not base a sufficient force there until our mission was accomplished. I don't want to see us doing that again.

We in Congress do not have the expertise to make that decision. Even if we did, we shouldn't make that decision. That is a decision that ought to be made by those who command the troops and make the decisions about their presence and what they need to be there.

So I strongly, strongly urge my colleagues to vote to table this amendment, not because they necessarily agree or disagree with whether or not this is a proper deployment, not because this impacts our readiness, which it does, not because it is costing a lot of money, which it is, not because it was a bad decision to start with, and an unachievable mission and objective to start with, because it is, but because it tells our troops that we in Congress know more about what they need, what the troop levels should be, what the date of withdrawal should be, how we accomplish the mission of our military commanders. Those men and women in uniform who we put in harm's way have to have every advantage we can give them in terms of protecting their security, in terms of accomplishing their mission, and it is a decision that has to be made by people with military expertise and not Members of Congress. For that reason, I strongly urge that we table this well-intended but, I think, misguided amendment.

Mr. BIDEN. Mr. President, I rise today in opposition to the Bosnia amendment introduced by the junior Senator from Texas. Before I discuss the reasons for my opposition, I would like to commend the Senator for her continuing interest and involvement in U.S. foreign policy. The Senator is one of this body's most active Members, and while I have often opposed her legislative initiatives, which seemed to me unnecessarily to limit American involvement abroad, I value her enthusiasm and engagement.

The amendment that Senator HUTCHISON has proposed today sets arbitrary caps on our troop strength in Bosnia and micromanages their duties from the vantage point of Washington, D.C.—4,000 miles from Bosnia and Herzegovina! The amendment is fatally flawed.

Mr. President, the Hutchison amendment is predicated upon a false assertion: that the U.S. contribution to SFOR is inequitable and disproportionately large. I will return to that inaccurate claim in a moment.

Moreover, the amendment makes several incorrect claims about the current situation in Bosnia, for example that NATO forces participate in law enforcement activities there.

In circumscribing future activities, it also incorrectly implies that NATO forces are transferring refugees or that refugees are relocating in order to control the territory of the other Bosnian entity.

But, Mr. President, the core of my opposition to the Hutchison amendment is the same as was my opposition last month to the Thurmond amendment to the Defense authorization bill.

Put quite simply, if the United States wishes to remain the leader of the North Atlantic Treaty Organization, then it must continue to lead!

Mr. President, leadership means being present in all aspects of NATO operations and sharing in the risks.

The Hutchison amendment is a prescription for "NATO à la carte."

By February 1999 it would allow exceptions in Bosnia to the arbitrary troop limits in Bosnia only for self-protection as we withdraw our forces, to protect U.S. diplomatic facilities, or in advisory support roles.

That might work for a junior member of the Alliance, but not for the United States of America. Not for the leader of NATO.

Let me return to the false assumption that underlies the Hutchison amendment—that our participation in SFOR is disproportionately large.

As a matter of fact, Mr. President, while the U.S. contribution to SFOR remains the largest single national contribution, the proportion of U.S. forces within NATO forces in Bosnia has declined dramatically since initial deployment in December 1995.

At the outset, U.S. troops made up fully one-third of IFOR. As a result of steady, measured reductions, U.S. participation has dropped to one-fifth of SFOR.

In other words, our allies and other SFOR partners have agreed to the U.S. taking disproportionate cuts in force numbers at each milestone, while continuing to accept U.S. command of the overall force.

At the current time, our European allies alone contribute more than three-and-one-half times the number of troops in SFOR than we do.

Attempting to lower the U.S. proportion to equal or below that of any single European ally would almost certainly cost us our command position. Some Members of the Senate might welcome such a development. I would not.

I want the United States to retain command of SFOR in order to ensure that the pace of implementing the Dayton Accords holds steady or accelerates.

I want the United States to retain command of SFOR in order to maximize the effectiveness and protection of the U.S. forces in Bosnia.

We are in Bosnia because helping to resolve the Bosnian problem is in our national interest.

As was repeatedly pointed out by this Senator and many others during the debate on NATO enlargement last spring, that is the reason we are in Europe at all.

In political, security, and economic terms, we are a European power. Our engagement in Europe, including Bosnia, is not a charity operation. Stability in Europe benefits us.

The European allies of the United States are playing a major role in Bosnia.

Because of our leadership role in NATO, and because of our superior logistical capabilities, we have maintained command of SFOR. This is how it should be.

Like my colleagues, I am in favor of the speediest fulfillment of the Dayton Accords so that Bosnia and Herzegovina will have a self-sustaining democracy and all foreign troops may be withdrawn. American command of SFOR is the best guarantee that we can rapidly achieve this goal.

The Hutchison amendment would, I submit, gravely undermine that American command in Bosnia and would set in motion a process that could ultimately result in loss of the position of SACEUR, the command of NATO land forces in Europe.

For all these reasons, I oppose the Hutchison amendment, and I urge my colleagues to join me in defeating it.

I thank the Chair and yield the floor.

Mr. President, I will take no more time. I know my friend from Arizona is about to make some comments.

Last spring this was a bad idea. Nothing has caused it to become a good idea in the summer. It was a bad idea then; it is a bad idea now. I hope it will be tabled.

Mr. McCain addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. I thank my friend from Delaware, who obviously is very knowledgeable on this issue and has stayed focused on these issues for many, many years.

I also wish to thank the Senator from Indiana for his very forceful presentation.

Mr. President, I believe everyone in this body knows that I have long had serious concerns about our mission in Bosnia. From the time the IFOR mission was first briefed to the Congress, I knew the job could not be completed in one year—nor against any arbitrary deadline. Instead, I urged the Administration to set concrete objectives and benchmarks for measuring success.

Now, as many members have pointed out, we are in an open-ended and ill-defined military commitment. The Administration has scrapped all the artificial deadlines. But no clear set of objectives and well-defined military missions has taken its place. We seem to drift in and out of going after war criminals, of using the military to resettle refugees, and of taking on a direct political role in parts of Bosnia in the name of supporting international civilian authorities. The role of our military has expanded, and there is no end in sight.

The answer to this problem, however, is not to go back and set new artificial deadlines or troop levels. And make no mistake about it, Mr. President. The amendment before us is little different than the one the Senate rejected last month.

Bosnia is a long-term, complicated problem. It involves not only the warring factions, but has direct effects on Croatia and Serbia, including Kosovo, and threatens to spill over to the wider Balkan region. The credibility of NATO and especially the United States is tied up with finding a solution for the Bosnia crisis. It would be sheer irresponsibility, probably leading to renewed warfare, if we were to precipitously pull Out of Bosnia after investing so much. It would be a betrayal of our commitment to cooperating with our Allies. And it could well lead to an even more costly and dangerous re-introduction of American forces to stop the renewed fighting.

Dealing with the Bosnia crisis—even if though our objective is to get American troops out of there—requires treating Bosnia as a serious long-term challenge. It is not an issue that lends itself to artificial deadlines for withdrawal. Nor is there any rationale to forcing the Congress to vote by some artificial deadline. Worse still would be a funding cut-off, which would only punish our troops for the failure of policy makers in Washington to craft a viable long term policy.

I would like to offer six principles that I believe should guide our policy:

(1) The U.S. has no permanent national interests in Bosnia. We are not interested in nation-building for its own sake. All we want is to create a self-sustaining peace. We must carry out our responsibilities and then get out.

(2) Our withdrawal must not precipitate renewed warfare in Bosnia.

(3) There must be no phony deadlines—whether for a withdrawal date, a Senate vote, or anything else. We have all the power we need to act whenever we want. We don't need a deadline. We need sound policy.

(4) There must be no funding cut-offs or troop limits. This would only hurt our troops on the ground. The real problem is policy making here in Washington. It needs to be solved here.

(5) There must be no micro-management of the military. The Congress and Administration must provide political leadership. We must make the tough decisions and bear the consequences. The military's job is to implement our decisions as effectively as possible based solely on military considerations. The military has no business making political decisions for us, and we have no business making military decisions for them.

(6) The U.S. must provide leadership. No other country in the world has the political, military, and moral authority to exert leadership. Simply packing our bags and walking away is not an option. We must not simply abandon our Allies. We must leave Bosnia, but with dignity and leadership, leaving behind a well-planned succession.

Handling the Bosnia crisis requires us to look beyond just this fiscal year. It requires the United States to develop a multi-year strategy that sets

Out our objectives, the means for achieving these objectives, and a target timetable for getting us there—but no phony deadlines. For the sake of our troops, we need to set out clearly the military and nonmilitary missions they are being asked to perform. 'Creative ambiguity' may be useful in politics, but it is dangerous for soldiers. We need to be honest with ourselves about the risks we are asking our troops to face, and the costs to the taxpayers of continuing the mission.

I am convinced that the direction we should be taking is to move toward a force made up of European nations inside Bosnia, with U.S. forces just "over-the-horizon" outside of Bosnia—providing a rapid response capability to deter security threats, and providing logistical, intelligence, and air support to the European forces inside Bosnia. This step would free up U.S. forces to prepare for other contingencies.

