SENATE—*Thursday, September 15, 1983*

(Legislative day of Monday, September 12, 1983)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Our prayer today will be offered by Brigadier F. M. Gaugh, who is a retired Salvation Army officer living in Clearwater Beach, Fla. He is sponored by Senator PAULA HAWKINS. We are glad to have him here.

PRAYER

Brigadier F. M. Gaugh, Salvation Army officer, retired, Clearwater Beach, Fla. offered the following prayer:

Let us enjoy this opportunity to speak to God:

Dear God our Heavenly Father, we pray that strength and courage abundantly be given to each Senator as they work for a world of reason and understanding, that the good that lies in every one's heart may day by day be magnified, that each will come to see more clearly not that which divides us, but that which unites us. May each hour bring us close to final victory, not of nation over nation, but each person over their own evils and weaknesses. May Your spirit bring joy, beauty, hope, and above all peace, the peace to build and grow, to live in harmony and sympathy with others and to look to the future with confidence. Bless each Senator as they do Your work. Take their words, their skills, their faith and love and let them be channels through which Your work is done, in our Nation and the world.

This we ask in Thy name, Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

Mr. STEVENS. I thank the Chair.

SENATE SCHEDULE

Mr. STEVENS. Mr. President, today, after the recognition of the two leaders and the transaction of routine morning business, the Senate will consider the KAL resolution condemning the Soviets for the destruction of the innocent airliner of the Korean Air Lines. A rollcall vote is expected on that later today.

There is a possibility the Senate will resume consideration of H.R. 3363, the Interior appropriations bill, later in the day. The majority leader will have a further statement on that matter or other matters later.

Mr. President, I am happy to yield to my good friend from West Virginia, reserving the remainder of our time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. BYRD. I thank the Chair.

Mr. President, I yield the remainder of my time to the distinguished Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the distinguished Senator from West Virginia, my good friend.

Mr. President, I ask unanimous consent that the time of the two leaders be reserved. I thank the Senator from West Virginia for yielding me his time, but it is not needed at this point. It may be needed before 10 o'clock by either of the two leaders. Therefore, I ask that it be reserved for the use of either of the two leaders.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

Mr. STEVENS. Mr. President, I now ask that the Senate proceed to the transaction of routine morning business in which Senators may speak for not to exceed 2 minutes.

The PRESIDING OFFICER (Mr. ANDREWS). Under the previous order, there will now be a period for the transaction of routine morning business, not to extend beyond the hour of 10 a.m., in which Senators may speak for not to exceed 2 minutes.

The PRESIDING OFFICER. The Senator from Florida.

MARIHUANA SHOPS

Mrs. HAWKINS. Mr. President, I am not one to quote famous writers, as you know, but I should like to rephrase the one who wrote, "Childhood is a nightmare." I would rewrite that to be, "A childhood on drugs is a nightmare." Mr. President, I think that some unfortunate children have lived at least 30 years by the time they are 13. A childhood on drugs—with an unhealthy knowledge and experience of all kinds of criminal and illicit behavior—is a 30-year-old's nightmare.

In my readings and research as chairman of the Senate Drug Caucus, I came across an article on the ghastly existence of a group of innercity kids in Brooklyn and Manhattan. These are kids whose typical day includes smoking joints and running from the police, and whose idea of a special treat is snorting coke or "getting dusted," which is the same as ingesting PCP, or "angel dust." My apologies, in advance, to Senators D'AMATO and MOYNIHAN for focusing on this particular area. I certainly do not mean to imply that New York City—or any city—is the only area with a problem of youthful drug abuse. In fact, I recently read quite a shocking study on the drug-taking habits of a group of junior high school students in Nebraska.

The article I want to concentrate on, though, deals with the small, sleazy, two-bit marihuana stores, or "smoke shops," that crop up and move around in various parts of New York City. Police estimate that there are anywhere from 1,000 to 2,000 such shops throughout all the boroughs of the city. Many of them present an innocent front—a small grocery, a health food shop, a record store, a video arcade. But inside, over $2,000 worth of marihuana changes hands every day, much of it to teenagers and college students. A drug bust is just a minor setback for these dealers. Before the arresting officer is back on his beat, the shop is open for business again. The worst that can happen is that the youngster selling the stuff gets slapped with a $25 fine.

The kids who grow up in these areas—and the kids who take the commuter train from the affluent suburbs—are the prime victims of these criminals. The kids are the ones buying the drugs—with their parents' money—and they are the ones sitting behind the counter exchanging nickel bags for $5 bills. They are also smoking joint after joint so that after a while they can no longer function in school. Childhood truly becomes a dead end when being "streetwise" is more important than "school smarts."

Mr. President, at this point I ask unanimous consent to have printed in the RECORD the article on these marihuana shops, entitled "Buy Your Marijuana Here," in the May 1, 1983, issue of the New York Daily News.

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

[From the New York Daily News, May 1, 1983]

BUY YOUR MARIJUANA HERE

Clyde's got a problem, he steps outside his broken-down storefront on Brooklyn's Nos-

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

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trand Avenue counting a wad of singles and fives and shaking his head. "Business is slow," he says. "Too slow. Especially in the daytime." It's early Friday evening, though, and things are bound to pick up. Joining some friends, he turns on an enormous radio box and watches as the daytime trickle turns into a nightime stream.

They're teenagers, mostly. Little Hispanic and black girls in white sneakers and dancing clothes. But there are small children, too, and old women, and men coming home from work. Clyde's store doesn't look much different than the others that line this battered, nearly deserted stretch of avenue, but it's clearly the most successful. Leaning against his rusty old Chevrolet, Clyde bops to the beat and complains—like most merchants in Bedford-Stuyvesant—about the police. But unlike the rest, Clyde hates having them around. The cops are bad for business.

"The cops drive by slow and people are afraid to come in," says the slight West Indian in his slow, sing-song way. Turning to a visitor, he reaches into his pocket and asks, "You smoke commercial pot? Here. Here's some real good pot, man."

As the proprietor of a successful marijuana store, also known on the street as a "smoke shop" or a "joint factory," Clyde can spare the reefer. By any name, even on a bad night, he's got a $3,000-a-day cash business. But he is not an exclusive franchiser. The police estimate that there are anywhere from 1,000 to 2,000 such pot-peddling stores throughout New York City—about the same number as there are legitimate pharmacies. Estimates vary, however. City Councilman Abraham Gerges, who is perhaps the most vociferous opponent of the smoke shops, believes that there are close to 500 of them in North Brooklyn alone, and 4,000 citywide.

Many of them appear totally benign—bodegas, health-food shops, record stores and video parlors. Some even have the trappings of legitimacy. At one smoke shop/bodega a customer laughs. "You come back a week later, look at the shelves, and nothing's moved."

But a lot has moved. Two to three thousand dollars worth of pot each day, more when business is brisk. The customers don't dally. They come in, cash in hand, and order from a clerk on the other side of a counter, a plexiglass plate, or just a hole in a steel wall. Money is quickly exchanged for small manilla envelopes or zip-lock bags stuffed with pot. Customers can be literally anyone—from pre-teeners to Wall Street tycoons.

Nationally, 30 million people smoke marijuana, according to government statistics, and the National Organization for the Reform of Marijuana Laws (NORML) estimates that it's a $25-billion-a-year business. In New York City, where the demand is high and the pot laws relaxed, smoke shops, according to the cops, are this town's fastest-growing retail business.

"When I left New York in '76, scoring pot was basically an 'I know this guy . . .' or 'My friend's friend . . .' sort of routine," explains one 30-year-old customer stepping out of Clyde's. "Now, any guy or momma can walk into any of these places and get whatever."

Clyde's is a four-drawer operation. Which means he sells four varieties of marijuana, each pulling in more than $700 a day. "Tres and nickel bags ($3 and $5 bags of common pot), hashish, Hawaiian and Sinsemillas (more potent and expensive pot)—everything sells!" exclaims Clyde with a grin. "It's good money, man. Let me put it this way: It's a misdemeanor hustle for big bread."

For dealers like Clyde, getting busted is more of a nuisance than a major setback. He loses a small amount of cash and a little smoke. By keeping less than a quarter-pound of pot in the store at any time, the owner both cuts down on the risk of hold-ups and avoids serious criminal charges if busted. The store's supply of pot is regularly replenished from another location, an apartment, maybe, or a car parked just down the block. After a bust, it's a matter of hours before the shop is back in business, opening to a rush of customers inconvenienced by the police activity.

"All it is is harassment tactics," says a former head of the police narcotics division. Deputy Chief Charles Kelly, about the department's periodic police raids. Inspector Dennis Ryan, the current commander of the division, disagrees. "Harassment policy? It's an arrest policy. An enforcement policy."

Still, Ryan acknowledges that the police have been unable to shut down these stores permanently, and that nearly all those arrested are low-level employes who receive light penalties, maybe $25 to $50 fines.

"The shop is open again before the arresting officer is back on the street," complains Councilman Gerges, who recently worked with Boerum Hill community leaders compiling files on dozens of known smoke shops in that Brooklyn neighborhood, to no avail. Only one shop has been successfully closed there, and that after a landlord was threatened with hefty fines under a seldom used nuisance-abatement law.

In New York, no two smoke shops are alike, each varying from owner to owner and from neighborhood to neighborhood. Some specialize in one type of pot, while others have a virtual menu to choose from. Some have a lot of security and others have none at all. In high-profile locations like a busy Harlem IND subway station, the High Mountain Health Food store looked like a legitimate operation. Another smoke shop, the Itemized Grocery store at 147th Street and St. Nicholas Avenue, got busted when it refused to exchange a woman's dented can of peas and she returned with some cops.

In certain neglected and/or complacent parts of town, like sections of East New York, Harlem or the lower East Side, there is no need for a facade. On E. 10th Street, a stone's throw from the amenities of Greenwich Village, one smoke shop has next to no security: just a lookout and a big empty room with a young kid selling pot from behind a wooden counter

In Harlem, just off St. Nicholas Avenue, a high-grade, high-cost marijuana store is located upstairs on the second floor. You'll never see a face here, and the security system is modeled after the elaborate peephole-heroin operations nearby. It could take hours to break your way in.

"It's the criminals we worry about, not the police," explains one smoke-shop clerk in a heavily fortified store. That's why the police, after using battering rams and sledge hammers to smash their way in on a routine bust, often find trap doors, tunnels and ingenious escape routes inside these shops. "The police, they barge in, you get maybe a misdemeanor. People who rip off smoke shops leave you dead."

It's a Saturday night at a New York University fraternity party in Greenwich Village and the drugs are running low. Downstairs, in the barroom, a group of brothers pool their money while another one places a phone call. Thirty minutes later, a skinny little kid, maybe 15, drives up on a moped. He collects the cash and hands over an ounce of Colombian. It's that easy. Just like pizza. The delivery kid even apologizes for taking so long, but there were other stops along the way.

Dial-A-Joint. The most brazen of all New York City's smoke shops. Since 1979, it's operated out of various locations on the lower East Side, advertising in everything from High Times to the Village Voice to Rolling Stone. It's even listed in the phone book.

Its "corporate" name is the Church of Realized Fantasies, and its owner, Michael Cezar, who calls himself "the Pope," estimates daily receipts at some $30,000.

In 1980, the district attorney decided to make an example of Dial-A-Joint and busted the place. He kept on busting the place, even while the Pope stood trial—never able actually to shut it down. Cezar served six months on Rikers Island and called it a "summer camp." Today, even UPI has circulated stories about this "Only in New York" delivery service, whose workers prefer the upper East Side because of its more discriminating tastes. (Cezar was recently busted again and is awaiting trial).

Delivery services like "Grass' and "We Deliver" are Cezar's most formidable competitors. They tend to be less brazen, however, cross-referencing the addresses of regular clients with newcomers—although one was so bold as to sneak an advertisement into the New York Times garden section.

Few smoke shops in the city employ such intrepid come-ons, relying stead on flyers distributed to passerbys, business cards and most especially word of mouth. It makes sense, then, that the kids who work there are invariably the popular ones: the ones who are sure to draw a lot of friends, and develop a large clientele. Most don't have much else going for them—poor and uneducated, they've invested their lives in drugs. Working in a smoke shop lets them get girls, free drinks, all the herbs they can smoke (or rip off), and if they're lucky, maybe $100 a week.

"It's a prestige thing," explains one store owner, who admits it facinates him. "Kids come around all the time askin' 'Hey, do you need anybody to work in your store?' They're like bartenders who bring in their own crowd. They do all the publicity."

"Publicity is good," says an exsmoke-shop owner named Michael, "but overexposure—too much attention—brings problems."

"It's the kids that cause us the most problems," he explains, pointing out a steady trickle of tots traipsing in and out of the many active smoke shops only a few blocks from the federal courthouse at Foley Square.

"There's a guy I know on Nostrand who always gets fagged on—seems every other day he's getting busted. And it's mainly because he deals with the kids neighborhood. They all hang out at his store, and their mothers just keep dropping dimes on him [phoning the cops] And I Mean these are little kids. Little! Some can't be more than fifth or sixth grade.

"The kids go in and the mothers freak out." says Michael, breaking into laughter. "I mean its My Kid's Got This WEEEEED!"

But not everyone is laughing. Marijuana-and-schoolchildren is a mixture that has reached epidemic proportions. Few New York City high schools are without the sweet, acrid smell of marijuana smoke drifting off stairwells and out of bathrooms. In some schools the smoke is so thick that

teachers complain about "contact highs." Lately the problem is overwhelming the junior high and elementary schools as well.

It's no accident, then, that so many smoke shops ae located near schools. Young kids are the pot peddlers' target market. In fact, over half of the video arcades in New York City double as drug outlets, according to a report issued last year by the state Division of Substance Abuse Services.

"A lot of these kids are pretty sharp dealers themselves," says Michael, explaining the open sale of drugs inside the schools. "They buy themselves a 'tres' bag, roll up maybe five or six thin joints, sell them in school, and presto, they've salvaged their money back."

Things got so bad at the schools two years ago that the Police Department created a special 100-member narcotics task force to deal with the problem. "Operation 3 R's" stands for "Raid, Rid the schools of pushers, and Rescue the children." After having some success with shaking up schoolyard dealing, the narcs realized that the dealers were simply moving indoors. The kids followed, and so did the cops. Their next project, "Operation Smoke Shop," a series of citywide sweeps netting hundreds of arrests and thousands of dollars in marijuana and cash, proved without a doubt that the problem was there. Today it's getting worse.

Typical of the many smoke shops that prey on schoolchildren was a well-publicized hole-in-the-wall at 861 Wyckoff Ave. in Ridgewood, Queens, called Mandingo's Boutique. Located about five blocks from JHS 93, a scant three blocks from its annex and right around the corner from two city high schools (Peary and The Brunswick Annex), it specialized in nickel bags, and kids. Everybody knew about it—including parents, cops and school officials. Even when school was out, kids would trek from communities without smoke shops, like Middle Village, into the Ridgewood neighborhood.

Mandingo's was raided 15 times in one year, but nothing changed except the store itself; the name was replaced with a spinning, flashing light, a la Times Square; plexiglass gave way to steel-and-iron-mesh walls. Pressure continued to mount for something, anything to be done. Its junior high school customers kept showing up for class with red, glassy and inattentive eyes.

It was one year ago, finally, when police literally tore the place apart. Cordoning off the entire block, they busted in with sledge hammers, heavy-duty buzz saws and hydraulic tools. Outside, spectators cheered the fact that Mandingo's was finally out of business. Though a few were quick to point out that two other neighborhood smoke shops continued to thrive, still, this was a victory of sorts.

One year later, Arnie Heller is standing outside the JHS 93 annex, complaining about the smoke shop at 861 Wyckoff Ave. Last October he was informed that a sixth-grader in his math class had some pot. When confronted, the embarrassed 12-year-old reached down into his underwear and handed over his nickel bag to Arnie Heller. Then they took a ride in Heller's van to where the pot was purchased. And there it was—Mandingo's, or whatever it calls itself, thriving again—this time from a tiny side-street doorway, the front still boarded up.

A teacher for 15 years, Arnie Heller is profoundly troubled about students who pass out in class, who do not show up at all, or who run in front of moving vehicles. Once he took to squirting Crazy Glue into the locks of the local smoke shops. But there is no longer an audience for Heller's exasperation. Despite his hue and cry, no one is listening. Not the press and not the police. So Arnie Heller's taken to parking his van across the street from 861 Wyckoff Ave. and waiting. If one of his students makes a score, Heller, the self-appointed overseer, immediately confiscates it.

One afternoon, sitting and watching as the kids parade in and out—the smoke shop now reduced to a phone-booth-sized hallway with a voice that talks to you from the other side of a hole just low enough for, say, a junior high student to slide his money through—Heller shows a visitor this week's take—a pocketful of nickel bags.

"I don't know why the cops can't come here and just sit," he wonders out loud. "Even if it's just to eat their lunch. I've never seen a uniformed cop on this corner, except for the raids last year."

But despite Arnie Heller's theatrics, his heroics and his presence, every other minute or so a pint-sized kid will stop, ring the bell, look both ways and duck into a doorway. If you blink, or turn your head, you'll miss his exit.

The PRESIDING OFFICER (Mr. JEPSEN). The Senator from Wisconsin.

LATVIAN GENOCIDE—AGAIN?

Mr. PROXMIRE. Mr. President, a recent article on a new wave of terror in the Soviet-occupied Baltic republics reminds us of the continuing need for our country to ratify the Genocide Convention.

Erik Lettlander's chronicle of this new political repression harkens back to darker days. The Baltic republics, including Latvia, were occupied by the U.S.S.R. immediately prior to the Second World War. As writers, such as Aleksandr Solzhenitsyn and Roy Medvedev, remind us, systematic repression of dissent was the first stage in a process which reached genocidal proportions in those states.

Mr. President, the atrocious record of the Soviet Union on the treatment of the non-Russian national groups within the Soviet Union is notorious. Documented genocidal conduct has been the policy of the Soviet State. In the early years of Soviet power, the territory of the Soviet Union was consolidated at the expense of various Central Asian peoples. Stalin mercilessly liquidated the Crimea Tartars and the Volga Germans, not to mention millions of his political opponents. Krushchev presided over the brutal suppression of the Ukrainian Nationalist movement. And finally, antisemitism has been a recurring theme throughout Soviet history.

Mr. President, not all of these tragic events and waves of repression would fall under the scope of the Genocide Convention. Indeed, the treaty is specific in both the definition of the crime of genocide as well as in the enforceability of its provisions. Nonetheless, if even a small fraction of the lives lost could have been saved, the ratification of the Convention would have been worth the effort.

By the same token, events in contemporary Latvia have not yet reached genocidal proportions. Indeed, they may not—this time. However, the absence of the United States from the roster of adherents to the Genocide Convention deprives us of an important weapon in the event that they do. As it stands now, our diplomats are at a disadvantage, both morally and rhetorically, in criticizing Soviet human rights violations.

Mr. President, I urge my colleagues to consider our position in the world community and our often-stated commitment to human rights. Should we continue to press these laudable ideals with one hand tied behind our back? Must we shoot ourselves in the foot in the battle for the hearts and minds of the world community? I believe that we should not. Therefore, I will continue to press for favorable action by the Senate on the Genocide Convention.

Mr. President, I ask unanimous consent that Mr. Lettlander's article be printed in the RECORD at this point.

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

[From the Christian Science Monitor, Aug. 31, 1983]

SOVIETS CRACK DOWN ON DISSENT IN LATVIA

(By Erik Lettlander)

STOCKHOLM.—Soviet Latvia is experiencing the worst wave of political repression in recent memory, according to exile Latvian sources.

Two Latvians were sentenced on political charges in August, and autumn may see the trial of four more religious and political activists. This is the largest known number of trials since eight persons, most of them intellectuals, were sentenced to long prison terms for alleged nationalist conspiracies in the early 1960s.

Gederts Melngailis, a former Lutheran seminary student, was sentenced to three years in a prison camp, Latvian exile sources reported Tuesday. The charges against him apparently stemmed from attempts to renounce Soviet citizenship, his refusal to serve in the Soviet Army, and contacts with Westerners in Moscow and Latvians in the West.

Before he serves his prison terms, Melngailis will undergo psychiatric treatment. Saying it would bring a milder sentence, his defense lawyer persuaded his mother to sign a statement that her son was mentally ill. "All experience with other dissidents shows that this is the worst that could possibly happen," commented Julijs Kadelis, head of the Information Bureau of the World Federation of Free Latvians in Münster, West Germany. Kadelis, who runs a clearinghouse for information on dissent in Latvia, said police and KGB officials had earlier threatened to "change" Melngailis's way of thinking with drug treatment at a mental hospital.

Exile sources in Stockholm said a Sept. 15 trial date has been set for Ints Calitis, who signed appeals for a nuclear free zone in the Baltic states and supported a protest by Balts on the 40th anniversary of the Molotov-Ribbentrop pact of 1939. Secret provisions of the treaty between Stalin's Russia

and Hitler's Germany assigned the Baltic states to the Soviet sphere of influence.

A Soviet Latvian court recently sentenced Lidija Lasmamis-Doronina to five years in prison and three years exile, her third stint in a Soviet prison since 1948. She is a Baptist accused of possessing writings from the unofficial Soviet peace movement.

Soviet authorities have also indicated to relatives that they will try Janis Rozkalns, a Baptist, sometime in late September. He was arrested in April and charged with anti-Soviet activity for having quantities of religious literature and copies of the UN Universal Declaration of Human Rights in his home. He may be tried with Janis Rozkalns, and Janis Veveris, a former champion rower arrested in early Januaury.

When the trials of Rozkalns, Calitis, and Veveris end, Kadelis in Munster says it will probably be Gunars Freimanis' turn. The electrician was arrested in late March, apparently for reading and circulating his uncensored poems to friends. He was imprisoned from 1964 to 1969 on similar charges, although a few of his poems on environmental issues appeared in the official Soviet-Latvian literary magazine Karogs in the early 1960s.

The trials are seen as part of an ideological crackdown under Yuri Andropov aimed at the most Western-oriented republics in the Soviet Union. "When the head of the KGB becomes the head of the USSR, it is clear that he wants to put the house in order," said Atis Lejins, a Latvian-born American citizen who edits a journal for the exiled Latvian Social Democratic Party in Stockholm. He also links the crackdown to the campaign for economic and workplace discipline.

Kadelis thinks the crackdown may reflect a need by officials in Latvia to show their power and loyalty to the new men in the Kremlin. "What has happened is the whole KGB apparatus has awakened and is doing things to gain attention and favor now that he former KGB chief has become the top man in the Soviet Union," he days.

Lejins suggests the repression may backfire by putting the Soviet Union in an embarrassing position concerning its promise to respect human rights at the Madrid conference to review the 1975 Helsinki Accords.

From its outset in January, the Latvian crackdown has been an international incident. When Doronina was arrested in January, KGB agents also seized a Latvian-born woman and her teen-age daughter, both Swedish citizens in Latvia as tourists. The incident was widely publicized in Sweden and is often mentioned in reports of the current trials. Both women were expelled from the Soviet Union.

THE ULTIMATE ENVIRONMENTAL CATASTROPHE—A NUCLEAR WAR

Mr. PROXMIRE. Mr. President, few experiences are more painful than hearing the dreary litany about the consequences of nuclear war repeated over and over. But Congress shares the responsibility for war and peace with the President. We authorize and appropriate every penny of the money to test and build and deploy our nuclear arsenal. No nuclear weapons can come into our arsenal without positive congressional support. We in the Congress, also support or oppose arms control limitations. And we, in the Senate, decide whether or not to ratify whatever treaty a President of the United States may negotiate to limit the nuclear arms race. We have affirmed some nuclear treaties, such as the Antiballistic Missile Treaty. We have failed to act on others, such as the second Strategic Arms Limitation Treaty. Every American, as a citizen, has a duty to face squarely the grim consequences of nuclear war. We, as Members of the Congress, have a special obligation to consider those consequences in full detail and to explain to our constituents the consequences of nuclear war.

For these reasons, Mr. President, I call to the attention of the Senate a recent article from a publication called International Wildlife. The article appeared in the September-October 1983 issue. The author of the article is Sam Iker, an environmental reporter, formerly with Time magazine. The magazine told Iker to stick to hard evidence, but acknowledges that projections of the environmental consequences of a full-scale nuclear war are, International Wildlife admits, "conjectural at best". The consequences could be not as bad as or they could be worse than Mr. Iker estimates. Too few of us have considered the vast, nationwide effects of a nuclear war on our environment. In fact, the prime civil defense scenario has been both for the Soviets and this country to evacuate the cities and send the urban population out into the vast open spaces of the countryside, where they would be away from the blast effect, the intense killing heat, and lethal fallout. In this projection, "expert" witnesses have told congressional committees that most of the population could survive, provided evacuation is organized and promptly put into effect. Many others have questioned the efficacy of this evacuation plan. But until I read Mr. Iker's article, I had not appreciated just what those who were lucky enough survive by evaluating the target areas promptly and successfully would be up against. And believe me, what they would be up against would be very grim, indeed.

Consider the six steps Mr. Iker predicts could follow a nuclear attack. Here they are:

First. Nuclear war between superpowers wipes out major U.S. and Soviet cities.

Second. Groundbursts hurl hundreds of tons of dust into the upper atmosphere.

Third. Vast firestorms engulf 380,000 square miles, sending 200 million tons of ash and soot aloft.

Fourth. The resulting pall cuts sunlight to as little as 1 percent of normal, plunging the Earth into darkness.

Fifth. With the sun's warmth blocked, temperatures drop 36 degrees Fahrenheit, leaving the Earth in frigid gloom.

Sixth. Photosynthesis stops and massive crop failures follow; aquatic plants stop reproducing, decimating ocean food chains. Vegetation dies.

Mr. Iker, of course, does not deal with the destruction of virtually all of our civilian technology that would isolate survivors. A single electromagnetic blast—that is a multimegaton nuclear bomb—exploded at 300 miles over Kansas City could knock out every electric utility in the country, destroy the ability of every radio and television station to send out signals, close down all computers, deaden every telephone and, in effect, strike our Nation deaf and dumb. The destruction of our cities would slam our transportation system flat on its back, so any food that had been produced—and Mr. Iker contends that could be very little—could not reach a significant market.

Mr. President, a few months ago, I entered into the record in a series of statements on the floor of the Senate the results of a study by the World Health Organization of the effect of a nuclear war on human life and health throughout the world. That study estimated that more than a billion persons would die in a super power nuclear war and another billion would suffer serious wounds. They also estimated that health facilities and health personnel—that is doctors and nurses—would be among the first to perish. This article by Mr. Iker is a forerunner of a study that will be made over the next year or so by the U.S. National Academy of Sciences and the International Council of Scientific Unions on the effect of a nuclear war on the environment. I hope that Members of the Congress, as well as the public, will consider these studies carefully. Any Member of Congress who wonders why the public has so consistently and resoundingly supported the nuclear freeze whenever they get a chance to vote on it should recognize how profoundly these findings of the consequences of nuclear war are affecting and, indeed, should affect the American people.

Mr. President, I ask unanimous consent that the article by Mr. Iker entitled "No Place To Hide" be printed in the RECORD, together with a briefer article by Mr. Iker entitled "Death From the Sky."

There being no objection, the articles were ordered to be printed in the Record, as follows:

NO PLACE TO HIDE

(Nuclear war is the ultimate disaster; scientists piecing together what it might mean now see a world of cold and gloom)

(By Sam Iker)

In recent months, the debate over nuclear armaments has escalated, fueled by a build-up of weapons in the Soviet Union and the American response that U.S. strength is the

best way to prevent atomic war. So much is at stake that even a rational discussion of the facts is difficult, yet nuclear war remains the ultimate environmental issue. With that in mind, International Wildlife commissioned Sam Iker, an experienced environmental reporter formerly with Time magazine, to find out the latest on what the environmental effects would be. Iker was specifically charged to stick to hard evidence, but predicting a future event as catastrophic and unprecedented as nuclear disaster is conjectural at best. Even so, a growing body of scientific data makes it possible to extrapolate some effects beyond those already known about blast zones, fire and radiation. Those effects are summarized in the following report:

The nuclear numbers game has always had a mind-numbing air of unreality. The figures are simply beyond human understanding—as many as 20 million dead, for example, if the United States and the Soviet Union attack each other's missile sites; up to 160 million fatalities in a full-scale U.S.-Russian nuclear exchange; an estimated 750 million wiped out if all major cities in the Northern Hemisphere were hit by 5,000 warheads.

Most people have simply shut this specter of incomprehensible destruction from their collective consciousness. Some have retreated to remote wilderness regions of Oregon or Washington, stored food and built fortified bunkers to ride out the apocalypse in safety. It's becoming clearer and clearer, however, that even such elaborate precautions are useless. In a nuclear war, there'll be no place to hide.

In addition to the known impacts of blast forces, heat and radioactivity, scientific evidence is mounting that any major nuclear exchange would virtually devastate the environment which sustains human life. Indeed, such a conflict could turn vast areas into flamming infernos, plunge much of the planet into frigid darkness and eventually subject all life on the earth to the deadly effects of ultraviolet radiation.

"There would be survivors," declares ecologist George M. Woodwell, "as three would be surviving plants, animals, and here and there, an untouched forest and an uncontaminated agricultural plot. But a realistic look at the Earth after a nuclear attack leaves one guessing that a quick, merciful roasting in a personal fireball might be the better way."

Woodwell, director of the Ecosystems Center at the Marine Biology Laboratory in Woods Hole, Massachusetts, isn't speaking only in terms of his own research on the ecological effects of radioactivity. His grim assessment also reflects other studies which project the environmental impacts of nuclear conflict. No aspect of our biosphere would be left untouched—the atmosphere, the oceans and their aquatic life, forests and croplands, lakes and streams, wildlife. Entire ecosystems would be destroyed or disrupted. Some of the effects would be relatively short-lived. Some would last for years—even decades. And others could be permanent.

The damage estimates depend on the extent and character of any nuclear war. Various scenarios range from widespread hostilities involving a number of nations and thousands of warheads to a limited U.S.-Soviet exchange of missiles aimed at each other's oil refineries. Regardless of the assumptions, however, the resulting catastrophe would take on unprecedented dimensions. And the full extent of the consequences remains unclear.

Indeed, over the next year or so both the U.S. National Academy of Sciences and the International Council of Scientific Unions will be launching new assessments of how nuclear war might affect the global environment. Another such effort—the Conference on the Long-Term Biological Consequences of Nuclear War—will bring leading experts from a number of nations together this fall in Washington, D.C.

In spite of the unanswered questions, however, scientists have already accumulated a great deal of information from Hiroshima and Nagasaki, atomic testing and years of research. On the basis of such information, they can make some educated forecasts about the environmental aftermath of nuclear conflict. The following estimates are based on personal interviews, ongoing investigations and published studies of the potential ecological effects of atomic war. They all add up to unparalleled environmental calamity. What will happen to the world around us in the wake of an all-out nuclear holocaust?

Night will descend on much of the northern hemisphere—a funereal pall of the kind which may have blanked out the sun some 65 million years ago and sent the dinosaurs into oblivion. At that time, some scientists theorize, a 10-kilometer-wide asteroid collided with the Earth and hurled vast quantities of fine dust into the atmosphere. Life-sustaining solar rays were blocked, and the Earth's temperature dropped. How long these conditions persisted is a question. But it's believed that the frigid darkness lasted long enough to cause mass extinctions of mammals and plants.

John Birks, an atmospheric chemist from the University of Colorado, and Paul Crutzen of German's Max Planck Institute calculate that the same sort of hemisphere-shrouding darkness would result from huge wildfires created by nuclear explosions. A single one-megaton blast, for example, could ignite more than 80,000 acres. Birks and Crutzen "conservatively" estimate that more than 380,000 square miles of forests and croplands would be engulfed by vast firestorms following an all-out nuclear exchange. This is an expanse larger than the combined areas of California, New Mexico, New Hampshire and Idaho.

Forest fires a fraction as large have produced dramatic impacts in the past. The two researchers report, for instance, that widespread blazes in Minnesota and Wisconsin during the week of October 13-17, 1918, almost blacked out parts of the Midwest. According to one account from Cincinnati, Ohio, ". . . the sun's light and its disk could be seen until 3:35 p.m., at which time the sun was entirely obscured. Objects at this time could not be seen at a distance of 300 feet."

The firestorms triggered by a nuclear exchange would last for weeks. And as much as 200 million tons of extremely fine, light-absorbing particles of soot and ash would rise into the atmosphere. Burning oil and gas wells and refineries would add to the pall. And the effects would be further compounded by hundreds of millions of tons of dust hurled into the upper atmosphere by nuclear groundbursts.

The potential result, says Birks, would be "two or three months of virtual darkness." As little as one percent of the normal sunlight would reach the Earth's surface during the first few weeks. And high noon would seem to dazed survivors like a moonlit midnight.

Much of the impact would be confined to the war-ravaged middle latitudes of the northern hemisphere. With the sun's warming rays blocked, temperatures would plunge (by as much as 36 degrees Fahrenheit, according to one estimate). If the months of frigid gloom spanned the growing season, photosynthesis would come to a halt. There'd be massive crop failures—both because of penetrating, unseasonal cold and the lack of solar radiation. Indeed, vegetation in much of the northern hemisphere would perish.

Life in the oceans could also be devastated. Phytoplankton (minute aquatic plants) multiply through photosynthesis. With little sunlight, the phytoplankton would stop reproducing. Soon the zooplankton (tiny aquatic animals) would devour most of the existing phytoplankton. And once their food supply was gone, much of the zooplankton would die. Since zooplankton sustain larger marine organisms, the entire complex aquatic food chain would be decimated—with disastrous effects on commercial fish catches for years to come.

As the suspended soot, ash and dust settled, sunlight would again start penetrating down to the Earth's surfaces. And, says Birks, "you'd start having photochemical smog formation and high levels of ozone building up." The resulting pollution would be a more intense version of the kind of acrid smog that afflicts the Los Angeles basin—months of eye-burning brownish haze choking survivors and damaging vegetation.

The ecological trauma created by the darkness, the cold and the smog would compound the more immediate environmental consequences of the nuclear Armageddon. Depending on winds, fallout from a single one-megaton explosion could leave a lethal radioactive "footprint" some 15 miles wide and upward of 150 miles long. Multiply the number of detonations by thousands and vast regions could be blanketed by deadly radiation.

Croplands which weren't incinerated by post-attack wildfires would be exposed to potent radioactive fallout. Plants generally have a higher tolerance for radiation than mammals. But some crops, such as barley, rye and oats, are more sensitive than others, like soybeans and rice. Yields of the more susceptible species would drop 50 percent or more. And if an attack occurred early in the growing season, virtually all young plants would suffer. Also, many farms areas would be contaminated by long-lived radionuclides—strontium 90, cesium 137, iodine 131.

The combination of fire, darkness, cold and radiation would spell famine for survivors of a nuclear exchange. And those in the industrialized nations would face perhaps the greatest threat. Howard Hjort, Washington agricultural economist, notes that "in some parts of the world up to 70 percent of the people still live by farming, much of it subsistence farming. So the shock to that kind of system would be nowhere what it would be to a system such as we have in the United States or Western Europe where perhaps four percent are engaged in farming."

Modern agriculture is based on intensive mechanization, massive use of fertilizer and herbicides, and complex transportation, marketing and processing systems. All of that would be destroyed or disrupted, along with the critical exports of technology and foodstuffs to dependent nations of the Third World. "It seems to me," says Hjort, "that you'd drive yourself back in history a long way." Indeed, some experts believe agriculture would revert to the Middle Ages.

Moreover, adds Hjort, "because of the high densities of people in certain parts of the world, you could visualize a scenario where hunger would turn them into animals."

Surviving forest lands would also be devastated in areas hit by intense fallout. Ecologist George M. Woodwell's research showed that trees (especially evergreens) were most vulnerable to nuclear radiation. Shrubs were less sensitive, followed by various kinds of ground cover. Most resistant were lichens and mosses. According to Woodwell, radiation exposure could transform forests into impoverished landscapes. "The areas affected might be large, tens to hundreds of square miles per bomb," he says.

In nature, a forest destroyed by fire, timbering or some other cause can take a century or longer to fully recover. But some forests destroyed by nuclear war may never come back. Given potentially massive losses of nutrients, destruction of seed sources and ravages of erosion, some of these lands might remain impoverished ecosystems—a mixture of grasses, ground cover, moses and lichens.

In such barren areas, the equilibrium of nature would be turned topsy-turvy. Many living species would perish. But others, especially insects, which can tolerate far higher levels of radioactivity than mammals or birds, would survive and thrive. The result could be what author Jonathan Schell calls "a republic of insects and grass."

Indeed, many wildlife populations would likely be decimated in the aftermath of an atomic conflict. Infernos raging over hundreds of thousands of square miles would take a staggering toll. And radioactivity in the immediate fallout zone of a nuclear blast would multiply the destruction. As a wide-ranging 1975 National Academy of Sciences study put it, "we may expect amounts of radiation ascending to levels sufficient to destroy much of the life over large areas. . . ."

Fish, crustaceans and other forms of aquatic life are generally more resistant to the effects of radiation than mammals. But runoff from blast-despoiled landscapes would choke rivers and lakes with toxic contaminants, destroying aquatic habitats and poisoning aquatic life. Shallow estuaries and coastal marshes—"nurseries" where much of the life in the oceans is nurtured—could be even harder hit. Natural environmental stresses in such sensitive areas are known to cause mass die-offs. So the unnatural stresses of nuclear blasts and smothering volumes of toxic sediments would almost surely wreak havoc in these delicate ecosystems, according to marine biologists.

Concludes George Woodwell, "No aspect of life wold remain untouched in this dust-filled, radioactive world." A number of ecologists such as Hampshire College's Arthur Westing go even further. Total nuclear war, he declares, raises "at least the possibility that the impact on the biosphere would be sufficiently drastic to lead to the ultimate extinction of the human species."

DEATH FROM THE SKY—THE SUN TURNS VICIOUS AS THE OZONE SHIELD WILTS

(By Sam Iker)

1. Nuclear detonations of more than one megaton inject oxides of nitrogen into the stratosphere.

2. Ozone, which protects the Earth from ultraviolet radiation, breaks down through chemical reaction, perhaps by as much as 50 percent.

3. With the shield gone, ultraviolet radiation strikes the Earth.

4. Mass die-offs of animals result. People must stay indoors or risk life-threatening sunburn. Food chains are disrupted. Birds, insects and animals go blind.

The ultimate environmental calamity which might result from nuclear war would be the destruction of the fragile stratospheric layer of ozone which shields the planet from the deadly effects of ultraviolet radiation.

A nuclear detonation of sufficient size (more than one megaton) can inject large amounts of oxides of nitrogen into the stratosphere. Through a complex set of chemical reactions, this can result in the destruction of ozone. Atmospheric scientists, using the most sophisticated computer models, calculate that a full-scale nuclear exchange would wipe out around 50 percent of the ozone layer. This could double or triple the intensity of the most hazardous portion of the ultraviolet spectrum reaching the Earth. Some analysts believe that the trend towards smaller, more precisely guided weapons lessens this threat. But others feel that the heavier yield warheads remaining in the Soviet arsenal make the danger very real.

If the pessimists are right, the potential impact would be cataclysmic. Scientists agree that the existence of the ozone layer enabled life to develop on the planet. Without its shielding effect (even for the two or three years it would take for the layer to partially regenerate), most living organisms would be threatend.

Human beings are especially vulnerable. Even at present levels, ultraviolet radiation causes great numbers of cases of skin cancer among those exposed excessively to the sun. If the radiation were increased by 200 or 300 percent, people couldn't remain outdoors for more than a few minutes at a time without risking life-threatening sunburn (unless they were completely protected).

Most animals and birds would be shielded by their feathers or fur. But their eyes would be vulnerable to the intense ultraviolet rays. According to University of Houston professor Donald Pitts, an authority on such effects, the exposures would cause "permanent damage to the cornea." Says Pitts, "animals such as cattle, sheep, hogs, deer and so on would be renedered blind." Even birds and insects would lose their sight. The ecological implications are staggering.

Aquatic life would be equally vulnerable. Eggs, larvae and juveniles, which generally are found near the water's surface, have no way of detecting intensified ultraviolet rays (nor do they have effective natural defenses). Increased radiation, researchers find, is often lethal to such organisms. Many species of phytoplankton are also killed by powerful ultraviolet light. With mass die-offs of phytoplankton and zooplankton, says NOAA marine biologist David Damkaer, "the food chain is derailed. It's a domino effect."

Some crops are fairly resistant to ultraviolet radiation. But others, such as corn, sugar beets, tomatoes, beans and peas are highly sensitive. The rays affect the DNA of such plants and also retard the photosynthesis process. Most research (which is ongoing) has been done on commercial crops. Scientists still lack a detailed understanding of what the intensified radiation would do to other vegetation.

Even the global climate could be temporarily disrupted by the depletion of the ozone layer. More sunlight would reach the Earth and thus raise world temperatures. At the same time, however, less heat would be radiated back to the Earth by the thinned-out ozone layer. Given the immense comlexities involved, the climatic impacts are uncertain. But even relatively minor changes in world weather patterns could disrupt or even devastate global ecosytems.

THE CONFLICT IN CENTRAL AMERICA

Mr. INOUYE. Mr. President, in the spring of this year, I came to the floor of the Senate to sound a warning—to speak against the search for a military solution to conflict in Central America.

Now, in the fall of this year, I am speaking again, because I am distressed that the executive branch, under the direction of President Reagan, continues to regard military assistance and military maneuver as the sword which will cut the Gordian knot of political and social conflict in Central America.

I speak now—in the fall—as I did in the spring—to sound the warning bell because I fear that, if we continue our present course, in the winter we may be burying our dead. If my words seem melodramatic, if my voice sounds charged with emotion, I apologize: I am struggling to control a sense of outrage, born of frustration with the present conduct of foreign policy. I ask only that a cold, rational analysis—devoid of adventurism and jingoism—be given to the actions that have been proposed.

The United States is embarking on a series of military exercises in the region of Central America. Our troops, our ships are moving in harm's way—they are to be put into a context in which the squeezing of one trigger, the launching of one rocket, could turn war games into the deadly conduct of war. It gives me pause that the same President who refused to rule out the use of U.S. combat troops in Central America, saying "you know, they blew up the *Maine*," also orders the dispatch of U.S. naval vessels to the region for exercises.

When I spoke to the Senate earlier this year, I suggested that, in the conflict in El Salvador, there were certain similarities, certain parallels to U.S. involvement in Vietnam. In the recent words of our leaders and in the gathering sounds of battle in Central America, many Americans have heard more clearly the distant echo of Vietnam.

Abroad in this land today is a profound sense of the danger of coming war; a sense that we have traveled this path before and that the path we followed blindly led inexorably to American combat involvement.

We have heard the President dismiss congressional concerns that the number of U.S. advisers in El Salvador

not exceed 55. Yet, this concern is not unfounded. In February of 1954, President Eisenhower cabled Secretary of State Dulles in Berlin:

Certain legislators have expressed uneasiness concerning any use of American maintenance personnel in Indochina. They fear that this may be opening the door to increased and unwise introduction of American troops into that area.

History has proven those unnamed legislators to have been rightly concerned, and history will judge the conviction with which we now express our concern.

It is not idle to speculate about the role of U.S. advisers in El Salvador or to be concerned about the prospects that the advisers of today will become the combat troops of tomorrow. Assurances of contemporary officials that there is no need to worry are, I would suggest, undercut by memories of John Kennedy's words of 1962. In a news conference, he said:

The training missions that we have there (that is, in Vietnam) have been instructed that, if they are fired upon, they are of course to fire back, but we have not sent combat troops in the generally understood sense of the word.

I believe that U.S. advisers in El Salvador today operate under the same instructions—it is a very fine line between being an adviser and being a combat soldier. In his press conference, President Reagan can say "we have no plans to send combat troops" and many of us hear an echo of Secretary of Defense McNamara's 1962 statement, that "there is no plan for introducing American combat forces in South Vietnam."

We all know that the introduction of U.S. trainers in Vietnam led to the introduction of advisers and, when two Americans in the military assistance advisory group in Vietnam, killed while watching a movie in their barracks in Bien Hoa, were the first American soldiers to die, that led to the introduction of American combat troops. We cannot be certain that this tragic escalation of involvement will not be repeated in Central America, particularly in the forthcoming military exercises which will be in dangerous proximity to hostile areas.

The road to Vietnam was not marked with large signposts to warn against the dangers of American involvement. Spending on the war did not exceed an annual level of $100 million until 1962, almost 10 years after the first appropriation in support of efforts to defeat the North Vietnamese. We cannot look away from military spending in El Salvador and say it is too small to be significant. Any military aid to El Salvador engages the United States—any military assistance is significant.

Gradually, incrementally, and despite the optimistic pronouncements of our highest elected officials, the United States went to war in Southeast Asia.

And so when I and others speak of the distant echoes of Vietnam, it is not because we fail to recognize the differences in geography or in societies; it is because in Central America, in the clash of arms, in the cries of the wounded, we hear not the soft assurances of optimism but the voices from an earlier time who say, sadly, "you should have listened."

TRIBUTE TO THE LATE SENATOR HENRY M. JACKSON

Mr. ARMSTRONG. Mr. President, you don't know what you have until you lose it.

There has been little that has enriched my life so much during my 5 years in the Senate than the opportunity to know, to be associated with, to work with, and occasionally to lock horns with Sen. Henry M. (Scoop) Jackson.

Scoop Jackson was not a tall man, but he was clearly a giant among us; the epitomy—and perhaps the acme—of what a Senator should be. A vigorous partisan who had been the chairman of his party's national committee, a key figure in the nomination and election of John F. Kennedy, and twice a candidate himself for the Presidency of the United States, Scoop Jackson always knew when the time for partisanship stops and the time for bipartisanship begins. I learned early on in my Senate career that there was no more vigorous and effective ally to have on your side on a particular issue than Scoop Jackson; nor a more formidable foe to have against you. But whether Scoop was for you or against you on a particular issue, he was always the best of friends.

I do not know of any Senator who was respected more for his honesty, integrity, courge, the depth and breadth of his knowledge, his ability to get things done in the Senate than Scoop Jackson. I know of none who were better liked.

Scoop Jackson will be remembered for many things. But I think he will be remembered most for his vigorous and unrelenting opposition to tyranny in any form, and his wholehearted commitment to the cause of human rights. Scoop Jackson knew that the best way to keep America free is to keep America strong. Scoop Jackson knew evil when he saw it, and he never hesitated to call it by its right name.

There never would be a good time for the Senate to be without Scoop Jackson; but we miss him especially sorely now when his knoweldge, his leadership, his bipartisan spirit of cooperation would be so useful in crafting a proper response to the cold-blooded murder of 269 people aboard KAL flight 007. That shocking deed would not have been a shock to Scoop Jackson, who had warned us often about the nature and intentions of those at the helm of the Soviet Union today.

But although Scoop Jackson the man is gone, he has left behind him a legacy which will enrich this body and all who serve in it. Scoop Jackson belongs to the ages now, like Robert Taft, Richard Russell, Bob LaFollette, Henry Clay, and Daniel Webster before him. We miss Scoop Jackson terribly now, but I suspect we will miss him even more a few years from now when historians will have a better opportunity to assess Scoop Jackson's greatness and his uniqueness. We were living with a legend, but I don't think we fully appreciated that fact until the legend stopped living.

THE LATE SENATOR HENRY JACKSON OF WASHINGTON

Mr. ZORINSKY. Mr. President, the praise has come in from every corner of the Nation and, indeed, the world. To his colleague and friend, Senator EDWARD KENNEDY, he was, "in an era of slick images and slack ideas . . . a real man." To columnist and friend George Will he was "the finest public servant I have known." To former employee and friend Ben Wattenburg he was, "by far, the most decent, most professional, and most idealistic man . . . in American political life."

What more can be said of one who has been so widely praised, so canonized? Perhaps it is enough to say, simply, I find it hard to imagine the institution of the Senate without my friend and colleague, Senator Henry M. (Scoop) Jackson.

There is no question he was a leader among us. The shadow he cast in the Senate Chamber was as impressive as it was long.

As chairman of the Energy Committee, he was the author of the National Environmental Policy Act and the creator of the EPA. As a major spokesman on defense matters, he helped shape the SALT I agreement and countless measures that have influenced and bolstered our national security. As a leading defender of the persecuted and oppressed, he reminded us constantly that securing basic human rights must forever be a goal of the United States.

But there was more—much more—to Scoop Jackson than the bills that bore his name and the national policies he helped mold. That was the human side of Scoop and, above all else, he was a remarkably decent and moral man. Our colleague, Senator WILLIAM S. COHEN, called him, most appropriately, the "gentle warrior." He had a commonsense approach, yet his views were strongly held and well thought out. He was hard working to a fault and always there when wise counsel or just

the comfort of a friend was needed. Perhaps most of all, it can be said, Scoop Jackson had character.

One measure of the man is seen in his relationship with his friend and junior colleague from the State of Washington these past 2 years, Senator SLADE GORTON. They were of different parties. Senator Jackson had chaired the campaign of SLADE's opponent in 1980, Scoop's close friend and long-time associate, Warren Magnuson. And yet, within an hour of SLADE's victory in that 1980 election, Scoop was on the phone to SLADE, offering guidance and support to his new colleague.

The first day the Senate met after Scoop's death, that same Senator SLADE GORTON had this to say about his colleague and friend from Washington:

> It is for us now to remind ourselves and our children of the virtues of patriotism, courage, and humanity which made Henry Jackson so great; to rededicate ourselves to these virtues; and to give thanks that we were allowed by our Creator to be changed and enriched by his company.

I most heartily agree.

DEPARTMENT OF DEFENSE BUDGET

Mr. HATFIELD. Mr. President, I was necessarily absent on September 13 when this Chamber agreed to the conference report on S. 675, authorizing funds for fiscal year 1984 for the Department of Defense. I am certain that every Member of this body is aware that, had I been here, I would have voted against the conference report. Certainly I outlined by opposition clearly and often during the debate on S. 675. Our citizens' needs are too many and our global responsibilities too great to squander our precious resources on unnecessary weapons systems like the MX and the B-1 or on the production of binary chemical munitions that threaten to undermine our moral position in the world. Mr. President, I appreciate this opportunity to reiterate my position and I give fair warning that I am prepared to reopen the fight when we turn to the defense appropriations bill.

U.S. POLICY IN LEBANON

Mr. MITCHELL. Mr. President, I rise to make two points regarding our policy in Lebanon. First, I wish to emphasize my belief that the President should acknowledge that the current situation faced by 1,370 American troops in Lebanon requires the invocation of the War Powers Act. Second, I want to caution my colleagues in this body not to become so taken with the unresolved legal questions conerning this act that they lose sight of the immediate challenge faced by the Congress. That challenge is to work with the President in formulating and implementing a U.S. policy which advances U.S. interests in Lebanon and througout the Middle East region.

The War Powers Act of 1973 requires the withdrawal of U.S. forces within 90 days from any foreign state in which the troops are enaged in hostilities, or face "imminent" hostilities, unless Congress has declared war or authorized their continued presence.

The act's purpose was to maintain, not alter, the constitutional balance of power between the executive and legislative branches envisioned by the Founding Fathers. Not only did the act reassert the constitutional right of Congress to commit U.S. forces to conflicts, it firmly established the principle that the legislative branch must assume at the same time a heavy responsibility for doing so.

The act cannot be discussed in a historical vacuum. Its context was the tragic experience of the United States in Southeast Asia, and the goal of its authors was to insure that "Presidential wars," lacking popular support and the approval of the people's representatives, were avoided in the future.

The act's authors sought to establish an orderly, yet flexible process to insure that the United States would not participate in conflicts to which its people were not committed, or in which it had no business being involved.

One of these authors, the distinguished Senator from Mississippi, Mr. STENNIS—a gentleman whom I hold in great esteem—emphasized correctly in 1973 that it is this process, rather than the mere sharing of the warmaking right and responsibility, which is so critical.

During the 1973 debate, Senator STENNIS stated:

> Restoring a proper share of responsibility to Congress will by no means ensure its wise exercise. There is no assurance of wisdom in Congress any more than in the Presidency. As Professor Alexander Bickel has said, "the only assurance there is lies in process—in the duty to explain, justify and persuade, to define the national interest by evoking it, and to act by consent." Enactment of the War Powers bill will not be a panacea, but it will, I believe, realign the workings of this government with the Constitution that created it. It will reduce the chance that this nation will again go to war without unity; without an expression of national will through Congressional authorization.

By invoking section 4(A)(1) of the War Powers Act, and seeking the consent of the Congress for the continued presence of U.S. troops on Lebanese soil, the President will permit the process of explanation, justification, persuasion, and definition to occur. My own view is that the process will produce support for the President's decision to establish an American presence on behalf of a sovereign independent Lebanon, governed by a strong centralized government, whose legitimacy must flow from broad-based popular support and the growing strength of a nonsectariam army.

If the President refuses to acknowledge the applicability of the War Powers Act in the Lebanese case, he will do so at great risk to a responsible policy which I believe provides the United States an opportunity to further its interests and the interests of the suffering Lebanese people.

Without the active involvement of the Congress in formulating, and taking responsibility for, U.S. policy, the process of public education will not go forward. The result will be widespread confusion about U.S. tactics and objectives in the Middle East, and gradual undermining of the all-important diplomatic initiative which the President has undertaken.

Let there be no mistake about it. The United States has important interests in Lebanon. Located at the eastern end of the Mediterranean, at a virtual crossroads between the western democracies and the Arab world, the State of Lebanon occupies a strategic and very important piece of ground. Historically, the genius of the Lebanese people has been to provide a much needed bridge between predominantly Christian Europe and the states which constitute the Moslem Arab world. Over this bridge for centuries have passed great ideas and philosophies, as well as an enormous amount of international trade. In recent years, however, the traffic of ideas and economic goods has had to take second place to heavy traffic in weapons and soldiers.

The result has been disastrous for Lebanon, a fundamentally pro-Western state which has the potential to provide stability in the most volatile region of the world.

In considering the proper course of our Nation in this situation, I urge my colleagues to consider the following:

First. Lebanon is the only democratic nation in the Arab world;

Second. It is one of the few openly pro-Western nations in the Arab world;

Third. After the Israeli invasion of Lebanon last year, the Lebanese Government was confronted with basically three routes toward seeking an end to foreign domination: Israeli, Syrian, and American. That government chose the American option and committed itself to end foreign domination through the process of peaceful negotiation. To that end, it signed an American-sponsored treaty of withdrawal with Israel;

Fourth. The current fighting represents, in part, a hostile Syrian reaction to the decision by the Lebanese Government to throw in its lot with the United States;

Fifth. The introduction of American marines into Lebanon as part of a Multinational Peacekeeping Force had

as its ultimate purpose the implementation of the withdrawal of all foreign forces; and

Sixth. The United States has a clear, vital interest in maintaining what stability exists in the region. If Lebanon fails to sustain a strong central authority, the extreme Arab States will have the geographic base they need to prevail over the moderates. As the Lebanese former Prime Minister Sa'eb Salam has written, "* * * not one single moderate Arab regime will stand its ground in the region, from the Atlantic to the Gulf."

In short, the premature American withdrawal urged by some would be damaging to our country as well as to Lebanon itself. U.S. influence in the region will diminish substantially in the wake of a U.S. withdrawal. The U.S. as a peacemaker in the region will be lost.

If neighboring powers continue to promote the disintegration of the Lebanese State and if true state sovereignty is not restored, it will become even more difficult to achieve an overall resolution to the region's numerous and multifaceted conflicts. These conflicts now threaten the lives of the region's inhabitants, place in jeopardy the economics of the West, and encourage greater superpower confrontation.

No, one, and certainly not this Senator, wants to see Americans shelled on foreign soil. I am extremely concerned, as all Americans are, that the U.S. component of the international force is under sporadic fire on the outskirts of Beirut. It is my firm belief, however, that the presence of those troops is vital. It stresses our resolve to assist the Lebanese Government in regaining control and building the respect of the many factions which make up the Lebanese populace.

President Reagan's policy is one which deserves our support. First, it seeks to accomplish the withdrawal forthwith of all foreign forces from Lebanon; second, it promotes the restoration of Lebanese Government sovereignty and a continued strengthening of the Lebanese Armed Forces; and third, it focuses on the reestablishment of a Lebanese national concensus. These policy objectives were the right ones when U.S. troops were reintroduced into Lebanon last September and they are the right ones today. I commend the President for his rejection of suggestions that he abandon these goals in favor of a U.S. withdrawal or a hasty expansion of the U.S. commitment. While Ambassador MacFarlane and his assistants certainly must make every effort to bring about an immediate cease-fire, Congress must not divert him from continuing to seek the basic objectives sought by President Reagan.

THE KIND OF INDUSTRIAL POLICY WE NEED

Mr. PROXMIRE. Mr. President, one of the most thoughtful pronouncements on a national industrial policy this Senator has seen in a long time appeared in the New York Times today. The writer, Martin Lobel, points out that those calling for, new industrial policy are really saying that America's financial institutions are not allocating capital efficiently. Mr. Lobel answers the argument that some make that we need a national development bank to do the job with devastating logic. He writes:

A national development bank . . . would merely substitute political judgments for economic ones. Can any Administration withstand the power of large labor-intensive industries seeking loans to maintain their existing structure? Probably not. Are such loans economically viable? Probably not. And such an allocation of capital would deprive the government of capital needed for other, more appropriate purposes like retraining workers so that we don't waste human capital, or repairing our infrastructure so that industry can function efficiently.

So what does Lobel propose? He proposes that the Government can encourage the sprouting cooperation between workers and management to produce efficiently the best products possible. It could make the Tax Code more rational so that investment decisions are made for economic and not tax reasons. It can provide better information more quickly. It can work harder to open up more markets for free trade. And it can discourage interlocks between big financial institutions and big business, so that the financial institutions are more likely to make more rational decisions to benefit our growth industries.

Lobel is calling for policies that will encourage the free market to work more vigorously. We should adopt these policies. Too many are calling for policies that would push the Federal bureaucracy into making the prime investment decisions for our economy. We should renounce these proposals. Regardless of the integrity of any particular administration, or their wisdom or their diligence, when the Governments makes the investment decisions they will be made in response to political pressure and political clout.

Mr. President, I am proud to say that Martin Lobel, the writer of this letter to the New York Times was until several years ago a member of my Senate staff. He is an extraordinarily intelligent man. Since he left my staff he has established a public interest law firm in Washington and won a reputation as an extraordinarily skilled lawyer.

I ask unanimous consent that the letter to which I have referred from today's New York Times written by Martin Lobel be printed in the RECORD.

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

[From the New York Times, Sept. 15, 1983]

WHAT AN INDUSTRIAL POLICY REALLY MEANS

(By Martin Lobel)

To the Editor: Your Sept. 1 editorial on industrial policy triggered some thoughts that I offer from the perspective of a "Washington lawyer."

Those calling for a new industrial policy to get America's economy moving again are really saying that America's financial institutions are not allocating capital efficiently. They claim, correctly, that this misallocation of capital is hurting our growth industries and our ability to compete in the world market. Seen in this light, the solutions are likely to be far different from the self-serving special-interest pleadings that have so far emerged.

A national development bank suggested by some would merely substitute political judgments for economic ones. Can any administration withstand the power of large, labor-intensive industries seeking loans to maintain their existing structure? Probably not. Are such loans economically viable? Probably not. And such an allocation of capital would deprive the government of capital needed for other, more appropriate, purposes like retraining workers so that we don't waste human capital, or repairing our infrastructure so that industry can function efficiently.

Why, we must ask, are our financial institutions failing to meet our needs? The answer, in part, is that there is an institutional bias in favor of large established companies because of the interlocking interests of large corporations and financial institutions.

In part, this is because the skills required to succeed in a large corporation are not the skills required to succeed as an entrepreneur (which leads to problems of communication), and in part because through the tax code and other legislation, government has encouraged such behavior.

What, then, can government do? It could certainly encourage the sprouting cooperation betwen workers and management to produce efficiently the best products possible. It could make the tax code much more rational so that investment decisions are made for economic and not tax reasons.

It could provide information better and more quickly so that business could react more rationally. It could work harder toward opening more markets in the world for free trade. And it could discourage the interlocks between big business and big financial institutions so that they are more likely to make more rational investment decisions that should benefit our growth industries. This last is most important, yet it is likely to be the most difficult to implement.

All institutions tend to go through three stages: achieving goals, rationalizing the decision-making process and making sure the rules are followed. Unfortunately, the last stage leads to stagnation—to responding to the past, not the present.

Government can help by providing an institutional framework to encourage the development of new businesses. But only business can revive the entrepreneurial spirit needed to succeed.

There has been some slight movement in that direction but whether "mature" industries can regain an entrepreneurial spirit remains to be seen. However, it is clear that new government subsidies or capital allocation schemes will smother, rather than encourage, the requisite entrepreneurship.

FATHER LEON PAULIN, S.S.E.

Mr. LEAHY. Mr. President, those of us who are graduates of Saint Michael's College learned with great sadness of the death of Father Leon Paulin, S.S.E. Father Paulin was a well-known and greatly respected professor at Saint Michael's, and I was one of those who had the good fortune of being taught by him. More importantly, I had the opportunity to know him as a friend for nearly 20 years.

I join with those others who mourn his passing while honoring his achievements during life, and I ask unanimous consent that the enclosed article from "Founders Hall" be reprinted in its entirety in the CONGRESSIONAL RECORD.

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

REV. LEON E. PAULIN, S.S.E., PROFESSOR, ALUMNUS, TRUSTEE, DEAD AT 69

The Rev. Leon E. Paulin, S.S.E., died May 19 in the Edmundite Community House at St. Michael's College. A priest in the order of the Society of St. Edmund and SMC professor, Father Paulin was a greatly beloved member of the St. Michael's community from his entry as a student in 1932 until his death.

An emeritus professor of religious studies, Father Paulin taught at St. Michael's for nearly 40 years. He concentrated in Old and New Testament, but also taught French literature and calligraphy. Father Paulin was a trustee of St. Michael's from 1974 until his death and served as religious superior of the Edmundite Community at St. Michael's from 1970-74. He also did ministry in more than 100 parishes in the Diocese of Burlington.

A man of great personal charm, loving spirit, artistic talent and rare teaching ability, Fr. Paulin was teacher, counselor and friend to 100s of St. Michael's students and to countless members of the SMC community. He was probably asked more than any other priest to perform marriage ceremonies for St. Michael's graduates and to baptize the children of SMC alumni.

Born in Wotton, Quebec, Canada, in 1915, Father Paulin was one of nine children who grew up with his family in Turner Falls, Mass. He attended St. Ann's Academy in Swanton, Vt., from 1929-32 and St. Michael's College from 1932-37. After earning an SMC bachelor's degree, Father Paulin earned a Licence es Lettres in 1944 from the University of Montreal.

Father Paulin was ordained to the priesthood in 1941 in Burlington's Cathedral of the Immaculate Conception. The first priest to attend the New York Theological Seminary, Father Paulin earned the master of sacred theology (S.T.M.) degree there in 1970.

Father Paulin's courses in religious studies, modern languages and calligraphy gained him many devoted St. Michael's students, caught by the father's contagious zest for life and enthusiasm for his subject. His love of French comedy, the literature of Baudelaire and Balzac, his passion for art, his knowledge of scripture—all were part of his legacy to St. Michael's students.

A man of remarkable talents, Leon Paulin was at the same time an intensely loving individual. His countless friends were the students, workers, faculty, trustees and honored guests of St. Michael's College. He was also known to be able to feed birds and chipmunks from the palm of his hand, so loving and unthreatening was he to all of the God's creatures.

Father Paulin's artist's studio and home for many years was a tiny, cluttered apartment attached to Prevel Hall on the St. Michael's campus. On his front porch there were always several over flowing bird feeders. His studio apartment had barely an uncovered surface anywhere. But he cleared a place for his frequent visitors and, with bubbling enthusiasm, showed his latest artwork or his current literary passion.

Father Paulin was a talented watercolor painter whose art works are on permanent display in the St. Michael's admissions and president's offices. He did peaceful, colorful Vermont landscapes in all seasons, as well as paintings of barns and churches around Vermont and in rural France.

Father Paulin was a gifted calligrapher, who did innumerable ceremonial documents for St. Michael's in his beautiful calligraphic script. He also taught Western calligraphy and advanced calligraphy in the College's art department. Speaking of the value of this art, Father Paulin once said, "Beautiful texts will be remembered better."

Also a proficient photographer, sculptor and woodworker, Father Paulin taught many St. Michael's students photographic darkroom procedures, as part of their extracurricular activities.

The St. Michael's College yearbook was dedicated to Father Paulin in 1949, in 1958 and again in 1983. He received a number of awards from SMC students and alumni over the years, marking him as one of the all-time favorite professors and spiritual leaders on the St. Michael's faculty.

Father Paulin is survived by his brothers in the Society of St. Edmund and by his brothers and sisters, Camille A. Paulin, Bernadette Paulin, Aldea Dubrueil and Herve Paulin, all of Turners Falls, Mass; and Arthur Paulin and Mrs. Blanche Proulx of Montauge City, Mass., and Ernest Paulin of North Amherst, Mass., and by a number of nephews and nieces, including Father George Paulin of Canaan, Vt.

BILL SCHMIDT RETIRES

Mr. LEAHY. Mr. President, just as with the weather, protecting our environment is something people often talk about. But how many people can we actually point to as having done something about it?

Bill Schmidt of Dummerston, Vt., is one person we can point to as having done something very important about protecting our environment. Not only has he proven that we can protect our environment, but he has shown people how to protect our environment while allowing for growth and development. This is a very important accomplishment because the two interests are often described in national public debate as incompatible.

Bill is entering a well-deserved retirement this summer after 15 years of public service as director of the Windham Regional Planning Commission which serves 26 towns in southeastern Vermont. He has earned the public recognition showered on him by the more than 100 Vermonters who attended his retirement dinner. These folks not only included his fellow regional planners, family and friends, but community and business leaders, three Vermont Governors, and many other local and State public officials, both Democrats and Republicans.

Back in the late 1960's, Bill had the foresight, skill, and perseverance to focus the attention of Vermont's State legislators and Governor on the imminent pressures Vermont's environment would experience from new growth and residents in the 1970's.

He was a key factor in shepherding the precedent setting environmental legislation, known as Act 250, through to its final passage in 1972. Bill then focused his time and energy on showing community leaders and private developers how to work together cooperatively and constructively to accommodate new housing, and business and industrial development.

As a result of his leadership, the Windham Regional Commission area is now just one of several living, working examples in Vermont of the success of the Act 250 approach. It is proof that a community can control its own destiny, allowing for change while preserving the quality of life and environment which makes Vermont so very special. It is proof that public and private sectors can work together to meet the interests of both.

Act 250 and Bill's efforts have not eliminated future challenges. But what they both do, man and law, is provide us with the means by which we can control our destiny—by which we can make choices in a constructive and peaceful manner.

Eleven years from its inception, Act 250 enjoys solid support and deep respect both in Vermont and across the Nation.

Bill Schmidt equally deserves our respect for recognition of his significant and long-reaching contribution to protecting our environment and showing people how we can work together to shape our own destinies while doing so.

I am honored to know Bill and to have benefited from his counsel during his tenure as a regional planner. I am relieved to learn from Bill he is retiring only from his formal position as director of the regional planning commission, but will continue to be active in community activities and public debate.

