

this was a man who, in his forties, volunteered to go into World War II, and went into Normandy—the sights of which most of us could not have imagined unless we saw this movie—and was there in his forties, volunteered to be there to serve his country—as Senator COATS so well said, they will never make another STROM THURMOND.

I just want to add my accolades for this great man and what he has given for our country besides voting 15,000 times. He has done so much more.

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

Mr. BYRD. Mr. President, if the distinguished Senator from Indiana will allow me, there have been other references made here of a personal nature involving Senator THURMOND. I would not want to let this occasion pass without my making one such reference.

It was on April 12 of 1982 that I lost my grandson in a truck accident. Memorial services were held 2 days later. My colleague, Senator Randolph, came to that memorial service—my then colleague. My present colleague, Senator ROCKEFELLER, was Governor of the State of West Virginia at that time. He came. There was one other Senator who attended that memorial service for my grandson. And that Senator was STROM THURMOND. I can never forget that, and I would have been remiss in letting this opportunity pass without my having publicly expressed my gratitude to STROM THURMOND for his having attended that service on that day, a day that I can never, never forget. I thank him from the bottom of my heart.

I think Senator THURMOND wishes to say something and so I shall take my seat.

The PRESIDING OFFICER. The very honorable and distinguished Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I am speechless. I can't thank enough the Members of the Senate for their kind words—Senator LOTT, the majority leader; Senator DASCHLE, the minority leader; Senator BYRD, Senator BIDEN, Senator CONRAD, Senator WELLSTONE, Senator HOLLINGS, Senator COATS, and Senator KAY BAILEY HUTCHISON. I will not take time now to say much. I just want to express my appreciation to all of them for their kind words.

I have been in the Senate now for 44 years, and I have never known or served with finer people than we have here. I have cast my 15,000th vote. The quality of the people in this body is just outstanding, and I wish all of them to stay here until they could cast 15,000 votes. It is an experience to be in this body that one will never forget. As time goes by I think we appreciate more and more the Members of this body, what they stand for, and their outstanding service.

Again, I thank all of them for their kind words. I thank all of you for listening, and I deeply appreciate everything that you have done for me and to help me. After all, inspiration is one of

the finest qualities, and you people here have inspired me, and I hope I have been able to be of some inspiration to you. Good luck and God bless all of you.

(Applause, Senators rising.)

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The chair recognizes the distinguished Senator from Kentucky.

Mr. MCCONNELL. Mr. President, before returning to the bill, many of us were at Senator THURMOND's 90th birthday, and I remember he said to all of us, "If you eat right and don't drink whiskey and exercise, you will be here for my 100th birthday."

We thank you for being an inspiration to us all, and we look forward to being at your 100th birthday party.

Thank you, Senator THURMOND, for your contributions.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The honorable Senator from Indiana.

AMENDMENT NO. 3526, AS MODIFIED

Mr. COATS. Mr. President, I have a modification to the Hutchison amendment I would like to send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there any objection to the modification? Without objection, it is so ordered.

The amendment (No. 3526), as modified, is as follows:

Add the following proviso:

(5) (a) North Korea is not providing ballistic missiles or ballistic missile technology to a country the government of which the Secretary of State has determined is a terrorist government for the purposes of section 40(d) of the Arms Export Control Act or any other comparable provision of law.

(b) PROVISION OF INTELLIGENCE.—The Director of Central Intelligence will provide for review and consideration by the House Permanent Select Committee on Intelligence, House International Relations Committee, House National Security Committee, Senate Appropriations Committee, Senate Select Committee on Intelligence, Senate Foreign Relations Committee and Senate Armed Services Committee all relevant intelligence bearing on North Korea's compliance with the provisions of this amendment. Such provision will occur not less than 45 days prior to the President's certification as provided for under this section.

(c) DEFINITION OF RELEVANT INTELLIGENCE.—For the purposes of this section, the term intelligence includes National Intelligence Estimates, Intelligence Memoranda, Findings and other intelligence reports based on multiple sources or including the assessment of more than one member of the Intelligence Community.

Mr. COATS. Mr. President, I would like to just briefly explain to my colleagues what I have attempted to do.

Yesterday, I sent to the desk an amendment which would have transferred the \$35 million that is appro-

riated in the foreign operations appropriations bill that is before us now, and reallocated that money from the currently earmarked Korean Peninsula Energy Development Organization to the antiterrorist portion of funding contained within this bill. I did so because of the disturbing news that have been reported on by the New York Times and other organizations relative to violations, apparent violations of the agreement that we entered into with North Korea to freeze their nuclear development program.

The New York Times—and I will recount some of that in a moment—pointed out that U.S. intelligence agencies have detected a huge, secret, underground complex in North Korea that they believe is the centerpiece of an effort to revive the country's frozen nuclear weapons program.