But it is not possible to achieve this goal simply by setting arbitrary numbers, or even numbers arrived at through an averaging process involving contributions of countries with militaries' a fraction the size of our own, and deadlines for troop withdrawals. Doing so could provoke a crisis with our Allies and could have the effect of simply setting a timeable for restoring violence to Bosnia. Instead, achieving this goal requires working together with our Allies and realistically taking account of the situation inside Bosnia.

Mr. President, the Senate already approved an amendment, of which I sponsored, that seeks to do exactly these things. It imposes a number of reporting requirements, designed to provide the basis for moving us in the direction we all want to go. According to the amendment already passed by the Senate just over one month ago, each time the Administration submits a budget request for funding military operations in Bosnia, the Administration must clearly state its best assessment of six items:

(1) our overall objectives and multi-year timetable for achieving these objectives—taking account of the benchmarks already required under the supplemental appropriation passed earlier this year;

(2) the military and nonmilitary missions the President has directed U.S. forces to carry out—including specific language on our policy on war criminals, returning refugees, police functions, and support for civil implementation;

(3) the Chairman of the Joint Chiefs of Staff's assessment of the risks these missions present to U.S. military personnel;

(4) the cost of executing our strategy over several fiscal years.

(5) the status of plans to move forward a European force inside Bosnia with a U.S. force outside Bosnia that would deter threats and provide support to the European force; and

(6) an assessment of the impact of reducing our forces according to the

timetable proposed in the original Byrd-Hutchison amendment.

This may seem like a detailed and onerous reporting requirement, but it is nothing more than the king of long-term planning the Administration should be doing anyway. And by requiring it in a report to Congress, we ensure that the Congress is operating off the same set of assumptions and plans as the Administration. This will give us an opportunity to look more thoughtfully at the real challenges in Bosnia and structure our decisions more appropriately. Instead of broad swipes through artificial deadlines or prohibitions on certain missions, we will be able to target our policy choices more effectively.

Mr. President, I am not going to elaborate very much on what the Senator from Indiana had to say, except to ask unanimous consent that a letter to Senator STROM THURMOND, the chairman of the Senate Armed Services Committee, written by General Shelton and Secretary Cohen be printed in the RECORD.

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

THE SECRETARY OF DEFENSE,
Washington, DC, 21 May 1998.

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

DEAR MR. CHAIRMAN: We write to express our concerns with any amendment that would legislate a date or schedule for withdrawal or reduction of US forces from the NATO-led mission in Bosnia. Such amendments would make it more difficult to accomplish the mission, which has been remarkable successful to date.

It is our intention to reduce our forces in Bosnia. Based on the progress achieved to date, our commanders already have been able to reduce US troop levels from almost 20,000 in 1996 to the 6,900 that will be deployed after the current drawdown is completed in September. We will conduct regular reviews of our force posture and progress toward the benchmarks we have established, and we expect further reductions will be possible. But that determination is best based on the actual situation on the ground, the military advice of our commanders in the field, and the approval of the NATO military and political authorities, not an arbitrary withdrawal or reduction dates determined long in advance.

Our military commanders in the field have determined the level and type of force required to carry out the mission within acceptable risk. The mission, forces and guidance of the force currently planned for June 1998 have been fully agreed to by NATO political and military authorities. Under a legislated approach, military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational considerations, and the fluid tactical situation they face. In addition, while those opposed to the Dayton Accords have been steadily isolated and diminished in their influence, legislating withdrawal or reduction dates would invite heightened intransigence and extremism.

Additional factors that Congress should consider in reviewing any such amendment are the following:

Under the proposed amendment, command of the SFOR operation and its element in

MND-North might well be transferred to a non-US officer early next year.

Shifting to a posture in which the US has much smaller force levels in Bosnia but enhances its force presence in regions surrounding Bosnia, as envisioned by the amendment, will not save money and indeed could cost more than our current operation in Bosnia. We are continually evaluating the force posture for Bosnia, and do not consider an over-the-horizon force appropriate now.

Accordingly, we strongly urge you to oppose any legislated fixed date or timetable for withdrawal or reduction of US forces in Bosnia.

There is one other factor related to operations in Bosnia of great concern to us, and that is funding. The Department submitted an addition to the FY99 budget to fund a 6,900-person force in Bosnia. Authorizing that request is essential to accomplishing the mission without significantly reducing readiness in other areas. Without that funding, we would have to choose between Bosnia operations and the overall readiness of our Armed Forces.

Sincerely,

HENRY H. SHELTON.
BILL COHEN.

Mr. McCAIN. Mr. President, in Secretary Cohen and General Shelton's letter the Senator from Indiana just referred to, it is very important to understand what they are saying here:

Under a legislated approach, military commanders will be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational considerations and the fluid tactical situation they face. In addition, while those opposed to the Dayton Accords have been steadily isolated and diminished in their influence, legislating withdrawal of reduction dates would invite heightened intransigence and extremism.

So that is the view of the people to whom we entrust the care of our men and women in the military.

I think it would be very appropriate to have a vigorous and, I think, illuminating debate on the issue of whether the troops should be there at all. Congress clearly has the right to cut off funding for any military operation anywhere in the world. But I see nowhere in the Constitution where we have the right to, indeed, decide the levels of troops that should be there. I pride myself on the fact that I had some time in the service of our country wearing a uniform, but no way does that give me the expertise or the knowledge to set a troop level. That responsibility is entrusted to our civilian and military commanders.

So it is with reluctance, because I agree with the thrust of what Senator HUTCHISON is saying, Mr. President, I move to table the Hutchison amendment.

Mr. BYRD. Mr. President, will the Senator allow me to speak on this amendment before he moves to table?

Mr. McCAIN. Absolutely.

Mrs. HUTCHISON. Will the Senator also allow others who said they would like to speak on this amendment to speak and then move to table?

Mr. McCAIN. I do not intend that the request—I will allow the distinguished manager of the bill. It is nearly 5 o'clock. We have 50 pending amendments.

Mrs. HUTCHISON. Mr. President, I would like to be able to close.

The PRESIDING OFFICER. Does the Senator withdraw the motion to table?

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. McCAIN. I will yield.

The PRESIDING OFFICER. The Chair needs to know whether the Senator has withdrawn his motion to table.

Mr. McCAIN. I withdraw my motion to table and I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I was trying to condition that motion to table. I know Senator BYRD is one of the original cosponsors, Senator HUTCHISON also. But we do have to move along. I am a cosponsor also. But I do think we have to have some time limit.

Would the Senator be willing to have some discussion as to a time when we might be able to vote?

Mr. BYRD. I, first of all, wish to thank the distinguished Senator from Arizona for withholding his motion. I would probably need 25 minutes.

Mr. STEVENS. And how much time does the Senator want?

Mrs. HUTCHISON. Mr. President, Senator INHOFE and Senator SESSIONS have both asked to speak for approximately 10 minutes each, and then I would like to close on my amendment with about 10 minutes.

Mr. McCAIN. Senator INHOFE said he does not wish to speak on the amendment.

Mr. STEVENS. He has gone to a meeting.

Mr. President, I would like to put some time restraints on this, if we could. I would like to see if we could have the vote take place no later than quarter to 6.

Could we have that agreement?

Mr. BIDEN. Mr. President, if the Senator will yield, a lot of us withheld speaking against this amendment, and I hope that maybe just the Senator from West Virginia, Mr. BYRD, would speak and then all those who already spoke refrain from speaking again so people such as me don't feel compelled to stand up and respond. We are trying to get this done. Because the Senator from Arizona was kind enough to withhold his motion to table, I hope we could agree that after the Senator from West Virginia speaks, and maybe the Senator from Texas takes a couple minutes to close out, we then let the Senator move. It would be helpful.

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

Mr. STEVENS. Mr. President, I would then ask unanimous consent that Senator BYRD be recognized, and the Senator from Texas have whatever time is remaining, and the Senator from Arizona be recognized to make his motion to table at 5:30. And it is with the understanding that if the amendment is not tabled, there is no agreement on the amendment.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. After Senator BYRD speaks, I would be allowed at least 5 minutes to close?

Mr. STEVENS. That leaves 10 minutes, I might say to the Senator, in her control; 25 minutes in the control of the Senator from West Virginia.

Mrs. HUTCHISON. That will be fine. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered. The unanimous consent agreement is accepted.

The Senator from West Virginia.

Mr. STEVENS. Pardon me. The agreement is the Senator from Arizona will be recognized, is that correct?

The PRESIDING OFFICER. That is part of the unanimous consent agreement.

Mr. LEVIN. Mr. President, parliamentary inquiry. Has the agreement been entered into?

Mr. STEVENS. Yes, it has. Is the Senator from Michigan upset?

Mr. LEVIN. I would like 5 minutes, if I could.

Mr. STEVENS. On which amendment?

Mr. LEVIN. On the pending amendment.

Mr. STEVENS. The Senator has not spoken on the amendment.