THE 105TH ANNIVERSARY OF NICODEMUS, KANS., A SIGNIFICANT CHAPTER IN BLACK AMERICAN HISTORY

Mr. DOLE. Mr. President, September 17, 1983, marks the 105th anniversary of the founding of Nicodemus, Kans. It is a small town—the population is less than 100—yet Nicodemus stands as a towering monument to the ideals of America. For more than a century, Nicodemus has been a source of black pride and achievement, a town of black Americans who only asked for an equal chance to share in the dream of this great Nation. When you talk about Nicodemus, you talk about roots.

The 1870's were a turbulent time in American history. Slavery had been abolished, yet most black Americans were still held in bondage by poverty, limited opportunities, illiteracy, and rampant discrimination. They were not slaves, but neither were they free.

In 1877, freedmen and their families from Kentucky and Tennessee were told of a place in Kansas that could be their "promised land—the land of milk and honey." Here, they heard, was a State that had always been free, and the land was theirs to homestead. They need only pay $5 plus rail fare.

Nearly 300 former slaves made that long trip in river boats and boxcars. From the train station it was a walk of some 30 miles to a spot on the rolling Kansas praire that was to be their new home. In every direction, all they saw were endless grasslands and, too, the endless vista that only hope can provide.

Discouragement at this unfamiliar sight was understandable, but they chose to make the best of things, and dig in—literally. Like many pioneers of their day, every man, woman, and child put in long days in backbreaking labor—working the hard ground, shoveling dugouts in which to live and catching prairie wildlife for food. These early settlers had only three horses and some inadequate hand tools to work with, but, through sheer determination, managed to build a proper town in time.

The dugouts gave way to sod houses, then to wooden structures and farms. Nicodemus soon boasted a thriving economy, complete with livery stables, a hotel, restaurant, church, bank, post office, and two newspapers. By 1880, the surrounding county had a population of more than 500 former slaves and Nicodemus had established the first school district in the county.

Perhaps the story of a growing Midwestern community during the late 1800's is not unique, but the fact that this particular town was founded and settled entirely by former slaves is worthy of a special place in American history. Nicodemus lives on today, and its residents are understandably proud of what they and their ancestors have accomplished.

At "homecoming" each year, former residents return to reacquaint themselves with their heritage. The Senator from Kansas salutes the people of Nicodemus on this anniversary and offers best wishes for many more in the years to come.

HARRY R. OSTRANDER

Mr. WARNER. Mr. President, it is with a genuine sense of loss that I learned today of the death on September 9 of a fellow Virginian, Harry R. Ostrander, at the age of 58. Mr. Ostrander had been a member of the U.S. Capitol Police Force since July 13, 1973. The last 4 years of his service was to the Senate as a plainclothes officer.

Not only has Harry served the Congress in superlative fashion in carrying out his shared responsibility of securing the Capitol and protecting its occupants, but, indeed, all Americans owe a debt of gratitude to Harry for his outstanding service in the U.S. Army. Prior to retiring from his more than 30-year career in the Army at the rank of sergeant major, Harry was awarded the Bronze Star, the Army Commendation Medal with one Oak Leaf Cluster, the Purple Heart, also with an Oak Leaf Cluster, the Combat Infantry Badge, and the Meritorious Service Medal. Fittingly, Mr. Ostrander was interred with full military honors on Wednesday, September 14, at Arlington National Cemetery.

Mr. President, I extend my condolences to Mrs. Ostrander and to Harry's five children at this time of loss. I ask of the Senate that the obituary which appeared in the Washington Post be included in the RECORD.

The obituary follows:

OSTRANDER, HARRY RICHARD

Sgt. Major USA (Ret.). On September 9, 1983, at Fairfax Hospital, of Alexandria, Va., husband of Adele Cote Ostrander; father of Deena Pickerel, Joellyn, Elise, Lauri and Paula J. Ostrander. Also survived by a brother, six sisters and three grandchildren. Friends may call at the DeMaine Springfield-Annandale Chapel, Backlick at Edsall Rds., Springfield, Va., on Tuesday, 2 to 4 and 7 to 9 p.m. A mass of Christian burial will be celebrated at the Memorial Chapel, Ft. Myer on Wednesday, September 14 at 2:45 p.m. followed by interment in Arlington National Cemetery with full military honors.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

Mr. STEVENS. Mr. President, I now ask that the Senate proceed to the consideration of Senate Joint Resolution 158, pursuant to the previous order.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

CONDEMNATION OF SOVIET BEHAVIOR FOR DESTRUCTION OF KOREAN AIR LINES FLIGHT 007

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of Senate Joint Resolution 158, which the clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 158) condemning the brutal behavior of the Government of the Union of Soviet Socialist Republics for the destruction of Korean Airlines flight 7 with the loss of two hundred and sixty-nine innocent lives.

The text of the joint resolution follows:

S.J. RES. 158

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas, the United States joins the world community in expressing its sense of shock and outrage over the actions of the Soviet Government on August 31, 1983, which led to the destruction of Korean Airlines flight 007 (hereinafter referred to as KAL 007) with the loss of 269 innocent lives;

Whereas, KAL 007, en route from Anchorage, Alaska to Seoul, Republic of Korea, innocently strayed into Soviet airspace on August 31, 1983;

Whereas, Soviet authorities tracked the flight of KAL 007 for more than two hours, but failed to exhaust all internationally recognized procedures to warn the aircraft of its error, to protect its passengers, and to assist in its safe landing;

Whereas, as KAL 007 was leaving, or had left, Soviet airspace, a Soviet Air Force fighter fired air-to-air missiles at and destroyed the unarmed, clearly-marked civilian airliner with innocent men, women, and children of 13 nationalities aboard;

Whereas, as a result of this barbaric action, 269 people, among them 61 of our fellow citizens lost their lives;

Whereas, the Soviet Government has refused to make known the true facts, to accept responsibility, and to apologize, for this unconscionable act;

Whereas, the Soviet Union has continued to deny access to the area where the airplane may have gone down;

Whereas, the Soviet Government has proclaimed publicly its intention to repeat this murderous act if another airliner wanders inadvertently into Soviet airspace;

Whereas, this cold-blooded attack on a commercial airliner straying off course will rank among one of the most infamous and reprehensible acts of aviation history;

Resolved, by the Senate and the House of Representatives in Congress assembled, that the United States hereby

(1) condemns this Soviet crime and calls for a full and frank explanation from the Soviet Union of its brutal behavior;

(2) extends its deepest sympathies to the families who lost loved ones and supports their rights to obtain full and just compensation from the Soviet Union;

(3) calls on the Soviet Union to assist international efforts to recover the remains of the victims;

(4) reaffirms the actions against Aeroflot and calls for an international investigation conducted by the International Civil Aviation Organization;

(5) urges the international community to demand that the Soviet Union modify its air defense procedures and practices to assure the safe passage of commercial airliners when navigational errors occur in the future;

(6) urges other nations to join with the United States in applying appropriate sanctions against Soviet civil aviation;

(7) notes that the Soviet Government's refusal to accept responsibility for this tragic event raises serious doubts among the world community of nations over the unwillingness of the Soviet Union to behave as a responsible member of the international community;

(8) urges our allies to cooperate with the U.S. in implementing additional sanctions until such time as the Soviet Government apologizes unequivocally for its actions, fully compensates the families of innocent victims, and agrees to abide by internationally recognized and established procedures which are purposefully designed to prevent the occurrence of such tragedies.

Mr. STEVENS. Mr. President, there is no time agreement on this resolution, but there is an order that the debate be equally divided between the two leaders.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ABDNOR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. 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. BAKER. Mr. President, the business before the Senate is Senate Joint Resolution 158, is it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. Mr. President, could I inquire of the Chair, is there also a resolution passed by the House of Representatives on yesterday, specifically House Joint Resolution 353, which has reached us?

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. Mr. President, I think under the circumstances it would be appropriate to take up the House resolution instead of the Senate resolution, and let me say before I make the request that I also would plan to make a request that those amendments to the Senate resolution which were filed and printed, on yesterday or the day before, would qualify and be conformed to House Joint Resolution 353 as if they had been submitted that way in the first instance.

So I am not trying to cut anyone out. I am just trying to make sure that we approach the matter in the most expeditious way.

Mr. President, let me propound this unanimous-consent request then:

I ask unanimous consent that the Senate now proceed to the consideration of House Joint Resolution 353, and I further ask unanimous consent that any amendments that were drafted to Senate Joint Resolution 158 and are at the desk be deemed to have been drafted to House Joint Resolution 353, the House companion measure.

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

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

Mr. BYRD. Mr. President, I reserve the right to object, but I do not intend to interpose myself further.

Mr. BAKER. I thank the Senator.

I yield to the chairman of the committee.

Mr. PERCY. Mr. President, I support the action of the leadership in this regard. Just for purposes of pointing out to our colleagues, the only differences that I have seen between the House version and the original Senate leadership version, which Senator PELL and I and Senator TOWER and Senator NUNN joined in introducing, are the reference to Congressman McDonald, and the provision that we would work with our allies for additional sanctions. That last rather vague language is not incorporated in the House version.

Those are the only major differences, though.

Mr. BAKER. I thank the Senator.

Mr. President, I believe the minority leader has reserved on my request.

Mr. BYRD. Mr. President, I think that is a major difference, especially with reference to working with our allies to employ additional sanctions.

I wish to see us pass the resolution without too much debate. The House, I think, passed their resolution yesterday. It was a unanimous vote, which says something.

I would hope the Senate would act expeditiously in passing the same resolution, although I do not like leaving out that amendment. I wish to see no amendments, and there are Senators on my side who have amendments.

I would like to have at least an amendment restoring that part about additional sanctions. But I am not going to object to the majority leader's request because I think it is a legitimate one and, therefore, I will interpose no objection.

Mr. BAKER. I thank the minority leader.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONDEMNING THE SOVIET CRIMINAL DESTRUCTION OF THE KOREAN CIVILIAN AIRLINER

Mr. BAKER. Mr. President, I ask the Chair to lay before the Senate House Joint Resolution 353.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 353) condemning the Soviet criminal destruction of the Korean civilian airliner.

The text of the joint resolution follows:

H.J. RES. 353

Whereas the United States joins with the world community in expressing its outrage over the actions of the Soviet Government on August 31, 1983, which caused the destruction of Korean Air Lines flight 7 with the loss of two hundred and sixty-nine innocent lives;

Whereas on August 31, 1983, Korean Air Lines flight 7 inadvertently entered Soviet airspace;

Whereas Soviet authorities tracked Korean Air Lines flight 7 for more than two hours, but did not adhere to all the internationally recognized procedures necessary to warn the aircraft that it was off course and to protect its passengers;

Whereas a Soviet Air Force fighter fired air-to-air missiles at Korean Air Lines flight 7 and destroyed the unarmed, clearly marked civilian airliner with two hundred and sixty-nine innocent men, women, and children from fourteen nations aboard, including sixty-one of our fellow citizens;

Whereas among the victims was a distinguished Member of Congress, the Honorable Larry P. McDonald;

Whereas the highest levels of the Soviet Government have lied in an attempt to justify this unconscionable act and have continued to deny access to the area where the airplane went down;

Whereas the Soviet Government has publicly proclaimed its intention to repeat its murderous act if another airliner wanders inadvertently into Soviet airspace; and

Whereas this cold-blooded barbarous attack on a commercial airliner straying off course is one of the most infamous and reprehensible acts in history: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby—

(1) condemns the Soviet crime of detroying Korean Air Lines flight 7 and murdering the two hundred and sixty-nine innocent people onboard;

(2) calls for a full and frank explanation from the Soviet Union for this brutal massacre;

(3) extends its deepest sympathies to the families who lost loved ones, and supports their rights to obtain reparations from the Soviet Union;

(4) calls on the Soviet Union to assist international efforts to recover the remains of the victims;

(5) calls for an international investigation by the International Civil Aviation Organization into this heinous incident;

(6) declares its intention to work with the international community in demanding that the Soviet Union modify its air defense procedures and practices to assure the safe passage of commercial airliners;

(7) finds that this tragic incident, and the Soviet Government's refusal to acknowledge responsibility for its wanton conduct, will make it more difficult for the United States and other nations to accept the Soviet Union as a responsible member of the international community; and

(8) urges our allies and other nations to cooperate with the United States in continuing to demand that the Soviet Government unequivocally apologize for its actions, fully compensate the families of the innocent victims, and agree to abide by internationally recognized and established procedures which are purposefully designed to prevent the occurrence of such tragedies.

The Senate proceeded to consider the joint resolution.

Mr. BAKER. Mr. President, the distinguished Senator from Illinois, the able chairman of the Foreign Relations Committee, will manage this measure, and in a moment I intend to relinquish this position so he may gain recognition in his own right.

But first, let me take 30 seconds to set the stage for this discussion. When I was in Tennessee during the August break I received a telephone message from the Secretary of State asking if I could meet with him on this subject, and I came to Washington for that purpose.

The following day I joined Senator BYRD, the Speaker of the House, Congressman MICHEL, the distinguished President pro tem of the Senate, and the majority leader of the House in a meeting with the President and certain members of his Cabinet on the situation in Lebanon, particularly on the Korean Air Lines atrocity.

Mr. President, at that time there welled up from that group—and I do not remember who suggested it first, but there welled up within that group—Republicans and Democrats alike, with the leadership in both Houses, a suggestion that we adopt a resolution condemning this murderous act.

Mr. BYRD. Mr. President, will the majority leader yield there?

Mr. BAKER. Yes.

Mr. BYRD. I think the President said that, I may be wrong but I think both of us spoke with assurance to the President that we thought he would have no difficulty getting such a resolution through.

Mr. BAKER. It may have been the President, but it was only seconds before there was a general consensus among the President and bipartisan leadership of both Houses that the first act of the Congress should be the introduction of this resolution and its early adoption to show the strength of unity of the Congress of the United States in our moral indignation and condemnation of this terrible act.

That is still the situation, Mr. President, and on the first day I joined with the minority leader, with the chairman of the Foreign Relations Committee and his counterpart, Senator PELL, the chairman of the Armed Services Committee and his counterpart, Senator NUNN, as did our colleagues and the leadership on the other side of this building to introduce such a resolution.

The resolution was drafted by a team that I thought had represented all of the several interests involved, the jurisdictional interests involved, not only the jurisdictional committees of Congress and leadership on both sides of the aisle but also the White House and State Department—and I hesitate to separate those two, they are one. But in any event the clearance process, so-called, extended to representatives of the State Department, the professional Foreign Service, the White House and the National Security Adviser's Office.

Now, Mr. President, I indicated earlier on Tuesday of this week to my caucus that the resolutions that would be introduced in both Houses would be identical, and indeed they were identical in drafting. But the House of Representatives, in its wisdom, made certain changes, particularly as pointed out by the chairman of the Foreign Relations Committee. One of the changes in particular is an appropriate change, requested by the House, and with which I fully agree. That is a specific reference of the loss of our colleague in the House of Representatives, Congressman McDonald. That change was included in the House resolution as it was adopted.

Another relates to the question of joint action with our allies. There may be other changes but I believe those are the only ones that are significant, at least they are the only ones that have been brought to my attention.

That is the reason why today I chose to ask consent that we go to the House-passed measure instead of the resolution that was the product of that original bipartisan approach. We have now done that.

There is an additional advantage to doing this. That is if we pass that House-passed measure, especially if we pass it without amendment, it will go directly to the President of the United States. It will not go back to the House of Representatives. It will not go to conference.

Mr. President, on Monday, when I attempted to get a time limitation and a limitation on amendments to this, I was operating under the impression the clearance process was complete. It was not complete in the sense that certain Senators apparently had not been consulted. While they were not in the regular clearance process they were fully within their rights to bring this matter to my attention, and I promptly withdrew that portion of the request that would limit amendments and we have no agreement at all at this moment.

But I would like to say this, Mr. President: I believe it is urgently important that we speak with one voice and do so today as promptly as possible in condemnation of this barbaric act.

The situation is such that Members may offer amendments if they wish. I hope they do not. But I am told they will, and they are perfectly within their rights. If they do I hope then that they will give us the briefest time limitation so that we can proceed expeditiously and with a show of unity of purpose.

I hope, Mr. President, that we can complete this action early today, certainly today sometime and transmit this resolution to the President of the United States.

Mr. President, I hope that we can have a unanimous vote of the Senate on this resolution, and I will dedicate my efforts to that purpose.

Mr. HELMS. Mr. President——

Mr. BAKER. I promised to yield next to the chairman of the committee, who is not presently on the floor.

Mr. HELMS. Mr. President, if the Senator will yield, Senator PERCY has gone to take a call and he asked me to act in his stead.

Mr. BAKER. May I do this, may I say to the Senator from North Carolina instead of yielding to him may I simply yield the floor.

Mr. HELMS. I want you to yield to me for just a moment.

Mr. BAKER. Yes.

Mr. HELMS. I thank the Senator. First of all I want to assure my colleagues that this resolution is going to pass unanimously. The Senate will speak with one voice. The only question is whether we will have some teeth in the resolution, whether we will respond to what I perceive to be the desire of the American people to go farther than just strong and eloquent rhetoric. So that is the reason I am going to offer an amendment.

Let me say to the majority leader and to my distinguished chairman that I am willing to enter into whatever time agreement they wish with respect to my amendment, and I would also suggest, knowing that Senator HUDDLESTON has an amendment he is going to offer, that maybe we can stack the votes and to expedite the procedure. I believe Senator HUDDLESTON has other plans and I think he will join me in expediting this in any way. So whatever the leadership wishes to do I will cooperate with in order to expedite consideration of this resolution.

Mr. PERCY. Mr. President, I am happy to yield to the majority leader.

Mr. BAKER. Mr. President, I thank the Senator from North Carolina, and even as he was speaking I consulted with the minority leader on that and he pointed out, as I will do under the similar circumstances, that before he can enter into a unanimous-consent agreement to limit time he must go through his clearance process.

Mr. HELMS. I mean with respect to my amendment.

Mr. BAKER. I understand, and I suppose we have to do the same, although I am sure we can. But the Senator from Illinois, the manager of this measure, will pursue that and it will be my hope that something can be worked out.

Mr. HUDDLESTON. Will the Senator yield?

Mr. PERCY. If it is on this point, the time limitation.

Mr. HUDDLESTON. It is on the point of time limitation.

Mr. PERCY. I yield.

Mr. HUDDLESTON. As the Senator from North Carolina mentioned, I too have an amendment, very simple amendment. I do not need much time on it. Maybe 30 minutes will certainly be satisfactory to me. And I am prepared now to enter into an agreement setting a time certain to bring up the amendment, time certain to vote on it, as the floor manager may desire.

Mr. PERCY. What would the Senator suggest as a time limitation on the amendment?

Mr. HUDDLESTON. I would think 30 minutes would be adequate.

Mr. PERCY. Equally divided?

Mr. HUDDLESTON. Equally divided.

Mr. PERCY. Mr. President, I make such a unanimous-consent request then so we can accommodate the amendment—I withdraw the request.

Mr. HUDDLESTON. All right.

Mr. PERCY. We will clear that. It has now been stated the distinguished Senator would enter into a time agreement of 30 minutes equally divided and we will clear that on both sides.

Mr. HUDDLESTON. I thank the Senator.

Mr. PERCY. I want to thank my distinguished colleague from North Carolina for his willingness to enter into a reasonable time agreement so we can act very expeditiously on this matter.

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

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

Mr. BAKER. Mr. President, if I could have the attention of the Senate for a moment. I think the best way to proceed now is to go ahead with opening statements. The distinguished chairman of the committee has a statement and others do, I am sure.

I have enough information now that I am convinced that we may be able to arrange a sequence of time for the consideration of amendments and perhaps even a limitation of amendments; that is to say, that only certain specified amendments be in order. But before we can do that, we are going to have to carefully scrutinize our clearance process on both sides of the aisle.

So while the opening statements are being conducted, I will on this side put together, or ask the staff to put together, a proposed unanimous-consent agreement to accommodate the needs of all Senators and submit it to the minority leader, and perhaps in the next 20 minutes or so we can go through the clearance process and have a further unanimous-consent request to provide for final disposition of this matter.

Mr. BYRD. Will the majority leader yield?

Mr. BAKER. Yes; I yield.

Mr. BYRD. I believe that the time is controllable by the majority leader and the minority leader or their designees.

Mr. BAKER. That order was vacated.

Mr. BYRD. It was?

Mr. BAKER. Yes. The only remaining portion of the order was that the matter recur as the pending business today.

Mr. BYRD. Well, Senator PELL would want to manage the resolution on this side. And I ask unanimous consent that he manage the resolution or his designees manage it, and in the absence of Senator PELL or any of his designees, which is the case right now at this point, I designate Mr. MOYNIHAN.

Mr. BAKER. Very well.

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

Mr. BAKER. Mr. President, I make a similar request and I designate the distinguished chairman of the committee to manage the matter on this side.

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

Mr. PERCY. Mr. President, responding to the comments made by the leadership on the resolution that we have introduced, yesterday the House of Representatives passed a strongly worded resolution condemning the Soviet crime of destroying Korean Air Lines flight 007. The House resolution, passed by a unanimous vote of 416 to 0, is very similar to our leadership's resolution. We in the Senate should now join with our House colleagues in passing the House resolution unanimously. Senators BAKER and BYRD agree. There will then be no need for a conference. The resolution will go to the White House today. The President can sign it immediately.

Let me urge all of my colleagues, many of whom have some ideas of their own, that it is more important to speak with one voice to the Soviet Union than to argue among ourselves about shades of differences. This Nation is united in its outrage and its condemnation of this brutal Soviet action.

In fact, Mr. President, the entire world has been shocked and saddened by the Soviet Union's heinous attack on a commercial airliner carrying 269 passengers. All of those aboard, including Representative Larry McDonald, lost their lives because Soviet self-defense appears to be based upon a "shoot now, ask questions later" premise.

Soviet borders may well be sacred, as Soviet Foreign Minister Gromyko stated with pride in Madrid. But Soviet citizens can take not pride in the fact that their sacred borders are now stained with the blood of innocents.

What kind of regime, especially one with the power and resources of the Soviet Union, could shoot down in the name of self-defense a civilian airliner straying off course? What kind of regime would refuse cooperation with an international investigation of the tragedy, would not offer to try to prevent a recurrence in the future, and would provide no apology or compensation to the families of the victims? What kind of regime would, within a week of its crime, play the bully in an international forum, stating that, in essence, they would do it again?

We in the West search for reasons, explanations, and a full disclosure of the facts surrounding the tragedy. But there is no real explanation that we will ever understand. Soviet behavior is simply beyond the comprehension of the civilized world and of individuals and nations who have based their national identities on the principles of freedom, truth, justice, and respect for human rights. The Soviet system holds the state supreme; it holds individuals dispensable. Soviet freedom is freedom for the government to act in anyway it chooses. Soviet truth is a propaganda tool. And there is no Soviet justice.

President Reagan's response to the Soviet action has my strong support. I fully endorse his actions against Aeroflot. I also endorse his efforts to mobilize international actions against the Soviet Union. This is an international tragedy in which the Soviet Union stands against the world, not a United States-Soviet bilateral crisis. Fourteen nations had citizens killed when the Soviets shot down the airliner. I support U.S. efforts to obtain compensa-

tion for the victims' families as well as international efforts to gain access to the crashsite.

I would ask the President to consider further action against the Soviet Union in the International Civil Aviation Organization (ICAO). The United States should vote against Soviet membership on the governing council of the ICAO. We should not support membership on the council for a nation that has not followed internationally recognized procedures for dealing with intruding aircraft.

Mr. President, that organization, the International Civil Aviation Organization, elects members to its governing council every 3 years. It is meeting by happenstance and coincidence—a happy coincidence—in Montreal on September 20. An extraordinary meeting is being called today because of the tragic occurrence that I have been discussing.

Certainly, with this matter, when we have 33 members that constitute the nations that are on the governing council, I cannot see any reason for the Soviet Union to be continued on that for the next 3 years. Certainly, the 151 member nations could unite and show their unity by simply not reelecting the Soviet Union to membership on the governing council.

We should not support membership on the council for a nation that has not followed internationally recognized procedures for dealing with intruding aircraft.

We must also look into possible efforts to protect innocent airplane passengers from such renegade actions as taken by the Soviet Union. Let the Soviets not misunderstand these efforts. The current system is safe if all nations act responsibly. But if the Soviets are going to shoot down straying aircraft, which they maintain in essence they might do again, we must do what we can to enhance the safety of U.S. citizens and other citizens flying overseas. One can conjure up any number of possible reasons why an aircraft could stray: Pilot error, navigational systems breakdown, a terrorist or hijacking incident, et cetera. In today's communication explosion, we should be able to devise new safety systems to provide additional backup to those we already have.

For example, we might want to consider establishing an international communications system set up by the ICAO—something like an "international aviation hotline"—where procedures to be followed when unidentified aircraft stray into territorial airspace would include alerting either regional or international authorities. Airplanes flying nearby could be told to triple check their navigational systems. One problem with this kind of system is that the Soviets might not cooperate. They could choose to ignore the system just as they did international procedures currently in place. But they would have access to the system and would be under international pressure to use it. Both defense and civil aviation authorities near Soviet borders could also use the system if unusual circumstances come to their attention. Also, airplanes stray over nations other than the Soviet Union as well, all of which might find such an emergency system useful.

In the longer run, we should explore the commercial utilization of the new global positioning satellite (GPS) which is now being developed for defense purposes. When fully operating in 1988, the GPS would be able to tell commercial pilots where they are up to an accuracy of 300 feet anywhere on the globe.

This compares with a long record that we have of aircraft from virtually every country, including the Soviet Union, straying by a matter of hundreds of miles. This would bring us down to the point where we could narrow that gap to where we could have an accuracy of 300 feet anyplace on the globe. It will be in place for military use. It could be applied to civil international aviation by 1988. How can we open the system for commercial use? Can we speed its development? These are questions we should look into.

We Americans are pragmatic people. I have full faith in our system and our ability to make further improvements in aviation safety. But, no matter what kind of safety systems we devise for ourselves and the rest of the world, no one will be safe from outlaw behavior. The Soviets, by their actions and their words, have branded themselves international aviation outlaws. We should continue to treat them as such until they are ready to change their policies and to join the international community of nations trying to increase the safety of air travel.

Mr. President, I would like to close by indicating that I know the temptation is very great for Senators to offer their own amendments to the pending resolution. The Senator from Illinois himself developed several additional amendments which I felt would perhaps add strength to the resolution. I did work with the leadership in developing the resolution which we did introduce, but felt it possibly could be changed here or there to strengthen it.

I do feel that overwhelmingly there is a tremendous advantage when we have a vote of 416 to 0 in the House, representing every spectrum and shade of ideology, from extreme rightwing to, you might say, extreme leftwing of the American political spectrum and democratic system.

That resolution is a good resolution. It was changed from the original resolution we introduced in only two minor respects, both of which can be accepted by us.

I therefore strongly urge Senators, if pressed to a vote, to vote to not amend the House resolution, so that that resolution can be adopted unanimously by the Senate today and sent to the President today for signature.

Mr. MOYNIHAN. Will the distinguished chairman yield so I may make a comment with regard to agreeing with him?

Mr. PERCY. I yield.

Mr. MOYNIHAN. First, I wholly agree with the judgment that this resolution should be on the President's desk today and that this can only be done if the House resolution is passed unchanged.

But I would like to call to the attention of the distinguished chairman to a very important fact. It is a significant fact. At the very outset to the House resolution it states, as title, "Joint resolution condemning the Soviet criminal destruction of the Korean civilian airliner."

The basic text on the same page refers to Mr. McDonald.

It is important, it seems to me, that the world, confronted with this resolution, will know at the outset that the Congress of the United States has unanimously declared this to be criminal behavior.

There are such things, as the chairman well knows, as crimes under international law. There are crimes under conventional laws of the Geneva Convention. There have been crimes asserted at the Nuremberg trials.

There are very specific provisions of the Civil Air Convention adopted in the great city of Chicago in 1944, which, under article 9, assert the contracting parties' right to close their airspace for military purposes but specifically says that,

> Each contracting State under such regulations as it may prescribe may require any aircraft entering the areas contemplated in subparagraphs (a) or (b) to effect a landing as soon as practicable thereafter at some designated airport within its territory.

The convention says a State may require a plane to land; you may "effect a landing." Clearly, the Soviet Union has done something else. Any legal tribunal would agree that the Chicago convention does not mean you can shoot down an errant plane. You have signed an agreement to effect a landing and nothing else. Anything contrary is contrary to the convention and, therefore, a matter for the International Court of Justice.

I think this is an important addition from the House and I think it is one that we should welcome. More is the ground for stating that there ought to be no change in the resolution. It ought to be on the President's desk this afternoon, unanimously adopted by both Houses.

I congratulate the Senator, though he does not need congratulations. I simply want to join him in what he has said.

Mr. PERCY. I would like to thank my distinguished colleague very much indeed. I am pleased indeed to be working with him on this resolution. No Senator has ever been more face to face, including in confrontation, through the years in the United Nations and seen the conduct of the Soviet Union or has been more explicit in the way he has expressed himself, the outrage with which he has expressed himself, on their actions in many, many different fields.

Although I have not read it in years, I am going to get back out and read a report that I was privileged to make on behalf and at the direction of President Eisenhower, called "Decisions for a Better America." Forty Americans were appointed by President Eisenhower to look ahead—at that time it was in the late 1950's—to look ahead to the year 1976, our 200th anniversary, and determine what kind of a society should we live in, what kind of a society should we be, what kind of goals and objectives should we establish.

I recommended this to President Eisenhower. He named me the chairman of that commission, and we strongly recommended that the Democratic Party appoint a similar study group within the party structure. They did and came up with parallel conclusions.

Mr. President, I ask unanimous consent that there be incorporated in the RECORD an extract from the Republican Committee on Program and Progress report, entitled "Decisions for a Better America," a commission appointed by President Eisenhower, together with a list of the members of that commission. That list includes former Senator Dirksen, Governor Volpe of Massachusetts, and former Prof. Lev Dobriansky of Georgetown University, with whom I worked extremely closely crafting out every single word with respect to our feelings about communism at that particular time, three decades ago. I have not changed one iota of my judgment or opinions of what I said, as I recall it, 30 years ago.

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

FOREIGN POLICY

FREEDOM: ITS PROTECTION AND RESTORATION

The ultimate objective of American foreign policy is a free world.

This implies the preservation of national independence and the firm establishment of individual freedom. The great task of American foreign policy, then, is to maintain and extend freedom—both of the individual and of nations.

Any course of conduct in foreign relations should be tested by these standards: if it advances the cause of freedom, let us pursue it; if it injures the cause of freedom, let us reject it.

Even in a world in which everyone acknowledged individual and national freedom as man's rights, the goal we have set for ourselves would not be easy. We do not live in such a world.

The great threat to freedom and the great obstacle to the extension of freedom in the years ahead is communism. Communism preaches the doctrine of slavery; it seeks to impose its domination over the entire world.

Leadership in the free world has been thrust upon the United States. Our nation is uniquely equipped to meet this historic challenge. By nature and tradition it has demonstrated a restless creativeness. On the foundation of a wide diversity of religious, racial and ethnic ancestries it has built a unity of purpose, spirit and deed. We thus possess a natural affinity with the peoples and nations of the world. In this, a solid basis exists for enhancing understanding, co-operation and good will among men.

In every sense, our nation is the vehicle of a living and permanent revolution. It is a nation unequalled in material and spiritual power. It is an example unmatched in human history of freedom and of opportunity for individual and national growth—and, for the past century and a half, it has been an inspiration to freedom-loving people throughout the world.

For the immediate future, the tasks of protecting freedom where it now exists and of nurturing it where it can readily develop have top priority.

Where traditions of freedom are well-rooted, as in most of the states of Western Europe, the basis for far-reaching international co-operation exists. Faced by a common danger, we can form a genuine partnership for the defense of what all parties recognize as our common cause. This we have begun to do, notably in the development of NATO. In general terms, the task for the future in our relations with these states is to develop more effective instruments for cooperative action and to work together for economic and cultural ends as energetically as we do for military purposes.

The less developed nations of Latin America, the Near East, Asia and Africa present problems of a different nature. These nations, with more than a billion people, are a tremendous potential force. Some of them have an inherited hostility toward Western nations.

In the race against the communist world, Americans must convince these peoples that we share their legitimate aspirations. Our policy must demonstrate the superiority of the way of freedom. We must help these states to achieve the economic and political stability and the cultural development that undergird freedom.

For a long period the benefits our relationship with these areas may be heavily one-sided. We shall probably give more than we get in immediate return. But, by the standards of true statesmanship—the long-term results—we shall not have lost if these nations mature into states where freedom thrives.

The United States must bear a heavy share of the defensive burden of some of those states. It must provide other types of assistance that will promote the growth of freedom.

Finally, our country must not allow itself to be made to appear as the enemy of independence anywhere. Many of today's nationalist movements found their inspiration in American history. It is indeed ironic that the United States should ever find itself cast in the role of opposing a legitimate movement in which another people seek the national and individual dignity we fought for and won ourselves.

As a nation we must assure these peoples that we affirm their right of self-determination in choosing the type of government under which they wish to live, and that once they have made their decision in free elections we will respect and work with the government of their choosing.

This Committee regards as a paramount goal of foreign policy the peaceful but unremitting support of the restoration of freedom to those who have been deprived of it by communism. We are not reconciled to the captivity of millions by communist masters, nor do we regard this as their permanent condition.

Communist imperialism divides the house of humanity. But, in the words of the Great Emancipator, a house divided against itself "cannot endure, permanently half slave and half free." President Eisenhower has observed: "There can be no true peace which involves acceptance of a status quo in which we find injustice to many nations, repressions of human beings on a gigantic scale." Moral responsibility toward the captive millions is basic in American foreign policy.

Our policy in relations to communist satellites is emancipation—achieved not by the use of force from without, but primarily by the appeal of freedom to the minds of men everywhere. For the achievement of emancipation, our weapons are not military, but ideological, psychological, political, economic and diplomatic. If these non-military forces are to be fully effective, our military power must be sufficient to neutralize the threat of communist arms. But our ultimate weapon is the inherent desire in all men for freedom.

Our people must be alert to any cracks in the empire the communists are trying to build. We must encourage and exploit any weakening of the bonds that tie the satellites to Moscow.

Eventually the spirit of freedom may overpower the force of tyranny even in the Soviet Union and China. A transition—perhaps over a long period of time—may take place which will eliminate the most dangerous features of the communist regime—its ruthless total domination of nations and of the individual.

The United States and other free nations should neglect no opportunity to encourage this transition.

The United States is today the leader of the nations that are dedicated to freedom. It must not be afraid to stand alone on matters of principle should that prove necessary.

The objectives will not be achieved by any single means. They require imaginative and patient efforts on the economic, cultural, scientific, ideological and diplomatic fronts, and in international organizations.

REPUBLICAN COMMITTEE ON PROGRAM AND PROGRESS

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Lloyd A. Mashburn, Maryland; general president, Wood, Wire and Metal Lathers International Union (AFL-CIO).

Walter F. Renk, Wisconsin; farmer.

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Glen M. Rhodes, South Dakota; rancher and merchant.

Louis S. Rothschild, District of Columbia; former Under Secretary of Commerce for Transportation.

John H. Stender, Washington; vice president, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers (AFL-CIO).

John A. Volpe, Massachusetts; president, John A. Volpe Construction Co.

Mrs. Bertha E. Welloff, Montana; president, Montana Federation of Republican Women.

TASK FORCE ON NATIONAL SECURITY AND PEACE

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Ronald Bridges, Maine; religious affairs adviser, U.S. Information Agency.

Harry Darby, Kansas; chairman, Darby Corp.

Senator Everett M. Dirksen, Illinois; minority floor leader of the Senate.

Victor E. Hruska, Florida; assistant general manager, Prudential Insurance Co.

Malcolm C. Moos, Maryland; Administrative Assistant to the President.

Miss Hazel Palmer, Missouri; attorney.

Robert A. Taft, Jr., Ohio; attorney.

Mrs. Webster B. Todd, New Jersey; Republican National Committeewoman for New Jersey.

Wendell Wyatt, Oregon; attorney.

Mr. PERCY. The distinguished Senator from New York points out the wording of the joint resolution adopted by a unanimous vote of the House last night. Let me just compare that language—and I ask my distinguished colleagues, who have submitted to Senate Joint Resolution 158 an amendment that will be considered today, to consider the expression. They have taken the language out of our original document, the resolution, condemning the brutal behavior of the Government of the Union of Soviet Socialist Republics for the destruction of the Korean Air Lines flight 007.

Just compare that with the beginning of the House resolution, which now is the pending business, because it does start out with the title, "Condemning the Soviet criminal destruction of the Korean civilian airliner."

I think all of us would agree that that is an improvement on the language, because this is a criminal offense. It was murder in cold blood and the world is outraged. They have demonstrated their lack of concern for human life, whether it is in the Soviet Union, whether it is in Eastern Europe, whether it is in Afghanistan, or whether it is 269 innocent civilians flying in a civil aviation aircraft on an international route that has, like dozens, hundreds, of other planes before it, strayed from course simply because of the imperfection of the navigational systems that were being used.

The Soviets have done the same thing.

Mr. MOYNIHAN. Mr. President, if I may respond to the distinguished Senator, I should like to emphasize this and I should like to add to what the chairman has just said and I should like the world to know that there is a vast difference between brutal behavior and criminal behavior.

There is no government which is not, in some respect, brutal. The sales tax can be described as brutal if you so wish. The word "criminal" is a different matter. It has reference to law. There is law in the matter before us. It is annex 2 to the Chicago Convention, which under the terms of the convention has the force of law and which reads:

Intercepting aircraft should refrain from the use of weapons in all cases of interception of civil aircraft.

All cases. That is annex 2.

Mr. President, if I may say to one of the most distinguished Members of our body, who attends to interparliamentary affairs and knows the sense of the world in these matters, the concept of crime under international law emerged in 1945 at the proceedings of the Nuremberg trials. It emerged after the adoption of the U.N. convention.

The persons who drafted the convention would not have been certain that there was such a thing as a crime under international law. That had not yet emerged. World War II was still underway.

At Nuremberg, the Soviets, the most active of all the prosecuting powers—British, French, Soviet, and American—declared there was such a thing as crime under international law, that individuals could be held accountable, that there was a higher law, a higher moral standard than that which was specifically embodied in the conventional treaty law at the time or, indeed, in traditional international law. So the Soviet Union took the lead in declaring the existence of crime under international law.

This resolution declares it to be the considered judgment of the Congress—and I hope it will, of course, be the judgment of the President, as well—that the Soviet Union has committed a crime. A crime is something you are held accountable for at law and there are tribunals. There is, first of all, as the chairman has said, the assembly of the International Civil Aviation Organization which has the power to suspend. But there is also the International Court of Justice, which has the power to condemn and to impose sanctions.

The PRESIDING OFFICER (Mr. KASTEN). The Senator from North Carolina.

Mr. HELMS. Mr. President, let me commend the Senator from Illinois and the Senator from New York for their discourse. Some have wondered why the Senator from North Carolina intends to try to amend and thereby strengthen the resolution. Let me say again for the record that the resolution is just fine as far as rhetoric goes, but I am absolutely persuaded that the American people want us to go further and put some teeth in it. Let me say to the Senator from New York why I am taking the action that I am.

I was on the Korean airplane that landed in Anchorage for refueling 20 minutes after the ill-fated plane. Both planes were on the ground for more than an hour, meaning that both planes were there together for the better part of an hour. Most of the passengers on both planes went into the terminal. It so happens that the distinguished Congressman from Georgia, Representative Larry McDonald, did not, or I did not see him. But in the lounge of the terminal I saw one of the most delightful young families anybody could ever hope to see. A young man and his wife—the young man was going to Seoul, as I understand, to head up Eastman Kodak's

organization there. They had two little girls, aged 5 and 3.

The mother was sitting reading Bible stories to those two little girls when we entered. The little girl was sitting on her mother's lap and the 5-year-old was sitting on the arm of the chair. And when the mother had finished reading to the children, I went over and introduced myself. They were on my lap and we were playing little games that I play with my own grandchildren. If I live to be 1,000, I say to the Senator, I will never forget those two little girls, who had a right to live and love and be loved, but who will never have that right because of this criminal, brutal, premeditated, cowardly act by the Soviet Union. I will forever remember the giggles and the laughter—they hugged my neck and they kissed me on the cheek. Finally, their plane was called, and my last sight of them as they scampered out the door was their waving "bye-bye" to this fellow and blowing kisses to me.

Now, that is the reason I think this Senate ought to go further. Rhetoric is fine and the language is eloquent, but the resolution does not do anything. It does not urge the President to consider certain actions. Unless and until we do that, I think the American people will sit perplexed, wondering why more is not being done. And I suppose it can fairly be said that I am trying to represent those two little girls because I say again that they had a right to live, a right that was denied them by the brutal, criminal act of the Soviet Union.

Now, I do hope, I pray, that the leadership will not move to table reasonable suggestions to the President. We are not mandating him to do anything. We are not demanding, requiring him to do anything. But we are putting forth recommendations for his consideration, and I think by doing so we are representing the wishes of a vast majority of the American people.

Mr. MOYNIHAN. Will the Senator yield?

Mr. HELMS. I will be delighted to yield.

Mr. MOYNIHAN. May I say to the distinguished Senator from North Carolina that I would respectfully disagree with him on one point. He says that the resolution before us does not do anything, does not tell the President to do anything.

I say to the contrary. I do not think in the history of the relations between the Soviet Union and the United States that the U.S. Congress has ever declared the Soviet Union to have committed a crime. In this resolution it does so. When the President as head of the executive branch signs that, he will accept an obligation to bring the matter further in international tribunals where appropriate, and particularly in the court, to charge criminal behavior and ask criminal sanction.

This is not a small event. There has not ever before been such an event. The charge of crime under international law is a solemn one. It was not thought to exist as a concept prior to the Nuremberg tribunals. There it was declared by the Soviet Union among others to be a norm of international conduct. Those norms were drafted into specific treaties called the Geneva Conventions. Individuals as well as states can be held accountable. I would hope this measure would go forward from this Chamber with the understanding by the President and the Secretary of State that when we declare an act to be criminal, we expect the executive branch to pursue the matter.

I think it could not be more important to understand that never in the history of the relations—now, I believe, exactly 60 years in duration—between the United States and the Soviet Union have we declared an act of that nation a crime.

I have an errant impulse to ask our distinguished Parliamentarian, has this body ever declared the action of any nation a crime? And I forbear to have him inquire of the precedents in this matter, but I think not. I think not.

I would dare to suggest this is the first time it has ever happened—the first time the Senate Committee on Foreign Relations has ever so described the conduct of another nation.

That is not a small thing. This is the most important evolution in the concept of crime since the Geneva Conventions themselves were drafted in 1948 and 1949. Here, the Congress of the United States will declare something criminal and the President will agree that it is, and the obligation thereupon devolves to the executive branch to respond.

Mr. HELMS. I thank the Senator. I do not want to be abrupt in reclaiming the floor. But I say to him that the Senator is a civilized man. He lives in a civilized nation and he believes in the law. Do you know what the Soviet Union is going to say about this resolution? They are going to say, "Big deal. Big deal," because the U.S.S.R. is a rogue nation and it does not care any more about international law. If they did, why do they constantly violate every treaty that they ever made with anybody? So this resolution, unless we put some teeth in it, will be shrugged off in the Kremlin and, in the words of a well-known personality in this country, they will say, "There they go again, issuing some more rhetoric."

In any case, Mr. President, the massacre of those 269 innocent civilians aboard the KAL 007 flight in my judgment marks a turning point in United States-Soviet relations. Now, turning point may be the hopeful way to state it. Watershed might be a more accurate description. The point is that no matter what we make of it, our relations with the Soviet Union can never be the same again. There are those who regard the massacre as an incident, a dreadful mistake, which the Soviets have now at long last acknowledged, and under this theory some may contend that we might as well let bygones be bygones since the Soviets have already been punished well enough in world opinion.

Well, if we believe that, Mr. President, we will believe anything. I dissent.

We saw the same reaction of world opinion during the invasion of Afghanistan, and the Soviets are still in Afghanistan using poison gas and all the rest of it. And they show no signs of leaving.

It is clear that if we allow this massacre to pass with no more than a rhetorical tongue lashing, the Soviets will continue to perpetrate such actions in ways that they perceive to enhance their own interests, and that is all they care about.

The common opinion that the Soviets have made a tactical error and are being punished by a loss of prestige is a failure to understand the Soviets. Lenin said it right. The purpose of terrorism is to terrorize. Terrorists are not interested in their moral reputation. Terrorists are always held in low esteem except by those who terrorize. Those who are terrorized may not give the terrorists high marks for morality but at least they give them high marks for power.

And you better believe that is the name of the game in the world today. But in any case, let us not forget in the name of those two little girls whom I discussed, the Soviets have made it clear, absolutely clear, that they will shoot down any plane that strays across their borders, even an unarmed plane full of innocent human beings.

They have said they will do it again. I do not think there is any rational person in the world who does not believe the Soviets will not do it again.

What have they accomplished? They have demonstrated to the world that they will commit any crime, flout any moral conviction, break any treaty, when it serves their narrow self-interest. If they are allowed to get away with it, then the world will drift away from whatever moral leadership we might claim, and follow the leadership of naked power.

What are the alternatives? Have we exhausted them all? Is there only one remaining alternative, as many contend—war?

No. War is not the alternative. The counsel of war is a counsel of defeat. In this nuclear age, no one would ever counsel war. To suggest that war is the only option is to say that there is no practical, real way of taking action;

but the fact is that we must take real actions, actions which will penalize the Soviets without calling into question their legitimate national interests.

If we confine our retaliation solely to the field of civil aviation, we have certainly not met the test of penalizing the Soviets. In the strictest terms, the Soviets have no civil aviation. Aeroflot is, in fact, a division of the Soviet military structure.

As the Senator from New York and the Senator from Illinois have indicated earlier, the Chicago Convention on International Civil Aviation was signed by most civilized nations in 1944, but the Soviet Union did not get around to ratifying it until 1970. According to the Library of Congress, the Soviet Union joined the International Civil Aeronautics Organization in 1970, but remains outside the International Air Transport Association.

Mr. MOYNIHAN. But the Senator will acknowledge that they have signed it.

Mr. HELMS. At long last.

Incidentally, the State Department apparently is not yet ready to concede that the Soviets have signed one of the Chicago air conventions at all, the International Air Service Transit Agreement of 1944. The supposedly authoritative State Department publication, "Treaties in Force," fails to list the U.S.S.R. as a signer. "Treaties in Force" is sometimes used in the U.S. courts as evidence of accession to treaties; yet, the publication inexplicably omits the Soviet Union from the signers listed on page 208 of the current 1983 edition.

Be that as it may, to treat the KAL 007 massacre as a mere violation of the international civil air transport agreements is to miss the point. It is like prosecuting Al Capone on charges of income tax evasion. It is like letting the Soviet Union off on a technicality.

The Soviets have chosen to fight the issue on the grounds of espionage. At first glance, their rebuttal seems preposterous. But if we examine the facts carefully, we will see that the Soviet accusations against the United States arise directly from their own guilty conscience. The Soviets are deeply disturbed that we find out something about their society that they do not want us to know. And it is something that affects their most deeply held convictions about their national interest. It is, in fact, an ugly truth that ought to alarm the people of the free world—that might alarm them before the Soviets are ready. That truth is the Soviet drive to attain world military superiority at any cost—even at the cost of enslaving their own people—so that they can enslave the world.

That is why I say that unless we examine the KAL 007 incident in the context of the Soviet drive for world superiority, it makes no sense at all. Their action is so disproportionate, so egregious, so insane that it could have been important to them only in the context of safeguarding some overarching goal that was more important to them than world condemnation. The goal that is more important to them than world condemnation is world domination.

There have been a number of newspaper accounts in the past few days that explain what the Soviets were up to in Kamchatka. These reports point out that the Soviets were about to make their fourth illegal test of the PL 5 missile. This is a missile that is forbidden by the unratified SALT II agreement. Neither nation has officially ratified SALT II; but the presumption of the arms control community in this city is that both nations have tacitly agreed to abide by the constraints of SALT II without formal ratification so as to create confidence for the START talks.

Yet this new Soviet missile is 220 percent larger in payload than the missiles permitted in SALT II. Moreover, in previous tests, the telemetry has been nearly 100 percent encoded to foil our monitoring process. That also is a violation of SALT II. We are supposed to be able to monitor their tests so as to be able to verify compliance. Thus, what they are doing is violating the treaty so as to achieve clear military superiority over us, and they are trying to prevent us from knowing about their violations of the agreement.

Now, enter the EC-135 reconnaissance plane mentioned by the President. The Soviet apologists have referred to this as a "spy" plane. It was not on a spy mission at all. Its mission is to verify Soviet compliance with the SALT treaties, as provided by the provisions of the treaties themselves. The treaties specify that we are to check compliance with our national technical means. The RC-135 is part of our national technical means. It had not only the right under international law, but the duty to fly that mission. According to the newspaper accounts, the EC-135 scrambled into action as soon as our monitors discovered preparations for the test. With the EC-135 in the air—and flying always in international waters—the Soviets could not hope to conceal their violations. So they canceled their test.

In that same timeframe, however, the ill-fated KAL 007 entered Soviet air space. There was no reason for the Soviets to confuse the KAL's 747 with the EC-135. Any pilot in the world could have told the one plane from the other, since the 747 is twice as big and has a distinctive silhouette. Moreover, interceptor pilots are specially trained to identify aircraft.

No, it is more reasonable to suppose that the Soviets knew from the start that it was a commercial airliner. But for the Soviets, as I already mentioned, there is no difference between military and civil aviation in their own country. When Aeroflot was flying in the United States, Aeroflot jets wandered into some strange courses on a regular basis—like the time one Aeroflot jet got lost over a Groton, Conn., shipyard on the day we launched our first Trident submarine. From the Soviet point of view, it is not abnormal for a civilian airliner to be used for surveillance purposes. The question that occupied them for 2½ hours, therefore, was not whether it was a civilian or military airplane, but what action to take to foil its supposed espionage mission. When any criminal sees that his criminal conspiracy is about to be unmasked, it is not unusual for that criminal to kill innocent persons who may be about to reveal the guilty secret unwittingly.

It should be noted that the PL 5 missile would have impacted in Kamchatka. But according to further newspaper reports, the Soviets have also recently started the deployment on Sakhalin Island of SAM-12 missiles. Although primarily a defense against enemy airplanes, such as the F-16's about to be deployed in Japan, the SAM-12 has also been tested against ICBM re-entry vehicles—that is to say, as an ABM. The tests themselves were a violation of the ABM treaty; but deployment in Sakhalin is another violation because the ABM treaty only permits one ABM deployment zone per country, and the Soviets have already deployed extensive ABM facilities around Moscow. KAL 007 would have flown over this deployment too.

From the Soviet's perverted point of view, the KAL 007 was on a course to catch them in not one dirty secret, but two.

In my judgment, the shooting down of the KAL 007 was an attempt to cover up Soviet arms control violations. Moreover, from the terrorist point of view, the vicious destruction of innocent life would make sure that no reconnaissance plane—civilian or military—would dare to cross their territory again to monitor their SALT compliance. This intention is fully seen in the gloating Soviet boast that they intend to shoot down any future plane that wanders off course.

It is perhaps wise to note at this point that the Soviet claim that their internal domestic law permits—nay, requires, even—them to shoot down civilian planes that get lost over their air space is another Soviet lie. The truth is that their law does not permit them to shoot down passenger planes. To the contrary, their domestic law forbids them to use armed force against unarmed planes. I asked the Library of Congress, with its experts on Soviet law, to analyze the Soviet legal position, on the basis of their

promulgated law. I want to commend Dr. Miklos Radvanyi, of the European Law division, for the very thorough and rapid execution of my request. Dr. Radvanyi writes:

The law on the state boundaries of the Soviet Union determined in its article 36 that no weapons shall be used under any circumstances to intercept an aircraft carrying passengers aboard.

Moreover, the Soviets violated not only their domestic law, but also international law. Dr. Radvanyi writes further:

The Soviet Union, by shooting down the Korean Air Line's Boeing 747, violated point 7 of Annex 2 of the Convention on International Civil Aviation. According to point 7, the intercepting aircraft should refrain from the use of weapons in all cases of interception of civil aircraft. Moreover, the Soviet Union violated all the international standards of the rules of the air as they are described in detail in Annex 2 of this Convention.

Mr. President, I ask unanimous consent that the entire study by Dr. Radvanyi be printed in the RECORD.

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

LEGAL QUESTIONS RELATIVE TO THE DOWNING OF KAL FLIGHT 007

Soviet announcements and opinions related to the shooting down of the Boeing 747 jet liner are based on articles 31 and 32 of the Constitution of the Union of Soviet Socialist Republics of October 7, 1977;[1] the Law on the State Boundaries of the U.S.S.R. of November 24, 1982;[2] the Air Code of December 26, 1961;[3] the Law on Criminal Responsibility for Crimes Against the State of February 14, 1959;[4] the Disciplinary Charter of the Armed Forces of the U.S.S.R. of July 30, 1975;[5] the Warsaw Convention as amended in The Hague;[6] and the Chicago Convention on International Civil Aviation,[7] to which the Soviet Union is a party.

Article 31, paragraph 2, of the Constitution states:

In order to defend the gains of socialism, the peaceful labor of the Soviet people, and the sovereignty and territorial integrity of the state, the U.S.S.R. maintains armed forces and has instituted universal military service.

According to the next paragraph of the same Article:

The duty of the armed forces of the U.S.S.R. to the people is to provide reliable defense of the Socialist Motherland and to be in constant combat readiness, guaranteeing that any aggressor is instantly repulsed.

The wording of the above-quoted provisions of the Constitution clearly indicate that the communist regime in the Soviet Union considers the defense of the country and the role of its armed forces as the most important function of the state. The strong wording of these provisions is designed to psychologically impress upon the people both at home and abroad that the Communist Party and the government mean business when they emphasize the inviolability of the state boundaries of the Soviet Union. This political and ultimate propaganda objective is re-emphasized in Articles 62 and 63 of the Constitution. Article 62, paragraph 1, states:

Citizens of the U.S.S.R. are obliged to safeguard the interests of the Soviet state, and to enhance its power and prestige.

Paragraph 2 of the same Article rises to new spiritual heights when it states that:

The defense of the Socialist Motherland is the sacred duty of every citizen of the U.S.S.R.

As ironic as it may sound, the use of the word sacred is intended to underline the extreme importance of the military service and the related obligations of the Soviet people. Paragraph 3 of the same Article threatens those who failed to receive the message with severe punishment in cases involving the "betrayal of the Motherland."

The language of the Constitution provides the tone for the entire legislation concerning the defense of Soviet territories. According to article 21 of the Law on Criminal Responsibility for Crimes Against the State:

Flying into the U.S.S.R. and flying out of the U.S.S.R. without the established authorization, the failure to observe the routes, landing places, air gateways, or flight altitudes specified in the authorization, or other violations of international flight rules shall be punished by deprivation of liberty for a term of a minimum of one and a maximum of ten years or by a fine in an amount of up to 10,000 rubles with or without confiscation of the aircraft involved.

It is interesting to note that this criminal provision in conjunction with article 2 of the same Law served as the basis to convict Francis Gary Powers, the pilot of an American U2 aircraft shot down over Soviet territory on May 1, 1960. The judgment that was rendered by the Military Chamber of the U.S.S.R. Supreme Court also cited article 1 of the Air Code of the U.S.S.R. according to which the Union of Soviet Socialist Republics exercises complete and exclusive sovereignty over the air space of the U.S.S.R. Thus, according to this article, all aircraft and their crews, passengers, cargo, and mail are subject to the administrative, civil, criminal, military, and other jurisdictions of the U.S.S.R. during their sojourn in Soviet air space. Soviet air space is defined in the same law as the expanse superjacent to the land and water territory of the U.S.S.R., including territorial waters.

As far as international flights are concerned, these are governed by both the general provisions and Chapter 6 of the Code, and by the Flight Rules for Foreign Civil Aircraft Within the Territory of the U.S.S.R. Flight by foreign aircraft in Soviet airspace are permitted on the basis of and in conformity with international air agreements contracted by the U.S.S.R. or special for single flights issued by the Ministry of Civil Aviation of the U.S.S.R. In general every flight across the Soviet frontier is considered to be an international one. Foreign aircraft must follow prescribed air lanes and may land only at specially designated airports. A violation of these rules is a criminal offense punishable under the above cited article 21 of the Law on Criminal Responsibility for Crimes Against the State. Foreign military aircraft may enter Soviet airspace only with the preliminary authorization of the Soviet government requested through diplomatic channels. It must be also noted that the Soviet Union has built up an extensive network of bilateral air transport agreements with other states including Bulgaria, Canada, the people's Republic of China, Cuba, Czechoslovakia, Denmark, France, the German Democratic Republic, the Federal Republic of Germany, Great Britain, Hungary, India, Iran, Iraq, Japan, Norway, Pakistan, Poland, Romania, Sweden, the United States, and others. The Soviet government also ratified the 1929 Warsaw Convention for the Unification of Certain Rules Relation to International Transportation by Air in 1934 and signed but has not ratifed The Hague Protocol of September 28, 1955, amending the Warsaw Convention. The Soviet Union joined the International Civil Aeronautics Organization in 1970, but remains outside the International Air Transport Association, although observers have been sent to meetings in recent years.

Basically, the provisions of the Air Code are aimed as are the provisions of the Constitution and the Criminal Code, at protecting state interests but also at securing total control over Soviet territory and the people who enter, stay, or exit the country.

Most recently, the law on the state boundaries of the Soviet Union determined in its article 36 that no weapons shall be used under any circumstances to intercept an aircraft carrying passengers aboard.

Another important piece of legislation is the Disciplinary Charter of the Armed Forces of the U.S.S.R. The text of this Charter itself does not appear in the official law gazette. Texts of the Charter are issued separately in book form for the use of Soviet servicemen. The Preamble of this Charter quotes Lenin who stated: "In order to triumph . . . iron military discipline is necessary." Keeping with this Leninist requirement, the Charter is a true manifestation of the militaristic nature of the political regime currently ruling the Soviet Union. The military oath contains such terms as "to unquestioningly fulfill all military charges and orders of commanders and superiors," "to defend her [Motherland] courageously, skillfully, with dignity and honor, wholeheartedly with my blood and life in order to achieve complete victory over the enemy," and "if I violate this my solemn oath, then the severe chastisement of Soviet law and the universal abhorrence and contempt of the working people shall befall me."

According to the general provisions of the Charter, military discipline means the strict and exact observance by all military servicemen of the procedures and rules established by Soviet laws and military charters. The most important part of this strict and exact observance of military discipline is the duty of a soldier to stoically bear all the burdens and deprivations of military service wholeheartedly with his blood and life when fulfilling his military duty. Although the Charter claims that military discipline in the Soviet armed forces is founded upon the high political consciousness of military servicemen in their profound understanding of their patriotic duty and of the internationalist tasks of the Soviet people and their selfless devotion to the Soviet Motherland, the Communist Party and the Soviet government resorts to very severe measures of coercion for military servicemen who are remiss in fulfilling their military duties.

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[1] *Constitution (Fundamental Law) of the Union of Soviet Socialist Republics*, (Moscow, 1977).

[2] *Vedomosti Verkhognovo Soveta* [Official law gazette of the U.S.S.R.] No. 48, Item 891. This Law entered into force on March 1, 1983.

[3] *Vedomosti*, No. 9, Item 91. It should be noted that a new air code was promulgated on May 11, 1983, that will enter into force on January 1, 1984 (*Vedomosti* 20, Supplement).

[4] *Vedomosti*, No. 7, Item 60.

[5] *Vedomosti*, No. 33, Item 495.

[6] 49 Stat. 3000.

[7] 59 Stat. 1693.

The importance of increased discipline was the topic of an editorial entitled "Discipline—The Concern of Each One" that was published in the "Agitator Armii I Flota." [8] The editiorial quotes Lenin, Brezhnev, and Ushtinov who all emphasized the need of absolute and strict compliance with military regulations, order, and laws.

It must also be noted that the problem of the Soviet air defense system has always been a high-priority sector in the eyes of the Kremlin. Accordingly, learning from the failure of the red army in 1941 to respond for two hours to the fire of the Germans who were invading the territory of the U.S.S.R., in 1948 the Soviet Union separated the National Air Defense Force, called PVO Strany. To handle the task of setting up of the Warsaw Pact in 1955, the Air Defense Force was extended across the alliance to become an integrated system which is presently headed by 58 year old Marshal Alexander I. Koldunov.[9] Reports published in the West indicate that the Soviet Union is pressing its allies to unify all Warsaw air defense forces under a joint Soviet command. In this respect it is interesting to note that First Deputy Minister of Defense and General Chief of Staff of the Soviet Armed Forces Marshall of the Soviet Union Nikolai Ogarkov published an article in "The Red Star" in which he called, among other things, for the creation of strong high-level command organization and more direct Soviet control over East European forces.[10] This article tends to imply that Ogarkov's suggestion will not only be applicable to the entire aircraft units involved but by extension to the whole military machine. Needless to say, if implemented, this new command structure will represent a new important stage in the development of the Brezhnev Doctrine which until now has only figured in times of crisis such as Hungary in 1956, Czechoslovakia in 1968, and Poland in 1981. Thus if Ogarkov has his way, henceforth there will be a permanent and not just an intermittent limitation on the national sovereignty of the Central and East European countries.

The Soviet Union, by shooting down the Korean Airline's Boeing 747, violated point 7 of Annex 2 of the Convention on International Civil Aviation. According to point 7, the intercepting aircraft should refrain from the use of weapons in all cases of interception of civil aircraft. Moreover, the Soviet Union violated all the international standards of the rules of the air as they are described in detail in Annex 2 of this Convention.[11]

In conclusion, the Soviet Union violated both domestic as well as international laws when its fighter planes used weapons against a civilian aircraft carrying 269 passengers.

Mr. HELMS. Mr. President, I further requested Dr. Radvanyi to translate article 36 of the Law of State Boundaries of the U.S.S.R. so that all of us might judge for ourselves.

It should be noted that, in the following text, the only armed attacks permitted are those against armed aircraft—and even then the use of force is not required, but merely permitted as a last resort. The entire article must be construed as a purely defensive reaction, in which the use of force can only be triggered by an aggressive use of force by the intruder. Furthermore, it is a rule of European legislative technique and legal interpretation that when a prohibition is stated in the negative, it also applies equally to a positive act. Thus, in the provisions on hijacking, armed attack is permitted only if no passengers are aboard. By implication, no attack is permitted if there are passengers aboard. The whole text begins with the specific narrow case of an armed, attacking intruder, and then proceeds to the more general cases. It is clear that article 36 is in complete conformity with the Soviet obligation under international law to refrain from the use of force when passengers are involved.

Mr. President, I ask unanimous consent that the translation of article 36 be printed at this point in the RECORD.

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

TRANSLATION OF ARTICLE 36 OF THE LAW ON THE STATE BOUNDARIES OF THE SOVIET UNION

Border Guards and the Air Defense Forces performing the task of protecting the state boundaries of the Soviet Union may use weapons and combat equipment in order to repel an armed attack against the territory of the USSR to prevent the hijacking of an aircraft with no passengers aboard, to respond to the use of force by the violators of the state boundaries of the USSR on land, on sea, and in the air, or in cases when the stopping of the violation or the detention of the intruders cannot be accomplished by other means. When it is absolutely unavoidable, weapons and combat equipment by the other branches of the Armed Forces of the USSR may be used for the protection of the state boundaries of the USSR.

Rules for the use of weapons and combat equipment for the protection of the state boundaries of the USSR shall be determined by the Council of Ministers of the USSR.

Mr. HELMS. Mr. President, let us therefore challenge this horrible lie of the Soviet Union, which maintains that it is permissible to kill innocent civilians to protect their plans to seize strategic superiority under cover of arms control agreements. Let us take actions which will meet the Soviets on their own grounds. Let us take actions which are prudent and effective, and which do not necessarily require the assent of our allies. Our allies will follow if we take the leadership.

The amendment I will propose shortly suggests prudent steps in areas concerning Soviet espionage, Soviet violations of human rights—most important to the Soviets—their pocketbook. They are actions which, in my judgment, will deprive the Soviets of things they actually want and need, yet will not set back our own economic interests or set back effective steps toward arms reduction and world peace. Indeed, these actions will truly enhance world peace by deterring future Soviet aggression. They are actions which are purposeful, yet peaceful; punishing, yet efficacious. I do not think any of our allies could object to them; yet they would cripple the Soviet lust for power and world domination.

Mr. MOYNIHAN. Mr. President, two points in response to the remarks of my friend from North Carolina:

I have a copy here of "Treaties in Force." The Department of State publications lists the treaties under "International Agreements with the United States in Force on January 1, 1983." Pencils have erasers. Mistakes are made in listings such as this. But on page 245, the Union of Soviet Socialist Republics is listed as a signatory to the International Civil Aviation Convention and the protocols thereto.

I should like to make the point that I would not expect that mere sanctions against the Soviet Union would be sought out under this convention.

This was a convention that was drawn up, and I wish to make this point—the concept of crime under international law emerges in history at the Nuremberg conventions. The ICAD convention dates from 1944, a time prior to the Geneva convention, just as the U.N. Charter does, and just as all previous documents do.

I wish to make the point, if I may say, and I hope the Senator will agree with me, this is a problem that should be dealt with directly by the administration. I hope they would do this the moment this resolution gets to the President's desk.

As an important part of that response, the State Department should produce a white paper describing exactly what the U.S. Government knew about this event and when we knew it—to use a phrase that I believe has been heard in this body. The world has been just possibly confused by the openness of the U.S. Government in this matter. Secretary Shultz made the decision when he first learned of the destruction of the aircraft to tell everything we knew at that moment and then to add to what we knew as new information came in from new sources.

I reveal no classified matter when I say that the intelligence systems the U.S. Government, and presumably other governments, merely tape record most of what comes in, and if no event of consequence occurs then they do not search the tapes. It is when something unusual happens that they do. This was done with respect to KAL 007's last hours and minutes, and over the days new information came in.

There was the question of the RC-135 which was in the area. Yes, it was. What was it doing there? It was on a

[8] No. 15, August 1982.

[9] G.V. Zimin, *Air Defense Handbook*, Foreign Broadcasting Information Service L/10540, May 26, 1982.

[10] *Krasnaya Zvezda*, May 25, 1983.

[11] Doc 2010-RAC-104 as amended in the version of July 1981.

routine flight. Did it have a right to be there? It had every right to be and indeed those flights are referred to in SALT II as national technical means of collection. Moreover, and significantly, that plane, that RC-135, was on the ground 1 hour——

Mr. HELMS. That is correct.

Mr. MOYNIHAN [continuing]. Before the Korean plane was shot down.

I believe a white paper should be published—as we have played the tapes themselves at the U.N. and on television. We have been very open, explaining why we are open and explaining the process by which we learned. And there may be yet more to come.

This is technology as fine, almost as gene splicing—to take those little electronic blips apart and find cannon fire in the middle of it. We did it, and as soon as we did it we reported it to the world.