Members will remember that in return for a freeze on that program, the United States entered into an agreement with North Korea to provide certain items for humanitarian assistance, food aid, oil for energy production, as well as a commitment to put together a consortium which would build two light-water nuclear reactors to supply energy, but that could not be used for the purpose of developing material which might be used for weapons of mass destruction.

The Times report cites a senior administration official saying, and I quote:

"The North had not yet technically violated the Agreed Framework because there is no evidence that Pyongyang has begun pouring cement for a new reactor or a reprocessing plant . . ." Nevertheless, an unidentified official has said it is a serious development, to say nothing of it is an incredibly stupid move, because it endangers both the nuclear accord and humanitarian aid to North Korea.

The Washington Post stated that the site that was discovered is huge, that some 15,000 reported North Koreans are at work on this underground cavern, and this comes only 6 months after the President of the United States has certified that North Korea is complying with the provisions of the Agreed Framework. That certification is what is necessary in order for these funds to be released.

My amendment sought to take a portion of those funds, transfer it to the antiterrorism section of this bill in recognition of the fact that this Presidential certification was no longer relevant, now that the agreement had been violated.

I am willing to withdraw that amendment in light of the fact that Senator McCain has offered an amendment adding language to the certification process so that the President, in addition to other items that he has to certify, will have to certify that North Korea is not engaged in a violation of the agreement. The exact wording is "pursuing the acquisition or development of nuclear capability other than the light-water reactors" referred to in the agreement.

I would have voted against the McCain amendment, or for the motion

to table had we not been able to work out language which I could now add to the amendment of the Senator from Texas which would add further conditions to this certification. The bottom line is, I think the certification has turned into an empty process. It is a process by which the so-called host country, in this case North Korea, essentially tells us everything is OK, and then we, on the basis of that, go ahead and certify. The term "certification" is not defined, but yet if we look at the use of the term that is used in the agreement that we have with the People's Republic of China regarding nuclear nonproliferation, it simply says that the President certifies to the Congress that the Republic of China has provided clear and convincing evidence that they are in compliance with the agreement. And so the burden of proof is on the country which we are trying to determine whether or not they have violated the agreement, rather than on our ability to verify the fact that they have or have not complied with the agreement.

President Reagan used to say trust but verify. Well, this is trust but not verify.

And so what I am attempting to do with this modification, which goes to an amendment offered by the Senator from Texas, is to say that not less than 45 days prior to the President's certification as provided for in this bill, the Director of Central Intelligence will provide for review and consideration by the House Permanent Select Committee on Intelligence, House International Relations Committee, House National Security Committee, Senate Select Committee on Intelligence, Senate Foreign Relations Committee, and Senate Appropriations Committee as well as the Senate Armed Services Committee, all relevant information bearing on North Korea's compliance with the provisions of this amendment.

That gives us the opportunity in Congress to determine whether or not the certification is a legitimate certification. That gives us the information to determine whether or not North Korea is in full compliance with what they agreed to do. So I think this language is important.

One last thing. I am withdrawing my amendment, partly because I believe the other body will take action on some deferral of this money and that this item can be handled in conference. It is clear that without that assurance we may get bogged down here in this process, and I don't want to hold up this appropriation. I thank the Senator from Kentucky for agreeing to this modification. I particularly thank the Senator from Texas for allowing me to make this modification to her amendment, which will then become part of the bill.

I think this is a serious problem. If the New York Times report is substantiated, if it is correct, even remotely correct, it is a clear and direct violation of the promise and agreement

made by North Korea to freeze its nuclear development capabilities. If that is the case, it is clear that this is a breach of promise which requires very serious reaction and response by the United States.

The President of the United States and the Secretary of State have certified to us directly that there are no violations. Yet, we now receive this particular information. I have quotes here from the President of the United States and from the Secretary of State which have led us to believe that everything is in compliance. Yet, we now receive this report. So it is the credibility of the certification process that is at stake here, and I would say it is the credibility of this administration in evaluating the intelligence. Therefore, it is necessary that, at the very least, the Congress have access to all relevant intelligence regarding this particular agreement so in the future we can verify it, in addition to the trust that is placed by this administration on the word of North Korea.

Mr. President, testifying before the House Subcommittee on Foreign Operations, Committee on Appropriations on March 4, 1998, Secretary Albright stated:

Our request this year includes \$35 million for the Korean Energy Development Organization. The Agreed Framework has succeeded in freezing North Korea's dangerous nuclear program.

On May 8, 1998, James Foley, Department of State said:

We, of course, closely monitor the Agreed Framework. We are, until now, satisfied that the DPRK has indeed met its obligations to the present.