May I extend him another 5 minutes. We will vote, then—let's put that off. When that time has expired, I do want to ask unanimous consent that we then proceed to the Hutchinson amendment in the second degree to his amendment, and following that, there will be a vote. I understand there is an agreement so I don't think we need a time agreement. But I would ask that the time on this expire at 5:40 and that we then proceed to the Hutchinson amendment in the second degree—there will be three comments about that amendment—and that we vote on both of those amendments at 6 o'clock.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. Reserving the right to object, why didn't the Senator just leave it at 5:30 the way you had it? I think the Senator from Michigan may be willing to take, say, a minute.

Mr. STEVENS. Very well. At 5:30 he gets a minute, and we will go back. We still want to have a vote on the two amendments at the same time. I will renew that request later.

Mr. COATS. Mr. President, reserving the right to object, but I will not object, could I just inquire, did I understand the Senator to say that the second degree will be in order if the amendment is not tabled?

Mr. STEVENS. If it is not tabled. There is no second-degree amendment available because the Senator from Arizona will be recognized to table at the end of these statements.

Mr. COATS. If not tabled, the second degree—

Mr. STEVENS. If not tabled, the second degree is still in order.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank all Senators, and I, again, thank the distinguished Senator from Arizona.

Mr. President, I commend the Senator from Texas, Mrs. HUTCHISON, for offering this amendment regarding the continued participation of U.S. forces in the NATO operation in Bosnia. She has been a persistent and thorough overseer of the situation there. I share her concern that Bosnia not become another forgotten war, another long term military mission whose purpose and even existence is largely ignored, unremarked upon unless something terrible happens. In that unhappy event, of course, much shouting and finger-pointing would ensue, amid calls to "bring our boys home, now."

It is Congress's Constitutional duty to provide for the maintenance of the military, as we are doing in this bill, and that includes those instances in which U.S. troops are pressed into service. We have an obligation to the men and women in our military services not only to provide for them, but also to provide our concurrence and oversight on the ways and places that they are employed. I believe that that calls for something more compelling than Sense of Congress resolutions, such as those that have been passed, one that has been passed during the debate on the Department of Defense Authorization bill last month, but I recognize that, sadly, the majority of my colleagues do not share my opinion. So I applaud Senator HUTCHISON for steaming ahead on the strength of her convictions, despite the somewhat daunting odds.

U.S. troops have been in Bosnia since the Dayton Peace Accords were signed in December 1995. Some 25,000 U.S. troops formed the U.S. contingent of the NATO-led force that replaced the failing United Nations peacekeeping effort there since 1992. The original mission of the NATO force was quite limited—to separate the warring factions, contain the heavy weapons that were bombarding defenseless towns and cities, and begin to mark the hazardous and indiscriminately strewn minefields so that civilians could take over the arduous task of clearing mines. The U.S. had to lead, because our European allies would not rally behind anyone else. This task, we were assured at that time, would take "about one year." And that was in 1995.

As that initial year drew to a close, the military tasks were declared essentially complete, and the situation on the ground was, indeed, transformed. While far from enjoying the kind of security that we in the United States take for granted, people could at least seek water without dodging shells and gunfire. The civilian efforts to reestablish Bosnian society, however, had barely begun. NATO leaders agreed to leave substantial numbers of troops in place to keep the peace while the civilian rebuilding effort continued. That is understandable. Again, the U.S., we were assured, must take the lead, because if we left, our European NATO

allies would march out right behind us. We were told that the troops would be needed only through June 1998. That was in 1996.

Now it is July 1998, almost August. We have been told that the considerable progress being made in rebuilding a government and civilian infrastructure requires the continued reassurance of a NATO peacekeeping force. Elections are scheduled for September, and more work needs to be done to establish a competent and impartial justice system that has the trust of the populace. Therefore, the Administration announced a substantial shift in U.S. policy on Bosnia in December 1997—there would be no further estimates regarding the end of a U.S. presence in Bosnia. The U.S. and NATO would leave when sufficient progress was made in achieving certain benchmarks. The complete and detailed benchmarks are classified, but the unclassified summary that I have seen is fairly lengthy. It basically says that when Bosnian government and institutions resemble those of the United States, then our troops might leave.

Mr. President, that is a pretty big order. Bosnia has never previously resembled the United States, with free press, alternative media, free and fair multiparty elections, a clean and impartial judiciary, free access throughout the country, and so forth. For most of this century, Bosnia was part of communist Yugoslavia. Prior to that, it was part of a monarchy, and before that, it was part of the Ottoman Empire. This leads me to suspect that U.S. troops might be in Bosnia for a very long time, indeed, before Bosnia becomes a happy, peaceful, multi-ethnic republic. And this assumes, of course, that everyone in Bosnia shares this same aspiration, and that no one will try to undermine the progress towards this utopian vision.

Now, Mr. President, I do not want to create the impression that I am against helping the suffering people of Bosnia to establish a sound government that can lead them into a peaceful and prosperous future in the family of nations. The amendment of the Senator from Texas, Mrs. HUTCHISON, also does not call for the withdrawal of U.S. troops from Bosnia. This amendment appreciates the investment that has been made for peace in Bosnia and does not jeopardize that still fragile situation, but it also recognizes the considerable costs of that investment.

I believe that Senator HUTCHISON's effort addresses three very basic questions regarding the continuing role of U.S. forces in Bosnia. These are the questions:

First, does this Senate really want to acquiesce to an open-ended commitment in Bosnia for the foreseeable future? The United States has spent \$8.6 billion, or about \$2 billion a year, to maintain our presence in Bosnia from Fiscal Year 1996 through Fiscal Year 1999. If you include the U.S. share of the United Nations operation in Bosnia

from 1992 through 1995, the total cost is about \$9.5 billion.

That is a lot of money. That is \$9.50 for every minute since Jesus Christ was born, 2,000 years ago. For every minute since Jesus Christ was born, 2,000 years ago, \$9.50. For every minute. That is what it equals.

This bill provides \$1.86 billion for Bosnia operating costs for Fiscal Year 1999, under an emergency declaration.

There are approximately 6700 troops inside Bosnia now, down from almost 10,000, and another 3,000 more are supporting them from bases in Hungary, Italy, and on ships in the Mediterranean. These troops and these funds are not available to meet other crises that might arise, such as that developing in Kosovo, and they are not available to protect U.S. core national security interests. Further, the support troops employed in this mission are drawn heavily from the Guard and Reserves, creating hardships for our part-time military and their employers. The President will need to request continued Reserve call-up authority in August to maintain the Bosnia operation. These readiness questions must be measured against the estimate of how many troops are needed to provide continued reassurance for civilian reconstruction in Bosnia—what is the minimum number of troops required to provide that reassurance? And for how long? And at what cost? Let us not be satisfied with the status quo, if a lower number is adequate or if a shorter time is sufficient. There are too many other demands being placed upon U.S. Armed Forces for us to be spendthrifts in this regard.

Second, does the Senate wish to continue to allow the United States to be led by the reluctance of others? Must the United States continue to provide a substantially greater number of troops than any of the other NATO allies, as is now envisioned? If we cannot pass the baton of leadership because our European allies will not lead, then should we not at least push them into carrying an equal military burden for a situation that is, after all, on their borders, not on ours? I know that it is easier to be a follower than a leader, easier to be a critic rather than a playwright, but as the Bosnia operation settles into a routine, surely some of this burden could be assumed by our allies.

Third, does the Senate want to abstain from placing limits on the role that U.S. forces should play in Bosnia? Or do we want to enhance the safety of the men and women we are supporting on the ground there by prohibiting them from performing the kinds of activities that put them in harm's way by making them appear to side with one ethnic group over another? NATO forces have played an increasing role in the capture of war criminals, and have taken over radio transmission towers linked with propaganda practices. A news story from early July reported that U.S. special operations teams

came very close to mounting a "snatch and grab" exercise designed to capture Serb military leaders before commanders on the ground declared that the intelligence was insufficient to ensure a reasonable chance of success. The longer we stay in Bosnia, and the more manpower we have to spare, the more such jobs we will be drawn into doing. It is the American way, to say, "we'll pitch in." And we are suckers for the underdog. But that can be dangerous in a place as rife with centuries-old animosities as Bosnia. These ethnic and religious factions know how to carry a grudge, how to nurse an injustice, through centuries if need be.

With these questions in mind, consider the current situation in the Balkans, as Senator HUTCHISON has. Bosnia is relatively stable. No one is shooting at each other, and no one is shooting at the NATO forces. But, Kosovo, on its borders, is not stable. There, the situation is rapidly degenerating. Already more than 10,000 refugees have fled into neighboring Albania to seek refuge from Serbian dominated Yugoslav military forces who are ruthlessly squashing a separatist movement in ethnically Albanian Kosovo, which had been an autonomous region of Yugoslavia until 1989. The situation is complex and, frighteningly, contains the potential to draw in neighboring nations and even NATO members. This is the dreaded "spillover" that was much discussed when the ethnic conflagration in Bosnia erupted in 1992.