The idea that somehow we have been giving out in parcels information which was completely available to us at the outset is simply wrong and can be easily refuted.

But I commence to repeat the point, so I shall refrain. I see the distinguished ranking minority member of the Committee on Foreign Relations present.

Mr. HELMS. Mr. President, will the Senator yield to me before Senator PELL takes the floor?

Mr. MOYNIHAN. I will yield for a statement. I wish to get Senator PELL's attention.

Mr. HELMS. Certainly, I wish to express my total agreement with the Senator. It is fine to have a white paper. It is fine to have all the information. But that is of no concern to the Senate at this moment. The concern of the Senate is whether we are going to put some teeth into this rhetorical exercise which is eloquently drafted, with which I agree and for which I will vote no matter what form it takes at the time of final passage.

But for there to be any doubt about the openness of the U.S. Government during this tragic episode, I was a witness to the developing information that came to us in Seoul. I conferred constantly for 4 hours with our intelligence people and our defense people, and it was like starting from scratch with a jigsaw puzzle. You put in one piece when you get it and another piece, and finally the clear picture emerged, and it was realized that this totalitarian criminal regime had engaged in a premeditated cowardly criminal act costing the lives of 269 innocent people. No other face can be put on it, and that is the frame of reference which this Senate should use in making its determination about whether we shall strengthen this resolution or not.

Mr. MOYNIHAN. Mr. President, the distinguished ranking minority member of the Committee on Foreign Relations having arrived now, I simply wish to restate the proposition to which I have spoken: That, far from taking an innocuous measure here, we are taking a momentous one; that the declaration by Congress and the affirmation by the President that there has been a criminal act on the part of the Soviet Union is without precedent. It has never occurred and it therefore devolves upon the executive to proceed with appropriate measures. Subsequently, we can make judgments about how, with what expeditiousness and consequence they are proceeding.

I do also very much hope that there might be some sense in this body because I know there is concern in this body that the State Department should produce a white paper describing what we knew and when we knew it and explain to the world how open we were in contrast to the characteristic totalitarian secretness of the Soviets.

My friend, the ranking minority member, is here and I look forward to hearing his views on this, and I hope he will share my view that the resolution is correct when it declares that a crime was committed and that from the time of the Nuremberg tribunals, as codified in the Geneva Conventions, the concept of crime under international law is present. Indeed, no nation was more energetic in bringing it forward at Nuremberg than the Soviet Union. And they now stand charged with criminal behavior by this body, if we can move quickly and unanimously to agree to this resolution and place it on the President's desk this afternoon.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. SYMMS. Mr. President, I also was with Senator HELMS. We heard his strong remarks here a few moments ago. We were together in Anchorage when we visited with many of the ill-fated passengers on flight 007 as it was leaving Anchorage. We were on flight 15 and were some time behind it, about approximately 30 minutes or so.

Many of us were, of course, deeply saddened by this tragic event, but I was not really that surprised that the Soviet Union would in fact make this kind of an execution of 269 innocent people because it is, after all, very consistent with Soviet behavior since 1917 when they took over the government of the Russian people.

Before I go into my remarks on the amendment itself and on the resolution itself, I wish to make just a few comments about one very distinguished American who was on that airplane, and that is Lawrence Patton McDonald.

He was born April 1, 1935, in Atlanta, Ga., the son of a prominent physician. He attended private schools in Rome, Ga., and entered Davidson College at the age of 16. Larry McDonald graduated from college when he was 18 and completed medical school at Emory University at age 22 in 1957.

Larry McDonald served 4 years in the Navy as a physician and flight surgeon. He practiced medicine in Atlanta until he ran successfully for Congress in 1974. He was reelected four times and served on the House Armed Services Committee. He established the Western Goals Foundation in 1979, and he was named head of the John Birch Society in 1983.

Larry was married to Kathryn McDonald. He was the father of five children, aged 8 months to 23 years: Tryggvi Paul, Callie Grace, Mary Elizabeth, Lawrence Patton, Jr., and Lauren Aileen.

My heart and sympathy goes out to that family. I knew Larry very, very well when I had the privilege of serving with him in the other body. I might just say that he did march to a different drumbeat than many people here in the Nation's Capital. But I, too, march to that same anti-Communist drumbeat he stood very steadfast on principle, and I think that of all the people who were on that airplane, if there was one person who undoubtedly realized what had happened to the airplane, it would be one who would not have been surprised, that is Larry McDonald, because he had certainly stood steadfast in his position on foreign policy, and had told us numerous times on how the Soviet Unon operated.

Mr. President, I was shocked—but not surprised—by the Soviet Union's coldblooded murder of 269 innocent people aboard the Korean airliner 2 weeks ago. Terrorism is always shocking, but it is such a basic weapon in the Soviet arsenal of conquest and intimidation that no one should be surprised when the killers in the Kremlin resort to such cruel, uncivilized acts. What else can we expect from a regime that has murdered millions of its own people, a regime that has been responsible for the slaughter, torture, and enslavement of millions of other innocent peoples in Poland, Afghanistan, and elsewhere around the globe?

If any good can come of this atrocity, it is that today there is broader and clearer recognition, at home and abroad, that the Soviets have little regard for human life or human rights. The shot which destroyed KAL flight 007, snuffing out the lives of 269 men, women, and children, was heard around the world and it has opened the eyes of millions.

The atrocity of August 31 is one we must never forget. Like Pearl Harbor, it should prod this Nation and its allies to strengthen their defenses and stiffen their spines in the face of Soviet terror and aggression. If that is

the result, the victims of the atrocity will not have given their lives in vain.

I mentioned about my friend and tireless patroit, Larry McDonald, who left a very successful medical practice because he felt that his lot in life was important in the Congress of the United States to try to present a point of view that he thought was badly missing in the Congress.

One of those who gave his life, Congressman Larry McDonald of Georgia, was a close friend and colleague who understood the nature of communism—and the danger it poses to the lives and liberties of all people—better, perhaps, than anyone else I have ever known. Larry was a fearless and tireless patroit, who left a very successful medical practice because his country needed him. From the moment he took his seat in Congress, he was a leader.

In his maiden speech in the House of Representatives on April 29, 1975, he discussed the tragedy of our no-win war in Vietnam and called for a policy of victory over communism.

Larry understood that communism is inherently evil, that it can only gain and hold power by violence and terror. He knew that it could only be stopped and defeated by intelligent, intrepid effort. No Member of Congress did more to expose and document the threat posed by Soviet military power, espionage, ideology, and disinformation. He was brilliant, logical, honest, and courageous. He was a man of principle who spoke the truth as he saw it, never trimming his convictions or his conclusions to fit the prevailing political winds.

How many times I recall him on the House floor saying he would vote on his interpretation of whether it would fit the Constitution. Whether it was popular in his home district or not was not his biggest concern. However, he won again and again and again after very, very difficult political campaigns, but he had a very strong, dedicated constituency who saw he was returned to office by a bigger percentage of vote each time.

A member of the House Armed Services Committee, Congressman McDonald methodically documented Soviet terrorism, subversion, and clandestine active measures aimed at the United States and its allies in the Free World. He put detailed reports on Soviet espionage and intelligence in the CONGRESSIONAL RECORD on a regular basis.

Together with the late Representative John Ashbrook, he succeeded in passing a law which protected the identities of U.S. intelligence officers, and he constantly strived to reactivate the House Internal Security Committee to deal with the threat of terror and subversion.

In 1979, he established the Western Goals Foundation to rebuild and strengthen the political, economic, and social structure of the United States and Western civilization.

An uncompromising defender of liberty and an implacable foe of statism, Larry McDonald was a model of strong character and conviction. He never wavered in his faith in God and his trust in freedom. He was a Democrat in the tradition of Jefferson, Jackson, and Cleveland, a Democrat of whom Republicans could be proud—in fact, although we were members of opposite parties, we campaigned for each other—to the chagrin of some Republicans in Georgia and some Democrats in Idaho.

Larry was usually outnumbered in the House—sometimes standing all alone—and he was frequently the target of unfair criticism and abuse. But he never faltered. He was a fighter, and he was always cool and calm under fire.

Although I am angered and saddened by the death of my friend, Larry McDonald, it so clearly confirms the correctness of everything he stood for and fought against. That battle must go on. And those of us who must now carry the torch he held so high need to redouble our efforts to defeat the enemies of freedom and defend the values of Western civilization.

Mr. President, I ask unanimous consent to insert in the RECORD an article by John Rees in this week's Review of the News, and an article by Clarence Carson in this week's Review of the News pertaining to the late patriot and Congressman, our colleague, Larry McDonald.

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

THE COMMUNISTS ASSASSINATE CONGRESSMAN LARRY MCDONALD

(By John Rees)

At 11:00 P.M. on Tuesday, August 30th, the regularly scheduled Korean Air Lines Flight Seven from Kennedy International Airport for Seoul, South Korea, departed without incident. On board the packed Boeing 747 jumbo jet were 269 people. There were at least 61 Americans, including several small children.

Among the Americans, sitting in a forward aisle seat, was United States Congressman Lawrence Patton McDonald. A member of the House Armed Services Committee, chairman of The John Birch Society on whose National Council he had served for many years, and founder and president of the Western Goals Foundation, McDonald was one of the world's most important anti-Communist leaders. He was en route to South Korea to participate in meetings and ceremonies surrounding the 30th anniversary of the signing of the U.S.-Korea Defense Treaty.

From the time he took his oath of office in 1975 until the moment of his death, Congressman McDonald had systematically carried out a campaign against Soviet Communists of a sort which no other U.S. elected official had ever done on his own. Larry McDonald had methodically documented and exposed the use by the Soviet Communist regime of terrorism, subversion, and an entire range of clandestine "active measures" aimed at destabilizing the Free World, and especially the "main enemy," the United States of America.

Congressman McDonald organized and led the congressional fight to restore the House Internal Security Committee, and he worked constantly to keep the facts of the Soviet involvement in subversion and terrorism before a "Liberal"-dominated Congress. He and the Late Congressman John Ashbrook, who also died under bizarre circumstances, created the climate in which a law protecting the identities of U.S. intelligence officers was passed. This resulted from McDonald's careful documentation of the Soviet and Cuban ties of the Philip Agee apparatus. Discredited, the Agee gang and its functions were transferred to Communist-ruled Nicaragua.

To the Communist Left and its allies in America, Larry McDonald was the focal point and leader of a dangerous group of intelligence experts in the private sector who, dealing strictly with facts, exposed Soviet control and manipulation of the "peace" and disarmament movements. McDonald and his friends had exposed connections between the influential pro-Soviet Institute for Policy Studies, the Cuban and Soviet intelligence services, and high U.S. Government officials; they repeatedly brought to the American people information that thwarted Far Left efforts to manipulate individuals and public opinion, again and again driving the Kremlin and its U.S. collaborators to paroxysms of fury.

From the moment that Larry McDonald's internal-security team went into operation in 1975, the Left worked unstintingly to silence and discredit him. There were physical attacks, including terrorism, as when the Congressman's friend, anti-Khomeini diplomat Ali Tabatabai, was assassinated. Threats against the life of Congressman McDonald, his family and his staff, were made repeatedly by terrorist and revolutionary groups associated with Cuba. There were also attacks through the courts from groups tied to the Soviets and Cuba. These were beaten back time and again. And there were almost weekly attempts at character assassination from The Nation, the Atlanta Journal and Constitution, The Spotlight New Solidarity, the Los Angeles Times, the Village Voice, Izvestia, Pravda, and so on.

But all this failed to shake Larry McDonald from his principles. He understood that the vehemence of the attacks was in direct relationship to the effectiveness of his efforts. He remained undaunted and coolheaded under fire, providing such consistent, supportive, and enthusiastic leadership that those he led did not waver, continued to fight back, and won important victories. Their numbers grew, and his plans for The John Birch Society—whose effective leadership he was only just beginning to assume—were soundly based and certain to be even more effective.

Above all, McDonald's work in exposing the Soviet role in the "peace" and "nuclear-freeze" movements had seriously damaged the credibility of the most important Soviet "active-measures" program of recent years, and was gaining steam. Indeed, when Larry McDonald boarded K.A.L. Flight Seven, he was planning a major attack on key operations of the U.S. Communists—plans which are proceeding, and for which details are yet confidential.

The fact that the leading anti-Communist in the U.S. Congress was traveling to Seoul was no secret. Indeed, the original schedule

had been for Senator Steve Symms (R.-Idaho) and Representative Carroll Hubbard (D.-Kentucky) to travel with McDonald on Flight Seven that evening. If the Soviets, exasperated with their lack of success in silencing McDonald, wanted an opportunity, it was now available to them. Their enemy would be in an unarmed foreign airliner within a few minutes' flying time of their interceptors—a sitting target. And students of history will recall that fatal attacks on passenger aircraft to ensure the death of a single passenger are far from unprecedented.

These then are the facts now known about the last hours of K.A.L. Flight Seven.

In the pre-dawn hours of August 31st, K.A.L. Flight Seven landed at Anchorage, Alaska, the major refueling point for commercial airliners traveling the northern Pacific route to Japan and the Far East. Four passengers ended their journey here. Some disembarked to stretch their legs in a lounge where they mingled with passengers of another K.A.L. flight headed for Seoul which had originated on the West Coast. Among them was Senator JESSE HELMS (R.-North Carolina), Chairman of the Agriculture Committee and of the Subcommittee on Inter-American Affairs. The K.A.L. West Coast flight would leave 10 minutes behind K.A.L. Flight Seven, which took off at 6:00 A.M. local time in Anchorage and flew southwest into the North Pacific night toward the international date line. At the controls was a careful and experienced pilot with over 10,000 hours of flying time, who had logged five years on the intended route without navigational or other incident.

There are five very busy parallel international airlines from Anchorage to Japan. The innermost lane, designated R-20, lies closest to the U.S.S.R. But, even at its closest point, it is 38 nautical miles outside Soviet territory.

Because the Soviet Union will not permit commercial airline overflights of the Kamchatka Peninsula or of the Kuril Islands it seized from Japan after World War II, airliners cannot travel the most direct route between Anchorage and the Far East. American radar monitors in Alaska, which have a 200-mile radius, routinely check the initial flightpaths of commercial airliners departing on the southbound airways that skirt the Soviet Union. Flight Seven was on course as it started along Airway R-20, and the 747's last radio check with U.S. air controllers in Alaska was normal.

For the next 3,000 miles K.A.L. Flight Seven was on its own. The Boeing 747 was off civilian radar and was required to make radio checks when it crossed six of nine checkpoints along Airway R-20. The checks were with U.S. Federal Aviation Administration controllers in Anchorage, and then with Japanese air-traffic controllers at Narita International Airport outside Tokyo.

The third checkpoint, known as Neeva, is about 1,000 miles from Anchorage along the Aleutian Islands. Airline crews can easily check their onboard Inertial Navigational System (I.N.S.) while passing Neeva by tunning in the very strong Shemya radio station 150 miles away, to make sure distance and direction from Shemya correspond with their location as read out from the I.N.S. navigational system. There was no evidence that K.A.L. Seven was off course; and, as on every other Boeing 747, there were two separate backup navigational systems which would automatically operate if the first should malfunction.

There are the facts as they are available at present.

The United States Government states categorically that Soviet radar, meaning Soviet Air Defense radar, picked up K.A.L. Flight Seven two hours after it left Anchorage. This was at 1:00 A.M. on September first, Tokyo time (Noon, August 31st on the U.S. East Coast.)

As flight Seven approached the fifth checkpoint, called Nippi, which lies southeast of Kamchatka Peninsula, it was off course. As the angle of error increased, the K.A.L. jumbo jet approached Soviet airspace. Yet the record of air communications shows clearly that the K.A.L. pilot had no idea that any deviation had occurred.

Nippi is the checkpoint at which control of southbound flights is transferred to the Japanese controllers at Narita. At 2:10 A.M., Tokyo time, K.A.L. Flight Seven contacted the Narita air-traffic controllers and stated: "We passed safely south of Kamchatka." In fact, Flight Seven was off course, maintaining a steady altitude of 32,000 feet and a steady course inexorably leading it further and further from Airway R-20 into Soviet air space over the southern portion of Kamchatka Peninsula. The questions to be asked are: Was this course error due to pilot error, a malfunction, sabotage, the pilot acting under duress, or Soviet electronic countermeasures operating to lure Flight Seven into Soviet territory?

The United States Government states categorically that at least eight Soviet interceptors from at least two Soviet air bases were scrambled to intercept K.A.L. Flight Seven as it traveled steadily through Soviet airspace for two and a half hours. The airliner crossed Kamchatka and flew out over the Sea of Okhotsk, still on its steady if erroneous course. Inexorably, Flight Seven reentered Soviet airspace over the southern tip of Sakhalin Island where, within minutes of again leaving Soviet airspace, it was intercepted by three Soviet aircraft.

The timetable of events constructed by U.S. and Japanese government agencies tells us of events during the last 25 minutes in the life of Lawrence Patton McDonald.

3:10 A.M., SEPTEMBER FIRST (AUGUST 31, 2:10 P.M. IN WASHINGTON)

K.A.L. Flight Seven is now flying over the southern tip of Sakhalin Island. At least three Soviet interceptors are scrambled. Radar tracking and communications intercepts of this unusual Soviet air activity over Sakhalin are carried out by Japanese air-defense radar facilities near Wakkanai, only 34 miles from Sakhalin.

3:12 A.M.

Three Soviet interceptors, all apparently SU-15 "Flagons," find K.A.L. Flight Seven two hours and 12 minutes after Soviet radar had commenced tracking the huge airliner. The SU-15, primarily a high-altitude interceptor in deployment since 1967 and now being replaced by Mig-23s, normally carries two air-to-air missiles. One is a radar-homing missile and the other is the infrared-homing AA-3, which has a range of 10 miles. SU-15s are not normally armed with cannon.

A Soviet pilot, presumably the leader of the interceptor group, reports to his ground control that "the target" is flying "at 10,000 meters" (32,000 feet). A transcript released by the Japanese Defense Agency quoted the Soviet pilot as saying: "He is now within sight. We have approached within two kilometers [1.2 miles]. The plane [U.S. officials say the Soviet pilot always referred to the K.A.L. airliner as "the target"] does not yet seem to be aware of us. We will continue pursuit."

3:15 A.M.

Flying at 32,000 feet, K.A.L. Flight Seven contacts Narita air-traffic control and reports its position as 147° East Longitude and 41° North Latitude, southeast of Japan's northern-most island of Hokkaido.

Japanese Defense Agency officials have stated that their radars showed no aircraft at that location. Eventually, after checking the data recorded on their monitors, they discovered that the K.A.L. 747 jumbo jet was almost 400 miles northwest at 141° East, 47° North—over Sakhalin, a little north of the city of Yuzhno Sakhalinsk.

Flight Seven asks the Narita traffic control for permission to climb to 35,000 feet. Narita replies, "Please wait for a moment."

3:20 A.M.

Narita to K.A.L. Flight Seven: "[Request to climb to 35,000 feet] acknowledged. Rise to 35,000."

3:21 A.M.

Soviet pilot reports to his ground control that "the target" is flying at "10,00 meters" [32,000 feet].

3:23 A.M.

The following is from the Japanese Transport Ministry transcript of K.A.L. Flight Seven broadcasting to Narita.

K.A.L. Seven: "Will climb to 35,000 feet. Leaving 32,000 altitude."

Narita: "Roger."

At this point, at least one of the Soviet SU-15s comes up close alongside the K.A.L. 747. A Soviet pilot radios to his ground control that the airliner flashed its navigational lights and rocked its wings. These are the accepted international signals which are supposed to be given by a civilian aircraft to acknowledge that it has been intercepted by a military aircraft. At that point the military interceptor normally moves in front of the civilian plane so that it can follow it to an airfield and land.

The Soviet ground control instead orders the SU-15 interceptors to take aim and fire their missiles. The U.S. Government categorically states that at least one of the SU-15s was so close to the K.A.L. 747 that he had to veer away and drop back so that he could fire his air-to-air missile without being struck by shrapnel or debris from Flight Seven.

3:25 A.M.

K.A.L. Flight Seven radios to Narita tower: "This is KAL 7 . . . ." The transmission fades, and resumes two minutes later; but, in the interim, Japanese Defense Ministry transcripts show the following conversation between the SU-15s and their ground control:

Soviet Ground Control: "Take aim at the target."

SU-15 Pilot: "Aim taken."

Soviet Ground Control: "Fire."

SU-15 Pilot: "Fired."

3:26 A.M.

The United States Government categorically states that a Soviet SU-15 pilot radioed to his ground control that he had fired a missile, that the target was destroyed, and that he was breaking away from the engagement. The Soviet interceptors climbed to 50,000 feet. The Japanese transcripts also confirm that the Soviet pilot reported he had fired a missile and that the target "was crushed down"—a literal translation of Russian pilot slang for "shot down and destroyed."

Japanese defense officials state that all three Soviet interceptors fired missiles at

the Boeing 747. They quote one pilot as saying: "I am going to fire a missile. Target is K.A.L. airliner."

3:27 A.M.

Narita tower receives a burst of incomprehensible radio noise from K.A.L. Flight Seven, then silence. During the next 11 minutes, Japanese radars track the fall of the Boeing 747 from 35,000 feet.

3:38 A.M.

Korean Airlines Flight Seven disappears from radar screens.

4:30 A.M.

The Soviets order an air search of the area in which the aircraft disappeared near the small Soviet island of Morenon. They later report wreckage, some bodies, and a kerosene fuel slick. No survivors are reported.

We do not know what took place on board K.A.L. Flight Seven during those last minutes, but we do know that Larry McDonald, unable to defend himself aboard a civilian passenger airliner, was stalked by the Soviet Air Force, and as the aircraft was within seconds of leaving Soviet airspace he was murdered along with 268 other men, women, and children.

Although the reported crash site is within a mile of international waters, the Soviets refused to allow Japanese fishing or rescue boats, which were only a few miles away, to enter Soviet waters to aid in search and rescue efforts. Evidence of the massacre was hidden, perhaps for all time.

WHY DID IT HAPPEN?

The customary ethical and humanitarian considerations of Western civilization provide no clues to the rationale for the Soviet decision to shoot down an off-course civilian commercial airliner which had been intercepted and had acknowledged its compliance with intercept procedure by flashing its navigation lights and dipping its wings.

American defense officials familiar with the Soviet military command structure say they have no doubt that if the Soviets had a hard and fast policy of shooting down every off-course civilian aircraft that blundered into the U.S.S.R.'s air space, K.A.L. Flight Seven would have been shot down over the Kamchatka Peninsula when it first entered Soviet airspace. They say the fact that 2.5 hours elapsed while the Boeing 747 maintained its steady course and altitude indicates, without the slightest doubt, that the decision as to what action to take was relayed far up the Soviet chain of command to the "big board" of the Air Defense Command in Moscow.

There is no question that Soviet Air Defense radar operators knew that the distinctive "blip" on their screens was the regularly scheduled Korean Airlines Flight Seven, and they undoubtedly had their radar eyes on the airliner when it first began to wander off course east of Kamchatka. Military radar operators get to know the regular civilian flight schedules by heart, and at least one Soviet emigré who did his military service as a Kamchatka radar man confirmed this. He said that the "blip" of an oddly configured giant aircraft like a 747, diverging from a regular airway at the time of a regularly scheduled commercial flight and flying at the usual altitude, would have been expected and could not have been mistaken for any other type of aircraft.

U.S. Defense Department officials also say that the commander of the Soviet Air Defense Forces in Military District 10 (Far East) would have been awakened and told of the intruder. At the very least, he would have referred the decision as to what to do back to Moscow where it was early evening. If the decision to destroy the airliner were purely a military one, the lowest possible level on which it could have been taken is by Deputy Minister of Defense A.I. Koldunov, Commander-in-Chief of the Air Defense Forces; or by his direct superior, First Deputy Minister of Defense N.V. Ogarkov, Chief of the General Staff.

Most Pentagon analysts of the Soviet military-politico command maintain that no order to destroy a civilian airliner, whose loss would inevitably precipitate a major international incident at a time when the U.S. Administration was starting to warm up relations with Moscow regarding a possible Reagan-Andropov summit and concessions in arms-control negotiations, could have been given without Politburo-level approval. This means with the concurrence of Soviet Minister of Defense Dimitri F. Ustinov, who is not a military man but an apparatchik of the Communist Party of the Soviet Union with long years of political experience on the Politburo and one of Yuri Andropov's main allies.

So we are back to asking what factors might have brought about the decision to destroy Flight Seven.

Scenario One: K.A.L. Flight Seven was a target of opportunity whose destruction was likely to provide the Soviets with long-term political gains. First, shooting down a civilian airliner scheduled to land in Seoul, South Korea, on the 30th anniversary of the signing of the U.S.-Korea Defense Treaty could have been intended to throw South Korea's elaborate celebration plans into mourning, to frighten and intimidate South Korea with the message that, despite Seoul's alliance with Washington, Moscow was the Eastern superpower and could act as brutally as it wished, whenever it wished.

The same lesson would be taught to all the other Asian nations aligned with the U.S. Especially Japan, against which the Soviets have in the past two years resorted increasingly to threat and intimidation to galvanize Japanese pacifists into action against Prime Minister Nakasone's efforts to increase Japan's Self-Defense Forces.

Secondly, later this fall, President Reagan is to visit Japan, South Korea, the Philippines, and other Asian allies. A callous attack on an unarmed civilian airliner which became a target of opportunity might cast a pall over the American efforts to strengthen our Pacific alliances.

If this was Soviet thinking, it very badly misfired—producing exactly the opposite results. The incident has strengthened the anti-Communist alliance in the Far East and encouraged further military preparedness. It is inconceivable that it would have had any other result, and the Soviets would have known that.

Scenario Two: The Korean Airlines flight was a target of opportunity seized upon by Soviet military "hawks" led by Defense Minister Ustinov and his generals who wanted to embarrass Andropov, undermine his summit preparations, and generate Politburo pressure to oust the former K.G.B. chief and install a military leadership.

If so, heads will roll. The scenario is extremely unlikely.

Scenario Three: The Soviet military is run by drunken incompetents, so that: (a) the radar operators thought the Boeing 747 was a U.S. B-52, an A.W.A.C.S. spy plane, or a RC-135 reconnaissance aircraft; (b) the interceptor pilots could not see the red and white K.A.L. insignia (although there was a half moon, a clear sky, and they were flying so hard alongside the passenger airliner they couldn't fire their missiles until they veered off and dropped back); and, (c) therefore Soviet Air Defense commanders ordered the aircraft destroyed as a hostile invader rather than trying to force it down and capture the "spy" equipment and crew.

In this version, the destruction of a "military spy plane" would inhibit the U.S. from future efforts to conduct low-level intelligence missions over Soviet air defense or nuclear-missile submarine, naval, and other military installations.

But we have the recording of a Soviet pilot identifying the plane as a K.A.L. airliner.

Scenario Four: The Soviet Air Defense Force commander decided on his own to order the aircraft shot down knowing it was a civilian passenger flight because this action is embodied in inflexible standing orders issued after the 1978 incident in which a K.A.L. flight wandered off course for 1,000 miles through the Soviet Arctic and was shot down, with only two lives lost, over a frozen lake.

With so much at stake, and given both the long delay and the orders from the ground, this is unlikely.

Scenario Five: The Soviets are telling the truth in claiming that they believed the K.A.L. Boeing 747 was a spy plane since Aeroflot, Cubana Airlines, and all the satellite airlines are routinely used for spying on Western military facilities. Thus the Soviets assumed that the off-course K.A.L. Flight Seven was a spy plane after some closely held Soviet military secrets on Kamchatka. Soviet high military and/or civilian leaders decided that the aircraft had to be destroyed to protect secrets inevitably revealed to the aircraft and its passengers.

However, Pentagon officials who daily view information sent back by U.S. surveillance satellites say that the region is no more "strategic" than any other section of Soviet border, and that although the plane flew south of the Petropavlosk-Kamchatkiy submarine base, there is nothing of significance a civilian aircraft could see at night that the various types of military satellites can't see a thousand times better.

Pentagon officials also agree that there is nothing of exceptional interest on Sakhalin Island.

Scenario Six: The K.A.L. airliner entered Soviet airspace because it was being hijacked to Pyongyang by a North Korean agent who did not expect any problem from Soviet interceptors. The Soviet K.G.B. or the Air Defense Forces were not told of the plot to embarrass Seoul and the Soviets put into effect one of the preceding scenarios. Again, far-fetched.

But all of these scenarios, plausible or implausible as they may be, ignore the fact that K.A.L. Flight Seven carried America's most important anit-Communist leader. So now let us examine the last scenario;

Scenario Seven: Soviet electronic countermeasures were employed to lure the Korean Airlines jet into Soviet airspace so that it could be shot down, the Soviets having determined through agents in the U.S. or South Korea that Congressman Larry McDonald and other Conservative leaders were booked on K.A.L. Flight Seven. The Soviet Politburo intended to eradicate in one heinous blow key members of the Conservative leadership in the U.S. Congress. If Moscow knew about last-minute travel changes, it decided to go ahead and "liqui-

date" the primary leader, Dr. McDonald, in the expectation that without him his forces would fall apart.

Veteran intelligence professionals say there are some basic questions that must be answered, including.

Who made the bookings for Larry McDonald to take that flight?

Who knew about it in the U.S. and South Korea?

How did it come about that the other members of the delegation changed their flights?

When did that plane last make the Flight Seven trip to Korea and what was its servicing record?

Who were the crew members?

What is contained in the full and complete transcripts of the Japanese and U.S. intercepts—the signals intelligence?

Was there unusual K.G.B. activity in Washington during the flight that might indicate special interest in the passenger manifest?

Was there evidence of additional communications with Moscow during the 2.5 hour overflight?

Did the U.S. or Japan monitor or have any indication of electronic countermeasures against the aircraft?

These and many other questions must be answered, because every American leader must now ask: "If I stand up against the Communists, will I also be killed?" In their hearts, they know that the Cold War is over and that the smoldering that presages flame has begun.

ECONOMICS

(By Clarence B. Carson)

It is not in me to write my usual column. Life must go on—that I know—but for now, let me pause to pay tribute to a fallen warrior, and to search among the wreckage in which he fell for those meanings which may help us all in returning to his battle with renewed vigor. My heart is heavy, as are those of many others, at the untimely death of Congressman Larry McDonald.

I look to the thrust of Larry's life both as a means of coming to terms with the monstrous circumstances of his violent death and for inspiration to fight on without him. At times such as these it appears, as was written of old, that there is no balm in Gilead. But I tell you it is there, for it is also written:

Blessed are they which do hunger and thirst after righteousness: for they shall be filled . . . .

Blessed are they which are persecuted for righteousness sake: for theirs is the kingdom of heaven.

Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake.

Rejoice, and be exceeding glad: for great is your reward in heaven: for so persecuted they the prophets which were before you.

It was not given to me to know the heart of Larry McDonald, if indeed we can ever know the heart of any man. Yet men are such that by their outwards we may know something of their inwards. The same Jesus of Nazareth who said that "Blessed are they which do hunger and thirst after righteousness" also said that by their fruits you shall know them. Dr. McDonald's whole life's work was a testimonial to his hunger and thirst for righteousness and for justice—for his own country, for the civilization to which it has belonged, and beyond that to every land in the world. Even at the moment before Communist fighter planes hurtled him to his death, he was rushing to far-off Korea to bolster a people whose border is at the dike holding back the tide of Communist totalitarianism.

Larry McDonald not only longed for righteousness but also stood for the right. More, he was a force for right. From the moment he took his place in Congress, he stood rocklike for constitutional Government, voting time and time again both to restore the Constitution and to turn back new violations of it. He was a Democrat of whom Republicans could be proud, a Democrat in the great tradition of Jefferson, Jackson, and Cleveland, concerned to limit government to its assigned role. He not only professed belief in individual liberty but also understood that freedom is only possible under limited government. How lonely he was in the House of Representatives, and how courageous his votes were in the face of such overwhelming majorities against him. Yet he never faltered, for he never looked to majorities for confirmation of what is right.

It is not enough to stand for the right, however; it is necessary also to stand against the wrong. That Larry McDonald did, steadfastly and fervently. He was an anti-socialist, anti-Fascist, anti-Communist, and an anti-totalitarian. He was National Chairman of The John Birch Society. He founded an organization, Western Goals, whose motto was ". . . to rebuild and strengthen the political, economic, and social structure of the United States and Western Civilization so as to make any merger with totalitarians impossible."

Larry understood that Communism is by its very nature totalitarian, that it advances and holds power by terror and violence, and that the tide can be turned against it only by an intelligent and determined struggle. He understood the hidden machinations and seductive devices by which Communists gain sway, and he labored to expose them. Communism had both a knowledgeable and implaceable enemy in Larry McDonald. The Soviet Communists silenced him in the only way they could: by a stealthy and dastardly assault in the dark of night upon a peaceful passenger plane.

Yet Congressman McDonald was reviled and persecuted of men. For his tenaciously principled stands for the right in Congress, he was reviled as inflexible, a "rightwing extremist," a reactionary, a person not to be reckoned with but to be ignored. So he was by the Left. Although he was elected time and again from his District, he was appointed to only one Committee, the absolute minimum.

It was Larry McDonald's way, though, to ignore the slights, to join in efforts with those friendly to his cause, and to stick to the business of revitalizing America, holding fast to that which is good, and becoming a center to which the wise and honest might repair.

We are bidden to rejoice and be exceedingly glad for those who have hungered and thirsted after righteousness, but have been reviled and persecuted for their best efforts. Great is their reward in Heaven. Indeed, our hearts are not heavy for Lawrence P. McDonald. We are deeply saddened by the untimeliness of his death, angered by the callous and brutal killing, appalled by the circumstances of his remains, and grieved for the widow and fatherless children he left behind. Yet let us remember that his thirst is now being slaked, his hunger relieved, and his longings fulfilled in a better place.

But our hearts are heavy, because the burdens he bore with such assurance and grace have now shifted to our shoulders. If we are less able than he, less filled with a clear vision, less tenacious in the pursuit of our goals, his death can only be a signal to us to redouble our efforts in the knowledge that his barbarous murder by Communists only dolefully confirms the rightness of the whole thrust of his life.

Mr. SYMMS. An important foundation of Judaeo-Christian civilization is that men must take appropriate action in response to crime. Even a child knows that transgression merits punitive measures in response. The American people and all civilized nations demand that strong punitive action be taken against the Soviet Union. Punishing this Soviet crime with real sanctions will help to preserve world peace.

The Soviets have now stated clearly and publicly that they intend to shoot down any unarmed civilian airliner that may inadvertently stray into their airspace. This is contrary to international law, as well as their own law, as Senator HELMS has pointed out. President Reagan, our distinguished colleague Senator BAKER, and all the world agree that America must show the Soviets that this kind of behavior and threats of repetition are simply unacceptable, and will not be allowed to recur without severe consequences.

The whole world realizes that the recent Soviet shoot-down of an unarmed commercial airliner violates all accepted norms of international law, and is outside the scope of civilized behavior. This deliberate destruction of the Korean airliner on the part of the Soviets was an act of war against the whole world. But such action is only symptomatic of the previous record of the Soviet Union. As leaders of the free world, we must act to deter repeated Soviet crimes against innocent people around the world. The most important question then is how best to deter repeated Soviet barbaric behavior.

History shows that the Soviets are only deterred by firmness and punitive actions. Words and rhetoric are appropriate, but do not deter them. Words are simply ignored and forgotten. Indeed, only firm U.S. deterrent action will have a meaningful, lasting impact and help to keep world peace. Strong rhetoric and words followed by no sanctions will in fact be dangerous to the peace, because the Soviets will only be encouraged to continue in their present course of world aggression. Punitive action calibrated to punish the crime will in fact preserve the peace better than any other course of action.

As President Reagan himself asked on September 3, 1983:

What can we think of a (Soviet) regime that so broadly trumpets its vision of peace and global disarmament and yet so callously and quickly commits a terrorist act that sacrifices the lives of innocent human beings?

What can be said about Soviet credibility when they so flagrantly lie about such a heinous act? What can be the scope of legitimate mutual discourse with a state whose values permit such atrocities?

The President's questions are profound, and they deserve answers and action from the Congress. I wish to emphasize that the President has called into question "business as usual" in our relations with the Soviet Union. We simply cannot continue the status quo in our relations with the Soviets. We must change our discourse with the outlaws.

Our distinguished colleague from the House, Larry McDonald did not die in vain. He would ask us now to take real, substantive action, carefully measured to prevent repetition of the crime. We must above all change the tone and actual substance of our discourse with the outlaw Soviet nation, as the President himself has suggested.

The Soviets are again banking on the fact that the people of the Western World have short memories. Throughout the 66-year existence of the Soviet regime, the world community has time and again expressed indignation and outrage over atrocious acts that consistently have become standard methods of operation for the Soviet system.

From the oppression of their own citizens, the construction of the Berlin wall, the ruthless quashing of the freedom struggles of Hungary and Czechoslovakia, the Cuban missile crisis, the invasion of Afghanistan, the crushing of Solidarity in Poland, the use of inhumane chemical warfare in Southeast Asia and Afghanistan, and genocide in Cambodia. The world seems always to look away. The Soviets, it is safe to say, have never been truly set back by any of the free world's reactions to their incredible history of aggression and relentless pursuit of their longstanding geopolitical goals. Their well-founded belief is that emotions in the West are short-lived and that past policies of appeasement will resume. The President's outrage must be met by appropriate action. We must demonstrate that barbarism has consequences more damaging than mere bad publicity.

If any good can from this terrible tragedy, it will be increased public understanding and support for President Reagan's national security and foreign affairs objectives. I intend, and I hope the Congress intends, to give full support to the President's defense and foreign policy proposals. It is these proposals which offer the best long-term protection to our scared freedoms. In addition, the measures that I and my colleagues will discuss today will support the President's initiatives, and demonstrate our national resolve to keep the peace and to deter any future incidents of Soviet transgressions.

The distinguished Senator from North Carolina, the distinguished Senator from Colorado, and myself have submitted an amendment which would be added to the current pending business of the day. That would state, very simply, that we should—

recall the United States Ambassador to the Soviet Union for urgent consultations and reduce the number of Soviet diplomats accredited to the United States to the number of United States diplomats accredited to the Union of Soviet Socialist Republics.

What this is saying, Mr. President, is that if they have some 320 people in this country, diplomats, many of which are KGB agents, many of which they have invested a great deal of time and money in to put them in positions they are in. We know who these people are—these would be the ones we should ask to leave the country to get it back in line with the amount we have.

After all, we are an open society. All an intelligence officer has to do in the United States to get 95 percent of his information is read the newspapers and follow the vast plethora of information that is available to all Americans due to our free press in this country, which we all so fondly cherish.

I think that, in a closed society like the Soviet Union, there is more reason for us to have more people in their country than there are for them here in our open, free country. But, we have only two for every three that they have here. I think we should put that back in order at parity—one Soviet diplomat for one American diplomat.

The President should "conduct a comprehensive reappraisal of the complete spectrum of the United States-Soviet relations, including arms control, human rights, East-West trade, and regional issues."

The President should "report to the Congress on the record of the Soviet compliance or noncompliance with the letter and spirit of all existing strategic arms limitation talks (SALT) agreements and other arms control agreements to which the Soviet Union is a party."

No 4, he should—

direct the United States negotiators at the strategic arms reduction talks at Geneva to link the possible success of such talks with the willingness of the Soviet Union to abide by international law as a responsible member of the community of nations, paying specific attention to the KAL 7 massacre, Soviet violations of the Helsinki accords, the Soviet invasion and subjugation of Afghanistan, the repression of Poland and its free labor movement, and the use of chemical and biological weapons in contravention of existing treaties;

(5) reemphasize the inconsistency of the Soviet military presence in the Western Hemisphere with the Monroe Doctrine;

(6) declare Poland in default on all or a part of the debt owed to the Commodity Credit Corporation, recognizing that Poland is an integral part of the Soviet economic empire and that financial credit is an element of national strategy.

What we are saying here is that if the Soviets are so bound and determined to dictate to the Solidarity unit of the people in Poland how they live, let us let them finance it.

(7) tighten substantially the foreign policy and military controls over the export of machine tools, high technology products, and equipment for the development of Soviet oil and gas resources; and

(8) direct the Secretary of the Treasury to use existing statutory authority to prevent the import of any product or material produced in the Soviet Union unless the President certifies that it was produced without the use of forced labor.

That law has been on the books for a long time.

I wish to reemphasize to my colleagues that this is in a resolution that will be added as a new section, section 2, and it says that: "It is the sense of the Congress that the President should."

This gives the President, in my judgment, more resilience, more resoluteness, more support from the American people if we add these words to this resolution today. It will demonstrate to the world and demonstrate to the Soviets that we will not tolerate this kind of action and behavior and that these measures are aimed to have an impact on the Soviet Union.

What is happening right now in the Soviet Union is that the Soviet people are not even told the truth about what their own government's policy is. They are being told that it was the fault of the United States that the airplane was shot down. They are being told lies upon lies upon lies, and they have no way of knowing this.

But if we do some of these things, the leadership of the Kremlin may not like it, but I think they will respect it. I think that we would be wise in adding this sanction language to this resolution. It will in no way interfere with the President's ability to discuss with the Soviets anything that he thinks is important for us in terms of arms agreements or any other thing. It will in no way limit the President's ability to conduct the foreign policy. It will only strengthen his hand to be the Commander in Chief and to be the leader of the United States and the free world.

Another point, Mr. President, yesterday, President Reagan was asked publicly if the Soviets were violating the 1962 Kennedy-Khruschev agreement which ended the Cuban missile crisis. President Reagan answered:

As far as I'm concerned, that agreement has been abrogated many times by the Soviet Union and Cuba in the bringing of what can only be considered offensive weapons, not defensive, there.

The Washington Post of today, September 15, 1983, stated that a Cuba expert maintained that it was the first time any administration had accused the Soviets of violating the agreement that effectively ended the 1962 Cuban missile crisis. This statement, however, is incorrect. There in fact have been four previous similar accusations by the Reagan administration. President Reagan himself previously stated on national television in June 1982:

You know, there's been other things we think are violations also of the 1962 agreement.

In March, 1982, CIA Director Casey stated that the "1962 Kennedy-Khrushchev agreement has been violated for 20 years."

Also in March 1982, the then-chairman of the Joint Chiefs of Staff, Gen. David Jones, testified to Congress:

We (the JCS) interpret Soviet actions in Cuba as a violation of the 1962 Agreement.

Jones added:

They have gone beyond the 1962 accords.

Again, in March 1982, Under Secretary of Defense Ikle testified to Congress that the 1962 agreement had been eroded away to nothing by Soviet actions, and he confirmed the accuracy of press reports of a Soviet nuclear delivery capability from Cuba.

Mr. President, the significance of these Presidential and other authoritative official statements is great. They reinforce the importance of a report to Congress on Soviet noncompliance with SALT and other arms control agreements.

Second, if the Soviets are really violating the very agreement which brought the world back from the most dangerous nuclear crisis ever in history, then, this fact has enormous implications. It reinforces the absolute vital necessity of U.S. sanctions against the Soviets, now, before it is too late to stop further Soviet transgressions.

Mr. President, it was just across the Capital about 1 year or so ago when President Reagan spoke to the Congress. He said:

If not us, who? And if not now, when are we going to take action?

I think that, with this heinous murder of 269 innocent people and one of our colleagues, without a doubt, no time would be more appropriate for the Congress of the United States to take some resolve and some strong action.

What this country needs, Mr. President, is resolve more than anything else. The question that we are facing is will. Do we have the will to resolve to maintain our freedom here in the United States of America and help those friends of ours in the free world who also want to maintain their freedom? There can be no peace in this world without freedom. There can be no peace unless the Soviets can be made to be civilized. Mr. President, I would say to my colleagues if we fail to act today, to take some strong punitive action on the Soviet Union, in my judgment we are failing and passing up an enormous opportunity to expand true peace in this world which can only be found with freedom. We have to take sanctions to deter the Soviets from further transgressions against law and peace. We have to be on the offense with ideas. We have a better way of life in the free world than our fellow human beings have who live under the heel of Communist tyranny in the Soviet Union, under the dictators in the Soviet Union.

I think it would be a real tragedy if we do not take strong action today so that the Soviets will at least feel actual sanctions and punishments and will actually have something happen rather than just strong rhetoric. If we only give rhetoric, they will be laughing in the Kremlin tonight.

Mr. President, I ask unanimous consent that the following press articles supporting my amendment be printed in the RECORD:

First, George Will, "Needed; a Policy of Punishment," Newsweek, September 12, 1983.

Second, William Safire, "Sticks and Stones," the New York Times, September 8, 1983.

Third, "Suspend the Arms Talks," the Wall Street Journal, September 13, 1983.

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

[From Newsweek, Sept. 12, 1983]

NEEDED: A POLICY OF PUNISHMENT

(By George F. Will)

The shocking thing is how shocked people are. The day the Soviet regime murdered another 269 persons was the 24,041st day since the regime was founded. Since 1917 the regime has killed at least 20 million of its own citizens, an average of more than 800 a day for 66 years. Unless the Red Army massacred another Afghanistan village last Thursday, the regime had a below-average day of blood.

Why are people so startled when the Soviet regime acts in character? Nothing in nature—not even granite, which water wears away over time—is as durable as illusions grounded in a desire to avoid facing nasty facts. Oh, yes, with metronomic regularity the Soviet Union does shatter some Americans' illusions. But Americans are a manufacturing people, so they manufacture new illusions about Soviet willingness to move up from barbarism. In 1979, after 62 years of domestic carnage and international gangsterism, the Soviet regime invaded Afghanistan, and the president of the United States said gosh that sure opens my eyes.

Why did the Soviet regime, after 2½ hours of thinking about it, murder another 269 persons? Well, why not? The benefits are clear enough (the benefits of intimidation, especially of Japan), and the costs are almost certainly going to be negligible, and brief.

The Soviet deed has been the subject of a U.N. debate. For the Kremlin that was an ordeal akin to being bombarded with marshmallows. Thank God it is not December or some dunce would suggest dimming the national Christmas tree. The state of Ohio, which has a better foreign policy than the United States, has removed Russian vodka from state-run liquor stores. Perhaps the 269 murders will complicate the process of subordinating foreign policy to presidential politics. Perhaps it will now be harder for the president to sally off to an election-year summit and sign an arms-control agreement ruined by American eagerness. But summits and agreements have no noticeable influence on the behavior of the Soviet rainmakers—the "yellow rain" rainmakers.

IMPARTIALITY

The World Council of Churches has not yet had time to condemn Korean Air Lines for aggressively bumping into Soviet air-to-air missiles, but various other "peace" parties, with the impartiality for which they are famous, have announced: The Soviet deed proves the irrationality of "the superpowers" and demonstrates the paranoia to which U.S. policy has driven the Soviet Union. So everyone must disarm, starting now, starting here.

The cotton-candy language of journalism spreads a sticky goo of imprecision over events like the attack on the plane. It has repeatedly been referred to as a "tragedy." No, when children die of leukemia, that is a tragedy. When they are blown to bits by an act of state, that is an atrocity, and one worthy of Hitler's former allies. But too many persons by now have too large a stake in muzzy language. Remember the merry disdain that showered down upon President Reagan when, in his first press conference, he talked about how the Soviet Union lies? "There you go again," said his cultured despisers, when he recently referred to the "evil empire."

His words are fine, but he has not got a policy worthy of them. What is needed is a policy not merely of punishment, but of steady deterrents and leverage. A suitable policy, one that was desirable even before this atrocity, is at hand. But the hands of this administration are not apt to reach for it at this late date.

Felix Rohatyn, the investment banker and Democratic thinker, says: The Soviet Union has shot down an airplane. We should shoot down a Soviet-controlled country. Western governments should nationalize the loans Western banks have made to communist countries. The governments should buy up the debts at a substantial discount—at, say, between 25 and 50 cents on the dollar (that is between 25 and 50 cents more than some of them are worth). Then it should declare Poland in default, drying up the flow of credit to that country and slowing the flow to all other Soviet satellites.

This would give the banks a little liquidity—more than they deserve, given their irresponsibility. It also would force them to quit cooking their books, pretending that virtually irrecoverable loans retain their full face value as assets. But the principal benefit would be for foreign policy.

Credit is a strategic weapon. Like other strategic weapons, it should not be in private hands. Credit for communists should no more be controlled by private banks that the MX should be controlled by Hertz Loans—if any—for the East bloc should be government to government, so that Western policy will no longer be hostage to commercial calculations.

BELLY UP

Were credit nationalized, we could say to the Kremlin: You want credit for your basket-case economies? Fine—but it will be contingent on reductions in defense spending. You reject such linkage. Fine—you pay for Poland, and have fun when Romania goes belly up.

During martial law Poland received from the West a substantial subsidy: its debts were rescheduled. The Reagan administration is a shameful subsidizer: Poland has not paid debts owed to the U.S. government, yet the United States has not put Poland in default. Some bankers say that forcing default would be too kind to Poland, because it would wipe the slate clean. Poland's regime knows better; otherwise it would declare default on its own. Poland today is receiving, in effect money at 6 percent from the West while Americans pay more than twice that for mortgages. If Democratic candidates cannot make an issue of that, they should be burned on a pyre of their bumper stickers.

The Soviet Union suffocates entire nations without even a suspension of subsidies from the West. What has it to fear from reaction to the annihilation of a mere plane load of people? A regime whose essential policy is intimidation has added another brutality to its repertoire. But the diplomatic minuet will continue, from Madrid to Geneva. The grain shipments will continue and so will the subsidized sale of "nonstrategic" goods—as though such a distinction makes sense regarding a totalitarian nation with a command economy entirely subordinated to militarism. Faster than a heatseeking missile, there will be business as usual, especially for business.

[From the New York Times, Sept. 8, 1983]

STICKS AND STONES

(By William Safire)

WASHINGTON, September 7—A U.S. President, in response to the Soviet massacre of 61 U.S. citizens traveling under the protection of U.S. passports, has sounded off more fiercely than Theodore Roosevelt and has acted more pusillanimously than Jimmy Carter.

Never in the course of Presidential history have so many bombastic words been accompanied by so much handwringing and such little action. No wonder dovish commentators have been lavishing praise on Mr. Reagan's decision to limit his reaction to an orgy of oratorical self-righteousness: no matter what the provocation, the march to the election-year summit must go on.

Here is what happened near the Soviet-Japanese border. Our electronic ears told us that a major Soviet missile test was in its beginning stages; as usual, one of our RC-135 spy planes was sent up to observe the test from a position well outside the Soviet Union. At the same time, the Korean civilian jumbo jet wandered off course into the area. Preparations for the missile test were promptly shut down; as that mission was scrubbed, our reconnaissance plane returned to its base.

The local Soviet air commander asked Moscow what to do about the civilian jumbo jet about to exit Soviet air space going toward Japan. From this point on, I'm speculating: a high defense official recalled the embarrassment within the Soviet military a few years ago when a lost aircraft penetrated 1,000 miles into Russia without being challenged. With the Korean plane about to escape unharmed, he went by the Soviet book and shot it down with little concern for the 269 human beings aboard. The Soviet leadership then went into its hunker-down mode and blundered into demonstrable lying.

Here is why Moscow did not permit search-and-rescue efforts and will not allow other nations to help bring up the wreckage: The K.G.B.'s disinformation unit will now create and plant "proof" that the airliner was on a spying mission. We can expect Western electronic spying gear—perhaps an artfully recreated recording in a Boeing black box—to be dunked in salt water and then "recovered" from the real wreckage. That Russian perversion of the truth will be believed by the Soviet peoples and their fellow travelers until another Khrushchev surfaces to discredit the Andropov regime.

Why then, in the light of Soviet policy to shoot lost civilians as spies and to tough out protests, does Mr. Reagan fulminate fulsomely on television without calling for significant economic or diplomatic retaliation? Because our President sees this merely as a propaganda opportunity that will help him undercut the freeze demonstrations in Europe and bolster his MX vote in the House.

Mr. Reagan's political operatives and State Department détenteniks fail to see that after he has finished glorying in our victimization, and after he has milked the incident for all it is worth in "world opinion," Moscow will once again have shown that no aggressive action it undertakes is likely to cause it pain. Invade Afghanistan, get a double-sized grain deal complete with groveling by the Reagan Secretary of Agriculture; execute hostage airline passengers, get not even the cancellation of a meeting between Foreign Ministers. We make debating points in the U.N. while the Kremlin effectively intimidates the world.

No, we should not cancel arms control talks or break off relations. But the President can do more than set his jaw while he offers his other check. To affect Soviet behavior, we must demonstrate that barbarity has consequences beyond bad publicity.

For example, Mr. Reagan has just O.K.'d the sale of American pipelaying equipment to help the Russians construct their strategically potent gas pipeline to Europe. The excuse: If Caterpillar didn't get the business, the Russians would buy from the only other supplier, the Japanese. But Japan has been insulted in the airline massacre; might that Government not agree to join in withholding sales in memory of the 28 Japanese who were murdered? No such obvious suggestions for economic retaliation have even been placed before Mr. Reagan.

Similarly, we have been going along with the cottage industry built up around the Helsinki Final Act. We traded recognition of Soviet World War II gains for human rights promises that turned out to be farcical. Mr. Reagan should inform the meeting in Madrid that his Secretary of State will not only refuse to sign more documents, but will begin the process of rescinding U.S. approval of the pact that the Russians have so often violated and mocked. Its propaganda value is now nil; let's get back what we paid.

Only a President with a hard-line image could get away with the empty posturing of Mr. Reagan as he dithers noisily through his first Soviet challenge. Makes you wonder: Would the dovish Mr. Mondale or the owlish Senator Glenn be under pressure to talk less and do more?

[From the Wall Street Journal, Sept. 13, 1983]

SUSPEND THE ARMS TALKS

In the wake of the Soviet murder of 269 people on the Korean airliner, something approaching an official consensus holds (a) we need to find some stronger way to react and (b) we shouldn't let the incident interfere with arms-control negotiations. This is the first clue that the one proper reaction is to suspend the arms talks.

Now of course, the president was quite right not to do anything so dramatic in his first reaction to the incident; this is something to be done with due deliberation rather than an instant response. And of course, we do have to learn to live on the same planet with the Russians, and need to keep open the long-run possibility of reaching arms agreements with them. But in trying to accomplish any such ends, the absolute key is finding some way to induce the Soviets to modify the belligerent and deceitful behavior so vividly demonstrated in the airliner incident, and so often repeated in the arms negotiations themselves. It is no service to the eventual prospects of arms control to suggest that we are willing to tolerate this kind of conduct.

Consider for a moment the range of Soviet actions concerning Flight 007: First the barbaric decision to shoot down the airliner because it intruded on Soviet airspace. Then a flood of lies and denials. Then the bluster that they, not the 269 dead, were the wronged party. Finally an admission that yes, they did "end" the Korean flight. Then a briefing by their top general putting the blame on the U.S.—no doubt to be followed by forgeries to support the wholly implausible accusation that the U.S. would send a civilian airliner on an intelligence mission. Finally, a declaration by their foreign minister, at a conference supposedly devoted to human rights, that given a chance they would do the whole thing over again.

Now consider that these are the same people we are negotiating with over the nuclear balance.

And in fact, if you review the history of these negotiations (see alongside) you find a pattern of behavior entirely consistent with that displayed in the airliner atrocity. By now it has become quite clear that the Soviet purpose in arms control talks is anything but codifying strategic parity and nuclear stability. From the first they have used arms talks for one purpose and one purpose only: inhibiting U.S. weapons development while leaving their own unfettered. They have been remarkably successful at reaching treaties that foreclose technologies in which the U.S. had an advantage; they stopped the antiballistic missile in SALT-I, and ever since we have been trying to cope with the problem of Minuteman vulnerability. They have been equally successful in creating loopholes and ambiguities concerning their own advantages; for example by refusing to define a "heavy" missile in SALT-I, or by handling President Carter an unsigned slip of paper promising not to give their Backfire bomber intercontinental capabilities it already had.

When ambiguities have not sufficed, finally, the Soviets have simply violated the treaties with the same equanimity they display in shooting down airliners. Indeed, in one way the national uproar over the Korean airliner leaves a bitter taste in our mouths. The State Department has estimated that through 1981, more than 6,000 people died

in Laos alone from "yellow rain" or other biological or chemical agents used in violation of the Geneva protocal and biological weapons convention. Where was the uproar then, except in these columns? Why now is it everywhere, over so far fewer casualties? Our moralists are not concerned with stone-aged Hmong in the Phou Bia mountains, but they do ride in 747s.

After seeing what it is like to talk to the Soviets about downed airliners, finally, consider what it is like to talk to them about their compliance with arms treaties. Space satellite photos recently revealed a new large phased-array radar near the Siberian village of Abalakovo, capable of ABM battle management and near Soviet intercontinental missile fields. This is clearly a violation of specific and detailed provisions of the SALT-I treaty. When we protested, the Soviets blandly replied that it is a space-tracking station. From the radar's orientation, our analysts consider this implausible. The Soviet response is a lie like those told in the airliner episode, but what are we to do?

Let us offer our own prediction about the much-promised Soviet response to the impending deployment of Pershing missiles in Europe. They will haul out the ABM interceptors to match this and other ABM radars, and tell us their ABM does not violate SALT-I because they only intend to use it if attacked by theater missiles, not intercontinental ones. What will we do then?

The arms-control negotiations, like air-traffic regulations, have been distorted by fundamental asymmetries. We are an open society and the Soviets are a closed one. We seek the rule of law, while their official morality, as proclaimed by their venerated Lenin, is that what is moral is whatever serves the interest of the class struggle. A lie about an airliner or a radar is not a necessary breach of ethics, it is the one moral course of action.

Under these circumstances, we have undertaken to police the compliance of both sides of arms-control treaties. We are of course expected to abide by their provisions, and if the Soviets cheat we are expected to catch them. this is a burden we cannot sustain in the face of the lies and bluster the world has witnessed this last week. The meaningful reaction to the airliner atrocity is to step back to assess the entire range of our relations with the Soviets, to educate the public and our allies on how the same attitudes and behavior have tainted the arms-control talks. We should say that these negotiations cannot be serious until there is a change in Soviet attitudes and Soviet behavior, and we should bring our negotiators home until the Soviets show some evidence of moderating the brazenness that is now so clear to the world.

Yes, we know, if the taboo about interfering with arms control is breached the allies will yowl. The politicos in the White House will have to give up the notion of a summit to grab the peace issue by next November. Some scribbler will call President Reagan a cowboy. Those are the prices of leadership. For our own part, we have enough faith in democracy, both here and in Europe, to believe that the electorates will understand that however desirable arms negotiations may be, they require good faith on both sides.

Tolerating the kind of Soviet behavior displayed in both the airliner shooting and the ongoing negotiations will not produce meaningful treaties to control arms. It is precisely because we want real agreements that we need to break this pattern, to rely for the moment on the balance of military power to secure deterrence, and to come back to arms negotiations at a more opportune time. That is when, perhaps with a change in the Kremlin leadership, there is some reason to believe the Soviets are ready to turn serious.

Mr. MATTINGLY addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. MATTINGLY. Mr. President, the wanton destruction of Korean Air Lines flight 007 and the murder of the 269 innocent civilians has shocked the global community's sense of decency; it has shattered the image that some Americans had of the Soviet leadership; and it has resulted in a widespread demand for a reappraisal of U.S.-U.S.S.R. relations.

I joined with millions of other people around the country and the world in offering prayers for those who were aboard that flight and in sending my condolences to the families and friends of the victims. As is so often the tragic case, the horror of this incident was emphasized by the fact that among the lives that were lost were those of infants and children.

The people of our Nation as well as the Congress must now grapple with and attempt to grasp the meaning of this despicable act. There are those who have already issued calls to put the incident behind us and resume business as usual with the perpetrators.

I disagree; I most emphatically disagree.

The Soviet leadership has demonstrated once again in a particularly repugnant way that they use a different moral compass from that of the United States. The President has called the Soviet Union an evil empire. He correctly noted that its leaders will lie, cheat or do whatever else is necessary in order to advance Soviet interests. The leaders of the U.S.S.R. clearly place the sanctity of borders above that of human life, above children's lives. We attempt to live our lives and govern our conduct on the basis of a Judeo-Christian moral code; Soviet moral precepts are based strictly on an assessment of what will advance the class struggle.

Nowhere were these differences more evident than last week in Madrid when the Soviet Foreign Minister stood before a world aghast at the actions of his country and heard him brazenly assert that not only would the Soviets not apologize, they would not hesitate to shoot down unarmed civilian aircraft in the future.

In the wake of this latest Soviet toll of human lives and grief, the President has acted deliberately and moderately. That is probably as it should be. However, now that those initial sanctions have been placed and the Congress has had time to begin its assessment, further action is demanded.

Not to revenge those who were so unmercifully killed, but because the Congress must demonstrate its implacable opposition to such callous, wanton behavior; to the leadership that perpetrated it; and to the ideology that fostered it. It is up to the Congress to demonstrate that it will not countenance a return to business as usual.

The Soviet regime now has a choice: It may either continue as an outlaw nation, a pariah banned from association with the free world, or it can elect to change its behavior, to conclusively demonstrate its willingness to abide by basic moral and civil standards, and to peacefully coexist with the global community.

That is the choice that should be presented to the Soviets by this administation and by the Congress.

We do not seek confrontation through such a process. Indeed, we have had confrontation thrust in our face and our response, as I have said, was mild given the level of provocation.

What we do seek is a modification of Soviet behavior; a recognition by that nation that we will not tolerate its aggression, terrorism, and degradation of human rights; a recognition that such activities will cost the Soviet Union and that cost will include explusion from the affairs of the civilized community.

Only through the demonstration of such resolve can the United States expect the Soviet Union to recognize that the costs of its murderous policies outweigh their gain. And it is at that point that we might have a serious chance to reach agreements at the negotiating tables.

So, the resolution before us should be viewed only as a first step. We should plan to continue our efforts to sanction, and to condemn the Soviet Union and its client states in any appropriate commercial, economic, or political fashion.

For example, Mr. President, in the Banking Committee yesterday we held hearings on a $500 million loan guarantee and insurance package to Mexico, which I support. But Mexico plans to loan $55 million, to Cuba. I believe that we should reduce our loan guarantees and insurance to Mexico by $55 million. That is the type of action that is meaningful and that clearly signals U.S. intentions.

This resolution should be viewed, then, not as the last response of the United States but only the first.

The world has changed since September 1, 1983. The Soviet Union and its policies are recognized for what they are. Together, all the free world must make certain that moral, civil and free people stand and tell the story of democracy in order to preserve freedom.

Thank you, Mr. President.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, last month I chaired a delegation of nine Senators which visited the Soviet Union for purposes of further familiarization with that country and a frank exchange of views with Soviet officials. Our meetings included almost 2 hours with Presidium Chairman Yuriy Andropov—his first extended contact with U.S. officials since he assumed power 10 months ago.

In that meeting, there was some tough talk on both sides, and it was clear that in a number of areas we did little to influence each other's views. However, in one area—arms control in space—our meeting did raise the possibility of substantive progress. Chairman Andropov proposed a treaty which would: First, ban all weapons in space; and second, result in the dismantlement and banning of all weapons capable of attacking targets in space, including reconnaissance satellites. These are constructive goals, closely tied with the maintenance of unclear stability and clearly worth pursuing through careful negotiation. Accordingly, I returned to the United States cautiously optimistic about the new Soviet proposal, and determined to continue my own efforts to promote stabilizing arms control agreements between the superpowers.

Yet, as it happened, it was only hours after our delegation landed in Washington that the world heard the horrifying news that Soviet forces had—in a shocking act of brutality or incompetence—shot down an errant Korean airliner carrying 269 innocent men, women, and children. Already, the East-West climate had reached a point of dangerous stalemate, and this hideous waste of life—this massacre—has undoubtedly pushed the superpower relationship to a new low.

One of the troubling lessons of this episode is that the Kremlin is fully capable, because of its domestic political imperatives, of committing acts of gross stupidity in international political terms. World opinion might have been tempered by a serious Soviet effort to explain this event and a sincere Soviet apology. Instead, by stonewalling, the Kremlin will pay a high price in the diplomatic arena. In various degrees, anti-Soviet forces all over the world, particularly within NATO, have been strengthened. Unfortunately, this phenomenon cuts two ways. It may be reassuring to see the Soviets embarrassed and clumsy, and not the master propagandists they are sometimes portrayed to be. But their insensitivity to international opinion is deeply worrisome, and, in the setback to East-West relations, the entire world has lost greatly.

Still another lesson from this episode is that, despite the sophistication of modern technology, the specter of military miscalculation is not an idle fear but a real possibility. We may never know the whole truth, but Soviet commanders apparently committed a rash mistake which quickly worked to the profound detriment—in this case, political detriment—of their own country. Perhaps nothing, save a still larger tragedy, could better serve to remind us of the danger that a Cold War between hostile, nuclear-armed adversaries might, in the most unexpected way, suddenly turn very, very hot.

I strongly support the way President Reagan has responded to this dreadful tragedy. He has spoken forcefully, wisely casting the issue as "the Soviet Union against the world." Unfairly, I believe, It is not just a case of the Soviet Union against the United States. Approximately a fifth of the passengers in the plane were American. The other four-fifths were from other nations and the plane was a Korean airliner. So it really is the Soviet Union against the world.

Unfairly, I believe, he has been attacked from his political right on the grounds that he has done nothing. His rejoinder is to ask his critics what they would have him do, short of going to war. A grain cutoff, for example, would probably hurt us more than the Soviets, who would simply shop elsewhere—hardly an effective sanction. The same can be said of proposals that we cut off all diplomatic and negotiating contacts—a notion which surfaces from time to time but which I find particularly perverse. The more difficult our problems with another country, the more important it is that we have close communications and close relations. I felt that way at the time of Franco's Spain, when I felt we were stupid to withdraw our Ambassador. I have felt this way ever since. The more critical the situation, the more important it is that we have high-level contact. This notion, though, that we should withdraw diplomatic personnel is particularly perverse, in my view. We heard it, for example, with regard to the Helsinki conference in the mid-1970's; and yet the Helsinki Final Act and the subsequent followup conferences have provided a remarkably effective forum for shedding international light on Soviet abuses of human rights. Indeed, it was only because we had a Helsinki followup conference in Madrid last week that Secretary Shultz was afforded the opportunity to bring the full force of American displeasure to bear on Soviet Foreign Minister Gromyko in a global setting.

As to the future of the superpower relationship in the aftermath of this episode, we must, I submit, keep our eye on the ball—focused, that is, on what serves long-term U.S. interests. We may find some gratification in the current Soviet embarrassment, but self-satisfaction and pronouncements of moral outrage do not suffice as a national security policy.

We have before us, Mr. President, an arms control agenda that is not only full but ominous in the implications if we fail. It includes negotiations on strategic and intermediate-range nuclear arms, on space-related weapons, on chemical and biological warfare, on nuclear test bans, and on an array of confidence-building measures. Since arms control is not a zero-sum game, it is possible in each of these areas to envisage arms agreements which would enhance both our security and Soviet security simultaneously. Accordingly, it continues to be in our own American national interest to put the Soviets to the test of accepting reasonable terms and verification procedures on the full spectrum of arms control.