On May 13, 1998, Jamie Rubin said:

We are confident that North Korea has not violated the across-the-board freeze on its nuclear activities . . . and the Agreed Framework is alive and well.

On July 8, 1998, Secretary Albright testified before the Senate Foreign Relations Committee that:

The People's Republic of China has consistently supported the Agreed Framework that has frozen North Korea's dangerous nuclear weapons program. . . .

On July 19, 1998, Jamie Rubin, Department of State, responding to a GAO report alleging North Korea was blocking inspections at sites covered by the Agreed Framework said:

We have frozen and stopped the North Korean nuclear program from moving in a direction that would have threatened the world. The freeze is still being monitored and we believe it is still in effect.

Less than 1 month later on August 17, 1998, the New York Times broke the following story:

U.S. Intelligence Agencies have detected a huge secret underground complex in North Korea that they believe is the centerpiece of an effort to revive the country's frozen nuclear weapons program, according to officials who have been briefed on the intelligence information.

The finding also follows a string of provocations by the north, including missile sales to Pakistan and the incursion of a small North Korean submarine carrying nine commandos off the South Korean coast this year.

And what was the administration's reaction? According to the same New York Times article:

A senior administration official said the north had not yet technically violated . . . the Agreed Framework, because there is no evidence that Pyongyang Ang has begun pouring cement for a new reactor or reprocessing plant. . . .

The article continues:

But spy satellites have extensively photographed a huge work site 25 miles northeast of Yongbyon, the nuclear center, where, until the 1994 accord, the north is believed to have created enough plutonium to build six or more bombs. Thousands of North Korean workers are swarming around the new site, burrowing into the mountainside, American officials said.

And if that is not enough, Monday's test flight of the Taepo Dong-1 over Japan demonstrates that North Korea has mastered the technology of delivering a nuclear warhead. Yesterday's New York Times reported the following:

Gary Milhollin of the Wisconsin project on nuclear arms control . . . said the missile test was "a clear sign" of North Korea's intent to develop nuclear weapons, despite its 1994 agreement with the United States to stop in exchange for western assistance. Milhollin said a two-stage missile was too costly to construct simply for delivering conventional weapons. "It means they plan to put a nuclear warhead on it or export it to somebody who will," he said. "The missile makes no sense otherwise."

In short, this administration has negotiated an accord in 1994 that we cannot and do not even attempt to monitor and verify. As we have just been reminded this week by the resignation of a key U.S. arms inspector in Iraq, William Ritter, "The illusion of arms control is more dangerous than no arms control at all."

Yet that is precisely where we are left. An illusion that the administration refuses to define as such. Certifications that are meaningless. Ronald Reagan reminded us to "trust, but verify." The North Koreans insist by their reluctance to admit inspectors that we will not verify as a basic term of the agreement. So we are left simply with trust. Trust the North Korean regime which has just launched long range missiles over our allies. Trust of the administration. Trust that has been frivolously squandered and badly eroded.

Again, I thank the participants in this for accepting this modification of the amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank Senator COATS for his addition to my amendment, because I do think it strengthens the base amendment. What Senator McCain has done is assure, in order to get this money, that there would be no nuclear proliferation by North Korea. My amendment then comes in and says we will not allow the ballistic missile technology to be sold by North Korea to terrorist nations. I think the amendment of Senator COATS

strengthens both of these by assuring the certification process is real.

I think it is very clear that the Senate is speaking with a very loud voice that we are not going to continue to sit back and let North Korea break the agreement that they made, sell technology to terrorist nations that would use that technology against the United States or our allies anywhere in the world, and let them do it and reward them for it. We are not going to do it. The signal is clear. The Senate is speaking.

I thank Senator COATS, I thank Senator MCCONNELL, I thank Senator MCCAIN for working together to send a very clear message that we want North Korea to abide by the agreement they made. If they do, we will reward them. If they do not, they will not get one penny of taxpayers' money from this country.

Mr. President, I urge my amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky.

Mr. MCCONNELL. I understand there is no objection to the Hutchison amendment as modified by Senator COATS.

The PRESIDING OFFICER. Is there further debate on the Hutchison amendment? If not, without objection, the Hutchison amendment, as modified, is agreed to.

The amendment (No. 3526), as modified, was agreed to.

AMENDMENT NO. 3500, AS FURTHER MODIFIED, AS AMENDED

Mr. MCCONNELL. I believe the pending amendment is now the McCain amendment. There are no objections to that.

The PRESIDING OFFICER. The Senator is correct. Is there objection to vitiating the yeas and nays on the McCain amendment?

Without objection, it is so ordered.

If there is no objection, the McCain amendment is agreed to.