NATO officials have already contemplated what forces might be necessary to contain the conflict in Kosovo. Even with over 20,000 troops spread along the mountainous border between Kosovo and Albania, they concluded, the probability of success would be low. Air strikes are under consideration. Diplomatic efforts are ongoing, but the Yugoslav leader, Slobodan Milosevic has an unsavory history of playing both ends against the middle to achieve his goals.

It is clear that the cost of maintaining a large presence in Bosnia could be fairly high if forces are needed to contain the conflict in Kosovo and keep it from engulfing a large part of the Balkans. Our NATO allies will happily continue to let the U.S. carry the heaviest load in addition to the burdens of leadership, if all it takes is to threaten to beat us through the exit door, should we decide to leave. To hear them say it, it would be quite a stampede, no matter what the consequences are for Bosnia and their own continent's future.

The amendment offered by Senator HUTCHISON calls for a gradual ramping down of the U.S. presence in Bosnia, reducing our forces there to 5,000 by October 1, 1999, a number roughly equivalent to that of Britain, the next largest contributor to the NATO mission. The amendment of the Senator from Texas also limits the mission of those remaining forces to the security role assigned to them in 1995. This honors

U.S. NATO commitments in Bosnia, protects our men and women in the military from being put in a position of playing favorites and therefore creating enemies, while freeing up troops, energy, and funds for other pressing security matters.

The United States cannot continue to pick up the largest burden of every NATO military mission. While our allies have been reducing their military budgets and forces since the cold war ended, the United States military has been strained by the increasing number of calls to respond to crises around the world—in Somalia, Rwanda, Haiti, Iraq, Bosnia, and next, perhaps, in Kosovo. Our generosity in picking up the bulk of the tab has, I fear, marked us as a patsy, a patsy who can be suckered into bankrolling everyone's problems with funds and troops. If we keep doing it, what incentive is there for anyone else to develop the expertise, training, and tools to take over appropriate parts of that role?

I wish that the administration would put its support behind this amendment. I think it would strengthen the administration's position in talking with our allies in Europe, and it would seem to me that would be a very beneficial thing, insofar as the administration is concerned.

Mr. President, I believe that Senator HUTCHISON has offered a blueprint for the continued U.S. participation in Bosnia that supports our NATO commitment, even our leadership role, but not at the cost of maintaining a disproportionate force size. The most important thing we can do here today is to let the soldiers and airmen out there so far away know that we are watching, and that we care enough about them to act in their best interests. They are not America's forgotten heroes, out of sight and out of mind unless trouble comes their way. We are there with them, in thought and in deed, and we will not keep any more of them engaged in lengthy and lonely overseas deployments for any longer than is absolutely necessary. I will vote for the Hutchison amendment. I urge my colleagues to do the same.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Under the previous order, the Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I yield 3 minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 3 minutes.

Mr. SESSIONS. Thank you, Mr. President.

I want to say a couple things that I think are very important. I think this amendment is much more important than it may appear to some who probably will be casting their vote on it. We are a great Nation, the greatest Nation in the history of the world. This body, this Senate, has traditionally been involved in American foreign policy and

American national defense. We are spending a very large sum of money on this mission which is ill-defined and provides little immediate benefit to our Nation. Other nations which have a far clearer and more direct interest in it are contributing far less to it.

This mission has exceeded \$10 billion, money which comes from the American taxpayers. We went through a BRAC process, a base-closing process of which the Senator from Texas and the Senator from Oklahoma, who is here today, are all quite aware. We saved \$9 billion. We spent more than that already on Bosnia, an operation that has very little vision. The President has articulated very poorly and inadequately, in my opinion, any justification for an extended mission with no end in sight.

As the President said in remarks earlier, it was a political decision to move into this area of the world. Therefore, it is a decision quite appropriate for this body to respond to. I say it is time for us to confront the issue, demand some answers, require the President to be responsible, and assert our rightful role as a U.S. Senate in American national defense. I am, frankly, disappointed that a Senator would move to table and cut off debate on this issue.

I think we ought to say a lot more about it, and we ought to have a lot of time talking about it, not be cutting off this debate. Maybe some of them have made up their minds, they think they know what is best for everybody else here, but I am not so certain they do. So I don't know.

I do not have much time. I know others do. And we are going to have the vote on the motion to table shortly. And I just feel very strongly about it. We have a role in this world, not to be the policemen. We have ballistic missile defense. We have chemical, biological weapons. We have strategic capabilities that we must fulfill. We cannot just drift into this without a clear understanding of our mission.

Mr. President, I yield the floor.

Mrs. HUTCHISON. Mr. President, I yield up to 3 minutes to the Senator from Oklahoma.

Mr. INHOFE. I thank the Senator from Texas for yielding the time. It is very precious time. There isn't nearly time to get into the seriousness of this issue. The Senator from Alabama is exactly right, there is no issue before this body that is more significant than this particular issue.

We have stood here and debated this at least once a month since November of 1995. If I could criticize the Senator from Texas, I would say this isn't strong enough. But I know she knows it is not strong enough either. We should have a date. We should be out of there. And it isn't being hardhearted, it isn't being uncompassionate.

This is something where the times are different now than they were back in 1995. If you just look at a very recent development, the Rumsfeld report came out. And if you will remember,

the national intelligence estimate that came out in 1995, that said we would have a good 3 years' warning, in 3 years, to participate in preparing for a national missile defense system. Now the Rumsfeld report has come out and said that isn't true at all, that we are out of time, we are naked—if we started today to deploy a system and put it into effect, we would not be able to do it.

What has that got to do with Bosnia? It is very simple, because in Bosnia right now they are using up our military assets to the extent that we are not able to carry out the minimum expectations of the American people, which would be to defend America on two regional fronts.

If you do not believe this, go to the 21st TACOM in Germany. They are responsible for the ground support, anything that will happen in that theater. That theater includes Iraq. That means that if something should happen, we should have to surgically strike Iraq—I do not think there is a person in America who does not believe that is a possibility—we would eventually have to go in on the ground and clean it up.

How do you do that? If you go to the 21st TACOM in Germany, they will say we are right now over 100 percent capacity in just supporting Bosnia. We have M-915 trucks that have a million miles on them right now trying to carry the support over there and support Bosnia on the ground. Until we are able to get that out, we are not going to be able to adequately meet the defense needs.

I hope that you read, Mr. President, just in this morning's Inside the Pentagon: "The Navy's ability to retain its carrier aviators has hit its lowest historical annual rate. . . ."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. INHOFE. I thought I had 3 minutes.

The PRESIDING OFFICER. We believe the time allocated to the Senator was 2 minutes. If it was 3, the Senator may continue.

Mrs. HUTCHISON. I had 10 minutes. I authorized up to 3 minutes for Senator SESSIONS and up to 3 for the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator may continue.

Mr. INHOFE. I will wrap up real quickly. I think the point is here in today's report. We talk about the fact that only 27 eligible carrier pilots had applied for the ACP agreements. The minimum expectation of the Navy was 82. That means that approximately one-third are re-upping for this particular duty.

It costs \$6 million to put a new pilot in the seat of an F-16. We are at the lowest retention rate in the history of America. And if you look at the exits surveys, they will say it is not because of pay, it is because of the type of operation they are having to do to support Bosnia. And they are unable to carry out the red flag training and all the se-

rious training that would be necessary should we have to send them into combat.

So I do support this. I would like a much stronger amendment than this, but I would certainly support—this is the best thing out there.

The PRESIDING OFFICER. The Senator from Texas—the Chair would advise we have restored the time taken in discussing the misallocation of time back to the Senator. The Senator now has 4 minutes remaining.

Mrs. HUTCHISON. Thank you, Mr. President.

I will withhold until the Senator from Michigan uses his time that was allocated, and then I will finish.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I understand I have been allocated 1 minute. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEVIN. Mr. President, this amendment would set arbitrary dates for reductions of troops. It runs smack against the advice of our top military officials, both uniformed and civilian.

In a letter which has been quoted by a number of Senators, including the Senator occupying the Chair, General Shelton and Secretary Cohen, on May 21, told us the following:

Under a legislated approach, military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational considerations, and the fluid tactical situation they face.

Mr. President, that is why military commanders, including our top commander, oppose this amendment. That is why General Shelton opposes this amendment. It is why Secretary Cohen opposes this amendment. It would be mandating an arbitrary date for a troop reduction. That jeopardizes the well-being of our forces in Bosnia.

Mr. President, I want to talk about a number of provisions in the amendment with which I disagree.

First of all, I want to correct an impression that I believe is created by the findings in this amendment. The findings imply that Congress has not played any role nor exercised its oversight authority since U.S. forces were first deployed to Bosnia. I would remind my colleagues of the provisions that were included in the National Defense Authorization Act for Fiscal Year 1998 and the National Defense Appropriations Act for Fiscal Year 1998. Those Acts required the President to certify that the continued presence of U.S. armed forces in Bosnia, after June 30, 1998, is required in order to meet the national security interests of the United States and that it is the policy of the United States that U.S. armed forces will not serve as, or be used as, civil police in Bosnia. It also required the President to submit to Congress a report on why the U.S. armed forces' presence in Bosnia was in the U.S. na-

tional security interests, the expected duration of such deployment, the mission and objectives of the U.S. armed forces, the exit strategy of such forces, and a number of other matters.