Three times, I pressed Chairman Andropov on this question of verification, whether there would be adequate verification included in the proposal with regard to the banning of antisatellite weapons. He said he believed there would, that they would accept that. We must understand that we are all fellow passengers on this planet and we must learn to live together or we shall die together.

In sum, Mr. President, the Korean Air Lines incident, stunning as it was, does not change at all the basic calculus of our national interests. The Soviet Union exists today as it did 2 weeks ago—a brooding, potent, and complex adversary with which we must deal shrewdly and dispassionately. Let us continue to shape our national defense according to the merits of the programs and not the emotions of the moment. And if the recent tragedy—this horrible tragedy and massacre—is to affect our policy, let it serve as a spur, not a hinderance, to our efforts to tame the nuclear threat through tough and determined negotiation. We owe that to ourselves, to our children, and to our grandchildren.

Furthermore, Mr. President, in connection with the points previously made by the senior Senator from New York (Mr. MOYNIHAN), I support this view that the resolution should contain the word "criminal," referring to a crime. In the Webster's New World dictionary, one of the definitions of a crime is, "an offense against morality."

If ever there were an offense against morality, it is the shooting down of an unarmed passenger airliner with 269 men, women, and children aboard.

Mr. President, I yield the floor.

Mr. D'AMATO. Mr. President, the Soviet attack on an unarmed civilian airliner shocked the world much like an event nearly seven decades ago. In 1915 the sinking of the British liner

Lusitania by a German submarine seared the consciousness of civilized people everywhere. Two years later America was swept into World War I.

One need not reach back so far into history to find ominous parallels with the downing of Korean Air Lines flight 007. The essential Soviet characteristics demonstrated in this crisis are not new. A nation whose army has traipsed through the streets of Hungary (1956), Czechoslovakia (1968), and Afghanistan (1981) has already shown its aggressive nature to the world.

Then remember Poland, where hope for even a small measure of freedom has been all but stamped out by the ever present possibility of Soviet invasion. And consider the weighty evidence of Bulgarian (and very likely KGB) complicity in the shooting of Pope John Paul.

The fundamental lession of Soviet behavior in our time is that it is always calculated to advance Soviet interests as they view them. In this context, the invasion and threatened invasion of neighbors, involvement in terrorism across the globe, and the extermination of 269 innocent lives aboard a civilian aircraft all serve the same basic purpose. They tell the world that the Soviet Union abides by its own warped definition of right and wrong. In the Soviet view, anything which furthers their aim of cowering the forces of freedom serves a useful purpose—even an obliterated airliner, a wounded Pope, a subjugated Poland, a decimated Afghanistan. No matter how despicable the action in the eyes of the world, if it furthers overall Soviet objectives, it is somehow right in their eyes.

We in the Congress must keep these dangerous aspects of Soviet behavior firmly in mind as we consider issues affecting our national security. Particularly in the area of arms negotiations, we cannot rely only on Soviet assurances. We must negotiate agreements which insure mutual verification through guaranteed onsite inspection.

Nor should we be afraid to use international financial credit for strategic purposes. The United States is owed literally billions of dollars by Communist countries. We should use this massive indebtedness to influence—and perhaps moderate—the behavior of our adversaries.

If we let the Soviets know that we intend to deal much more firmly with their aggression than we have in the past, that we more fully understand their capacity for barbarism and deceit, that we are prepared to defend the strategic interests of the free world, then we can perhaps prevent the world from sliding toward the calamities that were presaged by the *Lusitania* two generations ago.

Mr. MITCHELL. Mr. President, the resolution before us expresses the outrage and disgust of all civilized nations at the Soviet action of shooting down an unarmed civilian airplane, and killing the 269 men, women, and children aboard.

To our American sense of values, with its traditional respect for human life, the kind of decisionmaking that resulted in this murderous act is incomprehensible. We cannot reconcile concern about border safety with a decision to kill innocent people.

All nations regard their borders as inviolable. All nations have regions which are militarily sensitive. But only the Soviet Union claims a right to punish any and all border transgressions with death.

Soviet planes—military and civilian—illegally enter United States and other Western airspace often. Neither the United States nor the Western European nations respond with missiles. Soviet submarines have deliberately and repeatedly entered the territorial waters of Sweden. No one in Sweden or the West suggests they be attacked, even though the provocation is far more serious and clearly military in nature.

Not only has this event dramatized the vast divergence between the precepts and practices of democratic governments and those of the Soviet Union, the Soviet response to international outrage has also dramatized the extremely precarious basis on which peace in our world rests.

The Soviet defense is that, on the one hand, their pilots cannot tell the difference between a 747 civilian plane and a military reconnaissance craft, and on the other, that their regional commanders have authority to shoot down anything that crosses the sacred borders of the Soviet Union.

If this set of explanations reflects reality, if it is not simply an effort to evade moral responsibility, then we can only conclude that the Soviet regime regards itself as being in a virtual state of undeclared war against the rest of the world. If the plane had been a U.S. military plane, as the Soviets originally claimed, then Soviet authorities are clearly willing to seriously risk the peace.

There are unanswered questions about KAL flight 007, and so long as Soviet authorities prevent outsiders from helping retrieve the wreckage, those questions are bound to remain unanswerable.

But the fact of what occurred is not diminished by claims and counterclaims that warning shots were or were not fired, or that the downed aircraft was or was not using lights. The central fact is that for reasons having nothing to do with their nation's security, for reasons having nothing to do with human fallibility, Soviet authorities purposefully fired upon an aircraft with complete disregard for the life of its crew or it passengers.

And if the explicit Soviet claim of a right to repeat this outrage—to shoot down any plane over Soviet airspace, regardless if it is lost, or having mechanical difficulties, or for any cause—if that claim is not explicity repudiated by the civilized world, the international community will enter a new and infinitely more dangerous erea.

The international community cannot function with two sets of rules for international conduct: One binding the majority of the world, and one for the Soviet Union.

The free nations of the world must take a renewed commitment to strengthen the rule of law in international behavior. We must develop mechanisms to repudiate and penalize governments which will not adhere to the most minimal standards of international legality.

So long as the Soviet Union perceives itself to be bound by no laws and responsible to nobody, international life will be hostage to the political needs of the Kremlin.

Today their political needs dictate that a series of blatant lies be told about this tragedy. Not content with constantly and compulsively rewriting their own history, they now attempt to rewrite the present.

It is essential that the international community not permit such a travesty of truth to prevail. We cannot make the Soviet Union's leadership share values for which they manifest only contempt. But we can and must do everything in our power to make certain that the truth of this event is not distorted by the lies coming out of Moscow.

Nor can we allow this reminder of the brutality of Soviet values and methods to undermine our own interests. My personal judgment about the Soviet Union, its system and its values has not been altered by this incident. Soviet history is replete with incidents of brutality and gross disregard for human life and human dignity. This event is simply one more outrage perpetrated by a government which regards the retention of its own power as the only conceivable aim in domestic or international life.

I hope that this time, we will not soon forget the nature of the system with which we must coexist. We must negotiate with the Soviet Union on issues on mutual concern: Primarily nuclear arms, but also conventional arms and other international affairs. We will negotiate better and achieve better results if we recognize the priorities that underlie Soviet actions and if we remember the limits of Soviet understanding.

Rarely have those limits been so dramatically demonstrated. The Soviets gravely misjudged the effect on world opinion of their defense of their action. But the decision to shoot down

this plane or to shoot at any unidentified craft goes dangerously close to the kind of misjudgment that can, indeed, precipitate war.

The depth of this Soviet misjudgment reflects a profound reality: The Soviet Government claims for itself total infallibility, both in the present and in the past. It is beyond the ability of the Soviet Government to acknowledge responsibility for an error. Such an acknowledgment would directly undermine its claim to legitimacy: The claim that only the Soviet Union correctly discerns and follows the inevitable forces of history. When history or present reality refuses to march in lock-step with Soviet theory, that history is rewritten and the present reality is denied. This is the way Soviet authorities have of responding to events outside their control.

When we recognize that fact about the Soviet Union, we will be better equipped to deal with its reality. We cannot allow its professions of good faith to obliterate actions which demonstrate bad faith. We cannot run the risk of allowing the Soviet authorities to continue to misinterpret and misjudge other nations, as they have so clearly done in this instance. Their lack of knowledge, their lack of understanding and their lack of imagination pose a direct threat to international order and world peace.

Clearly, the Soviet Union will continue to misjudge the nature of public opinion that is formed in a free society, that is informed by an untrammeled press, and they will undoubtedly never understand how it is that we can be both free and strong.

It is precisely because we are both free and strong that we must work together with other nations to develop some means of educating the ignorance and restraining the brutality of the Soviet Union in international life.

This resolution sets forth the goal of strengthening the international efforts to prevent a recurrence of such a tragedy, and of devising ways to insure that the Soviet Union complies with that international order. It merits the strong support of every Senator.

Mr. EXON. Mr. President, the Soviet action in shooting down an unarmed civilian aircraft, with the loss of 269 innocent people, was a dastardly act which brings to light the stark differences between the Soviet Union and the free world.

This act should remind those who sometimes tend to forget what the true face of the Soviet Union is really like. The Soviet Union and its Communist system is built upon rigidity and the supremacy of the state. The facts are still coming out into the open and there are some facts which may never be known; however, it appears to this Senator that the particulars of this Soviet action are less important than the lessons it teaches us once again about our principal, potential foe.

We do not know at this time why the Korean airliner strayed so far off course and overflew some of the most sensitive Soviet military installations. It could have been human error, mechanical error, or a combination of both. Simply put, the airliner violated Soviet airspace and was in error.

Despite this fact, did this overflight violation justify the action taken by the Soviet Air Defense Command? Certainly not.

The Soviets may have accidently confused the Korean airliner with a U.S. RC-135 reconnaissance aircraft which had been in the area earlier. If that was the case, they would be guilty of gross incompetence. The Soviets may have shot down an aircraft which had violated their airspace not even knowing or caring about the type of plane it was or its intent simply to uphold the principle of the inviolability of their borders. In that case, they would be guilty of placing the sanctity of their borders over the value of innocent human life. Finally, the Soviets may have actually known that the aircraft was a civilian airliner and shot it down anyway just to prove a brutal point to the world. In this last case, they would be guilty of one of the most heinous crimes of this century.

Why did it take the Soviets so long to admit that they had shot down Korean flight 007, regardless of what they might have thought regarding its identity? We have seen the highly unusual spectacle of the Chief of Staff of the Soviet Armed Forces conducting a press conference with Western journalists to justify the action of those under his command. The Soviets have circled the wagons to protect their military establishment—the most important institution, along with the Communist Party itself, under their system. Are they protecting incompetence or intentional, callous behavior? Whatever the answer, the Soviet Union has committed a crime against international law and civilized people everywhere. Furthermore, they have even said they would commit this act again.

Sixty-one Americans are dead. So are another 208 men, women, and children from 12 other countries. Americans continually hear about Soviet paranoia about the sanctity of their borders and what an instinctively defensive society they are. Well, Mr. President, the Soviets should get the message loud and clear that we Americans and, indeed, all civilized people have our own sensibilities. We deplore the loss of innocent lives whether it be outright murder or simply the desire to protect one's borders. The Soviet reaction to what was an innocent mistake by an unarmed, civilian airliner—regardless of the Soviet's stated justification—provokes just as instinctive and harsh a reaction among peace-loving peoples everywhere.

Unfortunately, Western actions have not matched Western rhetoric. The United States attempted to coordinate a package of actions against the Soviet Union. This coordination was necessary and correct—unilateral U.S. sanctions of most types have not worked, as we have learned painfully during the recent past. What was the reaction of our allies? All of our European NATO allies could not even agree on joining a 2-week boycott of airline flights to and from the Soviet Union. They could not even agree on issuing a strongly worded condemnation of the Soviet shoot down. A U.S.-sponsored resolution deploring this act barely received 9 out of 15 votes in the U.N. Security Council before the Soviets vetoed it.

If the rest of the nations in this world cannot agree on a simple condemnation of such an act and mild sanctions against its perpetrator, our peril is indeed great.

The world must initiate actions to investigate this incident and take steps to help insure that it is not repeated. We have, correctly in my view, taken other actions against the Soviet Union such as closing their airline offices and operations here and canceling negotiations on cooperation in the transportation, cultural, and consular fields. We have brought this issue before the United Nations and the International Civil Aviation Organization. We are also seeking reparations. I urge the President to continue working with all other nations for a tougher response to the Soviet Union. They cannot be led to believe that the passage of time will lessen Western resolve on any front.

In the future, we must keep the heat on Moscow. Our allies must come to an agreement with us regarding further restricting the flow of strategic goods and technology to the Soviet Union. Together we must take even more vigorous steps to insure our national security.

The Soviet Union has shot itself in the foot and scarred their international image forever by this act. Let the tragedy of KAL flight 007 serve as a unifying force for those nations and peoples of the world whose quest is to live in peace and freedom.

We shall not forget.

Mr. KENNEDY. Mr. President, the whole world shuddered 2 weeks ago this morning when we learned that a Soviet missile had shot down Korean Air Lines flight 007 and that 269 civilians, including 61 Americans, had been killed in a single senseless moment of international madness.

The destruction of the airliner was a barbarous assault that has shocked free peoples everywhere. This act of savagery is a chilling affront to all civ-

ilized nations and a cruel violation of the most basic human rights. By committing this terrible atrocity, the Soviet Union has placed an indelible stain on the history of our time.

There is no conceivable justification for the brutal Soviet attack over the Sea of Japan on August 31. Because of the remarkable Japanese and American monitoring and intelligence capability in the area, the entire world knows what happened and how it happened and why it happened. The Soviets were caught redhanded in their planning and their perpetration of this crime. We heard the actual voice of the Soviet pilot as he coolly locked his missile onto the airliner, and we heard his even more chilling words as he reported that the missile had been launched and that the target was destroyed.

Then, instead of admitting the truth, the Soviet propaganda machine launched a cynical campaign to deny the facts and shift the blame. But their big-lie tricks have failed, because the world had already heard the truth—we had heard the Soviet Union convict itself out of the mouth of its own pilot.

The steady stream of transparent lies, distortions, and evasions that have poured out of Moscow over the past 2 weeks have only made the tragedy worse and the Soviet guilt more obvious. They have demonstrated unmistakably that the fundamental principle they are prepared to follow in international affairs is the law of the jungle, not the rule of law.

The Soviets have not made the slightest admission of real responsibility. Instead, they have tried to cover up their incredible irresponsibility with incredible fabrications.

Their posturing and deception are accompanied by the callous threat to do it again and shoot down the next civilian airliner that strays into Soviet airspace. Their belligerent and unrepentant attitude displays, for all to see, the Soviet Government's contempt for international law and their contempt for even the most minimum standards of civilized conduct and human rights.

I strongly support President Reagan's efforts to suspend commerical flights to the Soviet Union and to restrict the operations of Aeroflot. I am encouraged by the similar steps being taken by other nations and by international pilots. I also welcome the administration's determination to seek guarantees for the safety of airliners in the future, and to insist on reparations by the Soviet Union for the victims of this tragedy. And I commend the administration's leadership in seeking a coordinated response with other countries in the United Nations and other international forums.

At the same time, I believe that the President also deserves credit for resisting the irresponsible right-wing pressures to use this tragedy to block progress on arms control. While this latest act of Soviet brutality makes arms control negotiations more difficult, it also makes them more urgent and vital.

We must do everything possible to reduce the nuclear threat from the Soviet Union—and to reduce the chance that reckless Soviet actions will lead to nuclear catastrophe.

We do not engage in arms control talks because we like or trust the Soviets. We do so because the United States has a fundamental obligation to all nations and all humanity to take every possible step for the prevention of nuclear war.

The Soviet massacre of hundreds of innocent civilians does nothing to alter that obligation. Indeed, one element in the worldwide horror over the Korean airliner tragedy was the all-too-obvious reminder that the same callous mentality that launched the missile against the airliner could also launch a nuclear warhead.

That is why we must keep the pressure on the Soviet Union, not only for a full accounting of the senseless tragedy they have caused, but also for a full and comprehensive nuclear arms control agreement at the earliest possible time.

I support the pending resolution, and I hope that it will be adopted unanimously by the Senate.

● Mr. DODD. Mr. President, I support House Joint Resolution 353, a substitute for Senate Joint Resolution 158, of which I am a cosponsor.

It is difficult to find words to express our horror and revulsion over the criminal disregard for 269 innocent lives lost as a result of the barbaric destruction of KAL flight 007 by the Soviet Union. I am particularly grieved by the loss of two constituents, Mark McGetrick of Danbury and Rebecca Scruton of Meriden, who were among the 61 Americans murdered in this atrocity.

From the first paralyzing moment of realization of what happened, it was clear that we must not restrict our reaction to verbal condemnations. The American people and world opinion demand sanctions that will make the Soviet Union realize that it cannot disregard the most elementary rules of civilized international behavior without painful consequences.

For our sanctions to be effective, however, punishing the Soviet Union without hurting our own interests, we have to go about imposing them in cool-headed, deliberate fashion. I support House Joint Resolution 353 because it strikes the proper balance in condemning the Soviet action, reminding the Soviet Union of its international obligations, and calling for the most immediate sanctions. More specifically: It condemns the brutal Soviet action in a powerful but dignified fashion; it calls for compensation for the victims' families from the Soviet Union and Soviet cooperation in recovering the remains; it calls for the most logical and immediate actions, those connected with international civil aviation; and it calls for further steps if necessary to bring the Soviet Union in conformity with international civility.

Mr. President, I fully share the outrage of those in our country who call for further, more severe sanctions than have already been imposed. Before we proceed further, however, we will have to make two important distinctions. We will have to separate those sanctions that can and should be imposed immediately from those that will require a more deliberative approach, bringing allies in line with our thinking, and so forth. We also have to distinguish between sanctions that punish the Soviet Union and ones that may well hurt ourselves just as much. With all due respect to my colleagues who want to amend this resolution to put more teeth into it, I do not see any reason why we should cram all of our reaction into a single resolution.

We have to realize that one of the most important sanctions has already been imposed by the Soviet Union on itself. Our loss is not one than we can take a measure of because our principles do not allow us to put any value on innocent human lives. It is beyond doubt, however, that the prestige, influence, credibility of the Soviet Union, or whatever was left of it, suffered an enormous loss as a result of this barbarism, and this will have a direct repercussion on their interests around the globe for a long time.

There are areas in our relationship with the Soviet Union where a break in relations would not be in the interest of the United States. We are engaged in arms control negotiations purely in pursuance of significant American interests in a secure international climate and the avoidance of nuclear war. We do not do a favor to the Soviet Union by these negotiations and there is nothing that we can deny them without hurting ourselves.

I do not favor a drastic reduction in our mutual diplomatic representation either. It is in our interest to learn about each other whatever can be legitimately learned, precisely because that may somewhat mitigate the Soviet paranoia that was one of the major factors in what happened to flight 007. If, as reported, there is a serious imbalance in our mutual representation by which the Soviets can station scores of spies in our country, while we have a significantly lower number of diplomats in Moscow, that is certainly something we should have redressed long ago.

Trade sanctions have been debated in our country continuously in recent

years. While I do not attempt to recapitulate all the arguments pro and con let me just state that we ought to have another hard look at all the cases where the Soviets may enjoy a unilateral advantage in our mutual trade. We have to proceed carefully, however, and in concert with our allies or we will end up causing more trouble to ourselves than to the Soviets. I do not even mention high technology sales as a sanction, because I am of the firm conviction that we should not sell militarily relevant high technology to the Soviets under any circumstances, sanctions or no sanctions.

Let me repeat Mr. President, that without gaining anything appreciable as a result of its barbaric act, the Soviet Union is already suffering its consequences in terms of condemnation and contempt from the international community. These consequences will surely, though perhaps not measurably, be transformed into tangible losses for that benighted county in its international relations. I state this merely to comfort my colleagues and the bereaved families, not as an argument against further measures to warn the Soviet Union about the rules of international law and civility. We should consider further sanctions but go about them with circumspection. This is precisely how the President proceeded so far in this crisis and I commend him for his prudence and wisdom.

Mr. President, this tragedy should remind us as a nation to take pride in our guiding principles and in the system of government built on them. We cannot really pay the Soviets back "in kind" because human life is precious for us and the power of state is not an absolute value that should obliterate all considerations of mercy, charity, and humanity. If, however, this tragedy will help us, as a nation, to strengthen our resolve and that of our allies who are guided by similar principles, to oppose the forces of inhumanity, violence, and brutality that will be the most fitting memorial to those senselessly extinguished 269 innocent lives.

Mr. NICKLES. Mr. President, I rise today to add my voice to the chorus of others outraged by the Russian attack on a civilian Korean airliner. As we examine the consequences of the Soviet action and the Communist government's utter disregard of world condemnation, I believe it is imperative for the free world to reevaluate its relationship with Moscow.

Their callous, matter-of-fact response to the downing of KAL flight 007, once again reveals the cold and calculating minds that comprise Soviet leadership. Their consciences, seared by years of blind obedience to a godless and ruthless philosophy, are no more bothered now than they were after invading Afghanistan and Czechoslovakia, and committing serious human rights violations for decades. How many more inhuman acts must the Soviets commit before the world awakens to reality?

President Reagan's measured response to this atrocity demonstrates statesmanship and a sincere desire to avoid provoking the Soviets toward more aggression. The President's statements about the incident have been appropriately strong, and have helped focus world attention on the cruelty inherent in the Communist/Leninist system. This rhetoric is important as it educates the American public to the true nature of the Soviet threat.

I truly grieve for the families and friends of the 269 people killed on the airliner, and every effort should be made to get reparations from the Soviet Government for the surviving families. The pain they suffer from the loss of their loved ones is only being intensified by the unrepentant attitude exhibited by the Soviets. Moscow's uncompassionate demands keeping other nations from searching in Soviet waters is another indication of their fear of truth.

This is not merely a bipolar superpower confrontation, but, rather it is a worldwide dilemma. This was demonstrated at the United Nations, where for the first time in years, nation after nation condemned the Soviet action. Except for the few Soviet surrogate states, the world was united in its condemnation. Our Government has acted properly to insure that this hideous act remain a matter of international concern, not just between the United States and Soviet Union.

However, I would support additional measures taken against the Soviets. Although the administration monitors the transfer of high technology between our two countries, I believe that we must tighten our grip on high-tech transfers and put an end to the use of American ingenuity in building the Soviet war machine.

In addition, I believe our Government should move to reduce the number of Soviet diplomats from the United States. It is no secret that most of their diplomatic corps in our country are little more than agents for the KGB. At minimum, we should act to restrict the travel of Soviet personnel within the United States.

I also urge colleges, universities, and other institutions across the country to follow the example set by the University of Oklahoma which has canceled an exhibition basketball game with a Soviet team. This type of protest is more than symbolic because it transcends the rhetoric between Government officials and communicates directly to the Soviet people our total disgust with the actions taken by their Government.

I am a vocal advocate of a strong defense, and believe that a strong defense is the best deterrent to Communist aggression. We, in Congress, must heed the call from across the land to rebuild a national defense that, until 1981, was suffering from neglect. President Reagan is to be complimented for working to strengthen our defense, despite opposition from those who have been lulled into a false sense of security. Let this latest act of Soviet aggression serve as a jolting reminder that there is a price to be paid for freedom—this is a truth as old as history itself.

Mr. HATCH. Mr. President, one of the oldest principles of law and politics is that the punishment should fit the crime. We do this in domestic family life as well—perhaps the most mundane example is rubbing the puppy's nose in the spot in the rug it has just made so it associates the punishment with the crime. Indeed, civilized societies are justly proud of their complex legal codes which relate punishment to crime. No civilized person today advocates an eye for an eye and a tooth for a tooth in any literal sense because such primitive vindictive retaliation would lower the moral level of the dispenser of justice to that of the criminal. Only in a state of war would direct action be taken on the basis of an eye for an eye and, of course, in time of war, military forces are seeking military victory rather than to punish the enemy for any specific crimes.

As I have reflected these past 2 weeks about the massacre of Korean Air Lines flight 007 which occurred the day before I arrived in Korea myself on board another Korean Air Lines flight, I confess to the Senate that I have been unable to design or even conceive of a punishment that would fit this crime. We cannot shoot down an Aeroflot Air Liner even if one should violate our sacred American airspace. We are not barbarians.

It is the Soviet pilots and the Soviet military leadership who are guilty. Their accomplices after the fact seem to be the Soviet political leadership, specifically Mr. Andropov and Mr. Gromyko, who have not only condoned what the Soviet military leadership did but have also publicly promised to do it again.

To make the punishment fit the crime, should we then seek to cause harm to the Soviet political and military leadership as individuals? I do not believe this would be a proper response.

It saddens me to see that one of the few specific punishments that have yet been administered to the Soviet Union is that the Moscow State Circus, including nine bears, has been marooned in Canada because the Canadian Government has forbidden

Aeroflot to fly into Canada. Perhaps we can also include the boycott by a few States of the purchase of Soviet vodka. The International Federation of Air Line Pilots has endeavored to punish the Soviets by recommending that air lines with routes to Moscow suspend service for 60 days unless the Soviets adequately explain what happened to flight 007 and take steps to insure that such a heinous act will never happen again.

Mr. President, although these are commendable gestures, neither marooning nine Soviet circus bears in Canada nor a boycott of Soviet vodka nor a suspension of air line flights to Moscow for 60 days comes anywhere close to being punishment appropriate to the crime. One suggestion with considerable merit is the demand that the Soviet Union release 269 prisoners of conscience so that their freedom might in some way compensate for the loss of the 269 passengers and crew aboard flight 007. But even this suggestion, Mr. President, illustrates my point that it is futile to seek a punishment to fit this crime because the joy of those families liberated from Soviet prisons in no way compensates for the grief suffered by those families who lost loved ones aboard flight 007. Perhaps the freedom of 269,000 prisoners of conscience would be a step in the right direction.

If there is no appropriate punishment available to us, what then is to be done?

First, Mr. President, I want to praise President Reagan for his actions in this matter. Because I was in Tokyo the night of the destruction of flight 007 and received top secret briefings, including the transcripts of the Soviet pilots' conversations which were made available to me in Tokyo before I departed for Korea, I knew about the massacre before it became public. I took advantage of those hours of advanced warning to prepare four recommendations to President Reagan and to convey them to his closest advisers immediately. When the massacre became public that night in Tokyo because the Japanese Foreign Minister, Mr. Abe, courageously disclosed it 3 hours before our own Secretary of State held a press conference in Washington, I made public my four recommendations to the President in interviews that night with reporters and TV cameramen.

I was bitter at first when the State Department did not initially accept any of my suggestions, but I was ultimately deeply pleased that President Reagan overruled the State Department and agreed with all four of my recommendations. They were: First, a demand that the Soviets must pay generous compensation to the victims' families; second, that the Soviets must thoroughly explain what happened, apologize for their crime, and offer to join the international community to work out a system to prevent such a tragedy from ever happening again; third, a suspension on negotiations to renew cultural and scientific exchanges that I had learned about during my visit to Moscow the previous week; and fourth, that the President release the transcripts of the Soviet pilots' conversation to the public so that world opinion leaders could draw their own conclusions and mobilize world opinion to once again remember the basic nature of the inhumane, unconscionable Soviet regime with which we are all forced to live on this planet.

Mr. President, I know there are many more sanctions we could impose unilaterally on the Soviet Union. In fact, I believe the list of eight supplied by Senators HELMS and SYMMS, in my view, represents only a sample of unilateral sanctions which can be invoked. I certainly support the spirit behind the Helms amendment and I do support some of the provisions of his amendment. However, they do not adequately match the punishment to the crime.

The problem with the Helms proposals is not that on balance they are not worthy proposals, but that I believe our best hope for the future is to seek as widespread international condemnation and sanctions against the Soviet Union as is politically possible. The tragedy of strict sanctions on a unilateral American basis is that too much of the rest of the world will dismiss the massacre of flight 007 as a Soviet-American quarrel with no implications for the rest of the world. I agree with *Joseph Kraft*, who wrote in the Washington Post on Tuesday, that

> Harsh talk now yields bitter fruit. The Russians will not give further ground unless pushed by *allied* opinion. The allies are already beginning to respond negatively from shoves from Washington. Another dose of overblown rhetoric will edge them back toward the point of viewing Russia and the United States with almost equal alarm.

Thus far, the President has succeeded impressively in presenting a united front to the Soviets, including our not always supportive NATO allies, the Japanese, the Canadians, and even a majority of the U.N. Security Council voted for our resolution before the Soviets used their veto to shoot it down as self-righteously as they shot down flight 007.

It is an ominous sign, I believe, that the People's Republic of China abstained in that Security Council vote because, in the past, the Chinese have been among the fastest in the world to condemn Soviet misbehaviour and they frequently exceeded Jimmy Carter and Henry Kissinger in this regard. This Chinese silence is alarming on the eve of Secretary of Defense Weinberger's visit to China at a time when the Chinese are hosting a senior Soviet Foreign Ministry official, Mr. Kapitsa, for the first time in a decade. We cannot manipulate the conflict between the Soviet and the Chinese, but if they carry out a rapprochement, one fundamental premise of our national security strategy for the past decade will be called seriously into question. I hope Assistant Secretary Paul Wolfowitz and our Ambassador in Peking, Arthur Hummel are urgently seeking explanations and support to condemn the massacre of flight 007 so that Chinese silence on this issue will not be added to their deplorable failure to condemn the crushing of Poland's free labor movement, Solidarity. Throughout the rest of Asia, the Soviets have been condemned and, as I pointed out, Mr. President, the Japanese preceded even our own Secretary of State in making this matter public.

Of the major world democracies, only India has failed to condemn the Soviet massacre of flight 007, which suggests to me once again the hollowness of Mrs. Gandhi's oft-repeated claim to be nonalined in world politics.

So, Mr. President, let us support the President; let us seek the broadest possible consensus with our friends and allies to condemn the Soviets' barbaric act and to implement sanctions to punish the Soviets—bearing in mind that no punishment appropriate for civilized societies can match the crime the Soviets committed when they massacred 269 innocent men, women, and children.

Mr. THURMOND. Mr. President, today, we debate a resolution officially condemning the Soviet Union for its indefensible act of barbarism in shooting down Korean Air Lines flight 007. We all share a deep sense of outrage and disgust over this attack, in which 269 people, including 61 Americans, were coldbloodedly murdered.

As peace-loving people, we have searched in vain for some justification for this vile incident. Our days since the attack have been filled with angry questions about how such an atrocity could be committed, even in the name of territorial security. We have searched, Mr. President, for some way to make sense out of the senseless, and we have come away emptyhanded.

Indeed, we have concluded that there can never be any political or moral reason for such a blatant act of terrorism. It has violated every precept of international law and principle of human decency.

This attack, so uncalled for and terrible in its consequences, has also reminded all of us that there is still great evil at work in our world—huge and formidable forces which seek to destroy peace, freedom, and all that we hold dear. It has reminded us once again that the Soviet Union will stop at nothing to accomplish its goals of worldwide domination and oppression.

As much as the attack on flight 007 has shocked and outraged the world, we should not be totally surprised at this most recent act of brutality. The history of the Soviet Union is replete with examples of mass slaughter of their own citizens, invasions into many countries, including Poland, Hungary, and most recently Afghanistan, and active attempts to subvert the governments of other nations.

Theirs is a long and bloody legacy of stopping at nothing to extend their control.

We will remember the attack on flight 007 as we remember the other great atrocities of the world. However, we must reserve for this incident a special place of infamy. The attack on this innocent, unarmed, and off-course passenger plane—which the Soviet jet fighter tracked for more than 2 hours and made no attempt to ground—must be recorded alongside other horrors like Buchenwald, Auschwitz, Belsen, and Dachau.

Let us never forget what happened on September 1, 1983, when the Korean 747 began its ill-fated voyage into history. Hopefully, what we do here today will forever preserve in our memories the fact that there are awful forces at work in our world.

Mr. President, words seem so inadequate in condemning this event, and in expressing the huge sense of loss we feel in the tragic deaths of the passengers aboard the Korean jetliner.

Two South Carolinians—Mr. Billy Hong of Mauldin and Mr. Edward Burgess of Seneca—were among those killed in the attack. I cannot begin to express the sorrow I felt in talking with their families after the news of the aircraft's fate became known.

We pray for the wives of these men—Mrs. Mickie Burgess and Mrs. Joy Hong—and other members of their families. We have asked God to console and comfort them, and the families of the others killed in the attack, in their time of need.

Yet, we are gathered here today to express our collective anger and outrage at this murderous act, and to publicly denounce the Soviet Union—in the strongest terms possible—for what they have done.

Their dastardly and unconscionable deed deserves our harshest words. It deserves denunciation not only from us, but from all peace-loving people around the world. Let us tell the Soviets that we revile their attack on the plane and the grim and thinly disguised warning last week from their Foreign Minister that other inadvertent intrusions of their airspace will receive similar treatment.

This resolution should stand as our formal protest, in lieu of the one so arrogantly vetoed by the Soviets this week in the U.N. Security Council.

With this resolution, and similar actions from other nations, we can send a message to the Soviets and their leaders in the Kremlin that this wanton act of murder has alienated them from the world.

Mr. President, the Soviet Union must know that they stand alone in this act, and that they are cursed and despised by people everywhere for their brutality and disregard for human life.

This is one moment in history when all Americans must stand together—with true unity of national purpose—and support President Reagan and this resolution of condemnation.

Whatever our own wishes for justice may be, we owe it to our President to support his initiative first and foremost. Any wavering, any prolonged wrangling over what this measure should entail, would only send the Soviets a signal that we are a nation divided on this issue and unable to join together even under the most serious of circumstances. This resolution represents a consensus of the executive branch, including the Department of State, as well as the leaders in both parties in the Congress.

However, let us also understand that the Soviet Union does not share the same sense of justice and value for human life as do we, and that they may not respond accordingly to the sanctions already imposed by the President and the language of this resolution. Should that be the case, then we should move forward in imposing additional and even harsher penalties against them.

Let us quickly approve this resolution, and in doing so, renew our commitment to maintaining peace through strength. The sad lesson of this tragedy must not be disregarded.

In closing, I ask unanimous consent that an article from the Washington Post, regarding the memorial service I attended last week for the Americans who died on the KAL jet, be included in the RECORD at the conclusion of my remarks.

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

[From the Washington Post, Sept. 10, 1983]

CHURCH LEADERS CONDEMN DOWNING OF KOREAN AIRLINER

"When the tears are over, when the anger has subsided, we must continue the negotiations out of which we further pray that peace will emerge."

Washington's Episcopal Bishop John T. Walker, addressing a memorial service attended by President and Mrs. Reagan yesterday at the Washington Cathedral, echoed the mixed reactions of many church leaders to the shooting down of a Korean airliner last week by the Soviet Union.

Walker and others who have advocated nuclear negotiations with the Soviets minced no words over the Russian action. The Episcopal churchman called it a "senseless atrocity inflicted upon us all by . . . an outlaw in the family of nations. . . . There is no way to justify the destruction of helpless, innocent people." But "when the demonstrations have ended," he said, "the hard work of negotiation" for world peace must resume.

Archbishop John R. Roach of St. Paul/Minneapolis, president of the nation's Roman Catholic hierarchy, called the attack "an act of murder," adding, "The international community cannot tolerate such actions."

The "tragic episode," Roach said, highlights "the danger and fragility of international relations today." But he urged, "despite this massive and evil tragedy, U.S.-Soviet negotiations on nuclear arms limitations must continue."

National Council of Churches general secretary Claire Randall and United Methodist Bishop James Armstrong, who is NCC president, called the shooting down of the plane "a violation of international agreements and moral standards." In a message to the Korean Council of Churches, the U.S. Protestant leaders supported the call for "an international inquiry into this serious incident,"

The NCC leaders also sent identical telegrams to Moscow to Metropolitan Filaret of the Russian Orthodox Church and Alexei Bichkov of the Union of Evangelical Christian Baptists in the Soviet Union saying: "Profoundly distressed and saddened by Soviet military action against Korean civilian airliner which claimed 269 lives on Sept. 1. This tragedy demonstrates anew [the] disastrous consequences for world peace, disarmament and improved international relations of [the] reliance upon and use of armed force . . ."

In New York, a spokesman for the World Council of Churches, whose membership includes both Russian and Korean churches, said a statement had been prepared by that organization but had "been held back."

In a message to priests urging prayers for victims of the crash and their families, Washington Archbishop James A. Hickey said the Soviet action "merits universal and unequivocal condemnation." Hickey joined others in the call for further investigation. "The international community should seek effective measures both to punish this barbaric act and to prevent its recurrence," he said.

The Justice and Peace Commission of the Baltimore Catholic archdiocese has sent a letter to Ambassador Anatoly F. Dobrynin expressing "profound shock" and calling on the Soviets for an explanation. But the commission also stressed the need for cooperation "in matters of global security."

The Council of Korean Churches in the Greater Washington area expressed appreciation for President Reagan's "prompt action and initiative."

Mr. COHEN. Mr. President, even after nearly 2 weeks of intense press coverage and speculation about the downing of Korean Air Lines flight 007 by the Soviet Union, more questions than answers remain about this murderous incident.

The event itself was almost unprecedented for its glaring illogic. Rational people could only guess at what the Soviets hoped to gain from their actions. Unlike many of their other controversial activities in the recent past, the downing of flight 007 seemed to be neither in their short-run or long-run interest. Beyond the immediate expressions of condemnation from

around the world, serious long-term damage doubtless resulted, to the Soviet's credibility. The almost comical series of lies, doublespeak and fumbled explanations by the Soviets in the days following the event could not have helped them, either, particularly when contrasted with our Government's firm, consistent, and restrained response.

Americans had difficulty even comprehending the enormity of the barbarism involved in this event, because we were viewing it through the prism of our own beliefs and experiences. It is unthinkable that a similar action would be taken by this country—in fact, on the many occasions where Soviet aircraft have strayed into U.S. air space—and, frequently, over U.S. military installations—we have been meticulous in our regard for the planes and the human lives involved and have aided the Soviet planes back to the proper course.

Perhaps the most valuable outcome of this sad event is to reinforce a basic truth—the Soviet leaders are fundamentally different from ours in their values and world outlook, something we are occasionally too eager to overlook. Because our country—rightly or wrongly—is concerned—and even obsessed—with public opinion, we assume other countries are as well. The Soviets are not. Their brutal aggression over the years in Hungary, Czechoslovakia, Afghanistan, and Poland help to put this most recent outrage in perspective. They are far more concerned with the fulfillment of their goals than about what the world thinks. We should not delude ourselves into thinking otherwise.

The question then becomes: How should the United States properly respond to this incident? Many have suggested drastic retaliatory actions, which President Reagan wisely has rejected. We need to walk the fine line between overreaction and downplaying the incident. In working with our allies to diplomatically isolate the Soviet Union to the greatest extent possible, we are pursuing the most sensible immediate diplomatic course while we review other options.

To those who suggested a unilateral cancellation of ongoing arms control talks, it is important to keep the larger perspective in mind even as our anger and grief are still present. A suspension of arms control talks, so near to the scheduled deployment of American missiles in Western Europe, would probably be damaging to the United States. The deployment of missiles is supposed to proceed only if arms reduction negotiations with the Soviets fail, and a cancellation of talks might be interpreted by some in Western Europe as an attempt by the United States to force the talks to fail and the deployment to proceed. More basically, arms control is no less important to the United States today than it was before the Korean jetliner was destroyed. The world needs more communication between the superpowers, not less.

The answer seems to suggest that a middle ground approach is best—while not backtracking on progress made in relaxing tensions between the two countries, we should not become distracted by wishful thinking and believe that we are dealing with anything but an implacable, amoral regime.

Mr. President. I rise in strong support of this joint resolution.

AMENDMENT NO. 2135

(Purpose: To express the sense of the Congress that the President should take certain measures with respect to relations between the United States and the Soviet Union)

The PRESIDING OFFICER (Mr. EVANS). The Senator from North Carolina.

Mr. HELMS. Mr. President, I have an amendment at the desk. I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from North Carolina (Mr. HELMS) proposes an amendment numbered 2135.

At the end of the joint resolution, add the following new section:

Sec. 2. It is the sense of the Congress that the President should recall the United States Ambassador to the Soviet Union for urgent consultations.

It is the sense of the Congress that the President should conduct a comprehensive reappraisal of the complete spectrum of United States-Soviet relations, including arms control, human rights, East-West trade, and regional issues.

It is the sense of the Congress that the President should report to the Congress on the record of Soviet compliance or noncompliance with the letter and spirit of all existing strategic arms limitation talks (SALT) agreements and other arms control agreements to which the Soviet Union is a party.

It is the sense of the Congress that the President should direct the United States negotiators at the strategic arms reduction talks at Geneva to link the possible success of such talks with the willingness of the Soviet Union to abide by international law as a responsible member of the community of nations, paying specific attention to the KAL 007 massacre, Soviet violations of the Helsinki accords, the Soviet invasion and subjugation of Afghanistan, the repression of Poland and its free labor movement, and the use of chemical and biological weapons in contravention of existing treaties.

It is the sense of the Congress that the President should re-emphasize the inconsistency of the Soviet military presence in the Western Hemisphere with the Monroe Doctrine.

It is the sense of the Congress that the President should tighten substantially the foreign policy and military controls over the export of machine tools, high technology products, and equipment for the development of Soviet oil and gas resources.

It is the sense of the Congress that the President should direct the Secretary of the Treasury to use existing statutory authority to prevent the import of any product or material produced in the Soviet Union unless the President certifies that it was produced without the use of forced labor.

Mr. HELMS. Mr. President, I thank the clerk for reading the amendment.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. HELMS. Has there been a time agreement yet?

The PRESIDING OFFICER. No, no time agreement has been entered into.

Mr. HELMS. So I understand there is no time agreement.

The PRESIDING OFFICER. There is no time agreement.

Mr. HELMS. I thank the Chair. Let me say for the record, Mr. President, that I have advised the distinguished majority leader, minority leader, and Senators PERCY and PELL that I am willing to enter into a time agreement on this amendment.

Further, for the record, I would make clear that it is my intent to ask for division on this amendment and to ask for a rollcall vote in connection with each of them.

Mr. President, there have been a number of newspaper accounts in the past few days that explained what the Soviets were up to. These reports point out that the Soviets were about to make their fourth illegal test of the PL–5 missile. Now, this is a missile that is forbidden by the unratified SALT II agreement, and of course we are all aware that neither nation has officially ratified SALT II, but the presumption of the arms control community in this city of Washington, D.C., is that both nations, the Soviet Union and the United States, have tacitly agreed to abide by the constraints of SALT II without formal ratification so as to create confidence for the so-called START talks. Yet, this new Soviet missile is 220 percent larger in payload than the missiles permitted in SALT II. Moreover, in previous tests, the telemetry has been nearly 100 percent encoded to foil our monitoring process. That also is a violation of SALT II.

Now, we are supposed to be able to monitor the Soviet tests so as to be able to verify compliance. Thus, what the Soviets are doing is violating the treaty so as to achieve clear military superiority over the United States. They are trying to prevent us from knowing about their violations of the agreement. Now enter the EC–135 reconnaissance plane mentioned by President Reagan.

The Soviet apologists have referred to this as a spy plane. It was not on a spy mission at all. Its mission is to verify Soviet compliance with SALT treaties as provided for in the provisions of the treaties themselves. The

treaties specify that we are to check compliance with our national technical means. The EC-135 is part of our national technical means. It had not only the right under international law but the duty to fly that mission. According to the newspaper accounts, the EC-135 scrambled into action as soon as our monitors discovered preparations for the test. With the EC-135 in the air and flying always—let me say for the purpose of emphasis—always over international waters, the Soviets could not hope to conceal their violations so they canceled their test.

Now, in that same timeframe, however, the ill-fated KAL 007 entered Soviet airspace. There was no reason for the Soviets to confuse the KAL 747 with the EC-135. Any pilot in the world could have told the one plane from the other since the 747 is twice as big and has, as everybody knows, I hope, a distinctive silhouette.

Moreover, interceptor pilots are especially trained to identify aircraft. Now, Mr. President, it is more reasonable to suppose that the Soviets knew from the start that KAL 007 was a commercial airliner. But for the Soviets, as I have already mentioned, there is no difference between military aviation and civil aviation certainly in their own country. When Aeroflot was flying in the United States, Aeroflot jets wandered into some strange courses on a regular basis like the time that one Aeroflot jet got lost over a Groton, Conn. shipyard on the day that we just happened to be launching our first Trident submarine. Now, from the Soviet point of view it is not abnormal for a civilian airliner to be used for surveillance purposes.

The question that occupied them for 2½ hours that tragic night, therefore, was not whether it was a civilian or a military airplane but what action to take in order to foil its pretended espionage mission.

Now, when any criminal sees that his criminal conspiracy is about to be unmasked, it is not unusual for the criminal to kill innocent persons who may be about to reveal the guilty secret unwittingly.

Mr. President, it should be noted that the PL-5 missile would have impacted in Kamchatka. But according to further newspaper reports Soviets have also recently started deployment on Sakhalin Island of SAM-12 missiles. Although primarily a defense against enemy airplanes such as the F-16's about to be deployed in Japan, the SAM-12 has also been tested against ICBM reentry vehicles, that is to say as an ABM. The tests themselves were a violation of the ABM treaty; but deployment in Sakhalin is another violation because the ABM treaty permits only one ABM deployment zone per country, and the Soviets have already deployed extensive ABM facilities around Moscow.

KAL 007 might have flown over this illegal deployment, too. So from the Soviets' perverted point of view, the KAL 007 was on a course to catch them in not one dirty secret but two secrets. In my judgment, the shooting down of the KAL 007 was an attempt to cover up Soviet arms control violations. There are those who say that the KAL 007 flight had nothing to do with arms control, and that we should redouble our efforts at Geneva. The Senator from North Carolina says that we should redouble our efforts at Geneva because—I repeat, because—the Soviet shooting down of the KAL 007 is intimately related to Soviet practice in attempting to hide SALT violations. Unless the Soviets accept responsibility for their actions, we cannot be confident that the START negotiations will result in real reductions.

Mr. BAKER. Mr. President, will the Senator from North Carolina yield to me so that I may make a unanimous-consent request?

Mr. HELMS. I certainly will be delighted to yield, yes, sir.

Mr. BAKER. I thank the Senator.

I ask unanimous consent that the request and any colloquy in connection with it appear at the end of the statement of the Senator from North Carolina in the RECORD.

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

UNANIMOUS-CONSENT AGREEMENT

Mr. BAKER. Mr. President, over the past 2 hours, approximately, both sides have been trying to clear the terms of a unanimous-consent agreement to provide for the further consideration of this resolution. I have before me now a paper which I believe has been cleared on both sides. I will state it now for the consideration of the minority leader and all Senators.

Mr. President, I ask unanimous consent that during the consideration of House Joint Resolution 353 the following amendments be the only amendments in order, that they be first-degree amendments, and that they be limited; that debate on those amendments be limited as follows: 1 hour on an amendment to be offered by the Senator from North Carolina (Mr. HELMS), which is printed amendment No. 2135, which is the pending amendment; 20 minutes on an amendment to be offered by the Senator from Kentucky (Mr. HUDDLESTON) dealing with reducing the Soviet official presence within the United States; 10 minutes on an amendment to be offered by the Senator from Alaska (Mr. MURKOWSKI) dealing with cutting off U.S. export of refined petroleum products to the Soviet Union; 20 minutes on an amendment to be offered by the Senator from Kansas (Mr. DOLE) dealing with reducing the credits available to the Soviet bloc; 20 minutes on an amendment to be offered by the Senator from Wisconsin (Mr. KASTEN) dealing with the Polish debt; 60 minutes on an amendment to be offered by the Senator from Michigan (Mr. LEVIN) dealing with identifying and implementing economic sanctions; 30 minutes on an amendment to be offered by the Senator from Arizona (Mr. DECONCINI) dealing with suspending future commerical relations with the Soviet Union; 30 minutes on an amendment by the Senator from Florida (Mrs. HAWKINS) dealing with Soviet Jewry; 30 minutes on an amendment to be offered by the minority leader (Mr. BYRD) dealing with European cooperation.

Mr. BYRD. Which may or may not be offered.

Mr. BAKER. I might say parenthetically, Mr. President, that some of these amendments, perhaps many of them, will not be offered, I am told. But since we are providing that only these amendments are in order, then I believe that Senators wish to be protected in that way.

I further ask unanimous consent, Mr. President, that after the disposition of the amendments qualified under this request, there be 1 hour of general debate on the resolution, to be equally divided between and controlled by the distinguished chairman of the Foreign Relations Committee, Mr. PERCY, and the ranking minority member, Mr. PELL.

I further ask unanimous consent that a vote occur on or in relation to the resolution at the end of that time or prior thereto, if the time is yielded back, without any other intervening business, motion, or proceeding, and that the agreement as to the control of time be in the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. MOYNIHAN. Mr. President, reserving the right to object—and I will not object—may I make a request and an inquiry of the distinguished majority leader?

Mr. BAKER. Yes.

Mr. MOYNIHAN. Could he add at the end of that list, or at any point he wishes to place it, a request of 30 minutes for an amendment which I shall offer on Soviet grain sales, which I hope not to offer and will not offer if other amendments are not offered?

The PRESIDING OFFICER. Is there objection?

Mr. BAKER. Mr. President, I modify my request to include, after the Byrd amendment, an amendment by the Senator from New York (Mr. MOYNIHAN) on——

Mr. MOYNIHAN. Grain sales to the Soviet Union.

Mr. BAKER. Thirty minutes?

Mr. MOYNIHAN. I am happy to do that, with the understanding that I hope not to offer this.

Mr. BAKER. Thirty minutes equally divided.

Mr. MOYNIHAN. Do I correctly understand that these time agreements are equally divided?

Mr. BAKER. Yes, in each case; in the usual form as to the control of time.

The PRESIDING OFFICER. Is there objection?

Mr. ARMSTRONG. Mr. President, reserving the right to object, I inquire of the majority leader if I am correct in my understanding that there is no limitation on time for debate on the resolution itself.

Mr. BAKER. Mr. President, the request I made was that after the disposition of the enumerated amendments, there be 1 hour of general debate on the resolution itself.

Mr. ARMSTRONG. Let me come to the point. It is my desire to speak prior to the action on some of these amendments. In fact, I would like to speak before they are called for a vote. Is that in order, under the unanimous-consent request?

Mr. BAKER. I would hope that the Senator could obtain time from the two managers of the bill, and I suggest that he do that at any time.

Mr. ARMSTRONG. I want to clarify whether or not there is a limitation of time on the resolution.

Mr. BAKER. It is my understanding that there would be a time limitation on the totality of the debate on the amendments and on the resolution by reason of this agreement, if it is entered into.

Mr. ARMSTRONG. Mr. President, I guess I am confused. I wonder if I may consult privately with someone who is better informed than I, because that is somewhat contrary to my understanding.

I also ask the majority leader this question: Would he be willing to modify his unanimous-consent request to permit, notwithstanding the no-second-degree-request, a possible modification in a portion of the proposed Helms amendments, subparagraph 8?

I should like to move to change not the spirit of that but the language, which I think may be technically in error. Specifically, I should like to change it to read:

> Direct the Secretary of the Treasury to use statutory authority to prevent the importation of any product or material produced in the Soviet Union through the use of forced labor.

That does not change the spirit to any extent, but I would not want to be precluded from asking for that change.

Mr. BAKER. I understand that the Senator from Colorado is asking the Senator from North Carolina if he is willing to modify his amendment in that respect.

Mr. ARMSTRONG. Both that and whether or not the majority leader's unanimous-consent request would preclude my doing so.

Mr. BAKER. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. BAKER. Mr. President, the minority leader points out that notwithstanding that the yeas and nays have not been ordered on the Helms amendment, if this agreement is entered into, the time limitation would have the same effect—that is, it would require unanimous-consent to change it. I am perfectly willing to do that, if the Senator from North Carolina has no objection.

Mr. HELMS. Mr. President, if the Senator will yield, can we not just have the unanimous-consent agreement that this portion of that amendment may be modified?

Mr. BAKER. I am perfectly willing to include that in this request.

Mr. BYRD. Mr. President, reserving the right to object, I would not want that modification request to be open-ended.

Mr. BAKER. It would be specific language.

Mr. ARMSTRONG. It would be only to put it in more direct and acceptable form.

Mr. HELMS. I am advised that Senator DENTON has some reservation about this.

If we may have about 1 minute with a quorum call, we may be able to resolve this.

Mr. BAKER. I think we can do it now. The minority leader has indicated that he has no objection, so long as it is clear that we are not opening the door for other modifications and, indeed, we are going to use the language just read by the Senator from Colorado.

Mr. President, I further modify my request in this manner:

I ask unanimous consent that there be 1½ hours of general debate on the resolution. I believe that my request previously was that that time would start running after the disposition of the amendments. I want to change that so that the hour and a half of debate on the resolution will be available at any time and will be under the control of the two managers.

I modify my request in that way.

Mr. PERCY. Mr. President, reserving the right to object—and I shall not object—one further detail about when the vote will occur.

I understand that Senator HUDDLESTON has a problem with time. Would it be feasible, if a rollcall vote is ordered for the Huddleston amendment and the Helms amendment, that we have that rollcall vote at the conclusion of the discussion on those two amendments and then we go forward?

Mr. BAKER. The Senator from Illinois wants to stack those two?

Mr. PERCY. If they are tabled, perhaps other Senators would not feel it necessary to push forward with their own amendments. Also, it would accommodate our distinguished colleague.

Mr. BAKER. Mr. President, I wonder if the chairman of the committee would consider an alternative. It occurs to me that the Huddleston amendment and one section of the Helms amendment are very similar.

Mr. PERCY. That is right.

Mr. BAKER. The way one is dealt with may depend on what happens to the other.

I wonder if we could have a tacit understanding that after we dispose of the Helms amendment, under this order, we would turn next, I assume, to the Huddleston amendment, and that we would vote at that time, rather than stacking them? I am afraid that stacking them would make it too uncertain to deal with.

Mr. PERCY. The majority leader means to have a vote on the Helms amendment first?

Mr. BAKER. Yes.

Mr. PERCY. And then a vote on the Huddleston amendment, and then possibly stack all the rest?

Mr. BAKER. I do not know about all the rest. I would be glad to entertain that possibility.

I guess what I am saying is it is going to be a little messy to try to stack votes when they are dependent on each other as the amendments of Mr. HELMS and MR. HUDDLESTON may be.

Why do we not just do the best we can?

Mr. PERCY. All right. Leave it.

Mr. BAKER. I thank the Senator.

May I inquire of the Chair, under the formulation I have now pending before the Senate, would the amendments be presented by the Chair and debated by the Senate in order that I have read them?

The PRESIDING OFFICER. Not necessarily.

Mr. BAKER. Very well.

I wonder if that is what the managers intended. It does not make any difference to me.

Mr. PERCY. That is correct.

Mr. BAKER. They should be in that order.

Mr. PERCY. In that sequence.

Mr. BAKER. The request does not say that. I see both managers indicating a preference for that.

If I may have the attention of Senators in the Chamber, I wish to amend the request so that only these amendments are in order, that they will be presented in the order listed.

Mr. PERCY. All right.

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

Mr. BYRD. Mr. President, reserving the right to object, and those are words I always dreaded to hear when I was trying to get a time agreement, is the amendment by Mr. HELMS as presently written divisible? May I ask the Chair that?

The PRESIDING OFFICER. The amendment of the Senator from North Carolina as drafted is divisible.

Mr. BYRD. I thank the Chair.

Mr. BAKER. Mr. President, there is one further modification. I just received word that the junior Senator from Alaska (Mr. MURKOWSKI) wishes 20 minutes equally divided instead of 10 minutes. I assume no one is going to object to that. I modify my requests to that extent.

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

Is there objection to the request of the Senator from Tennessee?

Without objection, it is so ordered.

Mr. BAKER. I thank the Chair.

Mr. President, I thank all Senators. I especially thank those who have amendments to present.

Mr. PERCY. Very good.

The PRESIDING OFFICER (Mr. WILSON). Who yields time?

Mr. JEPSEN. Mr. President, will the Senator from Illinois yield?

Mr. PERCY. How much time does the distinguished Senator require?

Mr. JEPSEN. Three minutes.

Mr. PERCY. I yield 3 minutes to the Senator from Iowa.

Mr. JEPSEN. Mr. President, I rise in strong condemnation of the Soviet Union for the murder of 269 men, women, and children on August 31, 1983. As a result of barbaric Soviet actions, 61 Americans have lost their lives. The Soviet Union has compounded the infamy of shooting down an unarmed civilian airliner by steadfastly lying about its actions until the evidence overwhelmingly provided the true picture, and by refusing to accept any responsibility for the murders.

This Soviet behavior is not an aberration. One need only look at the history of the Soviet Union since November 1917, to see the roots of their wanton action on August 31. From the beginning of Bolshevik rule, the power of the Soviet Government and the Communist Party has been not the rule of law and respect for the rights of the individual, but rule by force and terror. In the name of ideology or the expediency of power, any legal framework for the protection of the individual has been suppressed or destroyed by the party in the Soviet Union. The millions who died in the brutal and irrational forced collectivization of Soviet agriculture in the 1930's are mute testimony to this fact. This behavior has spilled over into the international arena as well. One cannot recall too often the brutal suppression of the revolts in East Berlin in 1953, in Hungary in 1956, and Czechoslovakia in 1968. Most recently we have seen the Soviets engineer the destruction of the Polish free trade union, Solidarity.

Can we expect a change for the better in the Soviet system? If history is any indication, the answer is no. Nikita Krushchev attempted some minor reforms and liberalization within the Soviet bloc in the 1950's and was soon faced with internal strife as the long suppressed creative energies of the Russian and Eastern European people were released. The experiment has not been repeated. The only basis for Soviet power is force and terror, the system would cease to exist without it.

Now we have the latest example in the barbaric downing of Korean airliner 747. The Soviet Union must know that the brutal use of force in the international arena is completely unacceptable and that the civilized nations of the world will respond vigorously to their action. I commend the Senate leadership for introducing Senate Joint Resolution 158 condemning the Soviet Union. We must continue to explore sanctions and other forms of retaliation for this action, being careful to reject those sanctions that have been tried in the past and have proven either ineffective or more damaging to our interests than the interests of the Soviet Union. Most importantly, we must insure to the fullest extent possible that our actions are not unilateral, but coordinated with the other nations in the world who share our outrage.

Mr. President, the Soviets, by their unspeakable act on August 31, have given us another bloody reminder of the nature of their regime and their ideology. We must never forget this lesson as we attempt to reach agreements with the Soviet Union on a wide variety of issues, most importantly nuclear arms reductions. We must insure that our profound grief and outrage over the murder of 269 innocent men, women, and children translate into a determination never to allow ourselves to be placed in a situation where the Soviet use of force brings them any advantage in international affairs.

I thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, I ask for division on my amendment and I shall take them one by one. For the information of Senators in the Chamber and those who may be listening on the loud speaker, there will be seven rollcall votes as it now stands.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HELMS. Mr. President, there is a little confusion on the unanimous-consent agreement just now. Did that in fact modify the last provision in this amendment?

The PRESIDING OFFICER. The amendment preserves the Senator's right to modify.

Mr. HELMS. It only preserves the right to modify. Very well.

The PRESIDING OFFICER. That is correct.

Mr. HELMS. I will ask the distinguished Senator from Colorado if he wishes to suggest a modification at this time to lines 20 through 24 on page 2.

Mr. ARMSTRONG. Mr. President, I do suggest the modification which we discussed earlier, which, as I understand it, would result in paragraph 8 reading as follows:

. . . direct the Secretary of the Treasury to use existing statutory authority to prevent the import of any product or material produced in the Soviet Union with the use of forced labor.

Mr. HELMS. Mr. President, I have no objection to that modification. I assume the Senator will send the modification to the desk. If he will do that, I accept the modification.

The PRESIDING OFFICER. The Senator from North Carolina has the right to so modify.

Mr. HELMS. I thank the Chair.

Mr. ARMSTRONG. Mr. President, do I understand it is hereby so modified?

The PRESIDING OFFICER. It is so modified.

The Senator will send the modification to the desk, please.

The amendment as modified is as follows:

At the end of the joint resolution, add the following new section:

SEC. 2. It is the sense of the Congress that the President should recall the United States Ambassador to the Soviet Union for urgent consultations.

It is the sense of the Congress that the President should conduct a comprehensive reappraisal of the complete spectrum of United States-Soviet relations, including arms control, human rights, East-West trade, and regional issues.

It is the sense of the Congress that the President should report to the Congress on the record of Soviet compliance or non-compliance with the letter and spirit of all existing strategic arms limitation talks (SALT) agreements and other arms control agreements to which the Soviet Union is a party.

It is the sense of the Congress that the President should direct the United States negotiators at the strategic arms reduction talks at Geneva to link the possible success of such talks with the willingness of the Soviet Union to abide by international law as a responsible member of the community of nations, paying specific attention to the KAL 7 massacre, Soviet violations of the Helsinki accords, the Soviet invasion and subjugation of Afghanistan, the repression of Poland and its free labor movement, and the use of chemical and biological weapons in contravention of existing treaties.

It is the sense of the Congress that the President should re-emphasize the incon-

sistency of the Soviet military presence in the Western Hemisphere with the Monroe Doctrine.

It is the sense of the Congress that the President should tighten substantially the foreign policy and military controls over the export of machine tools, high technology products, and equipment for the development of Soviet oil and gas resources.

It is the sense of the Congress that the President should direct the Secretary of the Treasury to use existing statutory authority to prevent the import of any product or material produced in the Soviet Union with the use of forced labor.

Mr. ARMSTRONG. I thank the Chair and thank the Senator from North Carolina.

Mr. HELMS. I thank the able Senator from Colorado. He is always constructive and helpful.

Mr. HELMS. Mr. President, I yield myself such time as I may require.

The President, in the judgment of the Senator from North Carolina, should immediately recall the U.S. Ambassador to Moscow for urgent consultation as a consequence of the cold-blooded murder by the Soviet Union of the innocent men, women, and children aboard Korean Air Lines flight 007.

Certainly, this is a prudent and proper course for the President to follow. It is normal in a crisis to recall one's Ambassador for urgent consultation. It does not imply a break in relations nor is it a break with any diplomatic convention. Such a temporary recall is, in fact, a normal and prudent diplomatic procedure.

Indeed, the President at moments such as this needs to talk face to face with his personal representative in order to obtain an exact report on this situation and on the context in which U.S. policy must operate.

It is inconceivable to the Senator from North Carolina that the President has not recalled our Ambassador for urgent consultations already.

I am aware, however, that President Reagan has been under tremendous pressure from advisers who are pressing for the creation of the illusion of normalcy in the relations between our two countries.

It is not unlikely that the President has been inundated with counsels of a most superficial nature based upon the most tenuous and contorted lines of argument that we must not be seen to move too harshly against the Soviets, and I must say that President Reagan has acted in a most restrained manner and that is plain for the world to see.

It is certainly not the President of the United States who is behaving in an uncivilized manner. Indeed, the rulers of the Soviet Union daily demonstrate to the world their barbarism, and I choose to use that word that the distinguished late Senator Jackson used.

While I believe the President has acted in a most restrained manner, I would caution against a lack of prudence which I perceive in the counsels he is receiving. By this I mean that the recall of our Ambassador to Moscow is a matter of greatest prudence. Not to have such face-to-face discussions is a reckless disregard of the gravity of the situation.

Now, Mr. President, I ask for a division of the amendment, and I have no further comment on the first provision to be voted on. I ask for the yeas and nays on that division.

Mr. PERCY. Mr. President, will the Senator yield for a question?

Mr. HELMS. I certainly would.

Mr. PERCY. Just from the standpoint of the procedure, would it be the intention of the Senator to ask for a vote at the end of the discussion of each of the amendments or would the Senator prefer to stack the votes and possibly after the first vote we could have 10-minute votes on the successive rollcalls,?

Mr. HELMS. As the distinguished chairman of the Foreign Relations Committee will recall, it was I who suggested that we have stacked votes, and I am willing to accommodate in any way that he may desire, whatever his wishes may be.

Mr. PERCY. Will the Senator think well of having the first vote a 15-minute vote and then the subsequent votes 10-minute votes?

Mr. HELMS. I think that would obviously save time. Of course, it would require unanimous consent.

The PRESIDING OFFICER. The Chair would inform the Senators they are acting somewhat prematurely.

What is the request of the Senator?

Mr. HELMS. I thought I had indicated that, Mr. President, but I will indicate it again. Mr. President, each of the provisions of the amendment is one sentence, and I ask that the amendment be divided between each sentence. I think that is the best way to put it. The first division would end with the word "consultations" on line 6.

The PRESIDING OFFICER. All right. The Senator can so divide his amendment.

Mr. HELMS. Would the Chair think it would be expeditious for us to make clear about the rest of them or is the situation clear with the Chair as it now stands?

The PRESIDING OFFICER. I think it is perfectly understood, Senator. The amendment will be deemed divided.

Mr. HELMS. 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 on the first division of the amendment.

Mr. HELMS. I yield to the distinguished chairman of the Foreign Relations Committee, who may wish to propound a unanimous-consent request.

Mr. PERCY. Mr. President, I ask unanimous consent that the first amendment, first division of the Helms amendment, have a 15-minute recorded vote, rollcall vote, and that subsequent divisions be stacked together, each one of which after the first amendment would be 10 minutes in duration.

Mr. HELMS. May I ask the Senator if he has—I hope he will understand—has he checked with the leadership?

Mr. PERCY. Yes.

Mr. MOYNIHAN. Will the distinguished Senators permit me for a moment to check with the minority leader? I have not done it.

Mr. HELMS. Mr. President, I suggest the absence of a quorum with the time charged to nobody.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. 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. HELMS. Mr. President, in all candor, we have a little bit of a parliamentary tangle about the procedure suggested by the distinguished Senator from Illinois. While we unravel that, I ask unanimous consent that I may be permitted to lay aside my amendment so that a Senator may be recognized.

The PRESIDING OFFICER. Is there objection? There being none, it is so ordered.

Mr. ARMSTRONG. Mr. President, I believe it is the intention of the distinguished chairman of the committee to yield to me 30 minutes at some point during this debate and I inquire if this would be a convenient time.

Mr. PERCY. Mr. President, this is a convenient time. The Senator is happy to yield 30 minutes of the time of the chairman of the Foreign Relations Committee.

Mr. MOYNIHAN. Is it my understanding the chairman wishes to yield 30 of the 45 minutes available?

Mr. PERCY. That is right.

Mr. MOYNIHAN. As usual, the chairman knows what he is doing.

Mr. PERCY. Yes; that is right.

The PRESIDING OFFICER. Without objection, the Senator from Colorado is recognized.

Mr. ARMSTRONG. Mr. President, I am grateful to my colleague and friend, the distinguished chairman of the Foreign Relations Committee, for yielding to me.

Mr. President, I wish to join with other Senators, and indeed with all Americans, in expressing my sense of horror and shock at the barbaric event which has occurred on the other side of the world, and also to express in this forum what I have previously expressed privately, my profound sympathy to Kathy McDonald and the family of our colleague, Larry McDonald, and to the others who perished in that appalling episode.

Mr. President, like all Americans, I am deeply saddened by what has transpired. I am truly appalled. I must say, Mr. President, I am not particularly surprised. On the contrary, the brutal action of the Soviet Union is consistent with the way they have handled similar events in years past.