The amendment (No. 3500), as further modified, as amended, was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3523

The PRESIDING OFFICER. If there is no objection, the Coats amendment is withdrawn.

Amendment No. 3523 was withdrawn.

AMENDMENT NO. 3532, AS MODIFIED

Mr. MCCONNELL. Mr. President, I have a technical correction to an earlier approved Craig amendment which has been cleared by both sides. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The previously agreed to amendment (No. 3532), as modified, is as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE.

(a) It is the Sense of the Senate that:

(1) The U.S. Department of Agriculture should use the GSM-102 credit guarantee program to provide 100 percent coverage, including shipping costs, in some markets where it may be temporarily necessary to encourage the export of US agricultural products.

(2) The U.S. Department of Agriculture should increase the amount of GSM export credit available above the \$5.5 billion minimum required by the 1996 Farm Bill (as it did in the 1991/1992 period). In addition to other nations, extra allocations should be made in the following amounts to:

(A) Pakistan—an additional \$150 million;

(B) Algeria—an additional \$140 million;

(C) Bulgaria—an additional \$20 million; and

(D) Romania—an additional \$20 million.

(3) The U.S. Department of Agriculture should use the PL-480 food assistance programs to the fullest extent possible, including the allocation of assistance to Indonesia and other Asian nations facing economic hardship.

(4) Given the President's reaffirmation of a Jackson-Vanik waiver for Vietnam, the U.S. Department of Agriculture should consider Vietnam for PL-480 assistance and increased GSM.

Mr. MCCONNELL. Mr. President, the Senators from North Dakota have been waiting patiently on the floor and would like to address another issue for a few moments. I, therefore, yield the floor.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask consent I be recognized to speak as in morning business and that my colleague from North Dakota, Senator CONRAD, be recognized following my brief remarks.

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

NORTHWEST AIRLINES JET SERVICE IN NORTH DAKOTA

Mr. DORGAN. Mr. President, last Saturday morning at 12:01 a.m., labor negotiations between Northwest Airlines and its pilots broke down. There was a labor strike and, therefore, a shutdown of Northwest operations. The result of that shutdown of operations means that all jet airplane service to North Dakota is gone. The shutdown has a substantial impact on our entire region of the country, but on our State it has a profound impact because all jet service is now gone. There is not one jet flying in or out of North Dakota.

I have talked to President Clinton. I have talked to Secretary of Transportation Slater. I have talked to Northwest Airlines and I have talked to the pilots.

It is clear to me that this labor dispute is not going to be settled in the coming hours. We have waited now for several days following the shutdown, during which the Transportation Secretary called the parties together. But even from that, there is not a negotiation ongoing. None is scheduled tomorrow, and none is scheduled the next

day, as I understand it. It is now clear to me this will not be settled quickly unless the President invokes his emergency powers.

This dispute is about corporate profits and pilots' paychecks, and they have every right to have a dispute about that. But no one has a right to visit on our State the burden and the devastating consequences that occur when an essential part of our transportation system is withdrawn, when all jet service is withdrawn, and that is what has happened in North Dakota.

Today, my colleagues, Senator CONRAD and Congressman POMEROY, and I have asked President Clinton to appoint a Presidential emergency board, and to call the parties back to work to restore service to our State. During the 60-day period, we want the President to help resolve a settlement in this dispute and to end this shutdown. We don't do this lightly. We understand that this is an important step.

I don't know who is at fault, but I know who is hurt. In a State like ours, where all jet airplane service is gone, there are devastating consequences. Because the airline industry has now retreated into regional monopolies, a shutdown of service or a labor strike causes devastation to certain regions of the country. This can no longer be business as usual. We must ask this President to invoke his emergency powers and get airline service restored to our region of the country.

Mr. President, one final point. We also ask that the regional carrier in North Dakota that has also discontinued service, Mesaba Airlines, of which Northwest is a minority shareholder, restore its service to our State as well. We are preparing a request to the president of Mesaba and to Northwest to do that.

This is a very difficult step for me and my colleagues to take, but we have no choice. We cannot allow day after day after day to go by with our State suffering the impact and the burden of a dispute that has resulted in the discontinuation of all jet service in North Dakota. It is unfair to the citizens of North Dakota and our region, and I want the President to put a stop to it and restore air service in our region immediately.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from North Dakota.

Mr. CONRAD. I thank the Chair.

Mr. President, today we have asked the President of the United States to intervene to bring the parties back to work at Northwest Airlines, to get the planes flying, and to do it before Labor Day.

We had hoped that the two parties would reach agreement on their own. This is a dispute between private parties, but it has a distinctly public result, because all jet service is shut off from North Dakota.

We had asked the Secretary of Transportation to bring the two sides back