The President submitted the required certifications and report to Congress on March 3, 1998. In detailing the exit strategy for U.S. forces, the report contained 10 benchmarks that were the goal of the NATO-led Stabilization Force in Bosnia. The report stated that "These benchmarks are concrete and achievable, and their achievement will enable the international community to rely largely on traditional diplomacy, international civil personnel, economic incentives and disincentives, confidence-building measures, and negotiation to continue implementing the Dayton Accords over the longer term." I ask unanimous consent that the 10 benchmarks from the President's March 3, 1998 report to Congress be printed in the RECORD immediately following my remarks.

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

(See Exhibit 1.)

Mr. LEVIN. Those 10 benchmarks, however, were established unilaterally by the Administration and were not shared with or agreed upon by our NATO allies. Accordingly, I offered an amendment when the Senate was considering the emergency supplemental bill at the end of March. That amendment, which was accepted and eventually became part of the 1998 Supplemental Appropriations and Rescissions Act, urged the President to seek concurrence among the NATO members on the ten benchmarks, on estimated target dates for achieving the benchmarks, and on a process for NATO to review progress towards achieving the benchmarks. It also required the President to submit to Congress a report on these matters by June 30, 1998 and semiannually thereafter so long as U.S. ground combat forces remain in the Stabilization Force in Bosnia.

Mr. President, two days ago the President submitted that report as required by the amendment to the 1998 Supplemental Appropriations and Rescissions Act. That report advises that benchmarks parallel to ours have been incorporated in NATO's Operation Plan or OPLAN for the post-June 1998 mission in Bosnia. The OPLAN requires SFOR to develop detailed criteria for each of those benchmarks, to be approved by the North Atlantic Council.

The President's report also advises that the NATO allies agreed on June 10 to the United States' proposal that the NATO military authorities provide an estimate of the time likely to be required for the implementation of the military and civilian aspects of the Dayton Agreement based on the benchmark criteria. During his testimony before the Armed Services Committee on June 4, General Wes Clark, NATO's Supreme Allied Commander, Europe, stated that the development and approval of the criteria and estimated

target dates should take two or three months.

The President's report further advises that the benchmark criteria will be used during NATO's regular six-month review of the Bosnia mission in December. The President added that, although not required by the amendment to the Supplemental Appropriations Act, the Steering Board of the Peace Implementation Council has included language that corresponds to the benchmarks in its Luxembourg declaration of June 9. The Peace Implementation Council also called on the High Representative to submit a report on the progress being made in meeting those goals by mid-September. This means that both General Shinseki, the NATO on-scene commander, and High Representative Westendorp, the international community's senior civilian in Bosnia, will be using the same framework and that the North Atlantic Council will have the benefit of the judgment of both of these officials.

Mr. President, I ask unanimous consent that the President's July 28, 1998 report to Congress be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See Exhibit 2)

Mr. LEVIN. Finally on this point, I would note that the Senate adopted an amendment during its consideration of the Defense Authorization bill for Fiscal Year 1999 that expressed the sense of Congress that, among other things, stated that the President should work with our NATO allies to withdraw U.S. ground combat forces from Bosnia within a reasonable period of time, consistent with the safety of those forces and the accomplishment of SFOR's military tasks. That amendment passed by a vote of 90-5 on June 24—a little more than a month ago.

Mr. President, I thought that it was important to get that information on the record to correct any impression that Congress has not paid attention to the participation of U.S. military forces in the NATO-led force in Bosnia. But it is far more important, in my view, to focus on the other sections of the amendment, particularly the mandatory reduction of U.S. ground elements from Bosnia to a level of 6,500 by February 2, 1999, and 5,000 by October 1, 1999.

First, I think it would be useful to put the size of the U.S. contingent in Bosnia in perspective. It should be noted that the United States provided about 20,000 of NATO's Implementation Force in 1996—or about 33 percent of the total force. Up until approximately June of this year, the United States provided about 8,500 troops to NATO's Stabilization Force—or about 25 percent of the total force. By September of this year, the United States will provide about 6,900 troops—or about 22 percent of the total force. So the percentage of the U.S. contribution to the NATO-led force has been declining over time—from 33 to 25 to 22 percent.

The amendment before us, however, would use the power of the purse to reduce the number of U.S. ground troops in Bosnia by another 400 by February 2 of next year and then by an additional 1,500 by October 1 of next year. That is the main purpose and impact of this amendment. That is also what makes this amendment unacceptable to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff and should make it unacceptable to us. When the Armed Services Committee was considering a series of amendments during its markup of the Defense Authorization bill earlier this year, we sought the views of the Department of Defense. Secretary Cohen and General Shelton, in their letter of May 21, 1998, gave us their views and I would like to quote from a few parts of their letter:

We write to express our concerns with any amendment that would legislate a date or schedule for withdrawal or reduction of US forces from the NATO-led mission in Bosnia. Such amendments would make it more difficult to accomplish the mission, which has been remarkably successful to date.

* * * * *

We will conduct regular reviews of our force posture and progress toward the benchmarks we have established, and we expect further reductions will be possible. But that determination is best based on the actual situation on the ground, the military advice of our commanders in the field, and the approval of the NATO military and political authorities, not an arbitrary withdrawal or reduction dates determined long in advance.

* * * * *

Under a legislated approach, military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational considerations, and the fluid tactical situation they face.

Mr. President, I ask unanimous consent that the May 21, 1998 letter from Secretary Cohen and General Shelton be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See Exhibit 1)

Mr. LEVIN. Mr. President, Secretary Cohen and General Shelton said it well. I agree with them—Congress should not mandate troop reduction by arbitrary dates.

Mr. President, I also disagree with other sections of this amendment dealing with exceptions to the mandated drawdown and limitations on support for law enforcement activities in Bosnia.

Finally, I would note that the Statement on Administration Policy states that the President's senior advisors would recommend veto of this bill if it contains a provision that would prescribe a arbitrarily scheduled force drawdown in Bosnia.

Mr. President, for all these reasons I will vote against this amendment and I urge my colleagues to vote against this amendment as well.

EXHIBIT 1

TEN BENCHMARKS

1. The Dayton cease-fire remains in place, supported by mechanisms for military-to-military transparency and cooperation.

2. Police in both entities are restructured, re-integrated, re-trained and equipped in accordance with democratic standards.

3. An effective judicial reform program is in place.

4. Illegal pre-Dayton institutions (e.g. Herceg Bosnia, Strategic Reserve Office, Centreks and Selek Impeks) are dissolved and revenue and disbursement mechanisms under control of legitimately elected officials.

5. Media are regulated in accordance with democratic standards; independent/alternative media are available throughout B-H.

6. Elections are conducted in accordance with democratic standards, and results are implemented.

7. Free-market reforms (e.g. functioning privatization and banking laws) and an IMF program are in place, with formal barriers to inter-entity commerce eliminated.

8. A phased and orderly minority return process is functioning, with Sarajevo, Mostar, and Banja Luka having accepted significant returns.

9. In Brcko, the multi-ethnic administration functioning and a secure environment for returns is established.

10. The Parties are cooperating with ICTY in the arrest and prosecution of war criminals.

These benchmarks are concrete and achievable, and their achievement will enable the international community to rely largely on traditional diplomacy, international civil personnel, economic incentives and disincentives, confidence-building measures, and negotiation to continue implementing the Dayton Accords over the longer term.

EXHIBIT 2

To the Congress of the United States:

Pursuant to section 7 of Public Law 105-174, I am providing this report to inform the Congress of ongoing efforts to meet the goals set forth therein.

With my certification to the Congress of March 3, 1998, I outlined ten conditions—or benchmarks—under which Dayton implementation can continue without the support of a major NATO-led military force. Section 7 of Public Law 105-174 urges that we seek concurrence among NATO allies on: (1) the benchmarks set forth with the March 3 certification; (2) estimated target dates for achieving those benchmarks; and (3) a process for NATO to review progress toward achieving those benchmarks. NATO has agreed to move ahead in all these areas.

First, NATO agreed to benchmarks parallel to ours on May 28 as part of its approval of the Stabilization Force (SFOR) military plan (OPLAN 10407). Furthermore, the OPLAN requires SFOR to develop detailed criteria for each of these benchmarks, to be approved by the North Atlantic Council, which will provide a more specific basis to evaluate progress. SFOR will develop the benchmark criteria in coordination with appropriate international civilian agencies.

Second, with regard to timelines, the United States proposed that NATO military authorities provide an estimate of the time likely to be required for implementation of the military and civilian aspects of the Dayton Agreement based on the benchmark criteria. Allies agreed to this approach on June 10. As SACEUR General Wes Clark testified before the Senate Armed Services Committee June 4, the development and approval of the criteria and estimated target dates should take 2 to 3 months.