It is consistent with their handling of other accidental entry of their air space by other commercial airlines. It is consistent with their often expressed low view of human life. It is consistent with the Soviet Union's record of brutality, atrocity, and uncivilized behavior, which is a daily offense to the conscience of civilized persons all over the world.

Mr. President, there are some people—I trust none in this Chamber—but there are some in this country and abroad who are reluctant to face the overpowering reality that this world lives perpetually on the brink of war and conflict.

Now, some people tend to take the view that, well, there are two big powers in the world and they have big power interests and it is sort of a case that there are pros and cons on both sides. Some people have almost declared a sort of de facto moral neutrality.

I hope that what has happened in the episode of the KAL flight 007 will call public attention all over the world to the reality that Soviet intransigence is the main stumbling block to the peaceful resolution of world tensions.

Mr. President, nowhere in the world is the United States menacing other nations. Nowhere are we threatening armed invasion. Nowhere are we seeking control over weaker nations. We do not threaten the overthrow of established regimes. We are not funding terrorist groups. The Soviet Union is doing all of these things, and worse.

Recently, President Reagan addressed the United Nations. He recalled President Eisenhower's description of our foreign policy. Ike told the world:

> We are for peace, first, last and always *** and always for a simple reason. We know that only in a peaceful atmosphere, a peace with justice, one in which we can be confident, can America prosper ***

Today, more than ever, more than when President Reagan addressed the United Nations or when President Eisenhower first expressed this aspect of American policy, Americans long for peace.

We view with alarm and horrible sadness the bloodbath in the Middle East; the slaughter in Afghanistan; genocide in Southeast Asia, wars raging between Iran and Iraq, Ethiopia and Somalia, South Africa and SWAPO, Libya and Chad, South Yemen and Oman, the loss of life in El Salvador, Guatemala, Nicaragua, Angola, Mozambique, Zimbabwe—to say nothing of the horrible abuses of human rights, the torture and repression which are tragically common in other nations.

The universal desire of Americans to live in a peaceful world, to be at peace with all nations, has been expressed by every President and every Congress in our lifetime. Although our foreign policy has frequently been marred by dreadful mistakes, errors of judgment and, on occasion, incredible naivete, the consistent thrust of U.S. intentions has been exactly what President Eisenhower expressed so well—peace; independence and self-determination for all nations; cooperation, never conquest.

At the end of World War II, Japan was devastated, all of Europe lay in ruins at our feet. What happened? Did we subjugate our enemies and our former allies? By no means. On the contrary, we rebuilt their economies; through the Marshall Plan we restored Europe; we liberated the Philippines; and in the years since then we have committed American prestige, financial and military resources and fighting men in defense of freedom in South Korea, Southeast Asia, and Europe.

In return, we have sought no colonial empire. We have asked no concessions. We have extended a hand of friendship to nations around the world.

The record of the Soviet Union stands in stark and malevolent contrast—the ruthless repression of the Russian people; the brutal subjugation of the captive nations and Eastern Europe; construction of the Berlin Wall; exporting violence around the world; arming Cuban revolutionaries and PLO terrorists who have caused death and destruction in dozens of countries; supporting a genocidal regime in Southeast Asia. The Soviet Communist record is unmatched in the annals of tyranny, terrorism, and repression—a fact which we must never forget, and must never permit the world to forget.

World domination is the announced intention of the Soviet Union. To implement their plan, the Soviets have engaged in the greatest arms buildup in world history. They have been spending nearly three times as much of their gross national product on the military as has this country.

This unprecedented Soviet military buildup has borne impressive fruit. The Soviets now lead the United States in virtually every measure of military strenth, in some cases by breathtaking margins:

The United States has 16 Army and 3 Marine divisions. There are 180 divisions in the Soviet ground forces.

The Soviets have built as many tanks since 1970 as there are tanks in the entire U.S. Army. Overall, the Soviets have a 50,000 to 10,500 advantage, and an even greater qualitative advantage, since most U.S. tanks were built before 1970.

The Soviets have a 6-to-1 advantage in artillery pieces, a 4-to-1 lead in armored personnel carriers, a 2-to-1 lead in fighter aircraft, and a 3-to-2 edge in antitank missiles. In addition, the Soviets have fielded whole families of weapons systems, including rocket launchers, for which there are no counterparts in the U.S. Army.

Even on the high seas, traditionally an area of U.S. dominance, we are outnumbered. Our Navy has 189 cruisers, destroyers, and frigates, compared to 275 in the Red Navy. They have 266 attack submarines to our 80, approximately a 3-to-1 advantage.

Moreover, since 1969, the Soviet Union has deployed more ballistic missiles, 1,300, than the United States has altogether, 300 new strategic bombers, and has launched 55 new ballistic missile submarines.

In the midst of this massive strategic buildup, the Soviets have not neglected theater nuclear weapons. Since 1975, the Soviets have deployed some 300 SS-20 mobile ICBM's in Eastern Europe to supplement the 500 SS-4 and SS-5 missiles already deployed there. If one of the three warheads on the SS-20 is removed, or a third state added to the launcher, the missile is capable of striking targets in the United States. Clearly, the Soviet Union is fulfilling their plan, racing to add as much as they can to their nuclear arsenal.

The United States is making a belated effort to modernize our strategic nuclear forces, not to engage in some mindless "arms race" with the Soviet Union, but because we wish to restore stability to the nuclear deterrent which has so far prevented a nuclear war from occurring. Our goal is not more weapons, but more survivable weapons. At the end of the modernization program, we will have fewer missiles and bombers than we have now, and the aggregate destructive yield of the warheads they carry will be less than it is at present, reducing the likelihood that Soviet military planners may find a nuclear Pearl Harbor too tempting to resist.

In addition, Mr. President, over and over again President Reagan and his predecessors have advanced serious

concrete proposals to reduce the crushing burden of arms on both sides. These proposals have been made in good faith. But they have run into the same stumbling block that thwarted President Carter's proposal for arms reduction in 1977 and President Nixon's effort to negotiate a nuclear arms freeze in the context of SALT I negotiations: the stumbling block of the absolute unwillingness to the Soviet Union to agree to any mutual, balanced, and verifiable agreements to nuclear weapons.

Soviet stonewalling on nuclear arms reduction goes all the way back to 1946, when the United States had a nuclear monopoly. The United States offered to turn its nuclear weapons over to the United Nations, but our proposal was vetoed by the Soviet Union.

Even when the Soviets have entered into arms control agreements, their record of compliance has not been encouraging. The SALT I Treaty was highly advantageous to the Soviet Union, but even then the Soviets were unwilling to abide by its terms. Soviet violations of SALT I include:

Testing of both radar and missiles of an air defense system in an ABM mode, prohibited by article VI of the ABM Treaty;

Electronic jamming and the encrypting of missile telemetry to interfere with U.S. national technical means of verification, a violation of article XII of the ABM Treaty and article V of the Interim Agreement;

Replacement of the SS-11 light ICBM, about the size of our Minuteman III, with the heavy SS-19 ICBM, whose throw-weight is four times that of the SS-11, in violation of article II of the Interim Agreement; and

Deployment of ground-mobile launchers capable of launching the SS-16 ICBM. More ominous still has been the utter Soviet disregard of the International Convention prohibiting the manufacture and use of biological weapons, which the Soviet Union signed in 1972. There is, I believe, conclusive evidence the Soviets have supplied toxins for use by the North Vietnamese in Laos and Cambodia, and are using them themselves against freedom fighters in Afghanistan.

Recently we have learned that the Soviets, in violation of the understanding we have had with them about the SALT II agreement, have tested antisatellite lasers and missile tests of a sort that only seem to make sense in the context of a contemplated first strike.

The evidence of Soviet duplicity is massive. Overwhelming. Undeniable. This is the record, Mr. President, a brief summary of the record of the last 30 years or so, of relations between the Soviet Union and other nations around the world.

This is the context in which I believe we ought to consider the pending resolution.

Mr. President, I want to compliment the drafters of this resolution for the clarity and precision of their thoughts. It is obvious from the words which have been adopted by the House and which are now before the Senate that this country not only regrets and criticizes the Soviet action in the affair of the KAL flight 007, but, in fact, recognizes the Soviet regime for the outlaw nation it has become.

Mr. President, it is not enough just to criticize, it is not enough just to hurl even the strongest words at the Soviet Union, because a week from now, a month from now, or a year from now when all the words are forgotten and the public attention has shifted to another more pressing, more timely subjects, the words will be gone and all that will remain are our actions.

In the original draft of this resolution, which was considered yesterday by the other body, I believe there was a provision for some additional sanctions. My understanding is that has been removed. At least, there was some reference to additional sanctions. The reality is that thus far all we have done is complain. That we have done so in an elegant, powerful, persuasive, perhaps even a dramatic way matters very little in the long run.

It is proper and I applaud it, but in the final analysis the Soviet Union and nations of the world, all nations of the world, will recall not our words but our actions.

I think we must do something, something specific, something that exacts of the Soviet Union a penalty for this uncivilized, unlawful behavior in which they have engaged. In other words, words are not just enough, so far as I am concerned.

Mr. President, in the immediate wake of this tragic episode, it would have been very easy for the President of the United States or others to fly off the handle and recommend or take action which would be proven to be unwise on mature and sober reflection. Frankly, when this happened there were many people whose hearts told them we ought to break diplomatic relations with the Soviet Union.

But our heads told us that was not wise, that it would not advance the cause of peace, it would not bring back 269 people who perished in the KAL flight 007 episode, nor would it have afforded any protection against a future breach of the peace by the Soviet Union.

That is the real question.

There is not anything we can do to bring back the people who have already perished. The question is what constraints do we place upon the Soviet Union or other outlaw nations for the future?

I just cannot emphasize too strongly, Mr. President, that the statement of Mr. Gromyko across the table from our Secretary of State puts that in absolutely crystal-clear focus. There has not been the slightest indication that the Soviet Union repents of its action, regrets it, admits any degree of responsibility. In fact, they have made it very clear that they are fully prepared to do the same thing again.

I believe that there must be ways for this country and our allies to put measured, judicious pressure upon the Soviet Union to rethink their policies, to bring themselves into conformity with more civilized behavior.

If we do nothing, we will simply encourage future incidents of this kind which will be worse. If we fly off the handle, we run the risk of making the situation worse rather than better, which is what I think we would do if we broke diplomatic relations or failed to go to the bargaining table with them over arms issues, and so on.

Therefore, I am very pleased, Mr. President, to support the amendment proposed by our colleague from North Carolina (Mr. HELMS) which he has developed in consultation with many Members of this body as a thoughtful, restrained, moderate, temperate, judicious series of recommendations for concrete actions which do sanction the Soviet Union, which do exact a price and do so in a way that does not go too far and which does not, in my opinion, injure any interests of the United States or our allies.

Let us just review this proposal in detail.

First, our colleague (Mr. HELMS) suggests that we recall the U.S. Ambassador to the Soviet Union for consultation, that we may give in that act a demonstration of how seriously we take this matter.

Second, and this is a very important and I think really powerful, deceptively powerful, sanction that we can levy upon the Soviet Union: to reduce the number of diplomats accredited to the United States to the number of U.S. diplomats accredited to the Union of Soviet Socialist Republics.

We are not saying to send everybody home or to cut their number in half, but that they should not have any more in this country than we have in theirs.

Why is that such an important thing? For the simple reason that it is clear on the record that a great many, perhaps all but certainly a high proportion, of those so-called diplomats are, in fact, intelligence agents gathering information and they do so in the atmosphere of a country that is wide open. In other words, that is an important resource for them, to have all these people running around our country gathering industrial secrets, military intelligence, military matters, and

so on. On the other hand, the people we have in the Soviet Union are scarcely in the position to do that, no matter how many of them we might have, because they operate within the environments of a closed society.

I do not think anybody, no matter how you think about the other aspects of this, can think that this first part of the Helms amendment is extreme.

Second, the recommendations that the Congress should conduct a comprehensive reappraisal of the complete spectrum of United States-Soviet relations, including arms control, human rights, East-West trade, and regional issues.

I trust, as a result of such a reappraisal, to draw out for the whole world to see the efforts that we have made to reduce tensions and those instances—if there are any, and I believe there are many—in which the Soviet Union has refused to cooperate.

Third, to report to the Congress on the record of the Soviet compliance or noncompliance with the letter and spirit of strategic arms limitation talk agreements and other arms control agreements to which the Soviet Union is a party.

There are responsible reports raised by the media that extensive violations of international treaties are taking place at this very time by the Soviet Union. What are the facts?

Well, I think we ought to get a complete report, an official report. While I am inclined to believe, and, in fact, I do believe—I am not just inclined to believe—the news reports that have come to my attention, I believe that we ought to have a complete report of these matters from an official source.

Next, the Helms amendment directs that the U.S. negotiators at the strategic arms reduction talks link the possible success of such talks with the willingness of the Soviet Union to abide by international law as a responsible member of the community of nations.

In other words, I think we ought to tell the Soviets that we care about the way they are violating the rights of their own citizens and, in the process, breaking their word with respect to the Helsinki accords. We ought to tell them that what is going on in Afghanistan is important to us; that the repression of Poland and its free labor movement means something in this country and other Western nations; that we abhor the use of chemical and biological weapons; and that, when all of these things are happening, it makes it very difficult for us to take seriously the undertakings that they might give us with respect to strategic weapons.

They need to understand that, not just for our sake, but for theirs, because it is a fact that the people of this country are appalled by these and all of the other Soviet violations of decent conduct.

The Helms amendment urges the President to reemphasize the inconsistency of the Soviet military presence in the Western Hemisphere with the Monroe Doctrine.

It calls upon the President and other authorities to declare Poland in default on all or a part of the debt owed to the Commodity Credit Corporation.

Many of us thought this was wise some months ago. In fact, an amendment was adopted in this Chamber to do so. But particularly in the light of recent developments, this can well be a part of making the Soviet Union pay a price—in this case, a financial price—for their uncivilized action in the air line incident.

Seven, the Helms amendment suggests that we tighten substantially the controls over the export of machine tools, high technology products, and equipment for the development of Soviet oil and gas resources.

I say to my colleagues, it is a stain on the honor of this country to think that when Soviet troops went to war against the tribesmen of Afghanistan, they went in vehicles which were manufactured in plants constructed and financed with Western capital. We have a responsibility in that matter that we can never escape, but we do not have to keep making the same mistake over and over again of supplying the resources and the technology and the financing and the know-how that permits the Soviet Union to build and expand its war machine.

Finally, the Helms amendment proposes an appropriate way for the United States to respond to the barbarous murder of 269 innocent persons by enforcing the existing provisions of 19 U.S.C. 1307, which forbids importing into the United States all goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor and/or forced labor.

This law, which has been on the books for nearly 50 years, has not been enforced with regard to the Soviet Union, despite the fact that most of the $227 million worth of goods we imported from the Soviet Union last year came from industries in which the CIA says forced labor is extensively used. Enforcement of this provision of law would have little impact on our economy, but it would have a considerable impact on the Soviet Union which depends on sales to the United States to acquire foreign exchange, and it would make a statement to the Soviets and the world that needs to be made.

Mr. President, nothing can be done to bring back to life the 269 men, women, and children who died on KAL flight 007. But there is much that we can do to ease the plight of estimated 4 million inhabitants of the Gulag Archipelago. A good start would be simply to enforce the law already on the books that has been too long unenforced. Enforcement of 19 U.S.C. 1307 not only would provide a real, proportionate, and appropriate penalty for the barbarous murder of the passengers and crew of KAL flight 007, it would signal continued American concern for the systematic violation of human rights throughout the Soviet empire.

I ask unanimous consent to have printed in the RECORD at this time: First, a copy of the State Department's report on forced labor in the U.S.S.R.; second, a letter from CIA Director William Casey listing Soviet industries and products which make "extensive" use of forced labor; third, a letter from the customs service listing the types of commodities the United States imported from the Soviet Union last year, and fourth, articles by persons who are knowledgeable about this matter of forced labor in the Soviet Union.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, D.C.

RESTRICTIONS ON IMPORTING CONVICT-MADE GOODS

(By Jeanne M. Jagelski, Legislative Attorney, American Law Division)

RESTRICTIONS ON IMPORTING CONVICT-MADE GOODS

This report discusses the administrative implementation of 19 U.S.C. § 1307, which prohibits the importation of any article mined, produced, or manufactured in a foreign country with the use of convict, forced, or indentured labor, provided there are sufficient domestic quantities of such items.

Section 1307, which was enacted as § 307 of the Tariff Act of 1930, ch. 497 46 Stat. 689, provides as follows:

§ 1307. Convict-made goods; importation prohibited

All goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision. The provisions of this section relating to goods, wares, articles, and merchandise mined, produced, or manufactured by forced labor or/and indentured labor, shall take effect on January 1, 1932; but in no case shall such provisions be applicable to goods, wares, articles, or merchandise so mined, produced, or manufactured which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States.

"Forced labor", as herein used, shall mean all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily.

In addition, 18 U.S.C. § 1761 penalizes any person knowingly transporting goods (other than agricultural commodities, repair parts for farm machinery, or American-made commodities produced for the use of Federal, State, or local governments) in interstate commerce or from any country, where the goods are produced in any penal or reformatory institution or by convicts or prisoners, except those on parole or probation. Under 18 U.S.C. § 1762(a), packages containing goods described in 18 U.S.C. § 1761 that are shipped or transported in interstate or foreign commerce must be plainly and clearly marked with the name and address of the shipper and consignee, the contents, and the name and address of the penal or reformatory institution. 18 U.S.C. § 1762(b) authorizes the seizure of merchandise transported in violation of 18 U.S.C. §§ 1761 and 1762 by like proceedings for the seizure and forfeiture of property imported into the United States contrary to law.

To implement 19 U.S.C. § 1307, the Customs Service has promulgated the following regulations, set forth in Title 19 C.F.R.:

§ 12.42 Findings of Commissioner of Customs.

(a) If any district director or other principal Customs officer has reason to believe that any class of merchandise which is being, or is likely to be, imported into the United States is being produced, whether by mining, manufacture, or other means, in any foreign locality with the use of convict labor, forced labor, or indentured labor under penal sanctions so as to come within the purview of the first sentence of section 307, Tariff Act of 1930, he shall communicate his belief to the Commissioner of Customs. Every such communication shall contain or be accompanied by a statement of substantially the same information as is required in paragraph (b) of this section, if in the possession of the district director or other officer or readily available to him.

(b) Any person outside the Customs Service who has reason to believe that merchandise produced in the circumstances mentioned in paragraph (a) of this section is being, or is likely to be, imported into the United States and, if the production is with the use of forced labor or indentured labor under penal sanctions, that merchandise of the same class is being produced in the United States in such quantities as to meet the consumptive demands of the United States may communicate his belief to any district director or the Commissioner of Customs. Every such communication shall contain, or be accompanied by, (1) a full statement of the reasons for the belief, (2) a detailed description or sample of the merchandise, and (3) all pertinent facts obtainable as to the production of the merchandise abroad. If the foreign merchandise is believed to be mined, produced, or manufactured with the use of forced labor or indentured labor under penal sanctions, such communication shall also contain (4) detailed information as to the production and consumption of the particular class of merchandise in the United States and the names and addresses of domestic producers likely to be interested in the matter.

(c) If any information filed with a district director pursuant to paragraph (b) of this section does not conform with the requirements of that paragraph, the communication shall be returned promptly to the person who submitted it with detailed written advice as to the respects in which it does not conform. If such information if found to comply with the requirements, it shall be transmitted by the district director within 10 days to the Commissioner of Customs, together with all pertinent additional information available to the district director.

(d) Upon receipt by the Commissioner of Customs of any communication submitted pursuant to paragraph (a) or (b) of this section and found to comply with the requirements of the pertinent paragraph, the Commissioner will cause such investigation to be made as appears to be warranted by the circumstances of the case and the Commissioner or his designated representative will consider any representations offered by foreign interests, importers, domestic producers, or other interested persons.

(e) If the Commissioner of Customs finds at any time that information available reasonably but not conclusively indicates that merchandise within the purview of section 307 is being, or is likely to be, imported, he will promptly advise all district directors accordingly and the district directors shall thereupon withhold release of any such merchandise pending instructions from the Commissioner as to whether the merchandise may be released otherwise than for exportation.

(f) If it is determined on the basis of the foregoing that the merchandise is subject to the provisions of the said section 307, the Commissioner of Customs, with the approval of the Secretary of the Treasury, will publish a finding to that effect in a weekly issue of the Customs Bulletin and in the Federal Register.

(g) Any merchandise of a class specified in a finding made under paragraph (f) of this section, which is imported directly or indirectly from the locality specified in the findings and has not been released from Customs custody before the date of publication of such finding in the Federal Register shall be considered and treated as an importation prohibited by section 307, Tariff Act of 1930, unless the importer establishes by satisfactory evidence that the merchandise was not mined, produced, or manufactured in any part with the use of a class of labor specified in the finding.

(h) The following findings made under the authority of section 307, Tariff Act of 1930 are currently in effect with respect to the merchandise listed below:

Merchandise	Country	T.D.
Furniture, clothes hampers, and palm leaf bags.	Ciudad Victoria, Tamaulipas, Mexico.	53408 54725

(Sec. 307, 46 Stat. 689; 19 U.S.C. 1307)

§ 12.43 Proof of admissibility.

(a) If an importer of any article detained under § 12.42(e) or (g) desires to contend that the article was not mined, produced, or manufactured in any part with the use of a class of labor specified in section 307, Tariff Act of 1930, he shall submit to the Commissioner of Customs within 3 months after the date the article was imported a certificate of origin in the form set forth below, signed by the foreign seller or owner of the article. If the article was mined, produced, or manufactured wholly or in part in a country other than that from which it was exported to the United States, an additional certificate in such form and signed by the last owner or seller in such other country, substituting the facts of transportation from such other country for the statements with respect to shipment from the country of exportation, shall be so submitted.

CERTIFICATION OF ORIGIN

I, ————, foreign seller or owner of the merchandise hereinafter described, certify that such merchandise, consisting of ————(Quantity) of ———— (Description) in ————(Number and kind of packages) bearing the following marks and numbers ———— was mined, produced, or manufactured by ————(Name) at or near ————, and was laden on board ————(Carrier to the United States) at ————(Place of lading) (Place of final departure from country of exportation) which departed from on ————; (Date); and that ————(Class of labor specified in finding) was not employed in any stage of the mining, production, or manufacture of the merchandise or of any component thereof.

Dated ————

————————
(Signature)

(b) The importer shall also submit to the Commissioner of Customs within such 3-month period a statement of the ultimate consignee of the merchandise, showing in detail that he had made every reasonable effort to determine the source of the merchandise and of every component thereof and to ascertain the character of labor used in the production of the merchandise and each of its components, the full results of his investigation, and his belief with respect to the use of the class of labor specified in the finding in any stage of the production of the merchandise or of any of its components.

(c) If the certificate or certificates and statements specified in paragraphs (a) and (b) of this section are submitted within the time prescribed and the Commissioner finds that the merchandise is admissible, the collector of customs concerned will be advised to that effect, whereupon he shall release the merchandise upon compliance with the usual entry requirements.

(Sec. 307, 46 Stat. 689; 19 U.S.C. 1307)

§ 12.44 Disposition.

Merchandise detained pursuant to § 12.42 may be exported at any time before it is deemed to have been abandoned as hereinafter provided for. If it has not been exported within 3 months after the date of importation, the district director shall ascertain whether the proof specified in § 12.43 has been submitted within the time prescribed in that section. If the proof has not been so submitted, or if the Commissioner of Customs advises the district director that the proof furnished does not establish the admissibility of the merchandise, the district director shall promptly advise the importer in writing that the merchandise is excluded from entry. Upon the expiration of 60 days after the delivery or mailing of such advice by the district director, the merchandise shall be deemed to have been abandoned and shall be destroyed, unless it has been exported or a protest has been filed as provided for in section 514, Tariff Act of 1930.

(Sec. 307, 46 Stat. 689; 19 U.S.C. 1307)

§ 12.45 Transportation and marketing of prison-labor products.

If any apparent violation of section 1761 or 1762, title 18, United States Code, with respect to any imported article comes to the attention of a district director, he shall detain the article and report the facts to the appropriate United States attorney. If the United States attorney advises the district

director that action should be taken against the article, it shall be seized and held pending the receipt of further instructions from the United States attorney or the court.

Thus, if a district Customs director has reason to believe that any merchandise is being imported into the United States in violation of 19 U.S.C. § 1307, he is to communicate his belief to the Commissioner of Customs, who upon receipt of such information, may initiate an investigation. 19 C.F.R. § 12.42(a), § 12.42(d). If the Commissioner of Customs finds that the information reasonably but not conclusively indicates that § 1307 merchandise is involved, he must promptly advise the district directors to withhold the release of the such merchandise pending further instructions. 19 C.F.R. § 12.42(c). If the Commissioner makes a final affirmative determination, importation of the merchandise will be prohibited, unless the importer by satisfactory evidence establishes that the merchandise does not fall within the purview of § 1307. 19 C.F.R. § 12.42(g).

The Customs Service has ruled that merchandise believed to be subject to § 1307, but which has not been the subject of a finding prohibiting entry under 19 C.F.R. § 12.42(g) "shall not be detained pending the transmittal of the statement provided for in 19 C.F.R. § 12.42(a) and (b) and the receipt of advice by the Commissioner of Customs whether any such class of merchandise shall be detained or released from Customs custody." C.S.D. 79-317 (1978). In addition, packages believed to contain convict-made goods that are not clearly marked "should be detained and reported to the U.S. attorney pursuant to 19 C.F.R. § 12.45 only when there appears to be a clear violation of the provisions of 18 U.S.C. §§ 1761 or 1762 from established facts and shipping documentation. If a package is withheld release pursuant to 19 C.F.R. § 12.45, a report shall be made to U.S. Customs Service headquarters concurrently with the detention and the submission of a report to the U.S. attorney." Ibid.

In a decision dealing with auto parts made in a prison industrial work program, the Customs Service has ruled that merchandise produced in prison on an inmate's own time, where the inmate receives adequate pecuniary benefit and where there is no pecuniary benefit to the state, will not be considered to be produced under penal sanction, and thus not subject to § 1307. Unpublished C.S.D. 710306, Sept. 13, 1979.

In general, the provision has been applied to imports of small, handmade objects. For example, in 1964 the Commissioner found that "minitanks" (small plastic tanks and vehicles used in conjunction with H.O. gauge model railroad cars) made in Austrian prisons would be subject to § 1307, unless the importer established the contrary. T.D. 56126. Under current regulations, furniture, clothes hampers, and palm leaf bags from certain areas of Mexico may not be imported. T.D. 53408, T.D. 54725, 19 C.F.R. § 12.42(h).

CENTRAL INTELLIGENCE AGENCY,
Washington, D.C., May 19, 1983.

Hon. WILLIAM L. ARMSTRONG,
U.S. Senate, Washington, D.C.

DEAR SENATOR ARMSTRONG: As you suggested, we have put together a list of Soviet industries which utilize forced labor and produce goods for export. A copy of that list is enclosed. While we have done extensive research on this question for many years, we cannot determine the exact magnitude of the contribution forced labor makes to the total output in each industry, nor can we give you a list of brand names or products.

I thought you might find the enclosed article from the Fall 1982 issue of Workers Under Communism, an AFL-CIO journal, interesting. It is a generally accurate summary, consistent with our own sources of information, and includes the names of some specific products produced with the help of forced labor.

Sincerely,

WILLIAM J. CASEY,
Director of Central Intelligence.

Enclosures.

ENCLOSURE 1

Based on a variety of intelligence sources and open publications with information from former prisoners, CIA has compiled the following list of industries and products in which forced labor is used extensively.

I. Wood Products: Lumber furniture, casings for clocks, cabinets for radio and TV sets, wooden chess pieces, wooden souvenirs, wooden crates for fruit and vegetables, and cardboard containers.

II. Electronic: Cathode ray tube components, and resistors.

III. Glass: camera lenses, glassware, and chandeliers.

IV. Automotive: Auto parts, wheel rims, and parts for agricultural machinery.

V. Mining/Ore Processing: Gold, iron, aluminum, coal and peat, uranium, asbestos, limestone, and construction stone and gravel.

VI. Clothing: Coat, gloves, boots, and buttoms and zippers.

VII. Petroleum Products and Chemicals.

VIII. Food: Tea.

IX. Miscellaneous: Brick and tile, watch parts, wire fences, mattreses, screens; steel drums and barrels, lids for glass jars, plumbing equipment, storage battery cases, concrete products, electric plugs/cords, electric heaters, electric motors, pumps, and woven bags.

DEPARTMENT OF THE TREASURY,
U.S. CUSTOMS SERVICE,
Washington, March 31, 1983.

Hon. WILLIAM L. ARMSTRONG,
U.S. Senate, Washington, D.C.

DEAR SENATOR ARMSTRONG: Thank you for your letter of February 16, 1983, concerning the importation of specific goods and commodities into the United States from the Soviet Union. You ask for the data in consideration of 19 U.S.C. 1307, relating to the prohibition of the importation of goods made by convicts or forced labor, and for offering an amendment to the Export Administration Act to require the Soviet Union and the U.S. Treasury Department to certify annually that none of the importations are produced, in whole or in part, by forced labor.

The Foreign Trade Division, Bureau of the Census, Suitland, Maryland 20233, has supplied us with the following information for significant products imported into the United States for the 1982 year from the Soviet Union.

	Commodity	Net quantity	Value
1.	Platinum metals groups	336,615 t. oz.	$30,706,000
2.	Unwrought nickel	4,196,147 lb.	10,563,000
3.	Gold bullion, dore and precipitates, sweepings, waste and scraps.	11,583, t. oz.	4,081,000
4.	Numismatic coins		6,104,000
5.	Furskins, sable, whole, raw or undressed.	76,465	7,164,000
6.	Alcoholic beverages (aquavit, arrack, bitters, tequila, spirits, and preparations, imitation of wine and brandy).	1,117,658, pfg	9,579,000
7.	Gasoline and other motor fuels	269,144 bbls	10,341,000
8.	Ammonia, (anhydrous and liquid), and aqua.		88,765,000
9.	Potassium chloride or muriate potash	65,807 stn	4,600,000
10.	Urea, NSPF	96,969, stn	10,434,000
11.	Radioactive isotopes	339,445 mc	107,000
12.	Inorganic bases and metallic oxides	24,926 lb	1,674,000
13.	Miscellaneous imports of insignificant value.		43,465,000
	Total imports, Soviet Union		227,583,000

Government statistics and data are not recorded for firms in the United States which import goods from the Soviet Union, for brand names of consumer products, or for the point of origin in the Soviet Union. However, we note that items (8), (9) and (10) may significantly apply to the Occidental Petroleum Corporation's 20-year, $20 billion fertilizer agreement to sell superphosphoric acid to the Soviet Union in return for Soviet ammonia, urea and potash.

The Soviet Union's closed economy and use of corrective labor as punishment imposed by court sentence make it unlikely that this Agency of the Treasury Department can develop conclusive evidence and gain access to fully corroborative information as to the use of forced labor, in whole or in part, in the manufacture, production or mining of the commodities or goods now being imported into the United States. In the absence of specific information that suspect merchandise of Soviet origin is being introduce into the United States in violation of 19 U.S.C. 1307, and in view of the relatively low magnitude and the character of the imports, as a whole, and the difficulties in conducting on-site investigations, this Agency has not undertaken independent action to determine that the goods were produced, in whole or in part, by forced labor.

Please do not hesitate to let us know if we can be of further help in this matter.

Sincerely,

ROBERT P. SCHAFFER,
Assistant Commissioner
(Commercial Operations).

MADE IN THE GULAG FOR SALE IN BRITAIN

Last year Britain imported £828 million worth of goods from the USSR against our own exports of only £420 million. This year that trade has increased still further. And though it may be politically and commercially embarrassing to accept it, the evidence is that a significant quantity of the imports was the product of slave labor. Much of it was made or partly made in the prison camps of the Soviet Gulag.

Russian emigrés, exiled dissidents, Jewish pressure groups and organizations like Amnesty International even assert that hardly a single item exported from Russia—whether a heavy truck or a cut glass chandelier—has not got some component in its manufacture originating in a forced labor camp or prison.

It is time, they say, for the inner secrets of Soviet industry to come under greater scrutiny by the naive West now queuing to take advantage of the thawing relations with the USSR.

In an intensive investigation in four countries over several weeks, NOW! has subjected the Soviet industrial network to just that sort of examination. Basing our inquiries on the claims of 20 former prisoners we have discovered just how much the British

market has been penetrated by force labor products—from caviar processed by women prisoners to cuckoo clocks, transistor radios and even electric motors in some Rank Xerox office copiers. At the Russian Trade Delegation's headquarters in Highgate, London, Mr. Vladimir Cheklin, its deputy head, declined to discuss the allegations about the origins of Soviet products on sale in Britain.

"These people make these accusations yet they do not really know whether they are true or not. I see no real reason for talking about it. The best thing I think is for you to go to Siberia and see for yourself. You cannot really trust anybody these days and the information these dissident people put out is old and not to be trusted." he said.

Asked whether it would be possible to go to Mordovia, one of the main areas with camps, rather than Siberia, he replied: "Do you let Russians visit the prison camps in Northern Ireland?"

But now, within 11 months of the invasion of Afghanistan and the West's ensuing trade retaliations, Britain has effectively brought to a close the commercial cold war with Russia.

The first top Soviet official to be allowed back in since the crisis was Vladimir Sushkov, the Deputy Foreign Trade Minister, who recently signed a 10 year deal worth £143 million a year in exchange trade with ICI. Britain is openly responding to Moscow's ardent trade rapprochement with the West.

Other Western nations are doing the same. Meanwhile diplomats are gathered in Madrid to condemn the USSR for its persistent violations of the Helsinki Agreement code of human rights.

They condemn among other outrages the treatment of the lost millions of prisoners who form the colossal empire of forced labour upon which much of Russia's entire export strategy of mass volume at low cost is founded. But the Russians are unimpressed.

Thousands of cheap Russian television sets, radios, cassette players and fridges have flooded the British market in recent years to be eagerly snapped up by buyers anxious for a "bargain". Nearly all of them are marketed under the name Vega, "the trustworthy choice" and all of them, along with Vega clocks and Sekonda watches are sold by the Technical and Optical Equipment Company in Edgware Road, London. The company has pushed the Vega 6in portable TV, £69.95 + VAT, to the front of its field with annual sales of between 25,000 and 30,000.

People with old black and white portable TVs which need a replacement tube are more likely to get a £30 Russian one installed than any other. The Russian tubes almost monomplise the market. A Radio Industries' Council official confirmed this: "They are now a major source of supply."

Vega Radios are produced at four plants in USSR. One, in Riga, gets components from several camps scattered around the city. Another, the Moscow Radio Works, is supplied by the Vladimir Prison. Casings for TV and radio sets are made in Camp OU-85/8 in the Crimea and a camp in Mordovia. Camp 36 in Perm provides replacement TV and radio parts, electron gun elements for cathode ray tubes and heating elements for domestic irons which are sent to the Turbo Generator Factory in Lysva.

Dr. Cronid Lubarsky, who spent five years in the camps, provided a remarkable insight into how Vladimir Prison, which is 120 miles from Moscow, is able to maintain the flow of radio resistors to Vega.

"The work norms are incredible and everything has to be carried out in the cells, which despite being only 10 metres square, contain three men, beds, lavatory and all the equipment and machinery for the constant work. Lamps in the cells come on at 5 am and never go out until 10 pm. Your only break is an hour in the exercise yard.

"To make the norm of 3,000 resistor parts a day men have to work well over their supposed eight hours. The lighting and ventilation was appalling and men's eyesight and health rapidly cracked up. The first signs were blinding headaches after three months and within six months they would break down altogether. It was all because they had this wicked system of basing the daily food rations on a prisoner's output so that if he failed he would have it cut down. More cruel still was that it was based not on weight but calories so men would be working frantically simply to stave off starvation."

Lubarsky and other dissidents, like Yuri Belov and Nikolai Scharegin recalled how in Vladimir the persistent norm breakers and dissident agitators were condemned for indefinite periods to the solitary confinement cells, the "lonely cells".

"They were in the dreaded Block Four and were so narrow you could never sleep outstretched, put your hands on hips, hear a sound or see your own hands because of the darkness. There was no bunk and proper food only each second day with black sour bread and water on the others. Once a former top Russian weightlifter went in there for 42 days weighing 70 kilos at the beginning and 50 at the end," he said.

Mr. Stuart Robinson, sales manager of Technical and Optical Equipment Co., refused to discuss the claims made about the origins of some of their sale goods. "Look, we're a commercial company and we don't known anything about human rights. Go to Russia if you want to write an article of this kind, I'm not going to be quizzed on the telephone about it and my diary is full until after Christmas if you want to see me. I suggest you get on to the Russian Embassy or somebody in authority," he said.

At the Russian Shop in Holborn, London the shelves are filled for the Christmas shopping boom with carved wooden chess sets, brightly painted toys and household trinkets such as jewelry boxes and ornamental bowls, alongside cut glassware, wall clocks, stone sculptures and, in particular, the distinctive £57 sets of interlocking carved wooden matrioshka peasant dolls. They are but an example of the considerable volume of souvenir-type consumer goods pouring into Britain among the £11.7 million worth of wooden and cork products imported from the USSR last year.

Moscow is able to cover up the involvement of forced labour in the case of the dolls because many goods are sent for finishing by craftsmen. But ex-Gulag prisoners testify that the initial labour on many dolls is done in the camps. Three who were personally involved are Joseph Lederman, Michael Vais and Abraham Sin. They said the dolls were worked on in camps around Surgut in the Tuymenskaya district and in the Alma Atinskaya region.

Three of the other dissidents interviewed, Lubarsky, Belov and Scharegin, have been in the Mordovian camps and talked of their high output of cuckoo clocks—big sellers in Britain—and wooden chess sets.

The KGB arrange for the trademark to be that of a "free" factory, village, town or city—the cuckoo clocks, made in Mordovia's Camp 19 where men frequently lost fingers and hands trying to keep up with the norms on ancient machines, were sent to Serdobsk in Penza region for final assembly and painting before being shipped here. Altogether we receive 2,000 to 3,000 a year.

Clock casings are also made in Mordovia for Vega wall and mantle clocks which sell here for between 5.35 and 24 as well as a wide range of other wooden items which include chess sets, bowls and carved figures. The principle camps involved are 5,7 and 19, which have all been used for political prisoners and described as "severe" with incredibly high norms. The main centre for the finishing process is Saransk.

Olympic souvenir brooches and Misha the Bear badges, which sell in London's Russian Shop, originated in camps around the Kalinin area, in the complex ON-55.

The camps of Potma provide much of the elegant cut glassware and chandeliers exported to the West.

In them, prisoners are put to work grinding the glass in workshops filled with glass dust. Usually they have no face masks. Some claim to have to sleep in dust-filled dormitories alongside their work areas so that chest illnesses like silicosis are rife.

Other regions for glass working are the women's camps around the Baikal Lake area and at Roslavl near Smolensk where the glass for the bottles of prized Russian vodka, Moskowskaya, is produced by prisoners.

A camp near Grozni turns out decorated souvenir goat horns which again are finished in outside "free" factories while the Russian Christmas cards which flooded British shops last year were produced alongside Russian postcards at a printing plant in the Kalinin region built by prisoners.

The decorated wooden cigarettee boxes now selling for £4 in the Russian Shop are similar to those turned out by the inmates of a camp at Suzdal in the Vladimir region.

Similarly, the soapstone items they sell at the shop for between £2 and £20 are thought by Nikolai Scharegin to originate from camps in the Urals.

Cowan, de Groot, handles within its Russian Shop division the distribution of the Soviet-made handicrafts and household ornaments to over 1,800 gift shops and stores throughout Britain as well as its shop in London's Holborn which next year celebrates its 20th anniversary.

Wholly Western-owned, Cowan, de Groot buys all its merchandise through the official Russian state trading organisations and has an annual turnover of approximately £500,000.

In the past one of its strong lines has been the Majak cuckoo clocks of the type Lubarsky made parts for in Mordovia's Camp 19. The firm's managing director, Nigel Hails, admits he has never questioned Russian officials about the products he buys from them and sells in Britain. "It's not up to me to criticise or question their system—it's the one they have just like we have ours.

"It's all a question of degree and how regimes operate their respective systems. It's not for me or you to say how they should do it. It's their right to have their own system," he said. He added that it was impossible for the goods he sells to have been produced by prisoners in camps as they were the work of specialist craftsmen trained since schooldays.

"I'm a commercial man and I don't get mixed up in politics, everything is strictly business. I have seen these products being

made and to suggest it's being done by prisoners is absolute nonsense."

He conceded that the Olympic souvenir brooches and badges on sale in his Russian Shop could have been made by prisoners. "A prisoner is a prisoner and you have to keep him occupied. If there is something therapeutic that he can do then it's a good thing. It's healthy in my opinion—and I believe that of the majority of people. If they did not do something useful then you would have a dreadful situation where they rot and die. You have got to make them try and earn their keep, it's one way of keeping them sane."

Mr. Hails dismissed the arguments and claims of dissident groups and ex-prisoners as "distorted and dangerous rubbish".

The other main outlet in Britain for household items and ornamental goods is the Russian-owned and operated Razno company which supplies stores and importers throughout Britain from its Shoreditch headquarters.

The company imports £200,000 worth of Russian glassware annually among its £4-million worth of household hardware and building materials. Mr. David Parker, the general manager, said: "I've visited most of the factories which supply us and don't believe all this stuff about prisoners. The Russians only export the very best top quality stuff and prisoners simply could not produce that kind of product. They do not have the capability, it's got to be done by full-time specialists in free factories."

But household ornaments and wooden souvenir goods are only the highly visible tip of a mountain of Russian products orginating in the Gulag which each year are imported to Britain to be unwittingly bought in our High streets.

Cameras, binoculars and precision instruments: Total imports of these amounted to £5.75 million and the main brand names involved are Zenith, Zorki and Lubitel cameras. Helios binoculars and camera lenses, Sekonda watches and microscopes, metering instruments and scientific and engineering equipment which are all marketed by the Technical and Optical Equipment Company. The Zenith and Zorki cameras sell for between £20 and £50.

Clock and internal watch components made in camps around Chistopol supply a free factory in Kazan. Camps 35 and 37 in the Perm political camp complex turn out precision instruments and tooling equipment to be then sent on to a free factory at Sverdlovsk which give them their own trade name, according to Cronid Lubarsky.

Camps around Rybinsk on the Volga conduct precision glass grinding and polshing for camera lenses, telescopes, microscopes and binoculars. At Krasnogorsk parts are made for both Zenith and Zorki cameras and Nikolai Scharegin knows of one prisoner who became so incensed at seeing a line of £26 Zorki 4 models ready for export that he went berserk, smashing over 150 before being restrained.

Office equipment: Rank Xerox provide a classic example of how even a major international company can unwittingly find itself buying the products of forced labour.

In the early 1970s they concluded a deal whereby they would sell copiers and duplicators to the Soviet Committee for Science and Technology in return for Russian electro motors to be sent to their Gloucestershire base.

These motors, which went into a range of their copiers, were in fact made by both political and ordinary prisoners in the hardline Vladimir Prison.

The discovery was made by Nikolai Scharegin who had to translate a letter detailing modifications in the motors from Rank Xerox to Russian officials supervising the prison work.

Mr. Ralph Land, head of Rank Xerox's eastern export division, confirms this but stresses the company did not know prison labour was involved. "We never countenanced it and if we had known the facts we would never have supported it," he stressed. The export of the motors to Rank stopped over four years ago.

Vehicles: Lada Cars now monopolise all Russian car exports to Britain while the Letchworth-based UMO Plant Ltd handle the imports of a wide range of Belarus tractors, Belaz dumper trucks and two models of a Land-Rover type vehicle known as a Truckmaster. Ladas are imported through Lada Cars (GB) Ltd, which is based at Bridlington, North Humberside, and which has built up a dealership network of over 170. Total imports last year in this field were £29,050,000.

According to Lada Cars (GB) Ltd all the 3,000 models now awaiting delivery plus the 12,084 already sold this year in Britain come from their massive Togliatti plant on the banks of the Volga 600 miles south east of Moscow, produced by a 100,000-strong free workforce trained by Fiat who also provided the necessary technology.

Their British spokesman knows nothing about a region around Sukhobezvodnoye, near Gorky where camps supply the plant with spare parts ranging from road wheels and engine parts to steering wheels and suspension components.

According to Yuri Belov, some of its prisoners are political, mostly Baptists, while around Togliatti itself there is another complex UR-65 working on car components.

All of our four principal informants were emphatic that Lada cars—known in Russia as Zhigulis—along with all the other Russian cars like Moskvitches, Chaikas and Volgas, include components made by the downtrodden men of the Gulag in Mordovia, Vladimir Prison, around Vsesuyatskaya in the Perm region, in the Tula region and around Krasnoyarsk and Novorossiisk.

Yuri Belov turned out cylinders for road wheels in the Mordovian strict regime Camp 10 at Udarny where temperatures plummeted to minus 20, and those who survived would sleep 40 to one two-tier roomsize bunk in a three-metre-square dormitory. His norm was 800 cylinders a day on poor food and in an unheated workshop.

Nikolai Scharegin and another exile, former engineer Lev Kwatchevsky, both verify that steering wheels destined for Lada's Togliatti plant were made at Camp 3 at Barashevo in Mordovia, along with axle parts, shock absorbers, oil chambers and wheel rims. In addition, parts for heavy trucks and agricultural machinery and tractors were turned out there.

Scharegin asserts bitterly that not a single Lada to come out of Russia is free of prisoner-made components. "It's why they are so cheap. Nobody should buy them," he said. The same goes for all other Russian cars, for the camps appear to supply a vast nationwide pool for spare and components feeding the Zil Motorworks in Moscow, another plant at Likhachev, one at Electrostal, the major Byelorusky truck plant at Minsk, a tractor plant at Chelyabinsk in the Urals and other vehicle factories at Gorky, Smolensk and Atchinsk.

In Vladimir Prison in the overcrowded, ill-ventilated poorly-lit prisoners' cells, canopies, roofs, polyurethane seats and cab components for tractors have been seen being made by prisoners by both Cronid Lubarsky and Georgy Davydov.

For Lada Cars (GB) Ltd., their public relations chief, Roger Mercer, said: "I don't believe any parts for our cars are made by prisoners or in camps and prisons. I've heard this one about steering wheels before, it's a horny old one and I don't know why these dissidents keep resurrecting it. I agree some parts for final assembly at Togliatti are made outside the factory but I think it's to much of a hot potato politically for the Russians to put export work in the hands of prisoners."

UMO Plant Ltd of Letchworth, as well as declining to disclose their sales figures to the British vehicle industry were reluctant to talk at length about their products. Their Russian managing director, Mr. Georgy Sakulin confirms that all the export trucks are assembled at the Byelorusky plant at Minsk and tractors at the city's MTZ plant, before being shipped to Britain. "We have thousands of plants all over the country making parts. That is how we operate," he said. When I later contacted the company to continue my conversation with Mr. Sakulin about where in Russia the trucks and parts were made—the telephone was put down during the first conversation—staff said he "was away visiting Russia". His deputy did not want to discuss the matter.

Agricultural equipment is turned out at a vast factory in Dnepropetovsk supplied with parts made at the nearby Camp YaE-308/26, according to Cronid Lubarsky.

Timber: This is one of the cornerstones of the USSR's export trade to the West and the £115 million of sawn softwood and plywood exported to Britain last year made it our third biggest Russian import. This year although the volume is down, its value has escalated and reached £75 million by September.

Yet over 90 percent of all Soviet timber exports are handled by prisoners in camps strung across all of Northern Russia from Murmansk and Archangel in the West to Siberia in the east. The work is regarded as amongst the most soul-destroying of the Gulag and often given to politicals in strict regime camps.

In the Perm region one of many strict regime camps is for women put to work felling and dragging timber to sawmills. In Murmansk there are at least seven strict regime camps with a special factory for wooden souvenir products which is manned by prisoners. Other timber camps are scattered around Archangel and in the endless forests stretching around the Kara Sea area.

The British Timber Trades Federation comforts itself that because the wood we get in Britain is not from the east in Siberia it has been worked on by free labour. "We get ours from the western-side of Russia around Murmansk, Archangel and the Kara Sea areas, not areas of prison labour. We would be very surprised indeed if the mills that supplied us used it."

Gold and diamonds; Russia's most lucrative export to Britain last year was uncut diamonds—£335,465,000 for sale on the London market through de Beers. Russian goldfields—the biggest in the world—supplied the West with 229 metric tons via Switzerland in 1979. Its value was in excess of £935 million and Britain was among the buyers.

Those fields are in Armenia, the Carpathians and Urals, around Chelyabinsk, Sverd-

lovsk and throughout the vast polar wastelands of Kolyma, the coldest place in the northern hemisphere where the principal occupation for thousands of miserable convicts is mining the gold for export. "All the stuff from around there comes from forced labour," admitted one specialist trade official.

Two strict regime camps engaged in gold mining are at Korkino in the Chelyabinsk region and another is near the River Lyena, claims Schareign. Much of the work on diamonds carried out by prisoners is around the Baikal Lake area and along the River Slyudyanka where there are 38 camp zones. Women do most of it—under threat that the children they have with them will be taken away if they break norms, claims a woman dissident, called Julie Wosnesenskaja. Other diamond work goes on at camps near Salekard and Mirnii.

Caviar: This again is the preserve of women prisoners—over 7,000 of them are situated in camps around Sakhalin and on Shikotan Island in the Kuril Islands of the Pacific where they also unload trawlers for the biggest canning factory in the USSR, according to Yuri Belov. The caviar is red, not black, and after removing it from fish the women clean and salt it before it is sent to a free factory at Astrakhan for packing into glass jars for export. The jars are made at another camp at Guriev on the Caspian Sea.

Last year fish and fish products accounted for £5,024,000 worth of Russian exports to us. Red caviar, which is inferior to black, sells in London for around £10.25 a half pound.

Chemicals, ores, petroleum products and mining: Many of Britain's biggest companies have been attracted to this field to trade with the USSR, often providing the technological know-how or the construction expertise to build plants and factories which then pay for themselves by exporting their produce to Britain rather than paying in rubles. ICI and Albright and Wilson Ltd of Knightsbridge Green, SWI are but two firms to do this and our imports in this area last year totalled £18.5 million.

The Soviet chemical industry, for all this outside involvement, still relies on the Gulag's workforce because the work is both dangerous to health, arduous and in remote regions of the country.

Krasnodar is at the centre of 16 prison and camp zones and has a general jail containing condemned cells for prisoners sent to work at underground atomic plants in the Ukraine whilst at Khodyzhensk prisoners work on an oilfield producing petroleum products. All the £239,614,000 worth of oil and allied products last year imported from the USSR came in through the Russian-owned company NAFTA (GB) Ltd which as well as selling it through its 250 filling stations also sold it in crude form to other British-based oil companies and to ICI as naphtha.

From the boardrooms of the City to the countless High Street stores and village craft shops the goods of the Gulag are bought in increasing numbers each year by Britain with the prospect that next year there will be even bigger business than ever—cold consolation indeed for the miserable souls making them but encouragement in plenty for the KGB masters of the lost Archipelago of prison camps.

THE GULAG ARCHIPELAGO

"Scattered from the Bering Strait almost to the Bosphorus are thousands of islands . . . they are invisible but they exist. And the invisible slaves of the Archipelago . . . have to be transferred from island to island just as invisibly."

—Alexander Solzhenitsyn in Volume One

Nobody has ever been able to estimate accurately the magnitude of the Soviet Gulag. The most cautious put its population at around 2 million and the number of its camps, prisons and MVD special psychiatric prisons in excess of 1,500. Some of them are indicated by the red dots on our map.

Political prisoners comprise at least 20,000 of its lost population—but these are not confined to zealous dissidents guilty of fermenting the seeds of democracy. Nationalists, ordinary citizens applying for exit visas or those simply believing in something different to the Soviet creed—Jews, Baptists and even Buddhists—all fall within the clutches of the KGB.

Their crimes invariably come under the list of "treasonable offences" against the Soviet Penal Code; their trials usually only last a few hours—and no dissident has yet been known to have been acquitted.

Camps come under four designations—ordinary, hard, strict or special. Of the hardest penal establishments in the USSR, Vladimir Prison near Moscow and Chistopol Prison near Kazan hold long-term political and ordinary prisoners. Politicals are often sent there as punishment for agitation or failure to maintain inhuman work norms.

The size of the camps varies from a few hundred inmates to 6,000 or 7,000.

The principal political region is now around Perm in a low lying valley where the temperatures are viciously low in winter. Medical care here, Amnesty International reports, is so bad that men have died from sheer neglect. Other camps stretch throughout Siberia and the extreme polar region of Kolyma where many of Russia's vast goldfields lie, throughout the Ukraine where prisoners face health hazards mining valuable ores, and across the North Urals where vital timber felling, one of the cornerstones of the Russian economy, is carried out by the slaves of the Gulag. Elsewhere they exist in almost every major town and city, particularly where there are major industrial complexes to be served.

Moscow, at the epicentre of this vast network of forced, cheap labour upon which the groaning Soviet economy is so dependent, has 14 prisons including the show prison of Kryukovo, to which foreign visitors are conducted for arranged visits, and the notorious Vladimir Prison to which prisoners go to be broken.

The usual diet comprises: breakfast, a bowl of watery cereal; lunch, half a litre of thin soup made from bones, rotting cabbage and frozen potatoes with the same watery substance again at night.

Working hours can vary from eight to 16 hours a day, depending on the zeal of prison and camp guards and what norms they arbitrarily apply.

Work stops only on Sundays, when prisoners then have to attend political lectures, or if the temperature outside drops below minus 45 Centigrade.

[From Workers Under Communism, Fall 1982]

MADE IN THE GULAG

Exports are vital to the Soviet economy, and an enormous number of these products are made in forced labor camps. Russian emigrants, exiled dissidents, Jewish pressure groups, and organizations such as Amnesty International affirm that every item exported by the U.S.S.R. from a heavy truck to an ornamental glass, has at least one component which is produced by slave labor.

Dissidents feel it is time that hidden secrets of Soviet industry be revealed to the naive West, which is at present taking advantage of its lukewarm relationship with the U.S.S.R. Therefore an intensive inquiry has been undertaken on the basis of the complaints of twenty former prisoners, and the extent to which the British market has been contaminated by slave labor products has been investigated.

At the Soviet Trade Delegation in London, Vladimir Cheklin refused to discuss the allegations regarding Soviet products marketed in Great Britain, asserting, "Those who make these accusations do not even know whether they are correct." That is why he sees no reason to get into the subject. He has suggested that his questioners visit Siberia themselves to pursue their inquiry "on site," maintaining that what they would see would prove the dissidents wrong. When asked whether it would be possible to visit Mordovia, a region of concentration camps more important than Siberia, he replied, "Do you allow Russians to visit prison camps in Northern Ireland?"

Thousands of cheap televisions, radios, refrigerators and tape recorders have inundated the British market in recent years, and have been snapped up by bargain hunters. Practically all these products are marketed under the name "Vega," "The reliable-choice," and all are sold by Technical and Optical Equipment, a London company.

Vega radios are manufactured in four factories in the U.S.S.R. One of them, situated in Riga, receives components from four prison camps located in the region. Components for the Moscow factory are provided by the prison at Vladimir. The casings for the radios and televisions are made in camp OU 8518 in the Crimea and in a camp in Mordovia. Camp 36 in Perm manufactures spare parts as well as electronic elements for cathode ray tubes and heating elements for irons, which are then sent to the turbo generator factor in Lysva.

Dr. Cronid Lubarsky, who spent five years in prison, has given a remarkable picture of how Vladimir prison, situated 120 miles from Moscow, is able to sustain its pace in the production of Vega radio resistors.

"The working conditions are unbelievable and everything is made in cells which, although only ten square yards in size, contain three men, beds, and a toilet as well as all the equipment and machinery necessary for the work. In the cells the lights are switched on a 5 o'clock in the morning and are not put out unitl 10 o'clock at night. Only an hour's break is provided for exercise. In order to attain the target of three thousand resistors a day, it is necessary to work more than eight hours a day. The lighting and ventilation are dreadful and consequently the prisoners' sight and health deteriorate rapidly. The first signs of headaches appear after three months and there is total physical deterioration after six months. The daily ration of food is measured according to the volume of production."

Stuart Robinson, Sales Director for the Technical and Optical Equipment Company, refuses to discuss the origin of certain of his products: "We are a commercial company, and we have nothing to do with human rights. Go to Russia if you want to write an article on that subject. Why don't you go to the Soviet ambassador in order to meet the person responsible?"

At the Russian shop in Holborn, London, the shelves are laden with wooden ornaments, painted toys, jewelry boxes, glassware, wall clocks, stone sculptures and especially the well-known little dolls of the old woman who lived in a shoe, "Matrioshka." These are some examples drawn from the considerable volume of consumer products imported into Britian from the U.S.S.R. Moscow can cover itself when accusations arise concerning the use of forced labor, as most of these articles are sent to workers or skilled craftsmen to be finished.

Knowing the situation, three dissidents have spoken out—Joseph Lederman, Michael Vais and Abraham Sin. They declared that these dolls are made in camps in the Surgut region, in the Tuymenskaya district, and in the Alma Atinstaya region. Three other dissidents who have been interviewed (Lubarsky, Yuri Belov and Nikolai Scharegin) reported that they had made cuckoo clocks and wooden chess pieces during their internment in the camps in Mordovia, while the KGB arranged for these objects to be labelled with the name of a "free" factory in a village or town. The cuckoos made in camp 19 in Mordovia, where the "workers" often lose a finger or a hand on the outdated machinery, are sent to Serdobsk in the Penza region for final assembly and painting, before being exported. Each year Britian imports two to three thousand of these clocks. The casings for the clocks are also made in Mordovia under the brand name Vega, in addition to the other wooden articles, such as chess games or sculptured figures. Camps 5, 7, and 19 are assigned political prisoners sentenced to hard labor, who work under appalling conditions. As for the souvenir Olympic badges and the mascot bears "Misha" which are sold at the Russian shop in London, they come from camp ON-55 in the Kalinin region.

The Potma camp produces glassware and chandeliers which are exported to the West. In these camps the prisoners work the glass in an atmosphere full of dust and do not wear a protective mask. There are also glassworks in the women's camp on Lake Baikal as well as at Roslavl, near Smolensk, where bottles destined to contain Moskovskaya vodka are made. In a camp near Grozny horn souvenirs are made, but are finished in "free" factories. Painted wooden cigarette boxes are made in the Suzdal camp in the Vladimir region.

The firm Cowan, de Groot distributes Russian-made articles to about 1,800 shops in the United Kingdom. These firms buy their merchandise indirectly through official Soviet commercial channels. One of the main imports has been the famous cuckoo—the type which Lubarsky made in camp 19 in Mordovia. The commercial director of the firm, Nigel Hails, says he has never questioned Russian officials about the products he buys and sells in the U.K. "It is not done to question their system. We have ours, they have theirs."

Another British firm which has distributed Russian-made products is the Razno company, whose marketing director, David Parker, states, "I have visited most of the factories which supply us, and I do not believe the story about the prisoners. The Russians export only their best quality goods, and the prisoners could not make these types of articles. They are not able to do so. It requires work done by full-time specialists in free conditions."

But the wooden souvenirs are only the tip of the iceberg of goods originating in the gulags. Cameras, binoculars and precision instruments are marketed under the brand names Zenith, Zorki, and Lubitel for cameras; Helios for binoculars and lenses; Sekonda for watches and microscopes, measuring instruments and scientific engineering apparatuses (all distributed by the firm Technical and Optical Equipment).

The internal parts of watches and clocks are made in the camps in the Chistopol region, which supplies the free company Kazan. Camps 35 and 37 (political internees) make precision equipment which is sent to a factory in Sverdlovsk, which stamps its own brand name on the goods. This fact is confirmed by Cronid Lubarsky. The camps around Rybinsk on the Volga manufacture precision glass and polished lense for cameras, telescopes, microscopes and binoculars. At Krasnogorsk components are made for Zenith and Zorki cameras.

In the field of office equipment, Rank Xerox provides a classic example of the way in which an international company can make a purchase without knowing that the goods are produced by forced labor. At the beginning of the Seventies, Rank Xerox signed an agreement that it would sell copiers and duplicators to the Soviet Committee for Science and Technology and would obtain in exchange Russian electric motors destined for its factory in Gloucestershire. These motors were to be made by both ordinary and political prisoners in the Vladimir prison. This fact was discovered by Nikolai Scharegin, who had translated a letter giving details regarding modifications of the Rank Xerox motors, which was addressed to the Russian officials supervising the work in the prison.

Ralph Land, responsible for the Eastern Bloc Export Division of Rank Xerox, has confirmed these statements, adding that his company had not known about the work of prisoners. "If we had known, we should never have sanctioned such an operation." The export of these well-known motors was stopped four years ago.

Among automobiles, Lada cars now monopolize all Russian export to the U.K., while the UMO Ltd. factory, established in Letchworth, handles the import of Belarus tractors, Belaz lorries, and two models of the Land Rover. The Ladas are imported by an intermediary of Lada Cars (GB) Ltd.

According to Lada Cars, the three thousand models now waiting to be delivered, as well as the 12,084 models which have already been sold this year, are produced in a factory in Togliatti on the banks of the Volga, and are manufactured by ten thousand free workers. Metal work is done by Fiat, which is also responsible for the necessary technology.

The British spokesman of Lada knows nothing about the Chukhobezvodnoye region, near Gorky, where camps supplying the factory with wheel rims and fly-wheels are situated. According to Yuri Belov, some of these prisoners are "political," but the majority are Baptists. Also in the vicinity of Togliatti is complex UR-65, which also manufactures parts for cars.

Four of the main informants have confirmed that Lada cars (which are known in Russia under the name of Zhigulis) and other Soviet cars—Moskvich, Chaika, Volga—are made of parts manufactured by the victims of the gulags in Mordovia, in Vladimir prison, in the Perm and Tula regions, and in the surroundings of Krasnoyarsk and Novorossiysk.

Yuri Belov himself made wheel cylinders in camp 10, a hard labor camp in Mordovia, where the temperature fell below minus 20°, and where those who did manage to survive slept forty men to one tiny dormitory room. His output was eight hundred cylinders per day and his food, by any standard, was insufficient.

Nikolai Scharegin and another exile, former engineer Lev Kvachevsky, have confirmed that wheel rims for the Lada factory at Togliatti were made in camp 3 at Barashevo. Parts for lorries, agricultural machinery and tractors were supplied from the same source.

The public relations director of Lada Cars, Roger Mercer, states, "I do not believe that any parts of our cars are manufactured in camps or prisons. I have heard this mentioned in the past in connection with wheel rims and I can't understand why the dissidents should bring this up again. I admit that part of the final assembly at Togliatti is made outside the firm, but I think it's too great a risk for the Russians to entrust products destined for export to prisoners."

As for agricultural equipment, that is made in a very large factory in Dnepropetrovsk which is supplied by camp YaE-308/26, according to Lubarsky.

Woodwork, one of the major Soviet exports to the West, represents the United Kingdom's third largest import from the U.S.S.R. Ninety percent of the wooden articles exported by the Soviet Union are made by prisoners in northern Russia, from Murmansk to Archangel in the West, and in Siberia in the east. This work is considered the most destructive in the gulag, and is often assigned to the "politicals" sentenced to hard labor. In the Perm region, one of the hard labor camps is allotted to women who have to work with saws. At Murmansk there are at least seven hard labor camps equipped by a special firm making souvenirs. Other camps of this type are situated around Archangel and in the lost forests of the Kara Sea.

The British Woodworking Federation maintains that the timber used in England does not come from Siberia but is produced under normal working conditions. "It is supplied to us from the west of Russia, from the regions of Murmansk, Archangel, and the Kara Sea.

Gold and diamonds are certainly the most lucrative of all the Soviet exports to Great Britain. The Russian gold fields (the largest in the world) supplied the West with 229 tons of gold in 1979, by arrangement with Switzerland. These fields are situated in Armenia, in the Carpathians and the Urals, around Chelyabinsk, Sverdlovsk, and the vast polar regions of Kolyma, reputedly the coldest places in the northern hemisphere. There some thousands of miserable prisoners mine gold for export. And in this particular area of commerce, specialists admit that the mining is accomplished by forced labor.

Two hard labor camps are situated at Korkyno in the Chelyabinsk region and near the River Lena. This has been confirmed by Scharegin. Other work on diamonds is done in camps near Salekard and Mirniy.

The packaging of caviar is reserved for women prisoners. Seven thousand are to be found in camps in Sakhalin and on the island of Chikotan in the Kurile Islands in the Pacific. Red caviar, after extraction from the fish, is cleaned and salted by the women, then sent to a free company in Astrakhan to be packed into glass jars for export. The jars are made in another camp, at Guriev, on the Caspian Sea.

Through finance houses in the City of London right up to the shops in the High

Street, and even in the little ships in the villages, the British buy the products of the gulag in enormous quantities each year. Hardly encouraging for the poor devils who make them for their masters in the KGB, in the lost archipelago of the prison camps.

[From the Worker Under Communism]

THE ROLE OF GULAG LABOR

(By Georgii Davydov)

TYPES OF COMPULSORY LABOR

In the Soviet Union the principle of compulsory labor is entrenched in the constitution. However, labor is not compulsory to the same degree for all Soviet citizens. One might speak of relative and absolute compulsion to labor.

According to article 60 of the constitution of the U.S.S.R., every capable citizen in the Soviet Union has an obligation to work, and the Soviet state is in no way limited in its power to enforce this constitutional principle. With the threat of criminal persecution, the state actively forces its citizens to work. Moreover, the state recognizes only what it calls "socially useful work" and excludes many kinds of independent labor or self-employment, thereby forcing citizens to work on state enterprises. Thus, a relative compulsion to labor—the obligation to work in a certain sphere designated by the state as "socially useful" and the right to choose a specific kind of work within the boundaries of this area—extends to all Soviet citizens capable of work.

Along with this comparatively mild form of forced labor, there exists in the Soviet Union another, harsher variety. In cases of absolute forced labor, an individual is not only obligated to work but is also deprived of any right to choose the form of his labor, and must work where the authorities send him. This kind of compulsory labor is enforced by means of a specially designed system of repression that utilizes subjection to hunger and cold and even physical torture. Absolute compulsory labor is imposed mainly on prisoners and on so-called uslovniki or khimiki—that is, persons who have received suspended sentences or who have been released on parole on the condition that they perform mandatory labor. According to my preliminary estimates, actual prisoners constitute about 1 percent of the population of the Soviet Union, or roughly 2.5 million persons. Other estimates are even higher. SMOT sets the number of prisoners at 6 to 9 million. While almost no estimates exists of the number of those on suspended sentences or on parole, in all probability the figure for this category of semi-prisoners is on the same order as that of prisoners, which is to say, in the millions.

KINDS OF WORK PERFORMED

The following information on the kinds of work performed by prisoners is based on data from 204 camps and prisons. This is approximately 10 percent of the total number of camps and prisons in the Soviet Union. The work done by inmates of several camps is described in detail, but for the majority of camps information on the prisoners' work is fragmentary. The data were gathered primarily in the 1970s and early 1980s. The kinds of work done have been classified and the categories listed in escending order of frequency: that is, those listed first are the ones to which most workers are assigned.

Logging and Wood Processing

This category includes the felling of trees, the initial processing of wood at timber exchanges, and other types of work involving wood products: the production of sawtimber, manufacture of railroad ties and mining supports, carpentry work, and manufacture of prefabricated houses and furniture. Camps involved in the logging and processing of wood are concentrated in the southern regions of the European section of the Soviet Union, and in Siberia. Carpentry work and furniture manufacturing are done in many camps throughout the U.S.S.R.

Construction work and production of building materials

Prisoners employed in this category manufacture bricks, glass, cement, and reinforced concrete items. The labor of inmates is also very often used in diverse construction projects, ranging from small barracks units to large factories, hydroelectric power stations, and airports. These jobs are not geographically localized at all. There appears to be a small construction and maintenance crew at every camp or prison.

Clothing, textile, and footwear manufacture

Clothing manufacture is the most widespread subdivision in this group. The camp plant may be anywhere in size from a small sewing shop to an entire factory. Prisoners sew military uniforms, prison clothing, underwear, and bedclothes for soldiers and inmates, and work and leisure clothes for the general population. This work is not specific to any particular location.

Mechanical engineering

In this branch of the economy, inmates are employed to manufacture a variety of parts and machines and to assemble machinery. For example, they: make auto parts (Mordovia, Tyumen'); assemble auto parts (Mordovia); manufacture auto trailers (Stavropol' krai and Kherson oblast) and pumps (Tomsl oblast) and motors (Altai and Vladimir); assemble bearings (Khar'Kov) and ship parts (Kherson oblast); and manufacturing agricultural equipment (Alma-Ata, Voroshilovgrad, Dnepropetrovsk, Zhitomir, and Ryazan oblast).

Metallurgy and metal-working

Foundry work and cutting of castings are hard jobs. Prisoners are often employed in these areas, as reports from camps in the Ukraine, Leningrad, Kemerovo, Lipetsk, Sverdlovsk, and Tashkent reveal. The labor of inmates is also widely used in metal-working. For example, political prisoners at camps no. 35 and 37 for political prisoners in Perm oblast make cutting instruments—drills, taps, and so on—for the Sverdlovsk tool factory.

Manufacture of packing and containers

Prisoners are so frequently employed in this area of work that it merits a separate category. They assemble boxes, construct netting that is used to transport vegetables, sew bags, and make barrels, cardboard boxes, and envelopes. This kind of work is dispersed throughout the Soviet Union.

Agricultural work

Information on camps in the Ukraine, Mordovia, Stavropol' Krai, and Tomsk, Kemerovo, and Urkutsk oblasts, indicates that prisoners are employed directly in agricultural work.

Mining

Ten camps are known where prisoners extract stone, to be used for construction, from pits and mines. Half of these camps are in the Ukraine; the rest in Kazakstan, Uzbekistan, Armenia, Estonia, and Tyumen'. There are also reports that inmates mine uranium in Bukhara oblast (Uchkuduk), and that prisoners at a camp in Muruntau, Bukhara oblast, work in a gold-processing plant.

Manufacture of parts and equipment for radios and other electric appliances

In Vladimir and Estonia prisoners make windings for electric motors, and in Tyumen', for projectors; political prisoners at two camps in Kuchino, Perm oblast, manufacture parts for electric irons. In Irkutsk oblast (Novolenino) inmates work at a lamp factory, and in L'vov oblast at an electric factory. In Leningrad, Novgorod, and Vladimir, inmates make radio components.

Chemical industry

Information indicates that prisoners work at a chemical plant in Chirchik, Tashkent oblast, and are employed to manufacture rubber and press plastics in Smolensk and Tashkent oblasts.

Subsidiary work

In Sychevka (Smolensk oblast) and Dvoryanskoe (Volgograd oblast) prisoners are employed for maintenance at the Sychevka and Volgograd special psychiatric hospitals. In Perm, Sverdlovsk, and Tyumeń oblasts inmates load and unload goods. In camps in Magadan and Sverdlovsk oblasts they work in maintenance and machine shops. In other forms of work as well, the labor of prisoners is put to use.

Despite the scant amount of data available, a survey of the kinds of work performed by inmates illustrates that prisoners' labor is used in almost all main branches of the economy. However, the food industry is conspicuous by its absence from the list. This exception can be accounted for by the fact that one of the effective means of coercing inmates to work is hunger.

I do not know whether prisoners have been directly employed in the construction of gas and oil lines in recent years. However, the example cited below of the camp in Surgut suggests that inmates manufacture various items necessary for the construction of these routes and for the workers who are building gas lines.

USE OF SEMIPRISONERS FOR COMPULSORY LABOR

Like prisoners, semi-prisoners or persons on suspended sentences or parole often perform compulsory labor in many branches of production. As a new means of directing labor, "conditional release from places of confinement with the obligation to work on construction jobs in the economy" was instituted under Khrushchev in 1964. It went through a long trial period and was ratified by a special law in 1977. Immediately after the introduction of this type of compulsory labor, so-called semi-prisoners were widely placed in jobs constructing oil lines. Information on this practice even filtered into the Soviet press. An article in Novyi mir by K. Laganov, called "Oil and People," reported that in the center of the Tryumeń oil region, in Surgut, semi-prisoners comprised 15 percent of the town's adult population, and in nearby Nefteyugansk, the figure was even higher—20 percent of the adult population.

In view of the chronic labor shortage in the Soviet Union, the also chronic housing shortage, and the extremely low level of everyday services—particularly in the nation's fast-growing, recently developed regions—such broad use of the labor of parolees and those on suspended sentences is not surprising. In addition, it is relatively inexpensive to organize work and living conditions for such persons. No special guards or camp complexes are required as they are for pris-

oners. The semi-prisoners live in regular dormitories under police supervision. In return, they are required to work where they are sent. The system of maintaining them would seem to be a specially adapted, quick, inexpensive solution to the problem posed by the inadequacy of the labor force at one site or another. The mobility of the semi-prisoners, together with the compulsory nature of their labor, makes them ideal workers for projects with extensive, mobile labor fronts, like the construction of oil and gas lines.

There is information to suggest that persons on suspended sentences and parolees have been used to build gas lines even in most recent years. Among them are some who have been convicted for political reasons, such as Rollan Kadyev, who was arrested in 1979 for his involvement in the Crimean Tatar movement and was conditionally released from camp and sent to Ukhta (Komi A.S.S.R.) to work on the construction of compressor station no. 10 there. Kadyev was released at the end of 1982. Another such case concerns Vladimir Burtsev, who was arrested in 1980 and sentenced to one and a half years' imprisonment because of his religious activities. Burtsev was also conditionally released from camp, whereupon he was sent to Smolensk oblast to participate in the building of the Druzhba gas line. Burtsev was released in August 1981.

ESTONIA AS AN EXAMPLE OF THE USE OF FORCED LABOR

The information presented here is evidence of more than just the diversity of production areas in which the labor of prisoners and semi-prisoners is put to use. As the example of Estonia shows, it also demonstrates the extent to which compulsory labor serves the requirements of local industry.

In Estonia, a small republic with a population of about 1.5 million located in the northwestern section of the Soviet Union, there are a prison, four camps, and no less than five special supervisory headquarters. There are an estimated 10,000 inmates in the prisons and camps of Estonia, and not less than 3,500 semi-prisoners.

According to the Bol'shaya Sovetskaya Entsiklopedia, "Estonia is the most important region for the slate mining and processing industry, with well-developed industries in electric power generation, mechanical engineering, chemical manufacturing, wood, pulp and paper, textiles, and food." Let us now examine what the inmates and semi-prisoners in Estonia produce, paying particular attention to the areas mentioned in the encyclopedia.

In Vasalemma there is a strict-regime camp. Half its prisoners work in a quarry mining "Vasalemma marble," which is used in construction as a decorative material, for columns, staircases, and the like. The rest of the camp's inmates work in a shop where coiling is manufactured (a subsidiary of the Vol'ta electric motor plant whose production of electric motors is noted in the encyclopedia as being of national significance) or in a welding shop (a subsidiary of an excavator factory in Tallinn whose production of excavators is also mentioned in the encyclopedia).

Vasalemma is also the site of a harsh-regime camp for men, which houses an entire factory for the manufacture of metal bedsteads in which about half of the camp's inmates are employed. Another third of the prisoners work in a knitwear shop (a subsidiary of the Marat knitwear factory in Tallinn, which is mentioned in the encyclopedia) that produces men's underwear and sporting and light summer clothing for the general population. In 1978, 1979, and early 1980, the prisoners made clothing with Olympic emblems. The rest of the inmates at this camp work in a machine shop where rotor components for electric motors are manufactured.

An ordinary-regime camp for women is located in Kharku. The manufacturing area of this camp houses a sewing shop where the women make men's underwear, mainly for soldiers and prisoners.

There is an ordinary-regime camp for men in Tallinn. Here the prisoners are employed in manufacturing parts and assembling electric household appliances: ranges, irons, radiators, and relays and other electric devices for refrigerators and washing machines for a factory in Riga, among others. A traveling construction crew composed of prisoners from this camp works on projects beyond the camp's boundaries. During the 1960s, for instance, they built a hospital in Tallinn for members of the Estonian Ministry of Foreign Affairs and KGB.

The special supervisory headquarters in Estonia administer the work performed by persons on suspended sentences or parole. One such headquarters is in Maardu, twenty kilometers east of Tallinn. The Maardu chemical plant, which processes local phosphorites into fertilizer, is located here. Semi-prisoners are employed to mine phosphorite and to peform various tasks at the chemical plant itself. They are also used in various construction projects in the village.

Another special supervisory headquarters is situated in Kohtla-Järve (in northwestern Estonia). Semi-prisoners are assigned diverse duties at the Ammiach factory (which manufactures fertilizer) and at the Lenin slate-processing enterprise.

The chemical plant in Maardu and the slate-processing enterprise in Kohtla-Järve are mentioned in the Bol'shaya Sovetskaya Entsiklopedia as the most important enterprises of the chemical industry in Estonia. Narva (in northwestern Estonia) is also the site of a special supervisory headquarters. Male semi-prisoners are used on construction jobs in the city, and their female counterparts perform various tasks in the Krengol'msk textile enterprise. Another special supervisory headquarters is located in Sindi, (in southwestern Estonia). Here, as in Narva, semi-prisoners are employed in construction work and in the local textile factory. According to the encyclopedia, the factories in Sindi and Narva are large-scale enterprises of the Estonian textile industry.

These data show that close ties exist between the compulsory work being done in Estonia by prisoners and semi-prisoners, and the branches of industry that have been developed in this republic.

[From the Swiss Review of World Affairs, April 1983]

FORCED LABOR AND THE SOVIET ECONOMY

(By Cronid Lubarsky)

(The author of this article is a Soviet astronomer, 49 years old, now living in the West. He spent the years 1972–77 in labor camp and prison, to which he had been sentenced for disseminating samizdat documents. In the following paragraphs he provides a much needed larger perspective for the unnecessarily controversial question of whether it is possible to prove the use of forced labor in the Soviet gas pipeline project. The text is a slightly abridged version of the article as it appeared in the journal "Kontinent.")

In recent time there has been a great deal of discussion in the press as to whether prisoners are being employed in construction of the Urengoj-Ushgorod-Western Europe gas pipeline. The public in the West has called for investigation of such charges, while the Soviet side categorically rejects them.

Moscow's denial is not documented, but occasionally the argument is put forward that construction of a modern gas pipeline is a complex technical project and therefore cannot be accomplished with the help of forced labor. This is a strange argument—doubly strange coming from the mouths of Soviet officials. When there is a lack of modern technology, building a gas pipeline naturally also involves a vast amount of heavy labor requiring no great skills or qualifications: cutting trees to lay the pipeline bed through the taiga; earth moving; creating access roads, etc. All these tasks can, of course, be accomplished effectively with the aid of modern techniques, but under Soviet conditions another method is traditionally used: Technology is replaced by masses of unskilled but cheap (or virtually free) laborers.

The premise that advanced technology and forced labor are somehow incompatible applies only to democratic systems. The Soviet system has resolved the paradox dialetically. An outstanding case in point was the notorious sharashki, the prison institutes for scientific research founded by Lavrenti Beria. It is worth recalling that the Soviet atomic program began in such a prison institute, that the best Soviet aircraft during the years of World War II were developed in such an institute under the leadership of imprisoned aircraft engineer Andrei Tupolev, and that other similar examples could be cited. Today there are no longer any sharashki, but there is nothing to prevent the Soviet authorities from assembling the required number of prisoners with the necessary skills and shipping them out to work on the pipeline project. Characteristically, Soviet statements do not explicitly deny the fact of forced labor being used but merely its practicality in this specific instance. In reality, however, the entire Soviet penal system is based on forced labor, which is why its institutions are termed "labor and improvement facilities."

Hard labor is used as a punishment for criminals in many countries, not just the USSR. The special thing about Soviet practice in this regard, however, is that the labor of prisoners is less a punitive measure than an important part of the national economy. Essentially there is not a single significant area of the Soviet economy in which prison labor is not exploited: metals processing, the chemicals industry, the manufacture of clothing and of machinery, agriculture, mining—forced labor is used in all of them.

A large, "free" enterprise, sometimes one of worldwide repute, is assigned a certain number of labor camps which then function as departments of that enterprise. The camps are assigned the manufacture of specific parts, or some labor-intensive operation in assembly or processing. To cite some specifics: Camp No. 36 (for political prisoners) in the Permer District installs the housing for the heating coils in electric irons which are officially manufactured by a metalworks in the city of Lyssva. Camp No. 19 (formerly for political prisoners, now for criminals) in Mordvinia manufactures the wooden casings for wall clocks, which are then sent to a clock factory in the city of Serdobsk (Dis-

trict of Pensa) where the clock movements are installed.

Some work camps produce finished goods, functioning essentially as independent industrial plants, usually turning out simple items for mass consumption. Many such "camp factories" produce low-grade clothing items, such as work clothes and prison uniforms. The lables on such items of clothing may even contain the address of the camp which produces them. But the term "camp" does not exist in official terminology; labor camps and prisons are referred to as "institutions" and assigned a code designation (e.g., UL-314/60) which is meaningless to the uninitiated. The output of these independent camp-factories, bearing a "compromising" label, is generally of low quality and distributed only on the domestic market.

An important sector of the labor-camp economy which plays a role in exports is the production of raw materials. Forced labor is of particular significance in mining operations, especially under dangerous conditions, and even more so in lumbering. The latter is of such great importance that the USSR's Interior Ministry, in addition to its main Bureau of Camps and Prisons (formerly known as the Gulag, now as GUITU), has a special bureau to supervise those camps concerned exclusively with the cutting and primary processing of lumber.

There are various estimates of the number of prisoners compelled to do active labor. No official statistics are published, so that indirect data must be relied upon. In trying to establish a minimal figure, one is consistently forced to the conclusion that more than 2.5 million prisoners are actively employed in the Soviet economy. A somewhat documented maximal estimate yields a figure three times that high—which would mean no less than 10% of the total Soviet labor force.

But sheer numbers are not the only thing. It is important to note that what is involved here is extremely cheap, virtually cost-free labor. Maintenance of the prisoners costs the state nothing, since they themselves must bear all expenses, not only food and clothing, but also the means to build and operate the camp, including salaries for the guards. Depending on the kind of prison facility, between 50% and 90% of each prisoner's salary is deducted to cover those expenses. Prisoners' wages are calculated on an extremely low scale. For example, a whole series of premiums paid to free workers as compensation for the severe conditions in northern parts of the USSR are not paid to prisoners doing the same work in the same locales. And in addition to the "official" means of depressing prisoners' wages, unofficial means are employed as well. Since a prisoner has no avenue of protest (any attempt to do so is severely punished), nor any access to labor and wage norms, administrative officials are free to set up production levels extremely high and wage levels very low. In consequence, prisoners are often paid negligible sums, many times lower than the official minimum wage. I have known cases in which prisoners received no more than three rubles per month.

Naturally the overwhelming majority of internees in every part of the USSR are criminal rather than political prisoners. The latter have become relatively rare these days. While there were millions of them during the Stalin era, there are now apparently no more than 10,000. I suspect that the actual figure is even lower, perhaps between 8,000 and 9,000.

Officially the term "political prisoner" does not exist in the Soviet Union. Instead there is the category of "especially dangerous state criminal." This includes those convicted of "betraying the Fatherland" (Article 64 of the Soviet Criminal Code) and of "anti-Soviet agitation and propaganda" (Article 70). "Betraying the Fatherland" generally covers attempts to flee the USSR, while "anti-Soviet agitation" is applied to any hint of criticism or simply to the collecting and disseminating of objective information on the actions of the power structure at all levels. "Especially dangerous state criminals" are kept in a number of widely known camps and prisons. There is the prison at Tchistopol (Tatar SSR), Camp No. 3 in Mordvinia and Camps Nos. 35, 36 and 37 in the Permer District. The number of prisoners at these facilities is small, currently no more than 300.

Other political prisoners, however, are sentenced under articles of the criminal code which formally deal with purely criminal matters. One such is Article 190, "Dissemination of slanderous information which gives the Soviet social and political system a bad name." This article differs from Article 70 in its formulation, in that it does not charge the accused with deliberately "undermining and weakening Soviet power." Judging such an intention is obviously extremely subjective, and it depends entirely on the arbitrary will of the authorities to determine under which article an accused person is charged.

In addition to those individuals who are prisoners in the traditional sense, there is in the USSR another category of persons who are not formally prisoners but who differ from them very little in practice. They are the so-called "conditionally sentenced" and those who have been "conditionally released" from labor camps. The relevant legal text describes their situation as follows: "They are obligated to work wherever they are assigned by the authorities competent to execute their sentence, and if production requires it they may, without their own consent, be transferred to another kind of work, including work in another area. These persons are generally required to live in specially assigned communal quarters. . . . During their obligatory period of labor they are forbidden from crossing the borders of the administrative district which has authority over their workplace."

Obviously the forced labor of such "conditionally sentenced" and "conditionally released" people is best utilized on projects which, by their nature, cannot be restricted to prison camp conditions. These include the construction of large factories, road building and the laying of pipelines. The purpose of this unusual type of penal servitude is reflected in the popular idiom, if not in the lawbooks. Among the people these "conditionals" are commonly referred to as "chemists," because the large-scale exploitation of their labor began during the days of Nikita Khrushchev, who became enthused at the idea of "chemicalizing" the USSR and building large chemical plants. The interests of today's Kremlin rulers have changed, but the odd term has been retained.

Like everything else in the Soviet economy, forced labor is subject to planning. The punitive organs of government, the Interior Ministry and the KGB, have their quotas of arrests to fill. It has long been evident that, whenever a major construction project is planned in a particular area, that district's newspapers launch a propaganda campaign well in advance against some particularly Soviet form of "criminality," perhaps against "hooliganism" or "parasitism." A sudden wave of arrests follows hard on the heels of such a campaign. The result: a rapid rise in the availability of cheap labor. The "crimes" inspired by such construction projects are generally not very serious, so that the accused can be "conditionally sentenced" and sent out to work without the necessity of building new camps.

In the case of major construction projects of national scope, special camp administrations are created to coordinate the labor of prisoners and "chemists." An administrative body with the title Bamspezstroi, for example, was organized for construction of the Baikal-Amur-Magistrale railway line. Among its functions was to provide the necessary laborers for the massive construction job, to organize their proper distribution and to see to their care and feeding.

It is not known whether a special camp administration bureau has been established within the Interior Ministry for construction of the gas pipeline to Western Europe. At the time of this writing no reliable information had become available about the character and extent of the use of prisoners on this project. The only thing that has come to light so far has been some isolated reports from persons in the Tjumen and Surgut districts, who have observed or worked in labor brigades on the gas pipeline; they claim that there have been "chemists" in those brigades and that one brigade consisted entirely of such persons. This is all that has been learned to date. But the lack of more direct information by no means proves that the gas pipeline is being built without the use of forced labor.

We must keep in mind the extreme isolation of Soviet society and the difficulty of obtaining reliable information about it. Aside from specially organized and carefully supervised group trips, the areas through which the pipeline is being laid are closed to foreigners. Even Soviet citizens find it extremely difficult to gather and transmit information about prisoners inside the Soviet Union; such activity is generally categorized as criminal, under the heading of "anti-Soviet propaganda" and in some cases even "treason." It took decades, let us not forget, for information about the existence of the vast "Gulag archipelago" under Stalin to seep through to the West. Today the situation has improved somewhat thanks to the efforts of civil rights advocates, but even now we can expect such information to become known only after long delays and to a limited extent.

I am confident that we will in time overcome the barrier of secrecy which the Soviet authorities have erected and acquire more concrete information about the gas pipeline. For the present we lack such information. But it is counterproductive to try and create the illusion of facts in order to convince the public of a particular viewpoint. Disinformation cannot be justified, even when those who spread it are motivated by honorable intentions. No matter what details it is concerned with, disinformation can only benefit the Soviet leaders. They should not be handed the opportunity of convincingly disproving unfounded assertions about details and thus watering down in the eyes of the world the huge and painful problem of forced labor in the Soviet Union.

This problem is one of the USSR's chronic ailments. In one degree or another, the hand of a prisoner has touched everything

that the West receives from the Soviet Union. It seems to me unimportant whether that hand belongs to a political prisoner or simply to some poor unfortunate caught in the gears of an economic system which is heading for collapse.

Mr. ARMSTRONG. Mr. President, in summary, I commend to my colleagues the Helms amendment which adds, in a low key, in a judicious, restrained, thoughtful, nonconfrontational manner, some real sanctions. It puts some teeth in this resolution. One of the most distinguished Members of the House yesterday characterized the resolution which the other body adopted as all windup and no pitch. With the Helms provisions in here, we can honestly say to ourselves and to our constituents and to the nations of the world that there is more concern than words, that we are prepared to act, that we will do it in a way that is not confrontational, not drastic, but which is a major response, which says to the Soviet Union that next time, if there is a next time, we shall be prepared to take further steps as the circumstances may warrant.

Mr. HELMS and Mr. EXON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS. Mr. President, may I make a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. HELMS. Do we resume consideration of the Helms amendment at this point?

The PRESIDING OFFICER. If the Senator wishes to resume consideration of the amendment, it would be permissible. The Senator had asked that the amendment be set aside for the consideration of other amendments.

Mr. HELMS. Mr. President, I do wish to resume. Then I shall yield to my distinguished colleague.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

AMENDMENT NO. 2135, AS MODIFIED

Mr. HELMS. Mr. President, I ask unanimous consent that it be in order for me to ask for the yeas and nays on all seven points of my amendment, which has been divided.

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

Mr. HELMS. Mr. President, I ask unanimous consent for the yeas and nays.

The PRESIDING OFFICER. It has been ordered that the Senator may ask for the yeas and nays.

Mr. HELMS. 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. HELMS. Mr. President, I want to expedite consideration of this amendment as much as I can. May I inquire of the distinguished Senator from Illinois if it is his wish at this time now, since I have obtained the yeas and nays on each point, to ask unanimous consent that the first vote be 15 minutes, that each succeeding vote be 10 minutes, and that the votes be stacked?

Mr. PERCY. That is correct. That unanimous-consent request has been cleared on the majority side. We are still waiting for the minority side to clear that request.

Mr. PELL. That request has not yet been cleared on the minority side. As soon as it is, we shall inform the Senator.

Mr. HELMS. Mr. President, as an accommodation to Senators, I shall be glad to lay aside my amendment provided that it becomes the pending business at the conclusion of each speech so that we can, at that time, decide whether to proceed with the amendment.

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

Without objection, it is so ordered.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS. Mr. President, let me say for the RECORD that earlier today after consultation with my distinguished colleague from Kentucky (Mr. HUDDLESTON), I modified my amendment because we were going on the same track with respect to limiting the number of Communist spies masquerading as diplomats of the Soviet Union in this country, so I have eliminated that reference from point 1 of my amendment.

Mr. President, this Senator is also convinced that the time has come for the United States to have parity in its diplomatic representation with the Soviet Union. By this I mean that as of today, some 320 Soviet diplomats are accredited to the United States while only 210 U.S. diplomats are accredited to Soviet Union. The President must act swiftly to bring the number of Soviet diplomats allowed in this country to parity with the number of our diplomats allowed in the Soviet Union.

This Senator feels strongly that this is a grave matter and also a matter of the utmost prudence. It is certainly no secret that the Soviet diplomatic community in the United States contains a high percentage of KGB agents and other Soviet espionage personnel. The Soviets have been loudly proclaiming their concerns about the alleged espionage activity of a civilian airliner laden with men, women, and children which they so brutally shot out of the sky. Of course, there was no espionage activity on the part of this civilian aircraft.

There is real espionage activity, however, in the vast Soviet diplomatic apparatus in these United States. I therefore recommend that the President close immediately the Soviet consulate in San Francisco and expell the Soviet diplomatic personnel at that location. It is known to our counterintelligence services, who are indeed overworked on the subject of Soviet espionage, that the San Francisco consulate contains a high percentage of Soviet spies engaged in the deepest covert activity to extract the highly classified secrets of our aerospace and computer industry based on the west coast. Closing the Soviet consulate in San Francisco is therefore an act of great prudence as a central measure to the restoration of our internal security from Soviet bloc espionage and subversion.

Mr. President, John Barron, senior editor of Reader's Digest has very ably described and documented Soviet espionage activities around the world and in these United States. His newest book, "KGB Today the Hidden Hand," is a masterful exposure of Soviet espionage techniques in the United States to obtain our most sensitive high technology secrets. It is not therefore a matter of conjecture that the Soviets are engaged in a massive covert high technology acquisitions plan in these United States. Their activity on the west coast is intensive.

For this reason, it would be a matter of prudence for the President to close down the Soviet consulate in San Francisco. There are precedents for the expulsion of Soviet diplomats engaged in espionage activity. Mr. Barron has prepared a list of Soviet diplomats expelled from around the world from 1974 to 1983.

Mr. President, I ask unanimous consent that the list prepared by Mr. Barron and published in his most recent book be inserted in the RECORD at this time.

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

SOVIET DIPLOMATS EXPELLED

(Unless otherwise stated, all those named in this list are officers of the KGB.)

Abramov, Mikhail Nikolaevich: Canada, March 1982.

Aleksandrov, Leonid Nikolaevich: Switzerland, February 1981.

Alekansyan, Eduard Ivanovich (GRU): Canada, January 1980.

Alekseyev, Vladimir Ilich: USA, February 1977.

Andrevev, Anatoli Vitorovich: USA, January 1975.

Andrusov, Eduard Valentinovich: Sudan, May 1977.

Averin, Yuri Dmitrevich (GRU): Sweden, December 1982.

Babayants, Yuri Arkhamovich (GRU): Portugal, January 1982.

Barabanov, Leonid Andreevich (GRU): Switzerland, August 1982.

Baratov, Nikolai Andreevich: North Yemen, August 1977.

Bardeyev, Igor Aleksandrovich (GRU): Canada, January 1980.
Bashmashnikov, Yevgenni Ivanovich: West Germany, June 1979.
Baykov, Vladilen Vasilevich: Pakistan, July 1981.
Besedin, Timor Anatolevich: Norway, April 1981.
Bibikov, Valeri Ivanovich: Italy, December 1982.
Bogomolov, Yevgenni Vasilevich: Switzerland, September 1976.
Bondarev, Aleksandr Aleksandrovich: Singapore, February 1982.
Borishpolets, Vadim Anatolevich: Canada, February 1978.
Bryantsev, Igor Nikolaevich: West Germany, March 1977.
Burmistrov, Gennadi Makarovich: Netherlands, April 1976.
Bychkov, Anatoli Yefimovich: Ghana, August 1978.
Bychkov, Yuri Ivanovich: Spain, March 1981.
Charchyan, Eduard Babkenovich: USA, June 1975.
Chelyag, Ivan Mikhailovich (GRU): Italy, December 1982.
Chernov, Vladimir Aleksandrovich: UK, January 1983.
Chernyayev, Rudolf Petrovich: USA, May 1978.
Chernyayev, Sergei Viktorovich (GRU): Netherlands, March 1978.
Chernysh, Yuri Stepanovich: Costa Rica, August 1979.
Chistyakov, Aleksei Fedorovich: Egypt, September 1981.
Churanov, Oleg Viktorovich: Spain, February 1980.
Dementyev, Aleksandr Vladimirovich: Norway, January 1977.
Dmitriev, Igor Ivanovich: Malaysia, June 1976.
Dokudovsky, Oleg Dmitrevich (GRU): Norway, February 1982.
Druzhinin, Vadim: Bangladesh, June 1976.
Dubas, Oleg Konstantinovich (GRU): Portugal, March 1982.
Dzhashi, Enriko Avksentyevich: USA, July 1977.
Enger, Valdik Aleksandrovich: USA, May 1978.
Fedorin, Vasili Nikolaevich: Spain, April 1982.
Filippov, Boris Anatolevich (GRU): France, June 1978.
Finenko, Aleksandr Pavlovich (GRU): Indonesia, February 1982.
Fomenko, Valentin Petrovich (GRU): Ghana, January 1974.
Frolov, Vyacheslav Ivanovich: France, February 1980.
Gadzhiyev, Abdulkhalik Magomedovich: USA, June 1975.
Geyvandov, Konstantin Yervendovich: Canada, January 1974.
Golovanov, Vladimir Vladimirovich: Iran, July 1980.
Golovatenko, Yuri Vasilevich: Spain, March 1981.
Gordeyev, Vladimir A.: Portugal, March 1982.
Gromov, Sergei Zakharovich: Norway, January 1977.
Isayev, Yuri Nikolaevich (GRU): Spain, April 1978.
Ivanov, Yevgenni Fedorovich: France, March 1976.
Ivashkevich, Gennadi Vladimirovich, Canada, February 1978.
Kabanov, Boris Nikolaevich: Iran, September 1977.
Kanavsky, Vadim Ivanovich (GRU): India, December 1974.
Kapitonov, Konstantin: Egypt, September 1981.
Karelin, Vadim Vasilevich (GRU): West Germany, May 1976.
Karpov, Yevgenni Petrovich: USA, February 1977.
Kedrov, Viktor Nikolaevich: Denmark, August 1975.
Khamidulin, Zavdat Lutfulovich: Malaysia, July 1981.
Khlystov, Vladimir Timofeevich: Netherlands, April 1976.
Khvostantsev, Lev Grigorevich: Canada, February 1977.
Kinyapin, Andrei Leonidovich: Italy, May 1980.
Kisayev, Yuri: Equatorial Guinea, February 1981.
Kiselev, Anatoli Aleksandrovich (GRU): Netherlands, August 1975.
Klimanov, Yevgenni Aleksandrovich: Norway, January 1977.
Koblov, Yevgenni Konstantinovich: Canada, February 1978.
Kolosov, A. A. (GRU): China, January 1974.
Konyayev, Vladimir Vasilevich (GRU): Portugal, August 1980.
Korniyenko, Anatoli Fedorovich (GRU): Bangladesh, May 1976.
Kovalev, Aleksei Gavrilovich (GRU): Canada, December 1974.
Kovalev, Nikolai Grigorevich: Nigeria, March 1981.
Krasilnikov, Anatoli Ivanovich: Spain, February 1980.
Krysin, Andrei Vladimirovich: Canada, February 1978.
Kukhar, Aleksandr Afanaseevich: USA, October 1979.
Kulagin, Aleksandr S. (GRU): Portugal, August 1980.
Kulemekov, Vladimir Yanovich (GRU): France, Novermber 1981.
Kulik, Vladimir Yevgenevich (GRU): France, October 1979.
Kuznetsov, Anatoli Vasilevich: Italy, August 1981.
Larkin, Anatoli Alekseevich: Singapore, February 1982.
Lazarev, Vladimir Vladimirovich: Bangladesh, August 1981.
Lazin, Viktor Nikolaevich: UK, August 1981.
Leonov, Vadim Vasilevich: Netherlands, April 1981.
Leonov, Yuri Petrovich (GRU): USA, September 1981.
Lesiovsky, Viktor Mechislavovich: Spain, June 1977.
Lezin, Oleg Sergeevich: Switzerland, April 1975.
Lilenurm, Petr Rudolfovich: Canada, February 1978.
Lisin, Yuri Viktorovich: USA, November 1977.
Liyepa, Albert Andreevich: Sweden, April 1982.
Lobanov, Vladislav Sergeevich: Sudan, May 1977.
Lopukhov, Roman Mikhailovich (GRU): Netherlands, March 1978.
Lovchikov, Vasili Dmitrevich (GRU): Switzerland, April 1979.
Lugovoy, Vladimir Vasilyevich (GRU): Switzerland, February 1983.
Lyko, Anatoli Alekseevich (GRU): Malaysia, May 1975.
Machekhin, Aleksandr Yegorovich: Japan, May 1976.
Marakhovsky, Yuri Nikolaevich: USA, October 1981.
Marchenko, Vladimir Ivanovich: China, January 1974.
Marchenko, Yuri Fedorovich: Egypt, January 1981.
Markelov, Aleksandr Pavlovich: India, August 1980.
Matveyev, Albert Alekseevich: Portugal, August 1980.
Merkulov, Vladimir Dmitrevich: Denmark, October 1981.
Mikhalin, Anatoli Aleksandrovich: Canada, February 1978.
Minkov, Yuri (GRU): Egypt, July 1976.
Mironenko, Sergei Vladimirovich: Singapore, February 1982.
Mironenko Yevgenni, Sergeevich: Norway, April 1981.
Mizin, Viktor Vladimirovich: India, March 1976.
Mordovets, Aleksandr Leonidovich: Costa Rica, August 1979.
Morozov, Mikhail M.: Portugal, January 1982.
Motorov, Yevgenni Leonidovich: Denmark, February 1983.
Muerner, Igor Ivanovich: Switzerland, October 1974.
Mushchinin, Sergei Yefimovich: Brazil, January 1975.
Muzykin, Ivan Ivanovich: Liberia, March 1981.
Myagkov, Grigori Petrovich: Switzerland, June 1978.
Nesytykh, Vladislav Leonidovich: Liberia, June 1981.
Nikiforov, Oleg Nikolaevich: West Germany, June 1979.
Nilov, Viktor Prokopevich: Ghana, August 1978.
Obinin, Vyacheslav Aleksandrovich: Portugal, March 1982.
Oshkaderov, Vladimir Ivanovich: Canada, February 1978.
Osipov, Aleksei Nikolaevich: Denmark, August 1975.
Panchenko, Aleksei Yakovlevich: Iran, October 1981.
Pashukov, Aleksandr Alekseevich (GRU): Denmark, October 1977.
Penkov, Viktor Aleksandrovich (GRU): France, July 1978.
Pereversev, Yuri V. (GRU): Egypt, April 1979.
Petrakov, Igor V.: Egypt, September 1981.
Petrosyan, Petros Artachesovich: USA, June 1975.
Petrov, Georgi Georgevich: Norway, April 1981.
Petrov, Valentin Mikhailovich: Liberia, March 1981.
Pivovarov, Yuri Sergeevich: Spain, March 1977.
Pokrovsky, Sergei Georgevich: Switzerland, March 1982.
Poleshchuk, Anatoli Ivanovich (GRU): Netherlands, March 1978
Polomarchuk, Valeri Vladimirovich: Sudan, May 1977.
Polyakov, Vladimir Porfirevich: Egypt, September 1981.
*Poperechny, Vladimir Ivanovich: Liberia, April 1979.
Popov, Yuri Pavlovich (GRU): Spain, May 1978.
Printsipalov, Aleksandr Kirillovich: Norway, January 1977.
Reztsov, Oleg Dmitrevich: Canada, February 1978.
Romanov, Vladislav Petrovich: Malaysia, July 1981.
Rostovsky, Grigori Grigorevich (GRU): France, March 1976.
Rybachenko, Vladimir Ivanovich (GRU): France, February 1977.
Samoylenko, Nikolai Aleksandrovich (GRU): Denmark, June 1977.

Semenov, Yuri A.: China, January 1974.
Semenychev, Yuri Konstantinovich: Portugal, August 1980.
Sepelev, Yuri Fedeevich: Yugoslavia, March 1976.
Shamirov, Elman Ibragim-Ogli: Iran, April 1978.
Sharov, Anatoli Vasilevich: Denmark, August 1975.
Shebanov, Yuri Konstantinovich: Egypt, September 1981.
Shelenkov, Aleksandr Ivanovich: Egypt, October 1978.
Shelepin, Vladimir Leonidovich: Egypt, October 1980.
Shepelev, Viktor Pavlovich (GRU): West Germany, July 1981.
Shiroky, Petr Ivanovich (GRU): Sweeden, December 1982.
Shitov, Vasili Ivanovich (GRU): USA, February 1982.
Smirnov, Igor Petrovich (GRU): Switzerland, February 1981.
Smirnov, Valeri Nikolaevich (GRU): Canada, July 1977.
Sofinsky, Vsevolod Nikolaevich: New Zealand, January 1980.
Sokolov, Vladimir Ivanovich (GRU): Canada, January 1980.
Solomonov, Yuri Aleksandrovich (GRU): France, June 1982.
Solovyev, Mikhail Matveevich: France, October 1976.
Stankevich, Nikolai Vasilevich (GRU): Denmark, October 1977.
Stepanov, Gennadi Ivanovich: Malaysia, July 1981.
Stepanov, Svyatoslav Alekseevich: USA, September 1976.
Stolbunov, Vyacheslav Ivanovich (GRU): Switzerland, March 1982.
Suchkov, Vitali Ivanovich: Spain, May 1981.
Suntsov, Vladimir Gennadevich: Egypt, January 1981.
Suvorov, Vladimir Leonidovich: Canada, February 1978.
Sveshnikov, Gennadi Vasilevich (GRU): Spain, June 1977.
Syzdykov, Ased: Egypt, September 1981.
Talanov, Nikolai Mikhailovich: Canada, February 1978.
Telezhnikov, Viktor Andreevich: Egypt, April 1976.
Tertishnikov, Vladimir Lukich: Spain, April 1982.
Timoshek, Vladimir Vladimirovich: Mexico, May 1976.
*Timoshkin, Mikhail Yevgennevich: Liberia, April 1979
Titov, Gennadi Fedorovich: Norway, February 1977.
Titov, Sergei Nikolaevich: India, March 1976.
Travkov, Gennadi Yakovlevich (GRU): France, February 1980.
*Trekhlebov, Igor Gavrilovich: Liberia, April 1979.
Trofimov, Vitali Konstantinovich: Canada, February 1980.
Trushenko, Yuri: Egypt, January 1981.
Tyurenkov, Aleksandr Ivanovich: Switzerland, March 1981.
Vartanyan, Igor Paruirovich: Canada, February 1978.
Vasilyev, Vladimir Mikhailovich (GRU): Canada, December 1976.
Veber, Voldemar Pavlovich: Canada, February 1978.
Vlasov, Valeri Pavlovich: Egypt, September 1981.
Vopelovsky, Yevgenni Konstantinovich (GRU): Norway, February 1982.
Vyatkin, Sergei Lazarevich: West Germany, October 1975.
Yadroshnikov, Lev Konstantinovich (GRU), Egypt, August 1976.
Yefremenkov, Vladimir Ilich: Spain, March 1981.
Yefremov, Albert Dmitrevich (GRU): Ghana, September 1978.
Yegrov, Sergei Petrovich (GRU): Indonesia, February 1982.
Yemelianov, Igor Konstantinovich: Switzerland, January 1983.
Yermakov, Oleg Vyacheslavovich: Denmark, September 1975.
Zadneprovsky, Vadim Fedorovich (GRU): UK, February 1982.
Zarkich, Yuri Grigorevich: India, March 1976.
Zashchirinsky, Igor Ivanovich: Norway, January 1977.
Zazulin, Anatoli Gerasimovich: Italy, January 1981.
Zinyakin, Vladimir Petrovich: USA, May 1978.
Zolotukhin, Aleksei Nikiforovich: Bangladesh, August 1981.
Zotin, Yevgenni Georgevich (GRU): Norway, January 1977.
Zotov, Anatoli Pavlovich (GRU): UK, December 1982.
Zuyenko, Oleg Sergeevich: Iran, January 1983.

*Although not identified as KGB, Poperechny, Timoshkin and Trekhlebov were involved, probably on behalf of the International Department of the Central Committee of the CPAU, in organizing anti-government demonstrations.

Mr. DENTON addressed the Chair.

Mr. HELMS. Mr. President, I will be willing, if the Senator from Alabama would indicate to me how long he wishes to speak, to lay aside my amendment on the condition that it become the pending business at the completion of his speech.

Mr. PERCY. So that we do not have to lay the amendment aside, I am quite willing to yield 10 minutes of my time to the distinguished Senator to speak.

Mr. HELMS. Very well, on the condition stipulated, Mr. President.

The PRESIDING OFFICER. Without objection, the Senator from Alabama is recognized.

Mr. DENTON. Mr. President, as the Senate today has begun its consideration of a joint resolution about the brutal and unnecessary destruction of Korean Air Lines flight 007 by the Soviet Union, my deepest insights and compulsions require me to state my hope that the wording of the House resolution be passed expeditiously and unanimously without substantial change.

My feelings derive from the insight that we now have an invaluable opportunity, perhaps the first since the mid-sixties, to make a strong, unified statement that recognizes the true nature of our major adversary, roundly condemning before the world the inhumanity of its governmental philosophy and modus operandi, which are typified by this latest in a long string of barbaric actions and uncivilized conduct. This statement, I believe, could be the first important step toward regaining a bipartisan U.S. foreign policy, the lack of which has retarded and even reversed the march of civilization for about 15 years.

There has developed in this country and in the world a prevailing confusion about the distinction between the relative efficacy of our American system and that of the Soviet Union. The latest tragedy has done more than anything else in recent memory to bring into focus that very clear distinction.

For that reason, we have been presented with the opportunity, the first in a very long time, for men and women of diverse views to clasp hands to make a definitive, perceptive, common statement of unity.

I see it as absolutely essential that we seize this moment to draw together those of different political and ideological perspectives who all share a sense of justice, of patriotism rooted in governments desirous of peace, justice, and freedom.

We should not, we must not, spoil or lose that historic opportunity.

The resolution we are considering was passed unanimously in the House with minor noncontroversial change, and the wording has been approved by the White House. Beyond that, I hope all Senators recognize that we in the United States are trying to speak for the entire civilized world and thus are constrained in the position we take by the necessity to follow policies that are reasonably consistent with the positions of all those other civilized nations.

Some of my closest friends in the Senate, Mr. President, have offered amendments or have indicated an intention to amend substantially the resolution in what they strongly believe is a good faith and justifiable attempt to strengthen it. I respect their motives, their own compulsions, and their sincerity. The distinguished Senator from North Carolina (Mr. HELMS), in particular, is personally close to that tragedy in that he had the poignant experience of talking, joking, and laughing with some little girls just before they boarded the ill-fated flight. And I admire Senator HELMS especially for not being among the confused regarding the Soviet's evil nature and threat. I also have tremendous respect for him and for my good friend who spoke just before me, the distinguished Senator from Colorado (Mr. ARMSTRONG). But I simply do not agree that an attempt to amend substantially is at this time in the best interests of the United States and of the prospects for security. I do hope that whatever my friends do they will not persist in individual expressions to the point of rending the fabric of potential for beginning to reweave the bond of unity regarding foreign policy.

My opposition to stronger wording does not derive from a weakness in my own beliefs about the Soviet Union. Nor do I necessarily oppose strong sanctions against the Soviet Union for its brutal act. Indeed, strong sanctions have been called for and I have advocated them, not just for the massacre of the 269 people on the KAL aircraft but for Soviet aggressions in Afghanistan, in Angola, in Central America, and Poland, for its slave labor camps, for its use of chemical weapons against innocent people, for the 60 million people inside the Soviet Union who perished at the hands of their own masters.

On later occasions I could well support and possibly originate other efforts to impose sanctions for such inhuman behavior, so my effort to support immediate and unamended passage of the resolution should not be construed as a judgment of any of the proposed amendments.

For now I must emphasize that in both my military and political careers I have been in a position to see the national and international damage that has resulted from the failure to formulate and to sustain a bipartisan American foreign policy. That failure victimized President Johnson, Nixon, Ford, and Carter, all without respect to political party or policy orientation. I believe, Mr. President, we cannot permit it to continue at this juncture with President Reagan. In my opinion, a quick, unanimous passage would be the best possible discouragement to the Soviets and the greatest possible encouragement to free peoples and to those who yearn to be free. The Senate has the constitutional mandate to provide advice and consent in the formulation of foreign policy but not to devise and dissent in the conduct of our country's international affairs.

Too much of this has come from both the left and the right for too long a time at great cost to our interests. We can never conduct a realistic, effective, successful, and truly bipartisan foreign policy if we have the 535 Members of Congress each trying to be Secretary of State at crucial decision points in foreign policy.

In this instance, the administration has completely informed and consulted with the Congress. No one can argue about that.

What we must do right now is to agree and go forward. We can do the cutting and fitting later.

From my own perspective on foreign policy, I would rather help nurse Congress into a mature bipartisan body than to try to lead my colleagues to adopt my precise point of view, because I fear the possibility of opening a partisan, divisive, nonproductive debate on this issue now.

The Constitution mandates that Congress provide for the common defense. If it does nothing else, the tragic incident over Sakhalin Island will heighten the awarness of the American people of the need for an adequate defense and for the unquestioned capabiltiy to deter aggression directed against us, against our allies, or against independent peoples anywhere in the world.

The most appropriate punishment that we can now inflict upon the Soviet leaders is to unite and to reaffirm our resolve to rebuild and maintain our national defense.

President Reagan recognizes that, although the KAL incident was a terrible tragedy, an infamous act of barbarism, it represents nothing new. It was no big surprise. Terrorism is the method by which the Soviet Union governs its people and those of its satellites. It is the dynamic of its interactions with the rest of the world.

I strongly support the President of the United States in this matter. I support the strong and responsible position that he has taken. I commend him for his courage, his foresight, and his evenhandeness in the handling of our country's response to a terrible and malicious incident.

I know of no man who has better ability to lead us and to articluate our position in this time of crisis, of sorrow, and of fury than does Ronald Reagan.

Our Nation is indeed fortunate to have such a man as President at this point in our history, at this difficult time for our world. I consider it essential that we evince our willingness to follow him at this historic moment.

As one national news commentator remarked—and, I should note, a commentator who is not necessarily friendly to Presidents—it can be said of Ronald Reagon that, during this time of crisis, "he spoke for, and represented, the West."

Mr. President, I hope that we in the Senate act in such a way as to sustain the validity of that remark.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, moving to point 2, line 10:

POINT 2: COMPREHENSIVE REAPPRAISAL OF U.S. SOVIET RELATIONS INCLUDING ARMS CONTROL, HUMAN RIGHTS, EAST-WEST TRADE, AND REGIONAL ISSUES.

In the wake of the Korean airline massacare, voices are rising to counsel appeasement. We hear them in the press, on radio, on television, in academic circles, in business circles, in political circles, and in legislative bodies throughout the West. The Soviet Union, however, continues with relative impunity to impose its design of terror and expansion on the world.

Rapid change is sometimes revealed more by the receding past than by the unfolding present or future. Where have we been during the last decade? What has characterized the reality of the international situation? Those innocent men, women, and children aboard the Korean airliner just as the pontiff in Rome or untold millions of individual souls across the face of this Earth have been victims of the Soviet empire's design for terror and conquest.

Following World War II, we in the West had a basic strategy. Imperfect as it may have been, the containment doctrine recognized the Soviet drive for global hegemony as the central menace to a peaceful world order and resolved to contain it. There was a basic consensus in the West on the policy although voices were raised counseling that "It is better to be Red than dead." While the world had just passed through the horrors of the Hitler regime, it did not take long for the voices of appeasement to enter the media as well as into the realm of politics and diplomacy.

The decade of the 1970's opened with the concept of détente. According to Kissinger's grand design, one could replace the containment doctrine of the West with a new approach. This idea was that legitimate international order simply meant the acceptance of a set of rules of conduct that were respected by all powers. Is the legitimacy of the international order, conceived as a consensus on rules of conduct, synonimous with stability and ultimately with peace? Détente was Kissinger's instrument to achieve a so-called legitimate international order.

Kissinger's paradigm, however, was fundamentally flawed. The missing element is an ethic of a peaceful order which involves more than just an agreement on a set of rules. His system was empty of moral content and therefore is irrelevant to the great issues of our times which center upon values and principles fundamental to the preservation of a way of life basic to our civilization.

Détente involved, we were told, interdependency, deterrence, and arms control. The atmosphere of détente, however, has swayed Western psychology toward a downgrading of the Soviet threat, cutting defense budgets, and disrupting alliances. The world power balance, or as the Soviets call it the correlation of forces, was further tipped in the Soviet's favor. The dynamics of the détente process have led to a demoralization of the West during the last decade. The Soviets have acted with relative impunity in subjugating the Afghan people; in further repressing the Polish nation and the nations of Eastern Europe; in attempting to assassinate the pontiff in Rome; in bring violence and devastation to the New World; in spreading war and misery on the African Continent; and in murdering an innocent planeload of men, women, and children in recent days.

Kissinger's détente rested on the thesis that the dominating effect of greater interdependency would restrain Soviet behavior. Have the Soviets been restrained over the last decade? In spite of billions of dollars of credit and loans, in spite of billions of dollars worth of Western technology, in spite of innumerable exchanges across a broad range of fields, the Soviet empire has indeed not been restrained in the least.

Turning to recent months, we find the voices of appeasement rising again to propose another surge toward détente. Innumerable studies and plans and options papers have been drawn up in Washington which call for a summit meeting between President Reagan and Andropov. The agenda of such a summit is no secret. The basic outline calls for discussion of arms control, human rights, east-west trade, and regional issues. Any number of voices have been raised calling upon the President to go to the summit with Andropov. The press has been full of such statements since this spring. Henry Kissinger called for it in an interview this past April. Mr. Reston of the New York Times wrote about it on May 1 of this year. Averell Harriman called for it after his visit to Moscow this June.

Just who is it that the President is being asked to go to the summit to meet? On January 3 of this year, this Senator spoke at length on the background and activities of the Soviet leader Yuri Andropov the master of KGB terror, subversion, and espionage for some 15 years. How many voices rose to say that Andropov was a moderate, that he drank scotch, that he liked modern music and art and therefore was in reality a rather mellowed personality? Would those same voices like to explain their assumptions to the family members of those murdered by Andropov and his empire whether on Soviet soil or in an airliner headed across the Pacific?

On January 3, this Senator quoted from a speech by Andropov which he delivered to the celebration of the 50th anniversary of the KGB on December 20, 1967. I will again quote Andropov's speech:

> On 20 December 1917, at the initiative of Vladimir Illich Lenin, the All-Russian Extraordinary Commission to Combat Counter Revolution and Sabotage was set up. By the will of the party and the people the Chekists were put on guard over the gains of October (the Communist coup). This is how the militant work of the Cheka began, which in the full sense of the word became the shield and the sword of the October Revolution. Since then the state security organs have been carrying out their difficult and honorable duty.
>
> Our socialist revolution needed an organ of the dictatorship of the proletariat which would expose the schemes of conspirators and could, in Lenin's words, "by merciless and immediate repression, backed by the support of workers and peasants," put a halt to all the intrigues of the counter-revolution. The Cheka became such an organ.

As head of the KGB for 15 years, Andropov would claim many successes. On the "Active Measures" front, Andropov's KGB played a major role in various psychological offensives against the West. For example: the orchestration of the anti-Vietnam war movement in Europe and in the West, the orchestration of the antineutron-weapon movement in the West, and the orchestration of the nuclear freeze and peace movement in the West.

Mr. President, consider the number of countries in the Far East, in Africa, in the Caribbean Basin that have fallen under Communist influence during the last 15 years: South Vietnam, Laos, Cambodia, Mozambique, Angola, Ethiopia, South Yemen, Afganistan, Nicaragua, Grenada. Andropov played a central role in achieving the Kremlin's objectives.

Now voices are being raised that counsel appeasement which will be symbolized in a summit meeting with Andropov whose bloodstained hands will hardly be dry from the Korean airline massacre. A new Munich indeed is stirring in some minds. Or is it a new Yalta that the President is being counseled to negotiate at a summit? The agenda: arms control, human rights, east-west trade, and regional issues.

Mr. President, the hour is late for freedom in this world. The Soviet empire is proceeding with relative impunity in achieving its global strategic objectives. It is certainly time, especially in the wake of the most recent Soviet atrocity against mankind, for the President of the United States to conduct a comprehensive reappraisal of United States-Soviet relations with the central objective of reforging a real national strategy for our great Republic which will insure our continued existence as a people dedicated to the highest values of Western Christian civilization and worthy of the heritage bequeathed to us by the blood, sweat, and lives of generations of American patriots who fought to defend our precious way of life.

It is certainly time that this Nation discard forever the illusion that the Soviet empire can be dealt with as a respectable member of the community of nations. The Soviet empire is fundamentally evil and dedicated to the destruction of all that we believe in. Western confidence and resolve must be restored. Deterrence must be reconstituted by a dramatic strengthening of our defense posture across the board. Negotiations with the Kremlin, if undertaken, must only proceed from the principles of reciprocal concession and unimpaired security.

Mr. President, the West is drifting, confusion reigns in Western legislative bodies and capitals and in Western publics. It is time for our Nation to forge a comprehensive national strategy to contain and, ultimately, to prevail against the Soviet Union and international communism. Such a national strategy must fully combine diplomatic, economic, commercial, psychological, and military policy with the fundamental objective of providing for the unimpaired security of our Republic and the preservation of our precious way of life.

Mr. President, the hour is late for the continued existence of Liberty on the face of this Earth. Dishonor and lawlessness are rising in the Soviet Union of Yuriy Andropov and the Communist dictatorship. It is within the power of the free peoples of the world to contain and prevail against the evil designs of the Soviet Empire and international communism. The voices of appeasement are rising. Let free men speak and stand to defend Liberty if they dare.

Mr. President, that is why point 2 would ask the Senate to approve the following language:

> It is the sense of the Congress that the President should conduct a comprehensive reappraisal of the complete spectrum of United States-Soviet relations including arms control, human rights, East-West trade, and regional issues.

Mr. President, I see the Senator from Massachusetts on the floor, but we have a bit of a problem, because the chairman of the Foreign Relations Committee is not on the floor.

Mr. KENNEDY. I have a 5-minute statement.

Mr. HELMS. I would welcome it, except I do not know on whose time it would be.

Mr. MATHIAS. The chairman is off the floor.

Mr. PELL. It could be on my time.

Mr. HELMS. Very well.

Mr. President, I yield 5 minutes, on the condition that my amendment is the pending business at the completion of the Senator's remarks.

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

Who yields time?

Mr. PERCY. Mr. President, I yield 5 minutes to the distinguished Senator from Pennsylvania, and I believe that the opponent of the amendment will yield him an equal amount of time.

Mr. HELMS. The Senator from Pennsylvania can get by with 8 minutes, so why do we not both yield 4 minutes, 4 minutes of the Senator's time and 4 minutes of my time?

Mr. PERCY. Mr. President, I yield 4 minutes to the distinguished Senator from Pennsylvania.

Mr. HELMS. I yield 4 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I thank the distinguished Senator from Illinois and the distinguished Senator

from North Carolina for yielding me time from each of their allocations.

I rise to support some of the provisions of the amendment proposed by the Senator from North Carolina.

I support the President as far as he has gone, but I believe it is in our national interest to be stronger in our response to the Soviet action in shooting down the Korean airliner. I say that because of my concern as to what the Soviet Union may do next in a context of totally irrational behavior on their part, both in the act of shooting down the airliner and in their response in the intervening time.

My own sense of the situation would have been immediately to have recalled our Ambassador for an unspecified period of time and to have terminated all relations with the Soviet Union on all trade matters and other relationships except for our discussions under the nuclear arms reduction talks. I would have made an exception under the arms reduction talks explicitly on the grounds that that subject is so important on the issue of world survival.

Many say that we would have hurt ourselves more than the Soviets by terminating trade relations and other relations, including the grain deal. But my own sense is that, as a matter of principle, it was and is important to show strength in response to the Soviet action because of concern as to what they may do next.

If the trade sanctions were to fall unduly harshly on one group, such as the agricultural community, then there could be ways in which we could make compensation there because certainly our response should be a national expenditure and not be at the expense of any one particular group.

I do agree with the thesis which has been advanced that we should come forward from this debate with a unanimous resolution. I think that is a very valuable item, and I was delighted to see the House of Representatives vote 400-plus in favor of the resolution there.

In accordance with the tradition of this body, it is very healthy and very appropriate to have this debate carried on, to air our views, and to try to come to unanimous agreement, if that is possible, on terms that the President can support and enforce.

As I have reviewed the matters that Senator HELMS has proposed and discussed them with Senator HELMS and Senator SYMMS, and others, it is my view that the first provision about the recall of the U.S. Ambassador for urgent consultations is one well worth adopting.

His second provision about conducting a comprehensive reappraisal of the complete spectrum of United States-Soviet relations is also worth doing.

The third provision relating to the report to Congress on the record of Soviet compliance or noncompliance with the letter and spirit of all existing strategic arms limitation agreements and other arms control agreements is also a desirable step.

I disagree with the Senator from North Carolina on item 4 on the linkage of the strategic arms reduction talks for the reasons I have already given. That can be a logical exception because of the grave importance of those talks on the matter of world survival.

In terms of the fifth point, reemphasis of the inconsistency of Soviet military response or presence in the Western Hemisphere, again I think as a matter of policy that this is worth stating.

The sixth provision about declaring Poland in default is one that I instinctively favor, although I would be pleased to hear the remainder of the debate on the subject in terms of what kind of a problem that may pose to the United States.

But that is the kind of a provision which might well have some teeth in it beyond the rhetoric which is present in much else that has transpired.

The seventh provision about tightening substantially the foreign policy and military controls over the export of machine goods, high technology products and equipment I think is desirable in terms of limiting our trade with the Soviets in any way that may aid them in a military sense.

The eighth provision to direct the Secretary of the Treasury to use existing statutory authority to prevent the import of any product or material produced in the Soviet Union unless the President certifies that it was produced without the use of forced labor is a highly desirable provision, in my judgment, and one which should have been enforced even prior to this event.

The response is obviously a difficult one, but I believe that the proposals which have been introduced by the Senator from North Carolina have significant merit. I believe that they can be reconciled consistently with what the President has already done and can be the basis for a unanimous resolution coming out of this body.

I thank the Chair and I thank the distinguished Senator from Illinois and the distinguished Senator from North Carolina for yielding me the time, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair.

Mr. President, let me not only express my gratitude for the distinguished Senator from Pennsylvania but to commend him on his eloquent comments.

Let me go down the various points.

POINT 3: REPORT ON SOVIET VIOLATIONS

Mr. President, this section merely asks the President to report to Congress on Soviet violations of the arms control agreements. This should be a noncontroversial item. Not long ago 34 Members of this body signed a letter to the President requesting such a report. The evidence of violations is just too great to be ignored.

Further, and in addition to that, Mr. President, this Senator is convinced that the American people are entitled to have the information.

The construction of the sixth Soviet phased array, battle management radar at Abalakova in Siberia, 500 miles north of the Mongolian border, is proof positive that the Soviets have violated the ABM Treaty. The President should give the administration's position on the new radar.

Indeed, just yesterday, the President stated that the Soviets have violated the Kennedy-Krushchev agreement. According to this morning's Post, he said:

> I have to tell you, as far as I am concerned, that agreement has been abrogated many times by the Soviet Union and Cuba in the bringing in of what can only be considered offensive weapons, not defensive, there.

The Kennedy-Khrushchev agreement is a de facto arms control agreement. The President has said, as he said before, that the Soviets have violated it. I think it would be very helpful for him to make a report to Congress on these and other violations.

Mr. President, I have a list of some 50 other Soviet violations of arms control agreements that I think the President should include in such a report, and I ask unanimous consent that they be printed at this point in the RECORD.

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

SOVIET VIOLATIONS OF SALT II

SS-18 rapid reload and refire; covert deployment of 100 to 200 SS-16's at Plesetsk Test Range; AS-3 Kangaroo Long range ASM on 100 TU-95 Bear Bombers; new long range ASM on Bears; deployment of long range ASM's on Backfire Bombers; almost total—95 to 98 percent—encryption of telemetry.

ICBM—SS-18 MOD X, PL-4 (SS-X-24); SLCM—SS-NX-19; SLBM—SS-NX-20; IRBM/ICBM—SS-20.

Total encryption on second new ICBM-PLS (SS-X-25); 2 new ICBM's in development tests (SS-X-24, SS-X-25); direct attack on U.S. Digital Imaging Satellite; wide spread camouflage, concealment, deception.

SOVIET SALT I VIOLATIONS AND CIRCUMVENTIONS

Anti-Ballistic Missile (ABM) Treaty; SAM testing in ABM mode—SAM-5, SAM-10, SAM-12; deployment of ABM battle management radars; ABM camouflage and concealment; falsification of ABM deactivation use of new test range without prior notification; development of a rapidly deployable,

mobile ABM; Soviet testing of rapid refire ABM; Soviet deployment of more than 100 ABM launchers around Moscow; Soviet deployment of a nationwide ABM defense.

Interim Agreement: Deployment of the heavy SS-19 ICBM as the replacement of the light SS-11; failure to deactivate old ICBM's on time, and continuous falsification of official deactivation reports; bringing back ICBM equipment to deactivated ICBM complexes; keeping 18 SS-9 ICBM's at an ICBM test range illegally operational; Soviet deployment of "IIIX" silos with a configuration too similar to a missile-launch silo; increased use of deliberate camouflage, concealment, and deception; encryption of missile telemetry.

Camouflage of ICBM testing, production, deployment; concealment of SLBM submarine construction, berthing, dummy subs, construction of berthing tunnels; constructing over 68 strategic submarines, when only 62 were allowed; violation of Brezhnev's pledge not to build mobile ICBM's; deploying SS-11 ICBM's at SS-4 medium range ballistic missile (MRBM) sites; keeping about 1,300 to several thousand old ICBM's stockpiled for both covert soft launch and rapid reload of silos for refire.

SOVIET VIOLATIONS OF GENEVA PROTOCOL AND BIOLOGICAL AND TOXIN WEAPONS CONVENTION

BW manufacture and storage at Sverdlovsk and Zagorsk; 8 other suspect production and storage facilities; expansion of BW facilities after 1972 and 1975, continuing today; CW and toxin weapons employment and assistance to satellites: Kampuchea, Laos, Afghanistan; toxin assassination weapons.

SOVIET VIOLATIONS

Threshold Test Ban Treaty (1974); over 15 Soviet tests above 150 kilotons; (2 with lowest possible yield above 150).

Limited Test Ban Treaty (1963); over 30 unambiguous Soviet ventings of radioactive debris.

SOVIET VIOLATIONS OF KENNEDY-KHRUSHCHEV CUBA AGREEMENT

Soviet offensive capabilities deployed to Cuba; combat brigade; golf and echo class nuclear submarines; nuclear capable aircraft; MIG-23, Bear—TU-95 D,F (TU-142, with operable bombays); military communications center.

Use of Cuba as revolutionary base; training terrorists and revolutionary forces; equipment supply to revolutionary forces; DGI 4th largest intelligence organization; supply of drugs (heroin) to illegal drug dealers in the United States; probable BW/CW facility.

POINT 4: LINK ARMS REDUCTION TALKS WITH PROGRESS ON OTHER ISSUES INVOLVING RESPECT FOR INTERNATIONAL NORMS

Mr. President, it is high time that the President direct the U.S. negotiators at the arms reduction talks in Geneva to link the progress of these talks with the willingness of the Soviet leaders to abide by the norms of international law and civilized human behavior as a responsible member of the community of nations.

That is presuming a whole lot, that the Soviet Union could ever be a responsible member of the community of nations.

The Soviet massacre in cold blood of a planeload of innocent men, women, and children traveling in a civilian airline across the Pacific has filled the world with horror and revulsion in recent days. Of course, the world discovered the Soviet hand in the attempted assasination of the Pontiff at Rome in recent months. During the last decade, the world has witnessed nation after nation falling under the totalitarian heel of Communist dictatorship: Vietnam, Laos, Cambodia, Mozambique, Angola, Ethiopia, South Yemen, Afghanistan, Nicaragua, Grenada among others.

Has there been a substantive reaction by the free peoples of the world to such atrocities? One can search the historical records and find no such substantive reaction. Oh, there are plenty of words, plenty of rhetorical flourishes, plenty of superficial nostrums but no substantive actions.

It is clear to this Senator that the masters of the Kremlin have calculated that the world balance of forces, the "correlation of forces" as the Soviets put it, is tilted in their favor to such a degree that they can engage in any act no matter how despicable and get away with it with relative impunity.

It is time for the world to put a stop to Soviet aggression. It is time for the world to say no to those who council appeasement. It is time for the free peoples of the world to act in concert to contain Soviet expansion throughout the world.

One of the fundamental issues of our time is that of nuclear weapons and arms reduction. There appears to be agreement between liberals and conservatives that the Soviets are interested in arms reductions. The liberals point out that the Soviets want to reduce their defense burden and therefore want arms reductions. Conservatives, on the other hand, are convinced that the only reason that the Soviets want arms reductions is that so far arms reduction talks have unilaterally favored Soviet interests to the disadvantage of the West.

For whatever reason the Soviets might wish to continue the arms reduction talks, it is clear that they will have to bargain harder. By that, I mean that the Soviets must prove their good faith in these negotiations. It is prudent to require that demonstrations of good faith by the Soviets across a broad range of issues be linked to the arms reductions talks. If the Soviets demonstrate to the world community their good faith across a broad range of issues, then their credibility as a trustworthy negotiating partner is enhanced.

Massacring a planeload of innocent men, women, and children is hardly a demonstration of the good faith of the Soviet rulers. The invasion and subjugation of Afghanistan and the employment of chemical and biological weapons there is hardly a demonstration of the good faith of the Soviet rulers. The repression of Poland and its free labor movement is hardly a demonstration of good faith of the Soviet rulers. The use of chemical and biological weapons in contravention of existing treaties not only in Afghanistan but also in South East Asia and in other areas is hardly a demonstration of the good faith of the Soviet leaders.

Unless and until the Soviet rulers begin acting in a civilized manner, it will be impossible to reach any sort of agreement with them. How can the world trust such a collection of rulers to keep their word? What evidence of good faith has the Soviet empire ever demonstrated in its seven decades of existance? The list of treaties that the Soviets have broken is a long one.

In the last few days we have heard all manner of apologists for the Soviet Union describe their pet theories of Soviet behavior. The bottom line consensus seems to be that the Soviets are very paranoid, they are very jittery and nervous about the rest of the world. The rest of the world community is therefore supposed to try to allay Soviet fears and by doing this world tensions will decrease and the détente is possible which can then be followed by a stable and peaceful world order.

Well, this Senator believes that the free peoples of the world must be given demonstrations of good faith by the Soviets to allay our deep concerns about Soviet behavior and Soviet designs for world empire. The burden of proof is on the rulers of the Soviet empire not on the elected leaders and legislative bodies of the free peoples of the world. It is for the Soviets to prove by concrete actions that they are capable of refraining from global aggression and terror. It is up to the Soviets to prove that they are worthy of sitting across the table from leaders of the free peoples and nations of this world to conduct serious negotiations.