Third, with regard to a review process, NATO will continue the 6-month review process that began with the deployment of the Implementation Force (IFOR) in December 1995, incorporating the benchmarks and

detailed criteria. The reviews will include an assessment of the security situation, an assessment of compliance by the parties with the Dayton Agreement, an assessment of progress against the benchmark criteria being developed by SFOR, recommendations on any changes in the level of support to civilian agencies, and recommendations on any other changes to the mission and tasks of the force.

While not required under Public Law 105-174, we have sought to further utilize this framework of benchmarks and criteria for Dayton implementation among civilian implementation agencies. The Steering Board of the Peace Implementation Council (PIC) adopted the same framework in its Luxembourg declaration of June 9, 1998. The declaration, which serves as the civilian implementation agenda for the next 6 months, now includes language that corresponds to the benchmarks in the March 3 certification to the Congress and in the SFOR OPLAN. In addition, the PIC Steering Board called on the High Representative to submit a report on the progress made in meeting these goals by mid-September, which will be considered in the NATO 6-month review process.

The benchmark framework, now approved the military and civilian implementers, is clearly a better approach than setting a fixed, arbitrary end date to the mission. This process will produce a clear picture of where intensive efforts will be required to achieve our goal: a self-sustaining peace process in Bosnia and Herzegovina for which a major international military force will no longer be necessary. Experience demonstrates that arbitrary deadlines can prove impossible to meet and tend to encourage those who would wait us out or undermine our credibility. Realistic target dates, combined with concerted use of incentives, leverage and pressure with all the parties, should maintain the sense of urgency necessary to move steadily toward an enduring peace. While the benchmark process will be useful as a tool both to promote and review the pace of Dayton implementation, the estimated target dates established will be notional, and their attainment dependent upon a complex set of interdependent factors.

We will provide a supplemental report once NATO has agreed upon detailed criteria and estimated target dates. The continuing 6-month reviews of the status of implementation will provide a useful opportunity to continue to consult with Congress. These reviews, and any updates to the estimated timelines for implementation, will be provided in subsequent reports submitted pursuant to Public Law 105-174. I look forward to continuing to work with the Congress in pursuing U.S. foreign policy goals in Bosnia and Herzegovina.

WILLIAM J. CLINTON,
The White House, July 28, 1998.

EXHIBIT 3

THE SECRETARY OF DEFENSE,
Washington, DC, May 21, 1998.

Hon. CARL LEVIN,
Ranking Democrat, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR CARL: We write to express our concerns with any amendment that would legislate a date or schedule for withdrawal or reduction of U.S. forces from the NATO-led mission in Bosnia. Such amendments would make it more difficult to accomplish the mission, which has been remarkably successful to date.

It is our intention to reduce our forces in Bosnia. Based on the progress achieved to date, our commanders already have been able to reduce U.S. troop levels from almost 20,000 in 1996 to the 6,900 that will be deployed after the current drawdown is com-

pleted in September. We will conduct regular reviews of our force posture and progress toward the benchmarks we have established, and we expect further reductions will be possible. But that determination is best based on the actual situation on the ground, the military advice of our commanders in the field, and the approval of the NATO military and political authorities, not an arbitrary withdrawal or reduction dates determined long in advance.

Our military commanders in the field have determined the level and type of force required to carry out the mission within acceptable risk. The mission, forces and guidance of the force currently planned for June 1998 have been fully agreed to by NATO political and military authorities. Under a legislated approach, military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational considerations, and the fluid tactical situation they face. In addition, while those opposed to the Dayton Accords have been steadily isolated and diminished in their influence, legislating withdrawal of reduction dates would invite heightened intransigence and extremism.

Additional factors that Congress should consider in reviewing any such amendment are the following:

Under the proposed amendment, command of the SFOR operation and its element in MND-North might well be transferred to a non-U.S. officer early next year.

Shifting to a posture in which the U.S. has much smaller force levels in Bosnia but enhances its force presence in regions surrounding Bosnia, as envisioned by the amendment, will not save money and indeed could cost more than our current operation in Bosnia. We are continually evaluating the force posture for Bosnia, and do not consider an over-the-horizon force appropriate now.

Accordingly, we strongly urge you to oppose any legislated fixed date or timetable for withdrawal or reduction of U.S. forces in Bosnia.

There is one other factor related to operations in Bosnia of great concern to us, and that is funding. The Department submitted an addition to the FY99 budget to fund a 6,900-person force in Bosnia. Authorizing that request is essential to accomplishing the mission without significantly reducing readiness in other areas. Without that funding, we would have to choose between Bosnia operations and the overall readiness of our Armed Forces.

Sincerely,

HENRY H. SHELTON.
BILL COHEN.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Thank you, Mr. President.

Mr. President, I thank the Senator from Oklahoma, the Senator from Alabama, the Senator from West Virginia, who have all made very strong statements about their commitment and the commitment of Congress to support our troops. It is our responsibility to do this.

I want to answer a couple of points that were made. Somalia—the argument was made that troops were not provided equipment and we lost 18 rangers. That is exactly correct. I would hold up Somalia as the very reason that we should be doing something today to protect our troops in the field—because, in fact, in Somalia Congress was never consulted. The decision

not to send the equipment was made by the Pentagon. It is precisely because Congress was not consulted and was not committed to this that it failed so miserably. The mission creep in Somalia is exactly what we are trying to avoid in Bosnia today. And that is why I have this amendment on the floor.

Let us talk about precedent. On July 31, 1989, there was a resolution requiring the President to reduce the number of U.S. forces in Korea. That is exactly what I would hope that we would do today. Nine years ago, almost to the day, Congress met its responsibility. This was an amendment that specifically asked the President to come forward with a plan to have gradual reductions in the number of U.S. military personnel stationed in the Republic of Korea.

This is exactly what we are doing today. We are saying, in this appropriations bill for this fiscal year, that we should reduce the number of forces so that the President can go to our allies and start negotiating for a more equitable spread. That is exactly what we did in Korea.

With Korea we said, "The Republic of Korea should assume increased responsibilities for its own security." This was an amendment that was sponsored by Senator McCain, Senator Nunn, Senator WARNER, Senator Exxon, Senator Dixon, Senator Wirth, Senator SHELBY, Senator THURMOND, Senator Cohen, Senator Wallop, Senator GORTON, Senator LOTT, and Senator COATS.

This is exactly what I hope we will do today. It is the responsibility of Congress to provide support for our troops. We cannot stand by and watch our military disintegrate, lose our most experienced warriors, put them in harm's way, and do nothing.

Have we lost our backbone in 9 years? Or have we lost our compass? Have we lost the will to do what is right for this country?

Congress is responsible for providing the support for our troops. And I hope that we will meet our responsibility today.

Thank you, Mr. President. And I yield the floor.

Mr. McCain addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Nearing the moment, I think, according to the previous unanimous consent agreement, for me to make a motion to table, I would just like to make one quick point.

Back several years ago, in 1990, I was speaking in support of an amendment—in support of the Bush administration, the President of the United States, not in opposition. And it was a peacetime deployment to Korea, a rearrangement of forces, not the situation in Bosnia. An important factor is, I was supporting the President of the United States and the Secretary of Defense.

The Hutchison amendment is in opposition to the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, as well as the President of the

United States. I think there is a significant difference there.

Second, one of the Members came to the floor and said that we need to debate this more. As the Senator from Indiana pointed out, this is the same amendment we voted on last May; basically, fundamentally the same thing. We did have lots of debate on it.

As the distinguished chairman of the committee pointed out, we have 50 or 60 amendments that we need to address between tonight and tomorrow, all of which deserve also very thorough debate and discussion, as well, if we expect to get out at a reasonable time-frame either tomorrow or Saturday or Sunday, as the distinguished chairman and ranking member point out.

The hour of 5:30 having arrived, I move to table the Hutchison amendment and 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. I want to announce, there appears there now is a second-degree amendment to the Hutchison amendment that could be offered and may settle the issue with regard to the previous amendment which was not tabled.

AMENDMENT NO. 3419 TO AMENDMENT NO. 3124

Therefore, I ask unanimous consent the Senate now turn to the Hutchinson amendment in the second-degree and that there be a short period of debate. Can you tell me how long you think it will take?

Mr. HUTCHINSON. I think the amendment has been agreed to and would not need debate, from my standpoint.

Mr. STEVENS. I think we should have at least 10 minutes equally divided between the Senator from Arkansas and the Senators from Michigan and Delaware, and I am informed it will require a rollcall vote.

I ask unanimous consent there be that period now for 10 minutes on this amendment that Senator HUTCHINSON will offer, and following that time that the rollcall on his amendment take place after the rollcall vote on the motion to table that has just been made by the Senator from Arizona.

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

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that it be in order for me to offer an a second-degree amendment numbered 3419, and I send that amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. HUTCHINSON], for himself and Mr. LEVIN, Mr. KERRY, Mr. BIDEN and Mr. LIEBERMAN proposes an amendment numbered 3419 to amendment 3124.

The amendment is as follows:

Strike all after the word "Title" and insert the following:

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 official of any country (except the head of state, the head of government, and cabinet level ministers) who the Secretary finds, based on credible and specific information, has been directly involved in the establishment or enforcement of population control policies forcing a woman to undergo an abortion against her free choice, or forcing a man or woman to undergo sterilization against his or her free choice policies condoning the practice of genital mutilation.