It should be immediately clear that the Soviets must allow unimpeded access to the zone of the Korean Air Lines crash so that recovery of the remains of the dead as well as the recovery of the black boxes is possible by the affected countries. At a minimum the Soviets must allow this as well as pay full compensation to the families of those who were so brutally massacred. The Soviets must further establish their good faith in the area of international civilian air travel by scrupulous respect for the norms of the existing international treaties in this area.

Consistent violations of the Helsinki accords by the Soviet Union must cease forthwith. The only way that the Soviets can demonstrate their good faith to the world in this area is by beginning this very moment to rectify all violations of the Helsinki accords in the shortest time possible.

The Soviets must demonstrate to the world their good faith by ceasing the

barbarous subjugation of the Afghan peoples. Chemical and biological attacks against the Afghan people must cease immediately. The Soviets must withdraw their aggressive military forces who are engaged in wholesale slaughter of the Afghan peoples every hour of every day.

Soviet repression of Poland must cease. The Polish nation must be allowed to organize its free labor movement in an unrestrained manner. The Polish nation must be allowed to organize in a manner which will best lead to the freest expression of their religious and political ideals.

Soviet violations of the chemical and biological weapons conventions must cease immediately. The Soviets must be required to be forthcoming at international bodies who are investigating Soviet violations of these treaties. Indeed, chemical and biological weapons are weapons of mass destruction. If the Soviets cannot act in good faith in this area, how can the world expect the United States to engage in serious and productive negotiations with the Soviets in the area of nuclear weapons?

It is time for an end to appeasement of the masters of the Kremlin. It is time for an end to treating the masters of the Kremlin in a déferential manner at every turn. It is time for an end to the trade, loans, and credit to the masters of the Kremlin which are, in fact, a form of tribute from the free peoples of the world to the Soviet empire.

Unless and until the rulers of Soviet Russia can demonstrate their good faith to the world, there will be little chance of real progress in the field of arms reductions. Of course, negotiations can be conducted in which the United States makes unilateral and dangerous concessions. This has been the situation thus far during the decade and a half of the so-called arms control process. This of course is not real progress. It is merely capitulation to the will of Moscow.

The burden of proof is not on the free peoples of the world to show their good faith toward the Soviet Union. The reverse is true. The burden of proof lies with Moscow. Moscow must demonstrate by concrete actions that it is willing to respect norms of civilized behavior and abide by agreements.

Therefore, the President of the United States must link progress at Geneva to concrete demonstrations of Soviet good faith across a broad range of issues. Unless and until this is done, there will be no progress in arms reduction advantageous to the United States and the free world.

POINT 5: THE MONROE DOCTRINE AND SOVIET POWER

Mr. President, there is action which we should take in our own hemisphere, right now, which addresses the Soviet terror network worldwide. Just 90 miles off our shore, the Brezhnev Doctrine has confronted the Monroe Doctrine, and those who espouse the Brezhnev Doctrine think they are winning. I am sure Members of this body will recall, Mr. President, that Mr. Brezhnev was not only the Soviet dictator, but also a field marshal in the army of the Soviet Union, a title he cherished deeply. And his doctrine, simply stated, insists that any country or territory which comes under Communist domination is to stay that way, period. All Communist countries should guarantee that each newly conquered slave state should never again see the light of freedom on its own horizon.

Mr. President, the Brezhnev Doctrine flies in the face of the Monroe Doctrine when we consider the Communist conquest of Cuba, of Nicaragua, of Grenada, and of Suriname. This ongoing Sovietization of our hemisphere, followed by the same assiduous militarization which now fortifies the Kamatcha Peninsula and the Sakhalin Islands, confirms the Brezhnev Doctrine and endangers the national security of the United States in the most profound sense. Should we allow it to proceed, the Soviet Union will have succeeded in adding the Caribbean and Central America to the chain with which they intend to strangle us.

Mr. President, as long ago as 1800, the United States has recognized the importance of Cuba and the security of our borders to the South. Thomas Jefferson considered the acquisition of the Louisiana Territory to be among the highest priority achievements of his administration, because it secured our new Nation from encroachment by ambitious imperialists from across the sea. He specifically recognized Cuba as indispensable to our southern security.

Mr. President, no one in this Chamber today could argue with Mr. Jefferson, or his successor, President Monroe, who enunciated the doctrine which set the foundation for the newly independent countries of Latin America and our own Nation. Since 1823, the Monroe Doctrine has been the foundation of American security in this hemisphere for all American countries, North and South; and we must now address the question, at this critical turning point in East-West relations, whether we will allow the Brezhnev Doctrine to abide as Soviet terrorism topples one government after another in its relentless attack on freedom and peaceful people everywhere.

Let us take this occasion to recommend to the President that we not acquiesce to the Soviet goals for our hemisphere, and that we resolve to take every possible action to rid the hemisphere of Soviet puppets and troops for good. The time has come for us to reemphasize the inconsistency between the Soviet presence in this hemisphere and the Monroe Doctrine.

Mr. President, there is no better time than the present to reemphasize the inconsistency of the Soviet presence in the Western Hemisphere with the Monroe Doctrine. Not too long ago, Dr. Fred Ikle, the Under Secretary of Defense for Policy, testified before the Senate Foreign Relations Committee about the increasing Soviet domination in this hemisphere. The trends of Soviet interference in the region cannot be tolerated by the United States.

In his testimony, Dr. Ikle reported that in 1981 the Soviets delivered 63,000 tons of arms to Cuba, and in 1982 the Soviet deliveries increased to 68,000 tons. This amounts to about $1 billion worth of military assistance. The number of Soviet advisors in Cuba increased by 20 percent in 1982, up to 2,500. In addition, said Dr. Ikle, the Soviet Union has some 6,000 to 8,000 civilian advisors and a brigade stationed in Cuba. Dr. Ikle made comparisons for the committee between the Soviet and the United States involvement in the region:

> Soviet military advisors in Cuba outnumber U.S. military advisors in all of the Latin American countries twenty-five to one. The amount of Soviet arms assistance to Cuba is about ten times larger than the U.S. military assistance to all of Latin America.

In further describing Soviet military developments in Cuba, Dr. Ikle states,

> In 1982, the Soviet Union delivered enough MIG-23 Flogger aircraft to Cuba to form a second, and perhaps a third squadron. Cuba also received amphibious assault ships and the modern Turya hydrofoil torpedo boat—which has been exported only to Cuba.

Mr. President, Under Secretary Ikle provided the committee with explicit detail demonstrating that the military buildup in Nicaragua has continued unabated. The testimony reads:

> Soviet support for Nicaragua is quite open. Military equipment is delivered on Soviet bloc ships directly to Nicaraguan ports. Approximately 50 Soviet tanks have been introduced into Nicaragua, enough to form a second battalion. Nicaragua has received about 1,000 East German trucks, 100 anti-aircraft guns, and three brigades of Soviet artillery that can achieve ranges over 27 kilometers. Nicaraguan forces also obtained additional HIP assault helicopters and COLT transport aircraft to upgrade their mobility. The Cuban presence in Nicaragua continues undiminished.

The assistance to Nicaragua does not arrive directly from the Soviet Union, but we all know that they are directly behind the efforts of Castro's Cuba.

Mr. President, Soviet interference does not exist solely in Cuba and Nicaragua. In the last year the Soviets have expanded their efforts to include exporting revolution to the countries of Grenada and Suriname. Cuba has installed a radio transmitter on Grena-

da to expand Cuban transmissions in the region. Dr. Ikle produced photographs of the new 10,000-foot airstrip in Grenada which will significantly increase Cuban and Soviet capabilities to extend their reach in the Caribbean and throughout Latin America. Cuba has also constructed a military camp in Grenada which is capable of housing a battalion-size unit. There are also new barracks and new naval facilities being constructed with Soviet funds. Most recently, there are discussions of installing Soviet equipment to monitor U.S. submarines. It is clear that Soviet and Cuban goals in Grenada are both political and military.

Mr. President, the vast Soviet presence in the Western Hemisphere is also increasingly evident in the two South American republics—Guyana and Suriname. The Soviet Ambassador in Suriname was chairman of the Communist Party Soviet Union in the Soviet Embassy in Washington. This Ambassador has brought in Soviet advisers under the guise of athletic coaches. The Cuban Ambassador, Oswaldo Cardenas, is a senior intelligence officer who was formerly chief of the Caribbean section of the Americas Department of the Cuban Communist Party, testified Dr. Ikle. We also know that the Soviets have constructed 10 military bases in Guyana, including airstrips capable of handling Soviet jets.

Mr. President, I cannot say enough to stress that which appears obvious—the Soviet military presence in the Western Hemisphere is, without any doubt, incompatible with the Monroe Doctrine. We simply cannot sit idly by while the Soviet Union and its surrogates export Communist revolution into the Western Hemisphere. The United States must reemphasize the inconsistency of the Soviet military presence in the region with the Monroe Doctrine.

POINT 6: TIGHTEN SUBSTANTIALLY CONTROLS OVER THE EXPORT OF MACHINE TOOLS, HIGH TECHNOLOGY PRODUCTS, AND EQUIPMENT FOR THE DEVELOPMENT OF SOVIET OIL AND GAS RESOURCES

Mr. President, it is a fact that Soviet foreign technology acquisition policy, for both legal and illegal acquisitions, is directed first and foremost at enhancing Soviet military industrial capabilities. The massacre of innocent men, women, and children aboard the Korean airliner is yet another tragic and terrible reminder of the ruthlessness of the Soviet empire in its pursuit of world conquest.

Secretary Weinberger, in his report entitled "Soviet Military Power" which was released this March underscored the fact that Western technology transfer to the Soviet Union contributes to its military industrial capabilities:

(1) by yielding a direct near-term military advantage through transfers leading to a Soviet technological breakthrough, filling a gap or overcoming a bottleneck in a mature Soviet technology: (2) by providing an indirect, long-term military advantage in helping to overcome technological lags in the Soviet industrial infrastructure; (3) by contributing to the overall growth of the Soviet economy by enhancing productivity; and (4) by releasing funds for military production.

There is ample evidence to show that industrial machinery and products imported for the civilian industry often directly support the Soviet defense industries.

At least half of the machinery acquired by the Soviet Union from the West contributes to Soviet defense production. As Secretary Weinberger has pointed out, Western, government-backed, low-interest loans and credits provided to the Soviet Union have underwritten this trade and have greatly facilitated the development and serial production of modern Soviet weapons. More than 40 percent of the machinery imported by the Soviet Union from the West has been for the metal working and chemical industries which are key contributors to Soviet defense production.

Soviet acquisitions of Western precision machining, drilling, milling, grinding, gear cutting, and reaming equipment has had a significant impact on improvements in Soviet manufacturing capabilities in the defense sector. Soviet military capabilities have also been significantly improved by their acquisition of precision ball bearing grinding machines, printed circuit board equipment, precision measuring and nondestructive testing equipment.

It is a fact that the Soviet Union has undertaken a massive program to acquire Western technology by covert means in addition to its legal acquisition efforts. The Soviet intelligence services, KGB and GRU, along with the East European intelligence services have several thousand technology collection officers operating under a variety of covers ranging from diplomats to journalists and from trade officials to scientists and engineers. Such acquisitions by covert means have direct military and industrial applications.

Mr. President, it is a fact that the vast Soviet military industrial structure which we now confront has been essentially developed over seven decades by those in the West who have engaged in trade and technology transfer with the Soviet Union. It is also a fact that the loans and credits extended to the Soviet Union by Western bankers, as well as by Western governments, have served to build the Soviet war machine and to keep the peoples and nations contained within the borders of the Soviet Union in abject terror and slavery.

At what point in history are the free peoples of the world going to face these facts? At what point in history are the free peoples of the world going to join forces to put the Soviet empire in a situation of economic quaratine? At what point in history are the free peoples of the world going to halt purchasing the tainted goods of the Soviet slave state?

The Soviet Union has been systematically pursuing a policy of psychological intimidation of the free world. The Soviet Union has in recent months attempted to assassinate the Pontiff in Rome. The Soviet Union in recent weeks has massacred men, women, and children in a civilian airliner traveling in the dark of night. The masters of the Kremlin have, it would appear, calculated that the correlation of forces in the world—military, economic, diplomatic, psychological—have reached a state where the Soviet empire has the upper hand. The masters of the Kremlin seem to believe that they are today in a position to engage in an unrestricted policy of global expansion and terror with relative impunity.

In spite of the Soviet Empire's subjugation of Afghanistan; in spite of the Soviet Empire's repression of Poland and the peoples of Eastern Europe; in spite of the Soviet Empire's subjugation of the people of Cuba, Nicaragua, and Grenada and the spread of violence throughout this hemisphere; in spite of the massacre of the men, women, and children aboard the Korean airliner; there are voices today at this very hour throughout the Western World who are counseling appeasement.

Adolph Hitler had a plan for terror and conquest. He wrote it down and published his book "Mein Kampf." Some took note of it at the time. Many did not. The world well remembers the horror unleashed by his party and his war machine.

Karl Marx had a plan for terror and conquest. Lenin had a plan for terror and conquest. Trotsky had a plan for terror and conquest. Stalin had a plan for terror and conquest. Mr. Andropov has a plan for terror and conquest. They have all written it down. It is a simple matter to find their books and speeches. Some take note; many do not. The world has been witnessing the horror and atrocities perpetrated by the Soviet Union for seven decades against its own people and against all of the nations on this Earth.

Today, at this very moment around the world, we can hear those same voices of appeasement speaking in the press, on the radio, on television, in business circles, in politicial circles, in academic circles, in the halls of legislative bodies.

How many Soviet weapons are we confronted by owing to the transfer of Western technology to the Soviet Union? Was the Korean airliner shot down by an air-to-air missile such as

the Soviet ATOLL missile? How many realize that the Soviet ATOLL missile is a near duplicate of certain Western deployed systems and their technology?

It is no secret that the Soviets are engaged in the most massive military buildup of recorded human history. It is no secret that the Soviets spend almost 20 percent of their gross national product on their war machine while we in these United States spend only about 6 percent.

How many citizens in the free world have carefully considered how the Soviets intend to pay for their military buildup during the last two decades of the 20th century? How many citizens of the free world realize that the Soviet projected receipts for their natural gas sales to the West will range to the tens of billions of dollars per year, and I repeat per year, if the pipeline project is fully developed? How many citizens of the free world realize that these multibillions of hard Western currency receipts from natural gas sales will finance the Soviets plan for their global military supremacy?

Mr. President, the hour is late for the continued existence of liberty on the face of this Earth. It is still within the power of the free peoples of the world to contain and vanquish that evil empire run from the darkest corners of the Kremlin. As Solzhenitsyn has pointed out, the West is selling the Soviet Union the rope with which the masters of the Kremlin intend to hang us. It is time to bring a halt to the transfer of high technology to the Soviet empire. It is time to bring a halt to the transfer of machinery which builds the Soviet war machine. It is time to bring a halt to the transfer of equipment which will develop Soviet oil and gas resources so that they can earn multibillions of dollars of hard currency and hold Western Europe hostage to energy blackmail.

The voices of appeasement are rising. Let free men speak and act for liberty if they dare. The hour is late.

POINT 7: PREVENT IMPORTATION OF ANY PRODUCT OR MATERIAL PRODUCED THROUGH THE USE OF FORCED LABOR

Mr. President, title 19, section 1307 of the United States Code specifically prohibits the importation into these United States of goods produced by forced labor. It is certainly time that this law be enforced with respect to the Soviet Union.

Let me quote from this law:

All goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision.

This law defines forced labor as:

All work or service which is exacted from any person under the menance of any penalty for its nonperformance and for which the worker does not offer himself voluntarily.

Mr. President, this law went into effect on January 1, 1932 as part of the tariff act of 1930. In light of the recent massacre of men, women, and children aboard Korean Air Line flight 007, as well as the record of Soviet expansionism and atrocities since the passage of this law some five decades ago, it is high time that this provision of the Tariff Act of 1930 be enforced.

Among the items imported from the Soviet Union in 1982 were: anhydrous ammonia, palladium, nickel, urea, gasolene, uranium compounds, vodka, sable furskins, potassium chloride, platinum sponge, rhodium, gold ore, platinum group metals, beryllium copper, chrome ore, and hardboard.

Among the items imported from the Soviet Union so far in 1983 are: anhydrous ammonia, urea, palladium, sable furskins, vodka, platinum group metals, nickel, rhodium, casein, plywood, sodium compounds, rare earth oxides, lynx furskins, gold bullion, and hardboard.

Mr. President, I ask unanimous consent that two tables prepared by the U.S. Department of Commerce describing the leading items imported from the Soviet Union in 1982 and 1983 be included in the RECORD at this time.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE B–28.—LEADING ITEMS IMPORTED FROM THE U.S.S.R.[1] BY TSUSA ITEMS, 1982, 1981, AND OCTOBER–DECEMBER 1982

TSUSA item No.	Description	1982	1981	October–December 1982
480.6540	Anhydrous ammonia	$88,765,017	$78,413,750	$22,365,613
605.0260	Palladium	24,836,173	31,142,395	6,502,755
620.0300	Nickel, unwrought	12,131,708	37,775,824	2,087,299
480.3000	Urea, n.e.s	10,434,414	.....	4,147,952
473.2520	Gasoline	10,340,507	.....	.....
422.5220	Uranium compounds, fluorides	9,647,061	11,278,337	.....
169.3300	Vodka, in containers holding not over 1 gallon, valued over $7.75 per gallon	7,173,490	5,798,505	3,096,200
124.1045	Sable furskins, whole, undressed	7,164,280	8,119,886	1,936,831
653.2200	Metal coins, n.e.s	6,103,865	328,604	43,138
480.5000	Potassium chloride, crude	4,600,259	.....	1,158,595
605.0220	Platinum sponge	3,961,199	4,625,530	1,227,690
605.0270	Rhodium	3,474,803	3,475,170	184,075
605.2060	Gold dore and gold precipitates, not bullion	2,587,618	721,914	47,336
169.3700	Vodka, not over 1 gallon, valued not over $7.75 per gallon	2,172,584	1,405,703	451,953
114.3000	Crabs, n.o.s	2,106,815	.....	.....
605.0290	Platinum group metals and combinations, n.e.s	1,909,293	6,397,167	246,285
605.0750	Palladium bars, plates, etc	1,684,518	2,814,968	288,798
612.2010	Beryllium copper	1,657,781	.....	277,423
601.1520	Chrome ore, chromium content not over 40 percent chromic oxide	1,629,077	2,456,132	.....
245.2020	Hardboard valued over $96.66–⅔ per short ton, other	1,568,820	1,977,160	468,330
	Total	203,999,282	196,731,045	44,530,273
	Total U.S. imports from the U.S.S.R.	228,792,228	357,424,134	49,674,813

[1] Includes imports from Estonia, Latvia, and Lithuania.

Source: Compiled from official statistics of the U.S. Department of Commerce.

TABLE B–6.—LEADING ITEMS IMPORTED FROM THE U.S.S.R.,[1] BY TSUSA ITEMS, JANUARY–MARCH 1983, JANUARY–MARCH, 1982, AND 1981

TSUSA item No.	Description	January–March—		1981
		1983	1982	
480.6540	Anhydrous ammonia	$26,185,727	$25,404,208	$88,765,017
480.3000	Urea, n.e.s	15,196,857	3,931,412	10,434,414
605.0260	Palladium	5,633,734	6,900,587	24,836,173
124.1045	Sable furskins, whole, undressed	2,879,174	2,748,150	7,164,280
169.3800	Vodka, in containers holding not over 1 gallon, valued over $7.75 per gallon	2,525,256	1,146,641	7,173,490
480.5000	Potassium chloride, crude	2,287,536	993,000	4,600,259
114.3000	Crabs, n.e.s	1,496,700	.....	2,105,815
605.0290	Platinum group metals and combinations, n.e.s	1,471,200	1,402,129	1,909,293

TABLE B–6.—LEADING ITEMS IMPORTED FROM THE U.S.S.R.,[1] BY TSUSA ITEMS, JANUARY–MARCH 1983, JANUARY–MARCH, 1982, AND 1981—Continued

TSUSA item No.	Description	January–March—		1981
		1983	1982	
620.0300	Nickel, unwrought	1,132,339	6,196,008	12,181,708
605.0220	Platinum sponge	605,359	1,335,229	3,961,199
605.0750	Palladium bars, plates, etc	571,474	544,136	1,684,518
605.0270	Rhodium	562,998	664,679	3,474,803
493.1200	Casein	486,339	134,717	842,629
240.1440	Plywood, with face ply of birch, not face finished	476,182	728,349	1,374,274
420.9800	Sodium compounds, chromate and dichromate	424,370	70,909	711,616
423.0030	Rare-earth oxides	377,949	305,933	1,143,593
124.1018	Lynx furskins, whole, undressed	311,173		61,800
169.3700	Vodka, not over 1 gallon, valued not over $7.75 per gallon	308,281	310,145	2,172,584
605.2020	Gold bullion, refined	264,066	203,119	1,493,178
245.2020	Hardboard valued over $96.66–2/3 per short ton, other	228,499	442,389	1,568,820
	Total	63,425,213	53,461,739	177,660,463
	Total, U.S. imports from the U.S.S.R.	66,801,619	61,080,086	228,792,228

[1] Includes Estonia, Latvia, and Lithuania.

Source: Compiled from official statistics of the U.S. Department of Commerce.

Mr. HELMS. Just this month, the Reader's Digest has published an article by one of its editors, Mr. Joseph Harriss, which is entitled, "Made in the U.S.S.R.—By Forced Labor." In this article, Mr. Harriss graphically describes aspects of the brutal forced labor system of the Soviet Union. He states that:

There can be little doubt now that much of today's Soviet economy is built on the backs of the wretched men, women, and children who toil in nearly 2,000 Russian prisons and forced-labor camps.

The Ministry of Internal Affairs (MVD) runs the forced-labor system in the Soviet Union. It supplies workers to state agencies.

As I just noted, a number of chemical products are imported from the Soviet Union. Mr. Harriss points out that much of the Soviet chemical industry has been constructed by forced labor and that several Soviet chemical plants are "integral parts of industrial prison compounds."

The United States has been importing uranium from the Soviet Union. Mr. Harriss specifically points out that:

Uranium is mined by forced labor at Zheltyye Vody in the Ukraine. Exile sources add a Ukranian camp at Novaya Borovaya, several Siberian camps at Krasnoyarsk, and another in Central Asia at Uchkuduk. Persistent rumors tell of uranium death camps where workers without protection from radiation last only a few months.

The United States has been importing gold from the Soviet Union. The Central Intelligence Agency has stated that forced laborers mine gold at Zeravsham in Central Asia. Mr. Harriss points out that exiles have said that convicts also mine gold or refine it at Muruntau in Central Asia and in Siberia at Bodaibo, Artemovsk, Taishet, and along the Yenisei River.

The United States has been importing wood and wood products from the Soviet Union. Mr. Harriss points out that logging and wood processing is done in some 350 camps in the Urals, the Northwest, the Volga-Vyatka and Siberia. He also points out that women cut trees around Kirov and lake Baikal and that children from 14 to 18 years of age make shipping cases at Novaya Lyalya in the Sverdlovsk region.

Mr. President, these are just a few examples of products and materials produced by forced labor in the Soviet Union. I would note that in addition to these few examples, information has reached my office which notes that there are females in concentration camps on Sakhalin Island who are involved in caviar production. One can imagine what those on that island must have thought should they have seen that Korean air liner being shot out of the sky just a few miles away.

Mr. President, for over five decades, title 19, section 1307 of the United States Code has specifically prohibited the importation of goods produced by forced labor into these United States. It is certainly time that this law be strictly and immediately enforced with respect to the Soviet Union.

Mr. President, I ask unanimous consent that the article by Mr. Joseph Harriss appearing in this month's Reader's Digest be placed in the RECORD.

Mr. President, this concludes my discussion of the seven divisions of my amendment.

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

[From the Reader's Digest, September 1983]

MADE IN U.S.S.R.—BY FORCED LABOR

(By Joseph A. Harriss)

In Frankfurt, West Germany, I was interviewing some recent inmates of Soviet forced-labor camps. One woman pointed at the wooden folding chair that I was sitting on. "That's a souvenir from the Gulag," she said. On the bottom was marked "Made in U.S.S.R.," followed by the code 133340, indicating the camp where it was produced. The United States last year imported hundreds of such chairs, part of our multimillion-dollar trade in which we buy the products of Soviet convict labor, in contravention of U.S. law.

In February of this year, the U.S. State Department exposed Russian labor camps in a detailed study concluding that "Soviet authorities still exploit forced labor on a large scale . . . for both domestic and Western export markets."

There can be little doubt now that much of today's Soviet economy is built on the backs of the wretched men, women and children who toil in nearly 2000 Russian prisons and forced-labor camps. What is less well known is that importing the products of forced labor violates an explicit American law, the Smoot-Hawley Tariff Act of 1930. Section 307 states: "All goods, wares, articles and merchandise mined, produced or manufactured wholly or in part in any foreign country by convict labor or forced labor . . . shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited."

Until recently, few realized the extent to which the Soviet Union still depends on convict labor—the only major industrialized nation that makes it a mainstay of its economy. To be sure, many Americans remember that Stalin built spectacular projects like the Volga-Don canal, the second Trans-Siberian railway and entire new towns at the cost of hundreds of thousands of lives. Thousands more forced laborers died in the Kolyma gold fields of Siberia in the 1930s. Nobel Prize-winning Russian author Aleksandr Solzhenitsyn documented this nearly a decade ago in his monumental work, *The Gulag Archipelago.*

But it took the controversy between the United States and its NATO allies over the Siberian gas pipeline to Europe to focus attention on continued Soviet dependence on this practice. The State Department report drew on CIA intelligence, including satellite photos, and suggested that the Soviets had indeed used forced labor on the pipeline, especially for clearing forests and building roads. Commented Sen. William L. Armstrong (R., Colo.), who originally requested the study, "This is a shameful situation beyond the comprehension of most Americans."

The number of convict laborers in the U.S.S.R. is down from its peak of 15 million under Stalin, but they still number an estimated four million, and the conditions under which they work are hardly less nightmarish. Far from fulfilling Marx's promise to free workers from their chains, the Soviet system has systematically enslaved them.

GRAVEYARD SOUP

Goading the West's conscience on the forced-labor issue are the International Society for Human Rights, based in Frankfurt, and the International Sakharov Committee in Copenhagen. Last fall in Bonn the two groups sponsored an international tribunal of parliamentarians, labor leaders and aca-

demics that heard former prisoners graphically portray brutal working conditions in sub-zero temperatures, with inmates picking lichen off trees for nourishment. The tribunal concluded that "prisoners, among them women and children, are forced to work under conditions of extreme hardship." The tribunal chairman declared, "We have presented the truth to the world, and no one can say, 'I did not know.' "

Details of what the world must know are spelled out by such former camp inmates as Julia Voznesenskaya, 43, a frail dissident author from Leningrad. She was arrested by KGB security police after she boldly scrawled on a wall, "You strangle our freedom, but you can't chain people's souls." Charged with "anti-Soviet slander," she spent three years in prison and Siberian camps. One of her main tasks was making work clothes and uniforms for the Red Army. Shifts stretched to 12 hours to meet impossibly high production quotas. Those who failed to meet them had their meager food ration cut. With gallows humor, she and her fellow laborers called the thin, half-putrid fish broth served every day "graveyard soup"—it contained nothing but bones. Prisoners with tiny children often looked on helplessly as the toddlers sickened and died.

Yuri Belov, 42, spent 15 years in prisons, camps, and banishment and psychiatric hospitals. He was first arrested in 1963 for writing "subversive" poems and founding a community of Catholic believers. The charge: "anti-Soviet agitation and propaganda." He was sent to camp ZhKh 385/11 in Mordovia, 200 miles southeast of Moscow.

Here, 2000 convicts each assembled 140 wooden chairs per shift, which were sent to a "free" factory in Minsk. There, finishing touches were put on before the chairs were exported to the West. Thus the Kremlin could claim the goods were made by "free" workers.

Belov remembers with a sardonic smile the political commissar who told ZhKh 385/11 inmates to be proud because their work earned the motherland hard currency and cost almost nothing. Indeed! The motherland paid Belov and his fellow convicts 60 rubles a month—"free" workers got about 100 rubles—but withheld 75 percent to pay for the minimal camp food, clothing, and maintenance.

SEMANTIC GAMES

Frequently those in Soviet forced-labor camps are there on flimsy pretexts such as "hooliganism" or "parasitism" (being unemployed). Vladimir Bukovsky, a scientist who spent 11 years in the Gulag, writes, "Such a high percentage of criminality is artificially maintained by the state for economic motives.

One of the first signs of a big new Soviet construction project is an anti-crime campaign. Police round up men and women for the forced-labor pool, sometimes resorting to primitive entrapment. Vladimir Borisov, an exiled founder of the underground free labor union SMOT, who now lives in France, told me of a friend of his, Ivar Jukovski. As Jukovski was shopping in a Riga clothing store, an old lady asked him to try on a jacket to see if it would fit her son. Police promptly arrested him for shoplifting, and the "corrective labor colonies" had another worker.

The Ministry of Internal Affairs (MVD) runs the forced-labor system, supplying workers to other state agencies. Because workers under armed guard are not suitable for outdoor work, convicts are often put on parole or probation on condition that they perform compulsory labor. Much of the Soviet chemical industry was constructed this way in the 1960s—so today all such workers are known in camp slang as *khimiki*, or "chemists." In the big oil and gas fields, they can amount to some 20 percent of the adult population. This forced labor without confinement enables the Kremlin to play semantic games and deny that convicts are used, for instance, on the pipeline to Europe.

Political dissidents, however, are seldom released even conditionally. Their "crimes" often fall under the infamous Article 70 of the Soviet Criminal Code, which penalizes "anti-Soviet agitation and propaganda"—a catchall ban on saying, writing or disseminating anything critical of the government.

This was the technique the Kremlin used to crush the Helsinki monitoring group, founded in May 1976 in Moscow to foster compliance with the human-rights provisions of the Helsinki accord. Nine months later, two of its cofounders, Yuri Orlow, a physicist, and Alexander Ginzburg, a journalist, were arrested and charged with violating Article 70. By last year 34 group members had been arrested, and the group's remaining three members disbanded it.

Ginzburg was sent to ZhKh 385/1 in Mordovia. Released in April 1979, he now lives in Paris, where I interviewed him. "We cut and polished glass for chandeliers," he said. "The room was full of abrasive dust. Men spat blood and got silicosis." Their quota: 75 to 90 pieces a day each, far higher than the quota in a "free" factory. (The Department of Commerce says we import articles of glass from the Soviet Union, but is unable to confirm if this includes chandeliers.)

Orlov and other well-known members of the Helsinki monitoring group, such as Anatoly Shcharansky, are still at forced labor. Orlov works as a lathe operator in a camp set up in the Perm region, near the Ural Mountains. Shcharansky, despite failing eyesight, laboriously handweaves eight potato sacks a day in his dimly lit cell at Chistopol Prison 540 miles east of Moscow.

The tortures of hunger and cold drive many Gulag prisoners to desperation. Some chop off their own fingers to get hospitalized. Suicide is often a way out. One method is to race for the barbed wire in full view of a guard. MVD guards shoot to kill; they get an extra week of leave for bagging an escaping prisoner.

BITTER FRUITS

Despite such blatant human-rights violations, we and other Western nations continue to buy the fruits of forced labor. Specifically, the United States in 1982 imported:

Chemicals, $118-million worth, particularly anhydrous ammonia for fertilizer. Several Russian chemical plants are integral parts of industrial prison compounds.

Uranium, $10-million worth. Uranium is mined by forced labor at Zheltyye Vody in the Ukraine. Exile sources add a Ukrainian camp at Novaya Borovaya, several Siberian camps at Krasnoyarsk, and another in Central Asia at Uchkuduk. Persistent rumors tell of uranium death camps where workers without protection from radiation last only a few months.

Gold, $4.2-million worth. The CIA notes that forced laborers mine gold at Zeravshan in Central Asia. Exiles say convicts also mine or refine it in nearby Muruntau, and in Siberia at Bodaibo, Artemovsk, Taishet and along the Yenisei River.

Wood and wood products, $3.5-million worth. Logging and wood processing is done in some 350 camps in the Urals, the Northwest, the Volga-Vyatka and Siberia. Women fell trees around Kirov and Lake Baikal. Children from 14 to 18 make shipping cases at Novaya Lyalya in the Sverdlovsk region.

Tractors, $500,000 worth. The main model imported by the United States is the Belarus, a light tractor. Parts are made at a Mordovian forced-labor camp.

"WE'LL ENFORCE IT"

Section 307 of the Tariff Act of 1930 is thus being largely ignored in Washington. Incredibly, I was unable to find a single official there concerned with trade who showed awareness of its relevance to our Russian imports.

Yet the law is clear. It provides that any citizen who suspects a violation can contact the Customs Service, which is required to open an investigation. If available information "reasonably" indicates a violation, the goods must be impounded. To have them released, the importer must produce a certificate from the foreign seller attesting that no forced labor was employed in any stage of production or any component of the merchandise.

Why doesn't the United States uphold the law? "The question of Soviet goods has just never come up," says a high Customs official in Washington. "But if someone shows us that Russian goods entering this country are made with forced labor, we'll enforce it."

Our allies in Europe import far more Russian goods than we do. Last year West Germany alone bought $4.7-billion worth. French imports amounted to $3.1 billion. The Siberian gas pipeline will raise these figures.

Few other countries have a law prohibiting importation of convict-made goods, but most Western nations are parties to the Universal Declaration of Human Rights and other international treaties. They should join with the United States to raise this issue in the U.N.

The time has come to expose before the world Russia's economic exploitation of its citizens. But first we must ensure that our own law, intended to prevent complicity in such barbarity, is enforced.

Mr. HELMS. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS. Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes 19 seconds.

Mr. HELMS. Mr. President, with the small amount of time I have remaining, and in view of the fact that the distinguished Senator from Illinois is not prepared to go ahead at this time, I ask that I be permitted to suggest the absence of a quorum without the time being charged to either side. It will not be long.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HELMS. 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. HELMS. Mr. President, I ask unanimous consent that my amendment be laid aside temporarily so that the distinguished Senator from Alaska may call up his amendment—I am advised he does not wish to proceed now.

Mr. MURKOWSKI. I will advise the Senator from North Carolina that I have an amendment and I believe there is a time set aside for its consideration. I was not aware we were going to have divisional votes on the eight points in the Helms amendment. As a consequence, I believe I would prefer to bring up my amendment at the time designated.

Mr. HELMS. Very well.

Mr. President, I suggest the absence of a quorum on the same basis.

The PRESIDING OFFICER. Is there objection? Without objection, is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PERCY. 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. PERCY. Mr. President, there are many Members, including myself, who would share the emotions motivating Senator HELMS in introducing an amendment to the resolution on the Korean airliner tragedy.

Certainly, those of us who have known Senator HELMS know that he is a very tough-minded man. He has a tough mind but he has a very soft heart. He is a gentleman through and through.

When he spoke this morning on his feeling for those little children when they got on the airplane, recognizing that those children are treasures who will never be present on this Earth again because of the dastardly action of the Soviets, no one standing near him could question how deeply he feels about this. This is an emotional experience for so many people. I know that from when I suffered tragedy. When I first became chairman of the Foreign Relations Committee, I headed a delegation to South Korea for the inauguration of their President. We flew exactly over that same route. It could have been all he Members of Congress in that delegation.

I have great empathy for the feelings of my distinguished colleague. As I said before, I did have a number of amendments that I felt could be constructive to the resolution.

But I have come to the conclusion, following the passage by a unanimous House vote of 416 to nothing, and a breakfast meeting with the minority leader, Congressman BOB MICHEL, that it would be best to have no amendments. The House of Representatives does represent a full spectrum of views, ranging in every aspect and in every degree, but the House felt as a body that it was important to stand together on this and immediately send this message loud and clear and stand with the President so that there is no confusion about foreign policy. There tends to be in our form of society a sense of confusion, occasionally. It is the very nature of our society, that we do not always have one voice on issues. But here the world seems to be speaking with one voice.

It is clearly now the strategy of the administration, because it is in accordance with the feelings of the people of the world, that this in not just a U.S. issue. It is not the United States versus the U.S.S.R. It is not an East-West confrontation. It is the world, the whole world, that feels revulsion about this action.

And I pay particular tribute to the members of the Airline Pilots Association representing pilots around the world. They have taken steps and will I think follow through to see that the sanctions imposed against the Soviet Union to ground the largest civil aviation fleet in the world, Aeroflot, will be implemented in country after country. Our friends in Canada acted immediately in that regard, thereby making far more difficult the transit of military equipment from Moscow to Cuba. That action alone deprived them of landing rights in Gander and that means that there is at least an inconvenience to the Soviet Union. It will be a humiliation as the world gradually brings to a halt the activities of that airline.

That is one thing that is already being done and I have suggested to the President a number of other things. But I do feel at this time it is highly desirable that we work together and act together.

Would that we could somehow simply ignore the Soviets, cut off trade, cut off negotiations, simply refuse to deal with them in any way, but that is not an option in our complex interrelated world.

The United States is a superpower. We cannot withdraw from our responsibilities to the Soviet Union to keep communications open at the highest level and to provide assurances to our friends who look to us to balance Soviet pressure and resist Soviet aims. If we attempt unilaterally to isolate the Soviet Union, we isolate ourselves and weaken our own ability to deal with our major adversary.

We must work with the international community. We must gain a consensus among our allies. We must not take measures which hurt ourselves more than the Soviet Union.

President Reagan's response to the Soviet destruction of Korean Air Lines flight 007 has been appropriate and hard hitting. It has gained the acceptance of the international community. It has now gained the unanimous support of 416 House Members in the joint resolution passed yesterday. Let us not dilute the President's effectiveness. We want to support what the President is doing because he is doing it extraordinarily well.

I oppose amendments to the resolution because we have agreement on the leadership resolution. It was after all, sponsored by the majority and minority leaders; by the chairman of the Foreign Relations Committee and the ranking member of the Foreign Relations Committee; and by the chairman of the Armed Services Committee and the ranking minority member of the Armed Services Committee, Senators BAKER, BYRD, PERCY, PELL, TOWER, and NUNN respectively.

I oppose amendments to the resolution because we do have extensive agreement. This resolution can be considered and pass the Senate today. It can go to the President today. And it will have his immediate signature.

Mr. President, the administration strongly opposes the Helms amendment. The Foreign Relations Committee has received specific comments from the administration this morning on the Helms amendment as it was introduced Tuesday. I would like to read those comments for the benefit of my colleagues because copies of these comments have not yet been received by every member of the Foreign Relations Committee.

Mr. President, I ask unanimous consent that just prior to the annunciation of the administration's provision on each of these several points of the Helms amendment that a copy of the original Helms amendment be incorporated which the administration is then responding to, taking into account that the Helms amendment has been modified, one item, at least, has been deleted from it. But these are the only comments I have as they relate to the original amendment.

The PRESIDING OFFICER (Mrs. HAWKINS). Without objection, it is so ordered.

The material follows:

HELMS: (1) recall the United States Ambassador to the Soviet Union for urgent consultations and reduce the number of Soviet diplomats accredited to the United States to the number of United States diplomats accredited to the Union of Soviet Socialist Republics;

ADMINISTRATION: 1. The United States Ambassador and United States diplomats accredited to the U.S.S.R. are in place vigorously to represent and to promote the interests of the United States. To reduce their number—or to invite such a reduction by reducing the number of Soviet diplomats in the United States—will diminish the capability of the United States to protect its citizens and promote its interests in the U.S.S.R.

HELMS: (2) conduct a comprehensive reappraisal of the complete spectrum of United States-Soviet relations, including arms control, human rights, East-West trade, and regional issues;

ADMINISTRATION: 2. As the President stated in his speech of September 5, the Administration has conducted long meetings, including with the Congressional leadership. The President stated that we cannot "give up our effort to reduce the arsenals of destructive weapons threatening the world." Thus he has spoken to arms control. We continue to promote our human rights concerns, east-west trade and regional issues.

HELMS: (3) report to the Congress on the record of Soviet compliance or noncompliance with the letter and ppirit of all existing strategic arms limitation talks (SALT) agreements and other arms control agreements to which the Soviet Union is a party;

ADMINISTRATION: 3. Procedures exist for dealing with the Intelligence Committees of both Houses on the questions of compliance with arms control agreements.

HELMS: (4) direct the United States negotiators at the strategic arms reduction talks at Geneva to link the possible success of such talks with the willingness of the Soviet Union to abide by international law as a responsible member of the community of nations, paying specific attention to the KAL 7 massacre, Soviet violations of the Helsinki accords, the Soviet invasion and subjugation of Afghanistan, the repression of Poland and its free labor movement, and the use of chemical and biological weapons in contravention of exising treaties;

ADMINISTRATION: 4. With regard to linkage of the START talks with Soviet actions, including the KAL massacre, as noted above the President stated that we must not give up efforts to reduce the arsenals of destructive weapons.

HELMS: (5) reemphasize the inconsistency of the Soviet military presence in the Western Hemisphere with the Monroe Doctrine;

ADMINISTRATION: 5. The President and other Administration officials have stated on many occasions and we have communicated to the Soviets our dissatisfaction with their activities in the Western Hemisphere.

HELMS: (6) declare Poland in default on all or a part of the debt owed to the Commodity Credit Corporation, recognizing that Poland is an integral part of the Soviet economic empire and that financial credit is an element of national strategy;

ADMINISTRATION: (6) Default would take the heat off Poland to continue to pay at least some portion of what it owes.

Default would not stop credits from going to Poland as some allege; no one is lending to Poland now anyway.

Poland has few assets in the West which could be attached in event of default. Thus, default is one sure way not to get paid.

Poland would have more cash if default were declared and would certainly need less short-term financial help from USSR.

HELMS: (7) tighten substantially the foreign policy and military controls over the export of machine tools, high technology products, and equipment for the development of Soviet oil and gas resources; and

ADMINISTRATION: (7) The President stated in his September 5 speech that we are redoubling our efforts with our allies to end the flow of military and strategic items to the Soviet Union.

HELMS: (8) direct the Secretary of the Treasury to use existing statutory authority to prevent the import of any product or material produced in the Soviet Union unless the President certifies that it was produced without the use of forced labor.

ADMINISTRATION: (8) The President and all Americans abhor Soviet use of forced labor. Should it be demonstrated that products or materials produced by forced labor are being imported into the United States the Administration will take appropriate steps.

Mr. PERCY. Mr. President, I understand the desire of the senior Senator from North Carolina to include in the resolution specific recommendations to the President. I would like to take just one point that is made in the revised Helms resolution, which I read as follows:

It is the sense of the Congress that the President should direct the U.S. negotiators at the strategic arms reduction talks at Geneva to link the possible success of such talks with the willingness of the Soviet Union to abide by international law as a responsible member of the community of nations, paying specific attention to the KAL 007 massacre, Soviet violations of the Helsinki accords, the Soviet invasion and subjugation of Afghanistan, the repression of Poland and its free labor movement, and the use of chemical and biological weapons in contravention of existing treaties.

A strict interpretation of that, for instance, reestablishment, let us say, of the free labor movement and labor unions in Poland, just to take one example, literally means that in the course of the Reagan administration's first term, and its expected second term in office, there would simply be no arms control agreement of any kind with the Soviet Union.

If it is a condition precedent to our willingness to enter into such agreement that there is definite linkage between any of these activities, abhorrent as they are, then I think we are simply saying we are going to shelve arms control. The President has already made his decision to do just the contrary. We would be in a position where we are tricking the President not to do something that he has already declared he will do to the world and to our citizenry, that we will carry on arms control negotiations despite our abhorrence of this tragic event.

I am not now speaking on behalf of the administration. I am describing my own strong feelings about this matter. Ambassadors Rowny and Nitze strongly support the President's viewpoint that we should move forward with these talks. Both men are admired tremendously by every single Member who is sponsoring this resolution, I believe. Arms control is not done as a favor to the Soviet Union. It is in our national interest to move the superpowers back from the brink of a nuclear holocaust.

The President has emphasized that the shooting down of KAL flight 007 is an issue of the Soviet Union versus the world. The world has vital interests in assuring that civil air travel is made safe. But there are 4.7 billion human beings living on this planet. They have even a greater stake in making sure that life on Earth is not ended by a nuclear war.

I go back now 23 years to the inaugural address of John F. Kennedy, who noted in that address that we have the power to eradicate all hunger and poverty throughout the world. Then he added that we have the power also to eliminate all human life.

Now, some 50,000 nuclear weapons later, he could have amended that and said, if he were living today, we have developed the capacity to eradicate every living thing on this planet, with just the exchange of the existing weapons, weapons that exist today on the part of the Soviet Union, the United States and our allies, as well as those that are possessed by the People's Republic of China.

There is no question that life would be extinguished, perhaps for centuries to come.

The Korean Air Lines disaster shows us that the Soviet military is prone to shoot first and ask questions later when they see targets come toward them on radar. It is debatable whether they ever really tried to confirm what they were shooting at before they fired their missiles at the airliner.

We can only imagine and we now have a basis for fearing—the whole world has—how the Soviets might react if they thought their radar showed they were under a nuclear missile attack. It is ironic that we are, right now, trying to engage the Soviets in START in a discussion of various confidence-building measures, one of which would allow each country's military command post to communicate directly if they thought an attack was occurring.

I have suggested earlier today, and I shall expand at some point on the floor of the Senate later the details as to how this can be accomplished, that we might take a global satellite system, which will be in place by 1988, and expand it to civil aviation.

What would happen is that those START talks would be suspended. Those talks are being carried on now and arrangements are being made so that we can reduce the possibility that those signals will come over the black box carried by the President of the United States or his aide every place he goes. The gravity of the problem struck me anew earlier this year. In an elevator in the Conrad Hilton hotel on January 19, there were the four of us, the military aide, the President, my wife, and myself. If that signal had come in, he would need every sort of communication capability possible.

What we are trying to do is prevent destruction of all humankind, all life on Earth.

As I say, the Soviets have shown a habit and have now demonstrated again that they shoot first and ask

questions later, when they see targets coming toward them on radar. If this amendment were to carry, we would be directing the President to suspend START talks and negotiations and thereby lose the opportunity to continue negotiations on this much-needed confidence-building measure. And this is only one example.

As I said before, I do understand the desire of the senior Senator from North Carolina and his cosponsors to include in the resolution specific additional recommendations of the President.

(Mrs. HAWKINS assumed the chair.)

Mr. SYMMS. Madam President, will the Senator yield on that last point?

Mr. PERCY. I should have to yield on the Senator's time, I am afraid. I may run out of time.

How much time do I have?

The PRESIDING OFFICER. The Senator has 2½ minutes.

Mr. PERCY. I shall probably need that amount of time.

Each of us has his or her own idea of ways to emphasize our Nation's condemnation of the Soviet attack on the unarmed civilian airliner. We do have this House-passed resolution before us which expresses our outrage very clearly and which carried in the House by the impressive, overwhelming margin of 416 to 0.

At this time, I submit that it is highly desirable to put our individual ideas aside and confirm the House language, which is almost identical to the Senate leadership resolution, so that the resolution can go to the White House for the President's signature today. If we accept a single amendment, we shall have to go to conference with the House and precious time will be lost. We want to confirm the House action today, which was to show the world that the President, the House of Representatives, and the Senate stand united with the same words with one voice in condemning the Soviet Union for its wanton act against international civil aviation and against humanity itself.

For these reasons, Madam President, I urge my colleagues to vote against the amendments before us. Let us support the President in this crisis. Let us adopt the House-passed language so that the resolution can go to the President today.

Mr. RANDOLPH addressed the Chair.

Mr. PERCY. Madam President, I believe the Senator from West Virginia wishes to speak against the pending amendment; is that correct?

Mr. RANDOLPH. I wish to make only approximately 50 to 60 seconds of comment. I would rather not make it off the bill at this time. I want to be cooperative.

Mr. PERCY. I yield whatever time I have remaining in that case.

The PRESIDING OFFICER. The Senator has 30 seconds.

Mr. RANDOLPH. Madam President, the Senator from Illinois, Senator PERCY, has very correctly stated that this is not only a problem of the United States of America, but a problem of the other countries of the world. There is every reason why we should work in concert with the other nations in connection with this murderous action that, of course, cannot be justified by any set of circumstances. We, with other countries, should pursue the demands for a full accounting of this tragedy against humankind that has worldwide implications. I support the action being taken by the Senator from Illinois and many others of us in this body. It is my privilege to be a cosponsor of the original Senate resolution, Senate Joint Resolution 158. I also recognize the sincerity of my colleague and good friend from North Carolina (Mr. HELMS).

Mr. PERCY. Thank you, Senator RANDOLPH, for that eloquent statement. It is always such a pleasure for me to work with my beloved colleague from West Virginia.

Mr. THURMOND. Mr. President, I have given careful consideration to the amendments offered by my good friend and distinguished colleague from North Carolina, Senator HELMS. Certainly I share the concerns which have motivated Senator HELMS and his distinguished cosponsors to offer this proposal, and I personally recommended to President Reagan that our Government adopt some of the sanctions called for in the Helms amendment. More important than any particular conceivable response to this heinous Soviet atrocity, however, is the importance of the American people and their elected representatives in Congress standing united behind the firm, statesmanlike approach taken by our President. The Soviets must know that the American people share a commonsense of outrage at this brutal, uncivilized attack on an unarmed commercial aircraft, and that they, despite any personal differences of opinion as to the preferred response, will strongly support the position adopted by their government and its leaders.

Mr. President, throughout my years of service in the U.S. Senate, I have pointed to the pattern of Soviet atrocities, aggressions, lack of human rights for its people, and their wanton disregard for human life itself as clear indications of the evils of communism.

After learning of the Korean airline massacre, I shared our country's outrage and disgust. Soon after the tragic event, I attended a meeting with other Members of Congress who were called to the White House for consultation with the President on this issue. The President showed a statesmanlike desire to consider all suggestions and views in regard to the U.S. response to the downing of KAL flight 007. After carefully reviewing his alternatives, he formulated a response that he felt was in the best interest of our country.

During this time of international tension over this incident, I feel that it would be a mistake to show a lack of confidence in our President's leadership ability. He has made his decision and announced our Government's official reaction to this tragedy. In addition, I have been assured by the Secretary of State and by the White House staff that they are continuing to monitor the Soviet response to determine if stronger sanctions are necessary on our part.

Mr. President, I personally agree that the provisions included in the Helms amendments are meritorious and normally would favor them. However, I believe that we must approach this matter with a view to the larger question at hand. On issues of this magnitude, in the realm of foreign policy, we must recognize the constitutional responsibilities of the President to lead our Nation and be willing to establish a unified and effective U.S. position. Furthermore, it was essential that a consensus be reached on this matter in order that the resolution be effective. This was no easy task. The resolution was finally fashioned as an agreement by the President, the Secretary of State, and the leaders of both parties in both Houses of Congress. It was not as strong as I desired, but it was essential that both the legislative and executive branches respond in a unified voice, and this resolution was the result.

Mr. President, allow me to reaffirm my disgust over the loss of 269 innocent lives and my call for reservation and caution whenever we deal with the Soviets. I support the President, and I plan to continue to work with him and his staff in an effort to insure that proper and adequate steps are taken to correct the massive injustice of Korean Air Lines flight 007.

The PRESIDING OFFICER. All time has expired. The Senator from North Carolina has 4 minutes.

Mr. HELMS. Madam President, I yield briefly to the Senator from Alaska for a unanimous-consent request.

Mr. MURKOWSKI. I thank the Senator from North Carolina.

Madam President, with the approval of the Senator from North Carolina (Mr. HELMS), I ask unanimous consent that consideration of his amendment be temporarily set aside and that I may send to the desk my amendment relating to exports of petroleum products to the Soviet Union. The time spent in considering my amendment should be charged against the time allocated for that purpose by the time agreement governing debate on my

amendment, which is 20 minutes equally divided.

This request is put with the understanding that I will withdraw my amendment at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. Madam President, I do not think I have any objection, unless he wants me to set aside my amendment so he can call his up for a vote.

Mr. MURKOWSKI. No, I indicated I would withdraw my amendment.

Mr. HELMS. I hope this will not be charged against my time.

Mr. MURKOWSKI. It will be charged against my time.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. Madam I have no objection.

Mr. MURKOWSKI. I thank my colleague from North Carolina.

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

Mr. MURKOWSKI. Madam President, I rise to join my colleagues in strong condemnation of the destruction of the Korean Air Lines flight 007.

AMENDMENT NO. 2136

(Purpose: To urge a prohibition on the issuance of any license for export to the Union of Soviet Socialist Republics of any refined petroleum product or residual fuel oil)

Mr. MURKOWSKI. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska (Mr. MURKOWSKI) proposes an amendment numbered 2136.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the joint resolution add the following new section:

SEC. 2. (a) The Congress finds that—

(1) in December of 1982 the United States exported to the Union of Soviet Socialist Republics an average of 10,000 barrels per day of petroleum products and 222,000 barrels of petroleum coke, 81,000 barrels of lubricants, and 13,000 barrels of other miscellaneous petroleum products;

(2) in March of 1983 the United States exported to the Republic of Korea an average of only 5,000 barrels per day of petroleum products, 5,000 less per day than what the Union of Soviet Socialist Republics received in December 1982 and exported to the Republic of Korea 152,000 barrels of petroleum coke, 70,000 barrels less than which the Union of Soviet Socialist Republics received in December 1982; and

(3) while the United States permits the export of petroleum products to the Union of Soviet Socialist Republics the United States denies its allies in the Pacific Rim crude oil that would enhance their energy security and the overall international security of the Pacific Rim.

(b) No license may be issued for the export to the Union of Soviet Socialist Republics of any refined petroleum product, as defined by section 7(e)(4) of the Export Administration Act of 1979, or of any residual fuel oil.

Mr. MURKOWSKI. Madam President, as a Representative here in Washington of nearly half a million Alaskans, some residing within 2 nautical miles of the U.S.S.R., I am appalled at the inexplicable and unnecessary use of force by Soviet military officials in reacting to flight 007's accidental trespass of Soviet airspace.

Mr. President, the forefathers of Alaskan Natives personally experienced the brutality of Russian intrusions into their land and lives as early as the 18th century. Many Alaskan Natives gave their lives while resisting Russian naval attacks, colonialism, and the cruelty of the Russian trappers who settled in Alaska.

Now, in the 20th century, we witness yet another assault upon the lives of innocent people at the hands of the Soviets. The people of my State have reason to be particularly affronted. Flight 007 was one of many commercial airliners that refuel in Alaska each day. I myself have flown several times to East Asia from Anchorage over the same route taken by KAL flight 007.

I denounce this offense against international law and responsible, humane, behavior. As chairman of the East Asian and Pacific Affairs Subcommittee of the Foreign Relations Committee, I am actively considering holding hearings to examine our Pacific airspace policy. We must address the questions of air safety, of U.S. policy toward foreign incursions into our airspace, and of what capability we have to prevent the reoccurrence of this crime against mankind.

In particular, some network of communication between military and civilian radar operators seems appropriate. If such a network existed, the radar coverage for all aircraft could be expanded. I recognize that the military will be understandably reluctant to participate in monitoring civilian aircraft, but if only one airplane could be saved by a call from remote radar in Alaska or elsewhere indicating that it is off course and therefore in trouble, how many more lives might be saved from today forward?

Mr. President, the Soviets claim that the 747 was on a spy mission over their territory. Yet they provide no proof of this; because there is not any. This Senator is astounded at the Soviet contention that the United States would use another country's civilian airplane for intelligence purposes. In light of the fact that the United States, after all, has far superior means available for reconnaissance missions, one is tempted to wonder whether perhaps the Soviets make the accusation in hopes of discovering more about the surveillance capabilities we do have. If so, this is a trap that we must avoid.

Neither can I understand why the Soviets failed to force the plane down to the nearest airport, rather than arbitrarily blasting it out of the sky. The Soviets' reaction to this episode is marked from beginning to end by a lack of flexibility, honesty, or even careful thought. In contrast, American reactions to the frequent Soviet incursions into our own airspace have been noteworthy by their absence.

As a Senator from Alaska, I was extremely concerned to learn that Soviet military attack aircraft regularly fly into Alaskan airspace. So far this year, through August 31, 1983, 14 Soviet aircraft have penetrated U.S. airspace over Alaska. Indeed, Soviet military aircraft invade the skies over my home State of Alaska on an average of 15 times each year. In the past 5 years, Soviet aircraft have been escorted out of U.S. airspace in Alaska by American interceptors roughly 80 times. In fact, in the years 1963, 1968, 1969, 1974, and 1983, Soviet military aircraft not only penetrated U.S. airspace, but actually flew over Alaska soil. Few Americans know that in February 1974, an amphibious Soviet coke aircraft actually landed at Gamble on St. Lawrence Island off the west coast of Alaska.

U.S. Air Force policy in these circumstances is to scramble fighter interceptors first to identify the intruder and next to escort it out if it is improperly over our borders. I am informed by the Department of Defense that some overt, hostile act is required before violence against even a Soviet bomber in U.S. airspace would be considered. The point is, U.S. policy is to safely escort even military intruders out of American airspace while the Soviets shoot down civilian aircraft lost and in distress.

The important fact here is that the Soviets evidently have not learned the lessons of belief in world peace and of respect for human life as more important than mere territorial boundaries.

This is certainly cause for alarm, and I have requested a formal report from the commander of the Alaskan Air Command, Gen. Bruce Brown. General Brown, the new commander of the AAC, has already come out in strong protest over the inadequacy of our air defenses, and is lobbying to get AWACS up to Alaska. An article in the Anchorage Daily News on September 10, 1983, quotes General Brown as saying that the U.S. radar system is so outdated that the Soviets "could go all the way and take Omaha and never be detected."

Madam President, I ask unanimous consent that the article be printed in the RECORD.

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

[From the Anchorage Daily News, Sept. 10, 1983]

GENERAL: AIR DEFENSE SYSTEM NEEDS BEEFING UP

(By Larry Campbell)

The Air Force's ability to protect the skies over the Aleutian Chain has not improved significantly since World War II, when the Japanese captured Attu and Kiska islands, according to the new commander of the Alaskan Air Command at Elmendorf Air Force Base.

Even the supersensitive base on the Aleutian island of Shemya—the site of a military intelligence facility that tracks Soviet missle tests—is blind to low-flying incoming aircraft, Lt. Gen. Bruce K. Brown said in an interview Friday.

"If they wanted to, they could go all the way and take Omaha and never be detected," said Brown, former vice commander at the North American Air Defense Command at Cheyenne Mountain, just outside Colorado Springs, Colo.

Brown said Alaska and the rest of North America has been protected from invasion for years by a precarious early warning safety net.

In Alaska, NORAD stations are linked by a single Alascom communications satellite used by the state for same-day television transmissions. If that satellite were gone, information transmissions from those radar stations to the Regional Operations Command Center at Elmendorf would cease.

News of America's haphazard warning systems should come as no surprise, Brown said.

"The whole country's that way. It's been that way for 15 years," Brown said. "We've been telling you that and nobody wants to hear it. Nobody wants to hear about spending money on defense."

One big problem is NORAD radar fails because aircraft flying at altitudes below about 1,000 feet can slip under the coverage undetected, he said.

None of the areas covered by Alaska's 13 NORAD stations overlap. Neither do any of them keep watch over the Air Force station at Shemya, Brown said.

A "decade of benign neglect" has led directly to the poor defense position America finds itself in now, Brown said.

"We are spending less now for defense than when (John F.) Kennedy was president," Brown said. "The '70s was the decade of benign neglect, when spending took a tremendous dive."

Those years of spending cuts, Brown said, have been especially hard on the Alaskan Air Command, which is evidenced in everything from operations equipment to base housing.

Until recently, information on aircraft locations received from the remote NORAD sites was still mapped on large, plexiglass panels at the Regional Operations Command Center at Elmendorf.

"There hasn't been a grease pencil used in the Lower 48 and Canada since 1958," Brown said. A more advanced, computerized system is in place, but is not fully operational, he said.

Alaska had also been scheduled, at one time, to receive steady air cover from an Airborne Warning Control Systems radar airplane. That idea, included in a 1960s Air Defense Modernization Plan, has never come to be.

Even, simple maintenance items at Alaska bases fall by the wayside, many times because upkeep costs in Alaska are higher than at other military installations, Brown said.

"Alaska wasn't getting cut back any more than other installations elsewhere," he said. "But here it shows more. The harsher climate creates more wear on machines, buildings and equipment."

Technological changes are slated in the near future, however, to bring the Alaska defenses on line with the rest of the country, Brown said. Minimally Attended Radar Stations are scheduled to replace all 13 NORAD stations with more efficient, solid-state hardware, which operates with fewer people.

NORAD also must shed its dependence on using the state's communications satellite to shuttle information from the radar stations, Brown said. He said a system is being developed to bounce radio signals off ionized vapor clouds created by the hundreds of meteors that strike the Earth's atmosphere and disintegrate. The system shows promise, but is far from being ready for full-time use, he said.

A new over-the-horizon radar could be deployed to close the gap created by conventional, line-of-sight radar that is blind to low-flying aircraft hiding below the curve of the Earth or in low-lying valleys.

Brown said Congress has recently been asked for funding to begin testing the Over-the-Horizon-Back-Scatter radar. He would like to see the back scatter system in Alaska, as well as more AWACS coverage.

"I'd say 100 percent of people who would visit the Mountain (NORAD station in Colorado) believe we have an effective air defense. And that's just not true," he said.

Mr. MURKOWSKI. Alaska is the closest land mass of the North American Continent to the Soviet Union. As I pointed out earlier, Alaskan territory actually comes within 2 miles of Soviet-controlled land. How can we ignore this absolute vulnerability of American sovereignty by denying it sufficient protection?

Mr. President, if the decision to shoot down the Korean airliner was not made at the highest levels of Soviet authority, then it is an example of bureaucratic bungling unparalleled in the postwar era. Soviet air defenses tracked the 747 for 2½ hours without ever being able to identify what kind of aircraft it was, and it turns out they did not care if it was military or civilian. They evidently did not consult international flight schedules to see which airlines might be aloft at the time. Nor did they request assistance over the air traffic control link between the Siberian mainland and Japan. If the final decision to kill innocent civilians in a lost airplane was made under these circumstances, then it appears that the Soviet military operate in a world all their own, one that leaves officers unequipped or unable to deal with situations not found in their "book."

Mr. President, one must ask why did it take the Soviets so long to respond to U.S. demands for an explanation of this massacre? It may indicate dissension within the Politburo over how to respond officially to the international denunciations. Andropov's relations with the military may not be entirely smooth. If this is true, then President Andropov has a long way to go in consolidating his control. What meaning a schism in the Kremlin has for U.S.-U.S.S.R. relations, and for the stability of the world in the nuclear age, is something we must carefully consider. I can only hope and pray that this incident is not an indication that the Soviet military is no longer collared even by the minimal restraint of the Communist civilian government.

Mr. President, when KAL flight 007 was shot down it was employing an inertial navigational system; in other words, a self-guiding system. It had not been close enough to establish radar contact with Japan and was more or less operating in the "blind." Had radar contact been established, the exact position and identity of the flight would have been known to the Japanese and any corrections in the flight path, if necessary, could have been made. Obviously, the sooner radar contact is made with the Japanese, the sooner actual positions can be verified for all flights that use this route every day. Again, I emphasize that the use of U.S. military radar to assist in avoiding tragedies such as the one which we now lament, appears to this Senator to make considerable sense.

Radar coverage and flight safety could be enhanced and tragic incidents avoided if the Japanese were allowed to establish remote radar installations on a chain of islands known to most people as the Kurile Islands. Four islands associated with that chain were internationally recognized as Japanese territory until World War II. At the end of World War II, even after Japan had officially capitulated, the Soviets remained on the offensive until every island between Hokkaido, Japan and the Kamchatka Peninsula was occupied. Today, the Soviet Union still exercises administration over those islands and maintains a significant military presence there.

In fact, as a matter of further interest, the Soviet-Japanese peace treaty has been held up pending resolution of the four northern islands in the area.

In the near future, I will introduce a joint resolution affirming Japan's claim and renouncing the Soviets' occupation of those four islands near Japan, commonly called the northern territories. A friendly presence on these islands will add greatly to the security of air and sea travel in this area and possibly prevent future acts of hostility that may endanger the lives of innocent civilians.

Madam President, we have spent a considerable amount of time discussing this heinous act, and now I feel we should discuss appropriate punitive measures.

The PRESIDING OFFICER. All time of the Senator from Alaska has expired.

Mr. MURKOWSKI. Madam President, I ask unanimous consent that I be yielded an additional 4 minutes, to be charged against the time set aside for general debate on the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. BAKER. Madam President, I am told that only 8 minutes remain. Can the Chair tell me how much time remains?

Mr. MOYNIHAN. The Senator from New York is happy to yield 2 minutes from this side, if the Senator from Illinois will do the same.

Mr. BAKER. I am anxious to do that, but the chairman is absent from the floor because of a meeting I asked him to attend, so I feel an obligation to inquire about the amount of time remaining and perhaps to consult with him.

The PRESIDING OFFICER. The Senator from Illinois has 8 minutes. The Senator from New York has 39 minutes.

Mr. MOYNIHAN. The Senator from New York is happy to yield 4 minutes to his friend the Senator from Alaska.

Mr. BAKER. I thank the Senator from New York.

Mr. MURKOWSKI. I thank the Senator from New York.

One area which I am particularly familiar with and find ambiguous is our policy regarding petroleum product exports. In December of 1982, we exported more petroleum products to the U.S.S.R. than we did to Korea 3 months later. Furthermore, while exporting valuable refined petroleum products, consisting primarily of petroleum coke used for steel to the U.S.S.R., we simultaneously denied our ally, Korea, crude oil that would significantly contribute to their energy security and the overall strategic security of the Pacific rim.

In view of these facts, Madam President, I have offered an amendment to the resolution pending that would prohibit future exports of U.S. petroleum products to the Soviet Union. I must assume that these U.S. refined petroleum products exported to the U.S.S.R. can be used for military purposes—maybe even in the very fighters which blasted KAL flight 007 from the skies.

In the interest of time, I now withdraw my amendment to the resolution. Instead, I am today writing President Reagan, urging him in the strongest possible terms to cut off such refined petroleum product exports to the Russians. He has the power and authority to direct that export licenses for these items, which recently average approximately 10,000 barrels per day, be stopped. I urge my colleagues to analyze my proposed amendment and join me in urging the President to halt such export to the U.S.S.R.

In closing, Mr. President, as a man whose family and friends live just 20 minutes' flight time from Siberia for a Soviet SS-20 nuclear missile, and as a Senator who represents a State with territory a mere 2 nautical miles from Russian borders, I feel that a truthful Soviet explanation of this tragedy is the minimum we should expect. The danger presented to Alaskans specifically cannot be ignored. Since 1978, the number of Soviet aircraft invading U.S. airspace over my State of Alaska alone is about 50 percent higher than the number of similar intrusions over the entire continental United States during the same period.