(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) 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, 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 official of any country (except the head of state, the head of government, and cabinet level ministers) who the Secretary of State finds, based on credible and specific information, has been directly involved in the establishment or enforcement of policies or practices designed to restrict religious freedom.

(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 want to express my appreciation to the Senators on the other side of the aisle who, I think, have made very positive and productive suggestions to improve the amendment that I have offered regarding human rights abuses in China.

The simple explanation for the changes that are made, we have made the bill generic in nature rather than country-specific. I have some reservations about that because I don't want to in any way dilute, I think, the proper attention that should be placed upon what our State Department says is the greatest abusers of human rights in the

world today. But at the same time, I think this makes this a very, very powerful human rights amendment applicable to all nations of the world. The "finding" section of the amendment remains in which we are able to outline some of the abuses evident in China today.

We would add, I think, a positive suggestion, that the genital mutilation issue be added. So in addition to religious persecution and forced abortions, genital mutilation and those who would condone it would be added as criteria for those countries that would be denied their visas for those condoning that practice, the terrible practice that human rights advocates the world over and all people, I think, condemn.

I want to thank Senator BIDEN for, I think, some very good suggestions regarding the "definitions" area on the Secretary's obligations in determining who would be denied these visas. The addition to the phrase "credible information," adding "and specific information," and adding to the phrase "has been involved in the establishment or enforcement," the word "directly"; so, "has been directly involved in the establishment or enforcement of population control policies." I think that is a very helpful change that will make this much more enforceable and make it much more clear. I am grateful for that suggestion, as well.

We have struck section 9012, which simply lists a number of associations and organizations which are agents of the government in carrying out some of these abuses. It is really unnecessary, an unnecessary provision that has caused confusion, because anyone, any individual, any official, who is involved in perpetrating persecution of religious minorities, coerced abortions or the genital mutilation would be covered by the amendment, without what is really extraneous language and unnecessary language.

So I think these are all very positive changes and that is the content of the second-degree amendment. I think this is relevant. I think it is a very positive improvement to the appropriations bill. I appreciate the support of those on both sides of the aisle in the defeat of the motion to table.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I will be very brief. I want to thank the Senator from Arkansas. He has been a gentleman.

His amendment is, I think, a good amendment and I thank him for considering some of the suggestions that I and a few others had.

I ask unanimous consent that Senator LEVIN of Michigan, Senator KERRY of Massachusetts and Senator BIDEN of Delaware be added as cosponsors.

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

Mr. BIDEN. Mr. President, I particularly want to thank my friend from Arkansas for adding the prohibition, the ability to deny visas to those countries

that engage in the heinous practice of engaging in female genital mutilation. I am not one who thinks we should be erecting sanctions all over the world, but there are certain things that are so, so contrary to our basic values—forced abortion, forced sterilization, mutilation of body parts—that I think that it is appropriate that we use sanctions in those circumstances.

I also ask unanimous consent that the Senator from Connecticut, Senator LIEBERMAN, be added as a cosponsor.

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

Mr. BIDEN. I realize I have a few more minutes, but in order to accommodate this bill moving along, again, I close by thanking the Senator from Arkansas for accommodating some of the changes that he has for his amendment.

I yield the floor.

Mr. STEVENS. Mr. President, I understand that the Senator from Michigan is on his way.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. 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. LEVIN. Mr. President, let me commend the Senator from Arkansas for the second-degree amendment, the modification in effect, which he has sent to the desk.

I reluctantly voted to table his original amendment because I was troubled by his narrow focus on one country, when the problem exists not only in China, but a number of other countries. The problems he identifies in his amendment are real problems and they are problems we must be concerned with. He has shown that concern, and I think it is wise that we reflect the concern relating to people engaging in those practices that come from any country—China or anyplace else. And while I reluctantly voted to table his original amendment, the first-degree amendment, for the reason I just gave, I enthusiastically cosponsored the second-degree amendment of the Senator from Arkansas, and I hope it passes with a resounding vote.

I yield the floor.

The PRESIDING OFFICER. Who yields time on the second-degree amendment? Time will be equally divided.

Mr. STEVENS. Mr. President, I now have before me here a managers' package that lists some 33 amendments. Following the next two votes, I intend to ask that no more amendments be in order. I urge Members to come and look at the list and see if their amendment is here. If there are more, fine. I urge Members to let us know if they intend to offer the amendments shown here. Secondly, if they intend to offer any other amendment, I am pleased to have them do that.

Mr. President, as I understand it, the first vote will be on a motion to table offered by the Senator from Arizona, and the second will be the amendment in the second degree offered by the Senator from Arkansas.

I ask for the yeas and nays on the second-degree amendment of the Senator from Arkansas.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. If the pending motion to table is not carried, that amendment will still be open. If the amendment of the Senator from Arkansas passes in the second degree, I intend to ask that the—yeas and nays requested on the Senator's original amendment?

The PRESIDING OFFICER. Only on the motion to table the original amendment.

Mr. STEVENS. Very well. If that is adopted, which I urge the Senate to adopt, then we will move to adopt the original amendment, as amended, with a voice vote. I call for the vote.

AMENDMENT NO. 3413

The PRESIDING OFFICER. Is all time yielded back?

Mr. STEVENS. I yield back any time I have left.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Texas.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 249 Leg.]

YEAS—68

Abraham	Durbin	Lugar
Akaka	Feinstein	Mack
Baucus	Ford	McCain
Bennett	Glenn	McConnell
Biden	Graham	Mikulski
Bingaman	Hagel	Moseley-Braun
Boxer	Harkin	Moynihan
Breaux	Hatch	Murray
Brownback	Hollings	Reed
Bryan	Inouye	Reid
Bumpers	Jeffords	Robb
Burns	Johnson	Roberts
Chafee	Kennedy	Rockefeller
Cleland	Kerrey	Roth
Coats	Kerry	Sarbanes
Cochran	Kohl	Snowe
Collins	Kyl	Specter
Conrad	Landrieu	Thurmond
D'Amato	Lautenberg	Torricelli
Daschle	Leahy	Warner
DeWine	Levin	Wellstone
Dodd	Lieberman	Wyden
Domenici	Lott	

NAYS—31

Allard	Bond	Campbell
Ascroft	Byrd	Coverdell

Craig	Grassley	Sessions
Dorgan	Gregg	Shelby
Enzi	Hutchinson	Smith (NH)
Faircloth	Hutchison	Smith (OR)
Feingold	Inhofe	Stevens
Frist	Kempthorne	Thomas
Gorton	Murkowski	Thompson
Gramm	Nickles	
Grams	Santorum	

NOT VOTING—1

Helms

The motion to lay on the table the amendment (No. 3413) was agreed to.

Mr. BIDEN. Mr. President, I ask unanimous consent to proceed for 10 seconds.

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

Mr. BIDEN. Mr. President, I failed to ask that Senator FEINSTEIN of California be added as a cosponsor to the Hutchinson amendment. I ask unanimous consent she be added.

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

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

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

The motion to lay on the table was agreed to.

CHANGE OF VOTE

Mr. GRAMS. Mr. President, on roll-call vote No. 249. I voted "yea." It was my intention to vote "no." Therefore, I ask unanimous consent that I be permitted to change my vote. This will in no way change the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I believe the Senator from Delaware wished to be recognized for just one minute.

The PRESIDING OFFICER. The Senator from Delaware has been recognized.

Mr. STEVENS. He has been?

The PRESIDING OFFICER. Yes.

VOTE ON AMENDMENT NO. 3419

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. BIDEN. Mr. President, I also ask unanimous consent the Senator from Virginia, Mr. ROBB, be added as a cosponsor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. Vote.

The PRESIDING OFFICER. The question is on agreeing to the second-degree amendment offered by the Senator from Arkansas. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

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

I further announce that, if present and voting, the Senator from North

Carolina (Mr. HELMS) would vote "aye."

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 250 Leg.]

YEAS—99

Abraham	Faircloth	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Ford	McCain
Baucus	Frist	McConnell
Bennett	Glenn	Mikulski
Biden	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Breaux	Grassley	Nickles
Brownback	Gregg	Reed
Bryan	Hagel	Reid
Bumpers	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Hollings	Rockefeller
Campbell	Hutchinson	Roth
Chafee	Hutchison	Santorum
Cleland	Inhofe	Sarbanes
Coats	Inouye	Sessions
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (NH)
Conrad	Kempthorne	Smith (OR)
Coverdell	Kennedy	Snowe
Craig	Kerrey	Specter
D'Amato	Kerry	Stevens
Daschle	Kohl	Thomas
DeWine	Kyl	Thompson
Dodd	Landrieu	Thurmond
Domenici	Lautenberg	Torricelli
Dorgan	Leahy	Warner
Durbin	Levin	Wellstone
Enzi	Lieberman	Wyden

NOT VOTING—1

Mr. Helms

The amendment (No. 3419) was agreed to.

Mr. HUTCHINSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 3124, AS AMENDED

Mr. STEVENS. Mr. President, I ask for the immediate consideration of the first-degree amendment.

The PRESIDING OFFICER. If there is no further debate, the question before the Senate is on the underlying amendment No. 3124, as amended.

The amendment (No. 3124), as amended, was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, we have now exchanged lists. We have a managers' package which we will present in a moment. We have the two lists now from the two sides of the aisle.

I ask unanimous consent that the following amendments be the only first-degree amendments remaining in order, other than the managers' package, and that they be subject to only relevant second-degree amendments:

D'Amato—Air Guard, Coast Guard Search & Rescue.

Faircloth—Spend Fiscal Year 1998 fund (PFNA).

DeWine—Drug interdiction.

Mack—Electronic combat testing.
Santorum—60mm mortar ?.
Mack—Commercial Space Act.
D'Amato G.Smith—Sanctions—Serbia/Montenegro.
Coats—Sense of Senate.
Coats—Next QDR.
Stevens—relevant.
Frist—LME.
Baucus—Bear Paw development canal (20=divided).

Bingaman—Dual use.
Bingaman—White Sands.
Bingaman—Health centers.
Boxer—Relevant.
Bumpers—Relevant.
Byrd—Relevant.
Byrd—Relevant.
Daschle—Relevant.
Daschle—Relevant.
Daschle—Relevant.
Dodd—Army pensions.
Dodd—Lyme disease.
Dodd—Relevant.
Durbin—Land conveyance.
Durbin—Military operations/war powers.
Dorgan—Indian incentive program.
Dorgan—Relevant.
Ford—National Symphony.
Graham—Land transfer.
Graham—Relevant.
Graham—Space.
Harkin—Outlays.
Harkin—P.O.O.
Harkin—Veterans medals.
Harkin—Gulf war illness research.
Harkin—Smoking funding.
Hollings—Environmental report.
Inouye—Manager's amendment.
Inouye—Manager's amendment.
Inouye—Manager's amendment
Kerrey—Sense of Senate on payroll tax.
Kerry—Relevant.
Kerry—Relevant.
Leahy—JSAT.
Reed—Environmental training.
Robb—Reimbursement for Italy accident.
Wellstone—Child soldiers.
Wellstone—Domestic violence.
Wellstone—Relevant.

Mr. STEVENS. I further ask unanimous consent that following disposition of the listed amendments, the bill be advanced to third reading and the Senate proceed to the immediate consideration of the House companion bill; that all after the enacting clause be stricken and the text of S. 2132, as amended, be inserted; and that the bill be advanced to third reading and passage occur without any further action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Reserving the right to object, Mr. President, as I understand what the Senator from Alaska—

Mr. STEVENS. I really can't hear the Senator, I am sorry.

Mr. WELLSTONE. Reserving the right to object, have you eliminated time on debate? I am not quite sure.

Mr. STEVENS. We have not yet addressed the question of time on debate. The only real limitation here is that this list be the only first-degree amendments in order and that they only be subject to relevant second-degree amendments in the event they are considered and not adopted.

Mr. FORD. Reserving the right to object, Mr. President, I have been trying

to work out on our side as it relates to amendments, and I have not seen this list yet. I want to be sure, when I have told my colleagues that their amendment has been accepted, I want it on the managers' list or I want it on the amendments yet to be worked out.

Mr. STEVENS. I say to the Senator from Kentucky, Mr. President, many of the amendments that are on the list that have come from your side are, in fact, on the managers' list. But they will all be qualified if they are on the list you have given us.

Mr. FORD. I want to be sure that all of these amendments—I have not seen the list, I say to my friend, and would like to work it out.

Mr. KEMPTHORNE. Will the Senator from Alaska yield?

Mr. STEVENS. I will be happy to yield, Mr. President.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, my request is still pending.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, as I understand the unanimous consent request, what the Senator is saying is that after disposal of the last amendment, we go right to final passage; is that correct? But there is no limit on debate on amendments; is that correct?

Mr. STEVENS. These listed amendments will be disposed of. Once they are disposed of, the bill will go to third reading. They will have to be either acted upon or withdrawn.

Mr. WELLSTONE. I understand. But there is no limit on debate on the individual amendments; is that correct?

Mr. STEVENS. There is no limit there on debate time. I intend to do my best to do that.

Mr. WELLSTONE. I withdraw my objection.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. I reserved my right to object a moment ago, and I have no objection now. I thank the chairman for his courtesy.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I have been asked to amend my request and add this following portion—I ask unanimous consent that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint the following conferees on the part of the Senate: Senators STEVENS, COCHRAN, SPECTER, DOMENICI, BOND, MCCONNELL, SHELBY, GREGG, HUTCHISON, INOUE, HOLLINGS, BYRD, LEAHY, BUMPERS, LAUTENBERG, HARKIN, and DORGAN, and the foregoing occur without any intervening action or debate, and I further ask that when the Senate passes H.R. 4103, as amended, that S. 2132 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Mr. President, we are proceeding now to a look at the amendments that are not in the managers' package. I would like to address that issue with the Senate.

It is my understanding that Senator BAUCUS has an amendment that he wishes to have 20 minutes equally divided; Senator BINGAMAN has two amendments; Senator BOXER's amendment that was on the list is in the managers' package; Senator BUMPERS' amendment is on the list in the managers' package; Senator BYRD has two amendments which are to be in the managers' package; Senator DASCHLE's relevant amendments are withdrawn, as I understand it; Senator DODD has one amendment dealing with Army pensions which we have not seen; Senator DURBIN's amendment on land conveyance is in the package; his amendment on military operations and war powers will be opposed and we will have to deal with it; Senator DORGAN's amendment on Indian incentive program is in the package, and I understand his second amendment will not be offered; Senator FORD's amendment on National Symphony is not in the package and would have to be debated; Senator GRAHAM has a land transfer amendment which is in the package now, and the space amendment, as I understand it, is the same as the amendment from Senator MACK, and that will have to be debated; Senator HARKIN has the outlay amendment, and the POO amendment is in the package, the vets medals amendment we have not seen and we cannot discuss now; Senator HOLLINGS' amendment will be accepted; Senator INOUE's manager's amendment is in the managers' package; Senator KERREY's SOS payroll tax amendment cannot be accepted and will have to be debated; there are two relevant amendments by Senator KERRY which we have not seen; Senator LEAHY's amendment cannot be accepted; Senator REED's amendment we have not seen; and Senator ROBB's amendment on reimbursement we would like to discuss with Senator ROBB—it is in the House bill; we prefer not to take it up at this time if we can avoid it—and Senator WELLSTONE's amendment on child soldiers has been accepted, the domestic violence one has not been agreed to yet—we will have to discuss it with them.

Those are the amendments on the Democratic side.

Mr. FORD. Mr. President, would the Senator yield for a question?

Mr. STEVENS. Yes.

Mr. FORD. I was trying to keep up with you, with the Senator. Senator DODD has one as it relates to Lyme Disease.

Mr. STEVENS. That is in the package.

Mr. FORD. That is in the package?

Mr. STEVENS. Yes.

Mr. FORD. Then he still has two left.

Mr. STEVENS. I realize the relevant one is just a place holder.

Mr. FORD. I understand. That is correct.

Mr. INOUE. Will the chairman yield? I am now working on an amendment for Senator CAROL MOSELEY-BRAUN. Can I discuss that with you later?

Mr. STEVENS. Yes. I would be happy to do that. The Senator has the right to an amendment in the managers' package. That may be the way that is considered.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I wonder whether I could ask my colleague from Alaska whether he could include the child soldiers amendment in the managers' package since it has been accepted?

Mr. STEVENS. It is in there.

Mr. WELLSTONE. I am sorry.

Mr. STEVENS. The domestic violence one I do not think I have seen yet. That is also being reviewed by the Armed Services Committee and we cannot report that yet.

Mr. WELLSTONE. I say to my colleague, I am ready to debate it if you want to, but let me know.

Mr. STEVENS. I could not hear you.

Mr. WELLSTONE. I say to my colleague, I am pleased to debate it if you want, but you just let me know.

Mr. LOTT. Mr. President, while the chairman is working on the list, I have a quick unanimous consent agreement we have worked out. I would like to go ahead and get that done while we have a break here.

UNANIMOUS CONSENT AGREEMENT—H.R. 629

Mr. LOTT. I ask unanimous consent that immediately after the conclusion of morning business, following the reconvening of the Senate from the August recess, the Senate proceed to the conference report to accompany the Texas Compact, H.R. 629, and the conference report be considered as having been read. I further ask that there be 4 hours of debate, equally divided, between the Senator from Minnesota, Senator WELLSTONE, and Senator HATCH, or their designees, and following the conclusion or yielding back of time, the Senate proceed to a vote on adoption of the conference report, without any intervening action or debate.

Now, I did not specify whether this would be Monday the 31st or Tuesday, September 1st. I need to talk further about the exact date with the Senators involved, and Senator DASCHLE, but the first day we are back. And I appreciate the cooperation I received from Senator WELLSTONE on this UC.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I do not object. I would also like to thank the majority leader for his cooperation.