In the nuclear era, the callous disregard the Soviet Union has exhibited for human life threatens the future of the entire world. It has to affect how we perceive the Soviets. The international community has been fair, firm, and pragmatic. If the Soviets fail to respond in the same way, no people will be able to deal with the Soviets other than as a savage threat to life, liberty, and the pursuit of a safer, more stable world.

I again thank the Senator from North Carolina for his accommodation.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Madam President, has the Senator withdrawn his amendment?

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. BAKER. Madam President, will the Senator from North Carolina yield to me?

Mr. HELMS. I yield.

HELMS AMENDMENT NO. 2135, AS MODIFIED

Mr. BAKER. I wonder if the Senator from North Carolina would consider a request.

We are about to have a vote on each of the seven divisions of the Helms amendment. The Senator from North Carolina knows that it is my intention to move to table each of those divisions, as indeed I planned to move to table the amendment itself, had it not been divided. Rather than go through them one at a time, I am prepared to put a unanimous-consent request that one motion to table will suffice to produce a vote to table on each division of the amendment and that one show of seconds will be adequate to order the yeas and nays on each motion.

Does the Senator object to that?

Mr. HELMS. Not at all.

Mr. BAKER. Madam President, I do not see the minority leader on the floor at this moment. Let me advise him that I intend to do that.

Mr. HELMS. Very well.

Madam President, I believe I have 4 minutes remaining.

The PRESIDING OFFICER. The Senator is correct.

Mr. HELMS. Madam President, I listened with great interest and admiration to the speech by the distinguished Senator from Illinois (Mr. PERCY). His only problem was that the speech did not have anything to do with my amendment.

The amendment does not mandate the President to take action. It just tells the President, in effect, "We will support you if you will do this, if you will do that."

I could not quite follow the reasoning of the Senator in his comments, particularly with reference to his suggestion that the amendment proposes breaking off START negotiations. We do not suggest that the negotiations be suspended. We say that we should go to the negotiations and make the Soviets face reality. To the contrary, this amendment will strengthen those negotiations.

For the life of me, I cannot understand how any Senator could possibly vote against a proposal to factor the atrocities and the violations and all the rest of the activities of the Soviet Union into the consideration of whatever we are negotiating. If the Soviets will take steps to avoid there actions, then our confidence in the negotiations and in the product of the negotiations will be strenghened. This amendment is a confidence-building proposal.

The Senator from Illinois read a letter from the State Department. He did not say who wrote it. He certainly did not say that the President of the United States had read it, let alone signed it. I do not know who is talking. But I will say this: Part of the problem with respect to our relations with the Soviet Union has been the U.S. State Department over the years. They are the ones who gave us détente, for example. They are the ones who said, "Don't do anything; don't say anything," during the time the Soviets were building up their military capability so that they are a threat to the entire world.

The Senator said something to the effect that we must not have a confrontation. I do not understand what he is talking about. There is a confrontation, whether we like it or not. It is already in effect. The Soviet Union has said so. They have said, "We are going to shoot down another plane if you get in our air zone." They have said that the United States is to blame. At is already an East-West confrontation.

I would be interested in seeing how Senators explain to their constituents, when they get home, why they voted against any of these propositions.

Mr. SYMMS. Madam President, will the Senator yield?

Mr. HELMS. I yield.

Mr. SYMMS. Is it not true that there is now substantial evidence that the Soviets were in the process of violating the SALT II agreements by testing the PL-5, and they said they were going to shoot down the EC-135 because it might be able to detect their violation of the treaty?

Mr. HELMS. That is exactly right. I discussed that at length in my statement earlier today. The shooting down of the KAL 007 is a coverup for Soviet SALT violations.

I do not know what is going on in the Senate, when we say we must not do this, when we seem to stand back timidly and fearfully against taking a stand.

Mr. SYMMS. I thank the Senator.

I might also say that the Soviets are now headed by Mr. Andropov, who for the last 15 years was in charge of the KGB.

Mr. HELMS. The Senator is exactly right. We must not be surprised when a lifelong terrorist uses terror as an instrument of national policy.

Mr. SYMMS. So we are living in a dreamworld if we think we should not consider any of this evidence.

Mr. HELMS. I disagree with the Senator on one point: It is not a dreamworld; it is a nightmare world unless we face the reality I have been describing.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. Forty seconds.

Mr. HELMS. I yield it back. Let us vote.

Mr. MOYNIHAN. Madam President, before we vote, I should like to make a few remarks that would summarize some observations made this morning. I yield myself such time as may be necessary.

The PRESIDING OFFICER. From the resolution?

Mr. MOYNIHAN. From the resolution.

Madam President, this morning at 10 a.m., when we commenced this debate, I rose to state, first, that this resolution declares the Soviet Union to have committed a crime under international law.

I further stated that to the best of my knowledge no such charge has ever issued from this Chamber and that any dilution of the elemental charge would not enhance the power of the resolution; it would indeed diminish it and dilute it.

If we are to ask the Executive to act with force and range, we need only declare our judgment that a crime has been committed that, when the President signs, he concurs, and that it thereupon becomes the responsibility of the Executive to act, to execute.

Madam President, I also noted that this is a relatively new concept in international law. It only emerges as a doctrine agreed upon by major parties at the Nuremberg tribunals which followed the end of World War II and followed the adoption of the U.N. Charter.

However, it is law. Whitman's Digest of International Law gives the following definition, citing Quincy Wright and the American Journal of International Law. It defines crime under international law as follows:

> A crime against international law is an act committed with intent to violate a fundamental interest protected by international law or with knowledge that the act will probably violate such an interest and which may not be adequately punished by the exercise of the normal criminal jurisdiction of any state.

I went on to say that the Soviet Union clearly did violate a fundamental interest protected by international law. I cited the International Civil Aviation Convention and protocols thereto as listed in the international agreement of the United States enforced on January 1, 1983. The Soviet Union was one such nation.

I now wish to report to the Senate that the remarkable and industrious office of the Senate Historian in this very brief time has conducted a computer research of the records of the U.S. Senate which only go back 10 years, but it is to the best of their judgment that the U.S. Senate has never used the word "crime" in a charge against another nation.

This is a new and important event, if we could only get it into our heads. The Senate has never done it.

Madam President, I have to tell you I spoke to the American Law Division and the Foreign Affairs Division of the Congressional Research Service. That incomparable body was not able to report any previous action of this kind.

I regret to say, Madam President, that we called the legal adviser to the Secretary of State who, after all, should be better informed in such matters and more alert to them on a day that this resolution is in the Chamber but as usual, Madam President, the Office of Legal Adviser to the Secretary of State was out to lunch. The legal adviser himself was literally out to lunch. He had two assistants who might as well have been for all the help they could provide.

I wish the Secretary of State, for whom we have such admiration in this Chamber, to do that. If we are going to adopt the resolution without precedent in the history of this body, perhaps without precedent in the history of any democratic parliament, his legal advisers had better take note, because we are going to ask that the concrete proposals of the distinguished Senator from North Carolina not be included, in order that the Executive should have the opportunity to seek the widest range of retribution, reparation, and recompense, and if they would please answer the phone from time to time, else this action become derisory. It will not be, and the Secretary of State will see that it is not, but I hope he will take note.

So I sum up, and I hope it would be heard, the U.S. Senate has never in its history declared another nation to be guilty of a crime. In the heading of the resolution it refers to a joint resolution condemning Soviet criminal destruction of the Korean civil airliner. In the resolution clauses it says, No. 1, that the United States hereby condemns the Soviet crime of destroying Korean Air Lines flight 007.

We have an opportunity to make history here.

Finally, I remind us that the idea of crime under international law, the existence of crime for which individuals may be held accountable, arose at the Nuremberg tribunal and no nation so insisted on the proposition as did the Union of Soviet Socialist Republics, which we now find guilty of such a crime.

Madam President, the distinguished Senator from Hawaii wishes to have some time on the resolution.

Mr. MATSUNAGA. Madam President, I would appreciate the Senator yielding time.

Mr. MOYNIHAN. I yield 5 minutes.

Mr. MATSUNAGA. I thank the Senator from New York for yielding.

Madam President, I rise in support of the pending resolution. To begin with, Madam President, shooting down an unarmed passenger jet with 269 people aboard surely represents an enormous crime, not only against the Government and people of South Korea but against all civilized countries participating in international travel.

It all began as an incomprehensible act and it has become even more so with each passing day. Now the Soviets are engaged in air and sea maneuvers off the coast of Sakhalin in order to repulse efforts to obtain bodies from that massacre and whatever evidence there may be to shed additional light on the fate of KAL flight 007. The Soviet leaders seem bent on risking provocation with Japanese forces there, even as we speed a specialized vessel to the scene to seek the plane's black boxes.

For 2 weeks now, Madam President, the world community has watched the Soviet Government's struggle to come to grips with this great human tragedy in human terms. But while regret has been expressed over the loss of life, Soviet officials accept no blame, offer no official apology, and reject any suggestion of compensation to the families of the victims. For reasons the rest

of the world's people are unable to comprehend, the Soviet leaders are unable to deal with this event's aftermath, as can be expected of any civilized society. Now the world has gained fresh insight into the workings of the Soviet leaders' mindset: There can be no such thing as collective error on their part, only on the part of others outside their fold. Their attempts to justify their action in the face of worldwide condemnation are at once bewildering and illuminating. It makes me wonder, Madam President, whether the Soviet leaders subconsciously believe that to admit the concept of fallibility—even as a possibility—would bring down their entire edifice of Marxist belief.

To our minds it is irrational to suggest we would employ a civilian passenger plane—with women, children, even infants and citizens of many nations aboard—to gather military intelligence in such a clumsy fashion. To the Soviet leaders, however, it is the only explanation possible for what they surely must realize now was an egregious blunder in their long-term foreign policy aims.

Certainly this outrage has strengthened American resolve to protect our own interests, and those of our allies, in the Pacific and elsewhere in the free world.

But our anger over this provocation cannot deter us from the pursuit of arms control and an end to nuclear competition in the instruments of war, even though it does cast a pall over the prospects for success any time soon in these objectives.

In the longer view, the loss of KAL flight 007 should be especially enlightening to Third World countries as they evaluate two quite different value systems. An open society can accept the possibility of error—human and technical. A closed society can only accept the worst, the most conspiratorial view of the ordinary mishappenings of everyday life. That lesson should not be lost on unalined nations, Madam President. I urge my colleagues to support the pending resolution.

Madam President, so much has been said by so many, more eloquent than I, here in this Chamber, and I will make no attempt to repeat what has already been said I will conclude by directing my following remarks to the leaders of the Soviet Union. Like many Americans, including Members of the Congress, I love the Russian people. I am sure that among the Russian people themselves the feeling is mutual. I would therefore like to see their leaders redeem themselves in the eyes of the rest of the civilized world. The only way in which they are going to be able to do this is at the least to admit their grevious error, apologize for what they did, and offer just compensation to those who have suffered losses.

I strongly urge the Soviet leaders to take that step, that step which will redeem them in the eyes of the rest of the international community, so that they might effectively represent their people in dealing with leaders of other nations—hopefully toward a lasting world peace.

I thank the Senator from New York for yielding.

Mr. MOYNIHAN. Madam President, I wonder if I could not ask my friend that one of the purposes of law is to provide an alternative to violence in the resolution of disputes.

Mr. MATSUNAGA. That is definitely it.

Mr. MOYNIHAN. That is exactly what we are doing when we say this is criminal behavior, that there is a court we can go to and where the Soviet Union can acknowledge or be held accountable.

Mr. MATSUNAGA. I might add, with the permission of the Senator who controls the time, that we have to come to a point where we look to the conference table and to the courts of law as the ultimate places of solution of any international disputes, and to the point where we will not look beyond the conference table or the courts for any solution; and that means that the leaders of the world must adopt an attitude which will eliminate war and violence as alternatives to settlement of international disputes. Here is a case where the Soviets may show that they do believe in that basic concept of peace.

Mr. MOYNIHAN. And law.

Will the Senator not allow me to amend his remarks to say "the conference table or the judicial tribunal"?

Mr. MATSUNAGA. At the Senator's suggestion, I will be happy to so amend my remarks.

Mr. MOYNIHAN. Madam President, I yield the floor.

Mr. STENNIS. Madam President, will the Senator yield me 2 minutes?

Mr. MOYNIHAN. I am happy to yield to the distinguished Senator from Mississippi 2 minutes on the resolution.

Mr. STENNIS. I thank the Senator.

Madam President, the barbaric attack by a Soviet military aircraft on an unarmed, nonmilitary passenger aircraft during a time of peace is a reflection of the deadly temperment of our times. The preoccupation of wars and the unabated preparedness for war for the greater part of this century has ingrained deep feelings of insecurity in the world.

It is out of this environment of fear and distrust that military responses like the Soviet jet fighter attack on the South Korean commercial passenger airliner are triggered. Even though the South Korean nation is not at war with the Soviet Union, and indeed, no major power in the world has declared war on the Soviet Union, the rules of engagement for unidentified aircraft over Soviet territory called for methodically destroying a harmless jetliner speeding through the night toward its destination in Seoul, Korea. The result is the tragic loss of 269 international travelers who were on that flight.

The barbarism and inhumanity of this act was underscored by the lack of evidence of any concern by the Soviet Government for the men, women, and children who were passengers on this aircraft. To my knowledge, there is no evidence that the Soviet Government or any of the pilots involved ordered or engaged in a search and rescue effort to save the victims of this wanton act. This is a crime of the highest order by all international conventions in war or peace. It was deliberate; it was murderous; and it should be investigated and pursued in world courts.

It is my understanding that the South Korean Government, which does not have diplomatic relations with the Soviet Union, requested the United States to request for them that a search be joined. This request was made, but to no avail.

The stance of the Soviet Union in guarding its sovereign waters is carried to the most insensitive and ridiculous heights in their refusal to allow recovery of the dead in their waters. Search efforts have been confined to picking from international waters and the flotsam and jetsam washing up on the beaches of Japan. Clearly, the total disregard for civilized conventions should be brought before the international courts and forums.

A crime has been committed, and where a crime of this magnitude is thrust on our senses it is only human to hold in contempt those who would allow the execution of this act of violence. But these feelings of contempt, revulsion, and horror should not be allowed to cause even greater tensions. Our course must be within the law. The law must prevail. Our pursuit of this crime must be before the international courts of law. Clearly for the sake of mankind's future, one must be mindful of the need to reduce the government mindset that prompted a nation to act with force rather than law.

Madam President, this is a very grave matter and complicated facts, but our committee—and I commend each one of them for the very fine way in which they ferreted out this situation—has brought us a clean, clear-cut resolution for consideration to meet the situation with reference to essentially a statement, which is what, in substance, it is.

I respectfully submit that even though amendments alone have merit,

such as agriculture matters that are acute and we are all so interested in, they should not be offered now to divide the issues and run into really what is the passage of laws pertaining to economics and all on this horrible thing that happened.

We ought to speak as clearly as we can, it seems to me—one voice with the House of Representatives. I hope this matter can be passed this afternoon by an overwhelming vote and go to conference and soon be on the President's desk.

I thank the Senator for yielding.

Mr. MOYNIHAN. I thank the Senator from Mississippi.

Mr. WARNER. Will the distinguished Senator from New York yield me a minute or two?

Mr. MOYNIHAN. Madam President, I am happy to yield 2 minutes to the distinguished Senator from Virginia.

Mr. WARNER. Madam President, I wish to associate myself with the remarks made by my distinguished colleague from Mississippi. Senator STENNIS and I have served together on the Armed Services Committee for many years. His historical knowledge of important Senate positions dates back to 1946. His appeal to Senators regarding the importance of Congress expressing one voice on this critical, tragic international issue is most persuasive. Like Senator GOLDWATER, who will speak momentarily, I join my two colleagues in supporting the resolution offered by the distinguished leadership of the Senate. The President, speaking for America, is acting in unison with our allies and other nations of the free world.

I, too, believe that these amendments, indeed, have merit. But, at this time—and it may be one of the first times since the late President Eisenhower that the Congress of the United States has truly rallied behind a President in a strong bipartisan way on a major matter of foreign policy.

Perhaps my distinguished colleague from New York, who has a corporate memory on this subject, might make an observation.

Mr. MOYNIHAN. Madam President, I say to the Senator from Virginia that, to the best of my knowledge, he is precisely right. And that is precisely why it is important that he says what he does, as did the Senator from Mississippi, in my view.

Mr. WARNER. I thank my colleague.

Mr. MOYNIHAN. Madam President, I would like to congratulate Secretary of State George P. Shultz for the great service he has done, from the time it became known in Washington that flight KAL 007 had gone astray, in making known to the American people and the world information about this episode as it has become known by the American Government.

Precisely because he has been so forthright and so prompt in presenting this information as it has become available to him, I am concerned that there be abroad in the land a mistaken impression that the United States has been less than frank about revealing what it has known. Nothing of course could be further from the truth—which is that the United States has been entirely open and straightforward with respect to this incident. Everything about it was naturally not known immediately. As information has arrived, piece by piece, and been confirmed to the best of the Government's ability, Secretary Shultz and others in our Government have immediately made it available to the press and the public.

The world should be reminded of this very openness at such a critical time, because it is this openness that has, with such startling clarity, illustrated just how culpable the Soviets are in this episode.

In order that all the parts of this mosaic of information may be made available at one time—and precisely in order to demonstrate that the United States has made each bit of information available to the public—I would hope, and I do recommend, that the State Department publish as soon as possible a white paper setting forth every detail of this story, and explaining to the maximum extent consistant with national security, what we knew and when we knew it.

A white paper elaborating every detail would be an immeasurable aid to the Congress and the American people in appreciating not only the degree of culpability for which the Soviet Union should be held responsible in world forums, but simultaneously just how open and accountable the United States has been throughout.

I make that recommendation and would ask that any of my colleagues who might agree that a white paper would be a constructive thing to do would address such a proposal.

Mr. GOLDWATER. Will the Senator yield me a couple of minutes?

Mr. MOYNIHAN. Madam President, I am happy to yield 2 minutes to my distinguished friend, and more if he needs it.

Mr. GOLDWATER. Madam President, I am a cosponsor of the Huddleston amendment which will come up, which will be tabled. I am a cosponsor only for the reason that it is now the law of the land and if we can get our State Department and the President to exercise that law, it will be effective.

I am not overjoyed with this, but, after all, foreign policy is the business of our President. It is the only real joy he has. And when he has made up his mind and when he has spoken as he has spoken—and I think he has done a good job with it; maybe not everything all of us would want—I think we should support him because I believe, really, that the worst blow we can give the Soviet Union at this time is for both Houses of our Congress to support the President in the job that is his primary and major job in that office of President, to help originate our foreign policy. He is our Commander-in-Chief. That is a constitutional statement; it is not ours.

To prove my position, Madam President, I believe the War Powers Act is unconstitutional and I voted against it. But in this case, if we are forced on this floor to vote for the War Power Act or the President, I am going to support the President, even though I happen to believe he is wrong in having our troops in Lebanon.

But I asked my friend from New York to give me a few minutes just for the purpose of asking my colleagues in this body to remember that this is not our basic business. We can advise and consent, but that man sitting up there at 1600 Pennsylvania Avenue is the man that has to keep us out of war. He is the only man in this country that can send our troops to war. We cannot do it. And in this case, again, even though we are not probably universally overjoyed with what the House has done, it coincides with what the President has been doing and is doing and I intend to support what we are doing here.

Mr. MOYNIHAN. I say to my friend from Arizona, that was a moving and characteristic response. I hope the Senate will have heard him and will follow him in this matter. No one is more deserving of respect.

I yield 2 minutes to my friend, the Senator from Iowa.

Mr. JEPSEN. Madam President, ever since the contemptible downing of the Korean Air Lines 747, there have been calls for the United States to take specific actions in response to the Soviet action. There is no doubt in my mind that these suggestions have provided helpful direction to the President as he decides how to send a strong signal to the Soviet Union about the unacceptability of their actions.

As I look over the strong provisions in the amendment offered by my friend from North Carolina, Senator HELMS, I find that I am supportive of most of them. They are consistent with my policy of strong and vigorous responses to the challenge of the Soviet Union. However, I cannot vote for their inclusion in the resolution being offered by the Senate leadership.

The authors of Senate Joint Resolution 158 wisely restricted the language of the resolution to support of the actions of the President. Most importantly, the resolution leaves the prerogative to impose further sanctions in the executive branch where it belongs,

under the Constitution. For this reason, and no other, I support the House companion measure, House Joint Resolution 353, which is essentially the form in which it was originally introduced.

Mr. MOYNIHAN. Madam President, I congratulate the Senator from Iowa on a succinct and constitutionally important statement. We have declared our view of the act and ask that the President execute, in his best judgment, the policy decision made here.

Madam President, 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. BAKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BAKER. Madam President, may I inquire, after the division of the Helms amendment, the Senate is faced with seven votes. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. Madam President, as the distinguished Senator from North Carolina knows, I feel obligated to table or attempt to table each of those divisions as if it were a tabling motion of the amendment as a whole. But rather than go through the procedure at each step, I would like to make this unanimous-consent request.

I ask unanimous consent that one motion to table may apply against each of the seven votes produced by the division.

I further ask unanimous consent that one show of seconds suffice to produce a rollcall vote on each motion.

I further ask unanimous consent that since there will be seven votes back to back, that the first vote be 15 minutes in length and that the subsequent votes be 10 minutes in length.

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

MOTION TO TABLE

Mr. BAKER. Now, Madam President, I move to table each of the divisions within the Helms amendment as provided for in the unanimous-consent request just granted. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO TABLE DIVISION

The PRESIDING OFFICER. The question is on agreeing to the motion to table division 1. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER), is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Louisiana (Mr. LONG), and the Senator from Massachusetts (Mr. TSONGAS), are necessarily absent.

The PRESIDING OFFICER (Mr. D'AMATO). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 70, nays 25, as follows:

[Rollcall Vote No. 245 Leg.]

YEAS—70

Abdnor	Goldwater	Murkowski
Andrews	Gorton	Nunn
Baker	Grassley	Packwood
Biden	Hart	Pell
Bingaman	Hatch	Percy
Boschwitz	Hatfield	Proxmire
Bumpers	Hawkins	Randolph
Burdick	Hecht	Riegle
Byrd	Heinz	Roth
Chafee	Inouye	Rudman
Cohen	Jepsen	Sarbanes
D'Amato	Johnston	Sasser
Danforth	Kassebaum	Simpson
Denton	Kennedy	Stafford
Dixon	Lautenberg	Stennis
Dole	Laxalt	Stevens
Domenici	Leahy	Thurmond
Durenberger	Lugar	Tower
Eagleton	Mathias	Trible
Evans	Matsunaga	Warner
Exon	Mattingly	Weicker
Ford	Melcher	Wilson
Garn	Metzenbaum	
Glenn	Moynihan	

NAYS—25

Armstrong	East	Nickles
Baucus	Heflin	Pryor
Bentsen	Helms	Quayle
Boren	Huddleston	Specter
Bradley	Humphrey	Symms
Chiles	Kasten	Wallop
Cochran	Levin	Zorinsky
DeConcini	McClure	
Dodd	Mitchell	

NOT VOTING—5

Cranston	Long	Tsongas
Hollings	Pressler	

So the motion to lay on the table division 1 was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table division 1 was agreed to.

VOTE ON MOTION TO TABLE DIVISION 2

The PRESIDING OFFICER. The question is on agreeing to the motion to table division 2. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER), is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Louisiana (Mr. LONG), and the Senator from Massachusetts (Mr. TSONGAS), are necessarily absent.

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

The result was announced—yeas 69, nays 26, as follows:

[Rollcall Vote No. 246 Leg.]

YEAS—69

Abdnor	Glenn	Nunn
Andrews	Goldwater	Packwood
Baker	Gorton	Pell
Baucus	Grassley	Percy
Bentsen	Hart	Proxmire
Bingaman	Hatfield	Quayle
Boren	Hecht	Riegle
Boschwitz	Heinz	Roth
Bumpers	Inouye	Rudman
Burdick	Jepsen	Sarbanes
Byrd	Johnston	Sasser
Chafee	Kassebaum	Simpson
Chiles	Kennedy	Stafford
Cohen	Lautenberg	Stennis
Danforth	Laxalt	Stevens
Denton	Leahy	Thurmond
Dixon	Lugar	Tower
Dodd	Mathias	Trible
Domenici	Matsunaga	Wallop
Durenberger	Melcher	Warner
Eagleton	Metzenbaum	Weicker
Evans	Moynihan	Wilson
Exon	Murkowski	Zorinsky

NAYS—26

Armstrong	Garn	Mattingly
Biden	Hatch	McClure
Bradley	Hawkins	Mitchell
Cochran	Heflin	Nickles
D'Amato	Helms	Pryor
DeConcini	Huddleston	Randolph
Dole	Humphrey	Specter
East	Kasten	Symms
Ford	Levin	

NOT VOTING—5

Cranston	Long	Tsongas
Hollings	Pressler	

So the motion to lay on the table division 2 was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. PERCY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table division 2 was agreed to.

VOTE ON MOTION TO TABLE DIVISION 3

The PRESIDING OFFICER. The question is on agreeing to the motion to table division 3. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER) is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Louisiana (Mr. LONG) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to record their votes?

Mr. MOYNIHAN. May we have the regular order, Mr. President?

The PRESIDING OFFICER. The clerk will tally the roll.

Is there any other Senator wishing to vote?

The result was announced—yeas 50, nays 45, as follows:

[Rollcall Vote No. 247 Leg.]

YEAS—50

Abdnor	Hart	Proxmire
Andrews	Hatfield	Quayle
Baker	Hecht	Randolph
Bingaman	Heinz	Roth
Boschwitz	Inouye	Rudman
Burdick	Jepsen	Sarbanes
Byrd	Kassebaum	Sasser
Chafee	Laxalt	Stafford
Danforth	Leahy	Stennis
Denton	Lugar	Stevens
Dole	Mathias	Thurmond
Domenici	Matsunaga	Tower
Durenberger	Moynihan	Trible
Eagleton	Nunn	Tsongas
Evans	Packwood	Warner
Goldwater	Pell	Weicker
Gorton	Percy	

NAYS—45

Armstrong	Exon	Mattingly
Baucus	Ford	McClure
Bentsen	Garn	Melcher
Biden	Glenn	Metzenbaum
Boren	Grassley	Mitchell
Bradley	Hatch	Murkowski
Bumpers	Hawkins	Nickles
Chiles	Heflin	Pryor
Cochran	Helms	Riegle
Cohen	Huddleston	Simpson
D'Amato	Humphrey	Specter
DeConcini	Johnston	Symms
Dixon	Kasten	Wallop
Dodd	Lautenberg	Wilson
East	Levin	Zorinsky

NOT VOTING—5

Cranston	Kennedy	Pressler
Hollings	Long	

So the motion to lay on the table division 3 was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table division 3 was agreed to.

VOTE ON MOTION TO TABLE DIVISION 4

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table division 4. The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER,) is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Louisiana (Mr. LONG) are necessarily absent.

The PRESIDING OFFICER (Mrs. KASSEBAUM). Are there any other senators in the Chamber wishing to vote?

The result was announced—yeas 82, nays 14, as follows:

[Rollcall Vote No. 248 Leg.]

YEAS—82

Abdnor	Biden	Bumpers
Andrews	Bingaman	Burdick
Baker	Boren	Byrd
Baucus	Boschwitz	Chafee
Bentsen	Bradley	Chiles
Cochran	Huddleston	Proxmire
Cohen	Inouye	Pryor
D'Amato	Jepsen	Quayle
Danforth	Johnston	Randolph
DeConcini	Kassebaum	Riegle
Denton	Kennedy	Roth
Dixon	Lautenberg	Rudman
Dodd	Leahy	Sarbanes
Domenici	Levin	Sasser
Durenberger	Lugar	Specter
Eagleton	Mathias	Stafford
Evans	Matsunaga	Stennis
Exon	Mattingly	Stevens
Ford	McClure	Thurmond
Glenn	Melcher	Tower
Goldwater	Metzenbaum	Trible
Gorton	Mitchell	Tsongas
Grassley	Moynihan	Wallop
Hart	Murkowski	Warner
Hatfield	Nunn	Weicker
Hawkins	Packwood	Wilson
Hecht	Pell	
Heinz	Percy	

NAYS—14

Armstrong	Heflin	Nickles
Dole	Helms	Simpson
East	Humphrey	Symms
Garn	Kasten	Zorinsky
Hatch	Laxalt	

NOT VOTING—4

Cranston	Long	
Hollings	Pressler	

So the motion to lay on the table divisons 4 was agreed to.

Mr. BAKER. Madam President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. PERCY. Madam President, I move to lay that motion on the table.

The motion to lay on the table divisons 4 was agreed to.

VOTE ON MOTION TO TABLE DIVISION 5

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table division 5. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER) is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Louisiana (Mr. LONG) are necessarily absent.

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

The result was announced—yeas 60, nays 36, as follows:

[Rollcall Vote No. 249 Leg.]

YEAS—60

Abdnor	Evans	Matsunaga
Andrews	Glenn	Metzenbaum
Baker	Goldwater	Moynihan
Biden	Gorton	Murkowski
Bingaman	Hart	Nunn
Boschwitz	Hatfield	Packwood
Burdick	Hecht	Pell
Byrd	Heinz	Percy
Chafee	Inouye	Proxmire
Cohen	Jepsen	Quayle
Danforth	Kassebaum	Randolph
Denton	Kennedy	Riegle
Dixon	Lautenberg	Roth
Dodd	Laxalt	Rudman
Domenici	Leahy	Sarbanes
Durenberger	Lugar	Sasser
Eagleton	Mathias	Stafford
Stennis	Tower	Wallop
Stevens	Trible	Warner
Thurmond	Tsongas	Weicker

NAYS—36

Armstrong	Exon	Levin
Baucus	Ford	Mattingly
Bentsen	Garn	McClure
Boren	Grassley	Melcher
Bradley	Hatch	Mitchell
Bumpers	Hawkins	Nickles
Chiles	Heflin	Pryor
Cochran	Helms	Simpson
D'Amato	Huddleston	Specter
DeConcini	Humphrey	Symms
Dole	Johnston	Wilson
East	Kasten	Zorinsky

NOT VOTING—4

Cranston	Long	
Hollings	Pressler	

So the motion to lay on the table division 5 was agreed to.

Mr. MOYNIHAN. I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table division 5 was agreed to.

VOTE ON MOTION TO TABLE DIVISION 6

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table division 6. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER) is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Louisiana (Mr. LONG) are necessarily absent.

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

The result was announced—yeas 66, nays 29, as follows:

[Rollcall Vote No. 250 Leg.]

YEAS—66

Abdnor	Goldwater	Nunn
Andrews	Gorton	Packwood
Baker	Grassley	Pell
Bentsen	Hart	Percy
Biden	Hatfield	Proxmire
Bingaman	Hecht	Pryor
Boren	Heinz	Riegle
Boschwitz	Huddleston	Roth
Bumpers	Inouye	Rudman
Burdick	Jepsen	Sarbanes
Byrd	Kassebaum	Sasser
Chafee	Kennedy	Simpson
Cochran	Lautenberg	Stafford
Danforth	Laxalt	Stennis
Denton	Leahy	Stevens
Dixon	Lugar	Thurmond
Dodd	Mathias	Tower
Domenici	Matsunaga	Trible
Durenberger	McClure	Tsongas
Eagleton	Metzenbaum	Wallop
Evans	Moynihan	Warner
Exon	Nickles	Wilson

NAYS—29

Armstrong	DeConcini	Hawkins
Baucus	Dole	Heflin
Bradley	East	Helms
Chiles	Ford	Humphrey
Cohen	Garn	Johnston
D'Amato	Hatch	Kasten

Levin	Murkowski	Symms
Mattingly	Quayle	Weicker
Melcher	Randolph	Zorinsky
Mitchell	Specter	

NOT VOTING—5

Cranston	Hollings	Pressler
Glenn	Long	

So the motion to lay on the table division 6 was agreed to.

Mr. MOYNIHAN. Madam President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table division 6 was agreed to.

VOTE ON MOTION TO TABLE DIVISION 7

The PRESIDING OFFICER. The question is on agreeing to the motion to table division 7. 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. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER) is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Louisiana (Mr. LONG) are necessarily absent.

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

The result was announced—yeas 52, nays 43, as follows:

[Rollcall Vote No. 251 Leg.]

YEAS—52

Abdnor	Hart	Proxmire
Andrews	Hatfield	Riegle
Baker	Hecht	Roth
Bingaman	Huddleston	Rudman
Boschwitz	Inouye	Sarbanes
Burdick	Jepsen	Sasser
Byrd	Kassebaum	Simpson
Chafee	Kennedy	Stafford
Chiles	Laxalt	Stennis
Danforth	Lugar	Stevens
Denton	Mathias	Thurmond
Dole	Matsunaga	Tower
Domenici	Metzenbaum	Trible
Durenberger	Moynihan	Tsongas
Eagleton	Nunn	Wallop
Evans	Packwood	Warner
Goldwater	Pell	
Gorton	Percy	

NAYS—43

Armstrong	Ford	McClure
Baucus	Garn	Melcher
Bentsen	Grassley	Mitchell
Biden	Hatch	Murkowski
Boren	Hawkins	Nickles
Bradley	Heflin	Pryor
Bumpers	Heinz	Quayle
Cochran	Helms	Randolph
Cohen	Humphrey	Specter
D'Amato	Johnston	Symms
DeConcini	Kasten	Weicker
Dixon	Lautenberg	Wilson
Dodd	Leahy	Zorinsky
East	Levin	
Exon	Mattingly	

NOT VOTING—5

Cranston	Hollings	Pressler
Glenn	Long	

So the motion to lay on the table division 7 was agreed to.

Mr. MOYNIHAN. Madam President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. BAKER. Madam President, I move to lay that motion on the table.

The motion to lay on the table division 7 was agreed to.

Mr. BYRD. Madam President, I ask unanimous consent that I may proceed for 2 minutes for the purpose of asking the distinguished majority leader a couple of questions.

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

Mr. BYRD. Madam President, I ask the following questions of the majority leader:

Is it not true that the administration supports the tabling of all amendments to this resolution?

Mr. BAKER. Yes, Madam President, and as late as this afternoon just before this series of votes began, I reconfirmed that with the President's principal staff and, indeed, the notation on my advisory calendar here during the vote showed that the administration, the leadership on this side, and the jurisdictional committees, supported tabling in each instance.

Mr. BYRD. I thank the majority leader.

The next question is: Will the majority leader state at this time what the program is for the remainder of the day and the remainder of the week?

Mr. BAKER. Yes, Madam President. We will finish this resolution today, God willing, and I think we can, and I hope Members who did not feel absolutely required to offer their amendments would not do so because I know many Members have commitments they must keep and some have planes they have to catch.

Mr. BYRD. I will not offer mine.

Mr. BAKER. I thank the minority leader. I hope others will follow that example.

In that case, we might be able to finish this resolution by 5:30 p.m. or 6 p.m.

I would not expect to ask the Senate to do anything else today.

The Senate will be in session tomorrow. However, instead of the Interior appropriations bill, I would hope that we can go to the Export-Import Bank bill, which is S. 869. I think it is possible, although not yet fully determined, that we can get a time agreement on that measure, and I do not anticipate the necessity for a rollcall vote.

Then on Monday, if I may say so, I would expect the Senate to come in at noon or thereabouts and be on the Interior appropriations bill.

Mr. BYRD. I thank the majority leader.

Madam President, have the yeas and nays been ordered on final passage of this resolution?

The PRESIDING OFFICER. They have not.

Mr. BYRD. Madam President, 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. BAKER. Madam President, what is the question before the Senate?

The PRESIDING OFFICER. The question before the Senate is on an amendment being offered by the Senator from Kentucky.

Mr. BAKER. Madam President, may I inquire as to the time available to the Senator from Kentucky and the manager of the bill on the resolution under the order?

The PRESIDING OFFICER. Twenty minutes equally divided.

Mr. BAKER. I thank the Senator.

AMENDMENT NO. 2134

Mr. HUDDLESTON. Madam President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky (Mr. HUDDLESTON), for himself and others, proposes an amendment numbered 2134:

At the end of the resolution, add the following:

"(9) declares its intent to reduce substantially the Soviet official presence within the United States in order to establish real equivalence with the official United States presence in the Soviet Union."

Mr. HUDDLESTON. Madam President, despite the fact there has been a trend developing here in the Senate relative to possible amendments to this resolution, I think it is important that we consider at least one more amendment.

I know the entire body here recognizes it is appropriate that the Senate of the United States and the Congress express their position relating to the horrendous act of the Soviet Union in shooting down an unarmed commercial airliner and destroying 269 innocent people who were aboard that airplane.

The President has proposed certain actions that will be taken that will express the revulsion of the American people for this kind of act.

I believe, however, we should do more than the President has suggested, as did the Senator from North Carolina, and the amendment that I offer is one that was originally included in some similarity in the amendment by the Senator from North Carolina, but which he altered and struck from his amendment due to the fact that we were offering one very similar.

This amendment is cosponsored by Senator GOLDWATER, the chairman of the Intelligence Committee of the

Senate, Senator LEAHY, Senator INOUYE, Senator EXON, Senator CHILES, Senator HELMS, Senator PRYOR, Senator WILSON, and myself and, perhaps, others of whom I have not been advised, requesting that their names be included.

This amendment would declare the intent of the United States to reduce substantially the official Soviet presence in the United States in order to establish a level of equivalence with the U.S. presence in the Soviet Union.

Madam President, this amendment really ought to be passed irrespective of what has happened with the Soviet action against the Korean airliner. But that gives an added impetus for taking this particular action.

In simpler terms, Mr. President, this amendment would reduce the total number of positions available to the Soviet Government for placement of trained intelligence officers in the United States. In other words, we would make their jobs more difficult, and we would do it in such a way as to preserve a general balance between our Nation's representation in Russia and their representation here.

Today, the total number of Soviet Government employees in the United States is about 1,000, while the number of U.S. Government employees in the Soviet Union is about 300.

Mr. SYMMS. Madam President, will the Senator yield for a unanimous-consent request?

Mr. HUDDLESTON. I yield.

Mr. SYMMS. I ask unanimous consent to be added as a cosponsor.

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

Mr. HUDDLESTON. Madam President, to continue, more than half of the Soviet numbers in this country are attached to the U.N. Secretariat and the Soviet U.N. mission and these we cannot change under U.N. policies. However, the official presence, which includes Soviet employees of Aeroflot, Amtorg, the Soviet trade corporation, and other Soviet operations, as well as the diplomatic corps, leaves a disparity of more than 100 between our numbers and theirs.

The Federal Bureau of Investigation estimates that some 40 percent of the Soviet Government employees here are trained professional intelligence officers of the Soviet KGB and Soviet military intelligence—the GRU. Many other Soviet officials are used by the KGB and GRU to perform intelligence assignments.

The time has come to draw the line so that the Soviets can no longer take advantage of the imbalance that has existed for so long in this area.

This amendment gives us this opportunity, and I can think of no better vehicle than this resolution of condemnation of the Soviet Union for the Senate to express its will in this matter.

I would also like to address questions that might be raised about this amendment.

First, what is the intended meaning of the terms "official presence" and "equivalence?"

The amendment has been written in order to include employees of the Soviet Government who are assigned to the United States. It is not limited to accredited diplomats. However, it is not intended to include Soviet Government employees assigned to the United Nations, such as Soviet Government employees working at the U.N. Secretariat and the Soviet U.N. missions.

There is no question that some Soviets assigned to the United Nations are used by Soviet intelligence and include Soviet intelligence officers. In 1979 two Soviet employees at the United Nations without diplomatic immunity were caught redhanded in espionage and were tried, convicted, and sent to jail. They were later exchanged as part of an international arrangement. Despite the fact that Soviet intelligence uses the United Nations for espionage and other intelligence purposes, the diplomatic and political costs to the United States of attempting to reduce the Soviet official presence at the United Nations are probably not worth the gains. This means that the amendment will not affect the 518 Soviet officials currently assigned to the United Nations.

The term "official presence" does include more than just Soviet diplomats. For example, in New York City alone there are 41 Soviet Government employees assigned to the Amtorg Trading Corporation. Other Soviet commercial establishments in the United States employ about 24 Soviet nationals. Beyond that, here in Washington the Soviets have not only the Embassy itself and its compound on Chesapeake Bay, but also the Office of Trade Representative, Information Department, Military Office, Maritime Office, Agriculture Office, Office of Fisheries Affairs, and the Consular Office. There is also a separate Construction Office. Many of the Soviet Government employees in these offices are not accredited diplomats, but they deserve to be counted in determining the size of the Soviet official presence.

According to statistics as of August 1, 1983, there were 461 Soviet Government employees assigned to the United States, not counting those at the United Nations. This includes 16 Tass News Agency employees and 18 other correspondents. I believe it would not be necessary to count these Soviet Government employees in determining "equivalence" with the official U.S. presence in the Soviet Union. No doubt some of them are intelligence officers or agents; and I can assure you that no U.S. journalist in the Soviet Union is working for the CIA. Nevertheless, there are enough other positions to reduce elsewhere, without having to deal with the Soviet news media.

The terms "official presence" and "equivalence" give the United States the flexibility to address the most serious aspects of the imbalance. This requires including more than just accredited diplomats. However, it does not necessarily mean including everyone employed by the Soviet Government when there might be a risk of action, for example, against American journalists in the Soviet Union.

Based on the figures as of August 1, the action required by the amendment would reduce the number of Soviet Government employees permitted in the United States by about 100 in order to match the official U.S. presence in the Soviet Union.

The second question is what are the risks to the United States in terms of possible Soviet retaliation against U.S. officials in the Soviet Union?

There is no doubt that the action required by this amendment might result in some kind of response by the Soviet Union. However, the likelihood of that risk has been taken into account in drafting the language of the amendment. The amendment does not expell diplomats or require any other action directed at specific individuals. Instead, it reduces the permissible ceiling to a level equivalent to the official U.S. presence in the Soviet Union.

How can the Soviets object to action that simply enforces the normal and accepted principle of reciprocity? What grounds would they have to retaliate against a rule of equivalence?

Of course, we know that the Soviets do not need reasonable grounds to justify their conduct, but this amendment does not give them an excuse to retaliate.

Equally important, by including more than just accredited diplomats in the meaning of the term "official presence," the amendment makes it possible to lower the ceiling for Soviet positions by focusing on the Soviet commercial establishments. The United States has no office in the Soviet Union comparable to Amtorg, the Soviet commercial establishment in New York City. Therefore, the Soviets would not have a convenient target to go after if we insisted in reducing or eliminating the Amtorg office.

Overall, in the final analysis it is necessary to weigh the totality of the benefits and possible risks to the United States. Reducing the Soviet official presence in the United States is not a symbolic gesture, because the size of that presence creates direct and immediate dangers to the national security of the United States. Cutting back on the numbers will clearly inhibit the ability of Soviet intelligence to operate in this country. In my judg-

ment, that benefit itself outweighs the risks.

Madam President, I reserve the remainder of our time.

● Mr. PRYOR. Madam President, I would like to say a few words in support of the amendment by the Senator from Kentucky.

A recent series of articles by the New York Times described the nature and extent of present KGB activities in the Western democracies.

The Times referred to a U.S. Government report which concluded that the last 10 years of Western technology collection by the Soviet intelligence agencies have saved the Warsaw Pact countries "hundreds of millions of dollars" and "years in development time." The stolen Western technology aided the modernization of the pact's weapons industry, weapons performance, and the development of countermeasures to Western military capability.

The U.S. Government report went on to say that the manpower levels which Soviet intelligence agencies have allocated to this effort "have increased significantly since the 1970's to the point where there are now several thousand technology collection officers at work. These personnel, under various covers ranging from diplomats to journalists to trade officials, are assigned throughout the world."

Evidence indicates that among legal Soviet residents of Western nations, 30 to 40 percent are officers in the KGB or the GRU, the Soviet military intelligence organization.

For these reasons, I believe that the Senate has a duty to adopt the Huddleston amendment today.●

Mr. LEAHY. Madam President, will the Senator from Kentucky yield me a couple of minutes?

Mr. HUDDLESTON. I yield the Senator from Vermont 2 minutes.

Mr. LEAHY. Madam President, I join my distinguished colleague from Kentucky, Senator HUDDLESTON, in offering an amendment to declare the intent of the United States to reduce the official Soviet presence in this country to the approximate level of American Government employees in the Soviet Union. In calculating the number of Soviet officials in the United States, we would naturally exclude Soviet representation to the United Nations in New York.

Madam President, I support this measure as an effective, responsible protest against the brutal Soviet downing of Korean Air Lines flight 007, killing 269 innocent civilians. Equalizing the Soviet official presence in the United States with that of our country over there will not damage the ability of the two nuclear superpowers to maintain diplomatic contacts. In the nuclear age, we and the Soviets must continue to talk and to negotiate, above all in the area of arms control. I commend again President Reagan's refusal to delay the Geneva negotiations on strategic and intermediate range weapons. Nevertheless, let us show our revulsion and anger in deeds as well as word * * * as this amendment will do.

Let me review the statistics provided by the FBI on the Soviet presence in the United States. Setting aside the 518 Soviet officials accredited to the United Nations, there are some 454 other Soviet Government representatives living and working in the United States. That later figure includes TASS correspondents, who are employees of the Soviet Government. The FBI informs me that around 40 percent of all Soviet employees work for various intelligence arms of their government.

Madam President, I recently visited the Soviet Union in a delegation headed by the distinguished ranking minority member of the Foreign Relations Committee, Senator PELL. A central purpose of our trip was to do what we could to help the arms control situation. Hardly had we landed in the United States after this mission of good will than we learned of the terrible Korean Air Lines tragedy.

While in Moscow, I viewed firsthand the abysmal conditions under which our people must live and work. I witnessed the tight controls over the lives of American officials. We have only some 300 U.S. Government employees in the Soviet Union. There is, as I understand, no official numerical ceiling on our representatives, but there may as well be. Our people are jammed into overcrowded, dilapidated, appallingly inadequate quarters.

I visited with many of them last month in Moscow. We seem to make it very easy for the Soviet Union to have accommodations far more luxurious than their people would have in their own country, when they come here, but we do not see any kind of reciprocation. The United States does not get anywhere near as nice accommodations for its people. Even if we wanted to send more people, we could not until new facilities are available. As far as I could see, it will be years yet before our new chancery and living quarters will be completed. Meanwhile, the Soviets are quite comfortable in their new Embassy compound.

There is a disparity of some 150 between Soviet and American Government employees in each other's countries—again, excluding the enormous Soviet U.N. Mission in New York. A phased reduction of the Soviet official presence in the United States to approximately the number of American employees in the Soviet Union would not only be a strong signal of our outrage over the KAL incident, it would contribute to balance and equity between the two countries in the treatment of each other's representatives.

Madam President, there has been a good deal of criticism here today about our continued pursuit of arms control with the Soviet Union. Some have alluded to alleged Soviet violations of arms agreements and treaties. I regret this exploitation of the Korean Air Lines tragedy to attack the arms control process. Outrage over this callous act should not be used for such purposes. It sullies our expressions of grief and loss over the victims.

Frankly, I, too, am concerned about ambiguous and unexplained Soviet behavior regarding the unratified SALT II treaty and the ABM treaty. But, I refuse to allow the Korean airliner episode to deflect me from my determination to support mutual, verifiable arms agreements that strengthen American security and reduce the risk of war. When in the Soviet Union, I presented Chairman Yuri Andropov with a statement outlining my concerns about arms control compliance. I ask unanimous consent that a copy of my statement to Chairman Andropov appear at the end of my remarks.

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

(See exhibit 1.)

Mr. LEAHY. Even though it should have no bearing, the Korean Air Lines incident does underline a fundamental reality I attempted to convey to Soviet leaders: Their lack of restraint can and will erode the political base of support for the arms control process in the United States unless they show a greater sensitivity to genuine American concerns about their behavior. Unless the Soviet Union can be made to understand how its actions affect American attitudes, I fear for the future of arms control. What a monumental tragedy it would be if, by ignoring basic norms of international behavior and by refusing to respond appropriately to legitimate American questions about compliance with arms control agreements, the Soviet Union were to destroy the broad support for arms control which now exists in this country.

Madam President, I urge my colleagues to join me in sending a clear message to the Soviet Union. We can do this by adopting this amendment to equalize official representation.

EXHIBIT 1

STATEMENT TO CHAIRMAN YURI ANDROPOV

(By Senator Patrick Leahy)

Mr. Chairman, I have come to Moscow for one overriding purpose: to underline my deep and growing concern that the arms control process is in jeopardy.

Perhaps you know that my colleagues and I are strong advocates of verifiable arms control between the United States and the Soviet Union. I supported the SALT II Treaty, and I earnestly hope the Geneva negotiations will soon lead to equitable agreements.

However, in all frankness, I must tell you that questionable Soviet activity regarding

existing formal and informal arms agreements is causing me increasing concern. Although there are important issues relating to the possible use of chemical weapons in Afghanistan and Southeast Asia, my main concerns at this meeting are about the unratified SALT II Treaty which both sides say they will observe, and the Anti Ballistic Missile Treaty.

I am worried by reports that the Soviet Union is testing two new intercontinental ballistic missiles, when the SALT II Treaty permits only one. Perhaps even more worrisome for the future of verifiable arms control is the level of encryption of telemetry from Soviet strategic missile tests. Access to telemetry is necessary to verify compliance with important provisions of SALT II, as well as any future treaty with qualitative limitations. Recently, there have also been press reports of the construction in the Soviet Union of a large phased array radar in a location which could be inconsistent with the ABM Treaty.

Mr. Chairman, I do not wish to debate these matters. My intention is to explain to you the widening distress among all members of the United States Senate, Republican and Democrat, regarding your country's activities. Arms control supporters like myself can't defend the arms control process when Soviet behavior raises legitimate questions which remain unanswered.

Not only may the political basis for American observance of SALT II thus be weakened, a climate is being created which will make Senate approval of any future arms agreement much more difficult. For the United States to ratify any treaty, two-thirds of the 100 senators must agree. Whether they do or not will depend mainly on the past Soviet arms control record.

There may be valid explanations for all these activities. As one who firmly believes mutual, verifiable arms reductions and limitations are good for both our countries, I urge you to resolve our concerns. This would immeasurably strengthen those in the United States who are convinced that arms control can reduce the terrible threat to our peoples of a nuclear catastrophe.

Mr. GOLDWATER. Madam President, will the Senator yield me a couple of minutes?

Mr. HUDDLESTON. I yield 2 minutes to the Senator from Arizona.

Mr. GOLDWATER. I became a cosponsor of this amendment because either last year or the year before we held hearings before the Intelligence Committee on this very subject, and what the amendment states is already the law.

I then conferred with the President and told him he had this weapon he can use with any country, the equivalency of diplomatic representation, and I do not think anybody can give us an accurate figure of how many Soviets are working in this country against our country. But we do have slightly in excess of 200 in the whole of Russia, and eyeball-to-eyeball intelligence just exists over there.

So this is already the law, and I would just like to impress once again on the President that he has this power if he wants to use it, if he can get the timid State Department to do something about it.

I yield the floor.

Mr. McCLURE. Madam President, will the Senator from Kentucky yield for a unanimous-consent request?

Mr. HUDDLESTON. Yes, I will yield.

Madam President, how much time remains?

The PRESIDING OFFICER. The Senator has 3 minutes.

Mr. McCLURE. Madam President, I ask unanimous consent that I be added as a cosponsor to the amendment.

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

Mr. ARMSTRONG. Madam President, I make the same unanimous-consent request.

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

Mr. NICKLES. Madam President, I make the same request.

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

Mr. BOREN. Madam President, I ask unanimous consent that I be added as a cosponsor.

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

Who yields time?

Mr. FORD. Madam President, I ask unanimous consent that I be added as a cosponsor.

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

Mr. MOYNIHAN. Madam President, if the Senator from Kentucky for the moment will reserve the remainder of his time I make three points: The overriding one is that the administration has asked us to send the President this measure declaring the action of the Soviet Union to be a crime so that he may sign it today; that in 2 days there will be a unanimous action by the House, the Senate, and the President in conformity.

For the first time in the history of the Senate, we will have declared the behavior of another government to be a crime. No stronger action could be contemplated. To dilute it with matters extraneous to that central assertion seems to those of us who have been voting to keep the House resolution intact and not to go to conference, to be the wise move.

The second point I would make, Madam President, is that the Senator from Arizona, the distinguished chairman of the Intelligence Committee, is altogether correct. The Foreign Missions Act of 1982 gives the President not just the power that he has to demand parity, but instructs him to demand parity and require it and obtain it if necessary by refusing the admission of foreign diplomats where there is not parity.

What we need is more American diplomats in the Soviet Union. And this would work directly contrary to that objective and policy, or should be policy.

Third, Madam President, I hope we would not get to use this occasion for minimal concerns. We are talking about a crime. We are not talking about the accreditation of vice counsels.

There are crimes going on right now. Six years ago in this body I introduced legislation, and have done so in every Congress, that asks the Government of the United States to force the Soviet Embassy, soon to be on Mount Alto, the highest site in the District, to stop intercepting phone calls of American citizens, including Members of this body—a crime if an American does it. It is something the Soviets do here, in New York, in San Francisco, and in Chicago, about which we do nothing. And this body, filled with brave souls in these matters, has not chosen to do a thing about that. It seems to me rather more relevant than the number of press attachés and KGB agents.

The distinguished chairman says there is not much eyeballing in the U.S.S.R. He does indeed know that the principal source of intelligence in the Soviet Union is the budget of the United States of America and the CONGRESSIONAL RECORD. They can have that mailed to Toronto if they really got down to it.

But, without in anyway wishing to demean the purposes of this—I know the Senator from Kentucky is as frustrated, as all of us have been after our hearings on the Intelligence Committee, that the State Department has not done what it can do and which the law directs them to do—I would, even so, suggest that this is an inappropriate vehicle, given the urgency of getting this matter to the President's desk tonight. Therefore, reluctantly, because the Senator from Kentucky knows the regard with which I hold him and the Senator from Arizona knows the fear in which I hold him, when the Senator from Kentucky has completed his time, I shall move to table the resolution.

(Mr. COHEN assumed the chair.)

Mr. MATSUNAGA. Will the Senator from New York yield?

Mr. MOYNIHAN. May I ask, Mr. President, how much time I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. MOYNIHAN. I am happy to yield to the Senator from Hawaii.

Mr. MATSUNAGA. For the reasons so eloquently stated by the Senator from New York, I would urge the Senator from Kentucky to seriously consider withdrawing his amendment so that we can promptly act upon the resolution and send it to the President for his signature, as he had hoped, tonight. And I will make this assurance to the Senator from Kentucky: that

the next time he offers his proposal, I will be a cosponsor of it.

Mr. HUDDLESTON. If the Senator will yield to me for a minute, I will tell him that I will give him that opportunity. Because if the fate of this amendment is what has been the fate of the others, I do intend to offer it as a subsequent resolution.

However, in view of the arguments made by the Senator from New York, which support this amendment so strongly, that it is necessary, I must say that I agree with him. I think we ought to do something about the Soviet intelligence presence in this country. I would like to close the San Francisco Consulate, and I originally had it in this amendment, but I thought we ought to try to be a little more moderate at this time.

There is tremendous imbalance here. And our poor old FBI that has to look out for all these folks would like very much to see a reduction in their presence here. The CIA is another matter. They look at it from a different standpoint.

But, at any rate, I think it is well to go ahead and consider this and give the Senate an opportunity to vote. This would add I think some more substance to the resolution. The President would have no reason to really oppose this. As the Senator from New York says, it is what should be done anyhow.

Before the Senator makes the motion, I wanted to make sure, for those who indicated they wanted to be cosponors, that their names were received at the desk. Let me remind you, Mr. President, that Senators ARMSTRONG, MCCLURE, HAWKINS, BOREN, JOHNSTON, COHEN and FORD, in addition to those already listed, have indicated their desire to be cosponsors.

As far as I know, no one else is seeking time on this.

Mr. CHILES. Will the Senator yield?

Mr. HUDDLESTON. I yield the time I have remaining to the Senator from Florida.

Mr. CHILES. Mr. President, I just wanted to complement the Senator on offering of this amendment. It seems to me this is a very legitimate way in which we can respond. I think it is responsible.

It seems to me that we do a disservice if we do not very strongly express to the Russians the commitment of our feelings and how deep those feelings are on the subject. We have talked in many ways about the need to try to get our allies to go along with us. And I think that is true; I think we need to do that.

I think, again, we want to keep our hands off of the arms talks and try to allow those to progress. I think we want to be careful that we do not take some steps that are irresponsible.

It seems to me what the Senator from Kentucky is reaching in his amendment is a very responsible way.

Mr. NUNN. Will the Senator from New York yield me 30 seconds?

Mr. MOYNIHAN. I am happy to do so.

Mr. NUNN. Mr. President, I ask the majority leader and the manager of the bill on the minority side what their forecast is for final passage. The reason I ask is that Senator MATTINGLY and I are on the horns of a very unpleasant dilemma, because we both would like to vote for final passage and vote for this very severe condemnation of the Soviet's behavior but, on the other hand, there is a memorial service for Congressman McDonald, who, of course, was one of the victims of this tragedy. The memorial service is in our home State of Georgia and we must depart on an airplane in order to make that.

I would just like to get some feel so we can make a judgment about how we handle this impossible choice.

Mr. BAKER. Mr. President, if the Senator will permit me to reply, I am sympathetic in the extreme. The junior Senator from Georgia also mentioned this to me. I cannot think of a more difficult conflict; that is to say, a memorial service for Congressman McDonald, on the one hand, and final passage of this resolution of condemnation, on the other.

I wish I could offer some advice on how to proceed. I cannot.

All I can say is that I hope that we will get to final passage on this measure within the next 45 minutes. There are several other amendments, but I begin to get the feeling that there may not be other rollcalls, except final passage, with the exception of the Huddleston amendment.

Mr. NUNN. If there is going to be any kind of delay for any reason to accommodate other Senators on final passage, I hope both sides of the aisle would consider starting the vote at the earliest possible time on final passage so that Senator MATTINGLY and I could record our strong feelings on this subject.

Mr. BAKER. Mr. President, I assure the Senator I will make every effort to do that.

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

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

Mr. BAKER. Mr. President, I move to table the 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.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Kentucky. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Nevada (Mr. LAXALT) and the Senator from South Dakota (Mr. PRESSLER) are necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Louisiana (Mr. LONG) are necessarily absent.

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

The result was announced—yeas 49, nays 45, as follows:

[Rollcall Vote No. 252 Leg.]

YEAS—49

Abdnor	Goldwater	Percy
Andrews	Gorton	Proxmire
Baker	Grassley	Quayle
Biden	Hart	Rudman
Boschwitz	Hatch	Sarbanes
Burdick	Hatfield	Simpson
Byrd	Hecht	Stafford
Chafee	Heinz	Stennis
Danforth	Jepsen	Stevens
Denton	Kassebaum	Thurmond
Dixon	Lugar	Tower
Dole	Mathias	Trible
Domenici	Matsunaga	Tsongas
Durenberger	Moynihan	Warner
Eagleton	Murkowski	Weicker
Evans	Nunn	
Garn	Pell	

NAYS—45

Armstrong	Ford	Melcher
Baucus	Hawkins	Metzenbaum
Bentsen	Heflin	Mitchell
Bingaman	Helms	Nickles
Boren	Huddleston	Packwood
Bradley	Humphrey	Pryor
Bumpers	Inouye	Randolph
Chiles	Johnston	Riegle
Cochran	Kasten	Roth
Cohen	Kennedy	Sasser
D'Amato	Lautenberg	Specter
DeConcini	Leahy	Symms
Dodd	Levin	Wallop
East	Mattingly	Wilson
Exon	McClure	Zorinsky

NOT VOTING—6

Cranston	Hollings	Long
Glenn	Laxalt	Pressler

So the motion to lay on the table amendment No. 2134 was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Who yields time?

Mr. MOYNIHAN. Mr. President, I yield to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I support the resolution. I join my colleagues in speaking out against the Soviet Union's outrageous act of callous brutality.

The circumstances surrounding the shooting down of Korean Air Lines flight 007 are not totally clear.

But we do know that 269 people are dead.

We do know that when the Soviet Union was confronted with the dilemma of choosing between protecting itself against violation of its national boundaries and protecting against the likely loss of innocent life, it chose boundaries over people.

We do know that if it were not for the spontaneous outpouring or outrage from around the globe, the Soviet Union would not even have admitted its involvement in the incident.

There facts are incontrovertible, and these facts are a sufficient basis upon which to hold the Soviet Union accountable for their basic disrespect for the sanctity of human life.

The President of the United States is totally justified in condemning the Soviet Union and demanding that they apologize and make complete reparations.

But we should not stop there. We must continue to find additonal appropriate responses, such as reducing the number of Soviet personnel in the United States.

Also, we must continue pressuring other countries of the world to impose similar sanctions on the Soviet Union.

Some have suggested imposing another grain embargo. I do not believe this is a wise response. The lesson from recent history is that past embargoes have been ineffective and have victimized the American farmer rather than the Soviet Union.

I applaud the President's commitment to continue to pursue arms control agreements even in the face of these recent developments.

The airline incident is particularly distressing coming at a time when the entire world is waiting for the United States and the Soviet Union to engage in meaningful arms control negotiations.

If the Soviet Union has to resolve a border violation by annihilating a commerical airliner and the 269 people on it, what does that say about the prospects for arms control?

I am not sure.

But I think that we do owe it to ourselves and to the rest of the world to continue to pursue arms control regardless of our abhorrence of the Soviet Union's conduct in this matter.

Mr. President, in conclusion, the people of this country are rightfully outraged. Our response must be tough and unrelenting. We must do everything within our power to make sure the Soviet Union continues to feel that outrage.

I urge the world community to join us in condemning the Soviets and imposing tough sanctions on them.

We must let the Soviet Union know that the world community will not forget their cruel and inhumane act of international terrorism.

Mr. BAKER. Mr. President, might I inquire now of the managers of the bill on both sides how many more rollcalls we anticipate? I have heard from a number of Senators that they intend to offer amendments and withdraw them. I have heard others, at least one, who says he does not plan to offer his amendment as it is listed and that he might not offer it at all. so if we could have some sort of appraisal now of the situation, I would yield first to the distinguished minority manager.

Mr. MOYNIHAN. Mr. President, I am not the manager. I am the designee. It is my understanding that no rollcalls will be requested on this side and that perhaps no amendments will be introduced.

Mr. BAKER. I thank the Senator.

Mr. President, may I inquire on this side if there are amendments that will be offered? The Senator from Kansas.

Mr. DOLE. I will offer the amendment, discuss it briefly and withdraw it.

Mr. BAKER. I thank the Senator. Other Senators on this side?

Mr. PERCY. Mr. Leader, Senator HAWKINS is not on the floor, but she will withdraw only subject to the condition that hearings are held on the subject that she will raise. I will commit to her that hearings will be held.

Mr. BAKER. I thank the Senator.

Mr. President, we can finish this bill pretty fast, and let me urge Senators to get on with the business at hand and if possible submit their statements for or against the amendments that are offered.

The PRESIDING OFFICER. Who yields time?

Mr. MOYNIHAN. Mr. President, I yield to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. TSONGAS. Mr. President, I believe that the example that merits commendation is the action taken by the International Federation of Airplane Pilots Associations. It had been my intent to introduce an amendment which would recognize their initiative to boycott flights to the Soviet Union for 60 days. Inasmuch as this would simply delay consideration and force this resolution back to the House, I will not introduce the amendment. But I simply want to go on record in favor of the act of courage and unity which I think should be an example for other entities, particularly Western governments and Europe.

I thank the Senator from New York for yielding.

Mr. MOYNIHAN. I thank the distinguished Senator from Massachusetts.

I yield to the Senator from Michigan.

Mr. LEVIN. Mr. President, when the Soviet Union shot down a Korean airliner and condemned 269 innocent men, women, and children to death, the world was angered—but it should not have been shocked. The Soviets have too often been willing to use force to achieve their ends. The history of suppression in Poland, Hungary, and Czechoslovakia along with the continuing tragedies in Eastern Europe and Afghanistan surely demonstrate that beyond any reasonable doubt.

The resolution we are considering here today is a response to the almost inconceivable action taken by the Soviets. Our response has been understandably full of angry words and statements. But, Mr. President, it is not full of substance. It lacks concrete and specific action designed to punish the Soviets and deter repetition. I fear we will make rhetorical gestures designed to allow us to discharge our anger and then return to business as usual.

But a return to business as usual is precisely what we ought not be doing. The worldwide revulsion has given us an opportunity which I am afraid this resolution, as currently constituted, passes by.

It is for that reason, Mr. President, that I intended to offer an amendment.

My amendment would have provided direction to the President. It calls for the imposition of broad based trade and economic sanctions against the Soviet Union. In discussing this approach with my colleagues and my constituents, I sense a good deal of emotional support for the concept behind the amendment but a good deal of doubt about just how effective such sanctions would be. For instance, we are repeatedly told that President Carter's grain embargo—our response to the Soviet invasion of Afghanistan—was ineffective. The Soviets simply bought grain from other countries. In addition, American farmers, denied access to the Soviet markets, suffered some loss of income. What was designed to hurt the Soviets, we are told, ended up hurting our own country.

The evidence to support those claims, Mr. President, is not totally persuasive. There are some signs which suggest that the Soviets were hurt by the embargo and there are some ways which can prevent our people from paying the kind of price they did in 1979. Let me explain.

First, in terms of the Soviets: While people argue that the Soviets were simply able to buy the grain they wanted from other countries, that clearly is not the perception of the Soviets themselves. Their eagerness to sign a new agreement with our Government, their desire to have that

agreement contain an absolute ban on any future embargo, their fear that future American cut-offs would require them to pay higher prices for the produce they need point to the fact that they did not get through the embargo of 1979 painlessly and they do not look forward to having a new one placed on them.

Second, I do not doubt that some of our farmers suffered some loss of income as a result of the embargo. However, I do not believe it was the single explanation for the problems they experienced, nor do I believe that it hurt all farmers equally. But clearly it had some impact on us, not just on the Soviets. That impact, though, can be reduced. The Government of the United States can act through existing mechanisms to cushion the loss of income and we must devise new programs to compensate the farmers for their loss. But, to be honest, it as not just the loss of income that bothered our farmers; rather I think that it was unfair that they were the only segment of our society being asked to make a sacrifice.

No other sector of our society was asked to make the kind of sacrifice the farmers did. While grain was not being sold to the Soviets, technology was. While wheat was not being shipped, heavy duty trucks were. Farmers saw that and legitimately asked: "Why just us? Why isn't everyone being asked to help carry this burden?" And they got no answer.

My amendment would constitute an answer. It calls for broad, across the board trade and economic sanctions. It addresses itself to the totality of our economic and trade relationships with the Soviet Union. It does not single out any group and ask them to make a sacrifice which will go unmatched by others. Instead, it calls on all Americans to act together, to sacrifice together, to express their anger together.

And that, Mr. President, is to a significant degree, precisely what motivates this amendment. Part of my interest is in responding appropriately to the Soviet terror—and I do not think that mere words are appropriate. But another part of my interest is in finding a way to allow the American people to unite behind some meaningful action. An old adage suggests that if you do not pay the price, then the product is not worth it; the value of what you get is determined by the price you pay. And to a certain extent that folk wisdom is correct. If we are not willing to pay a price to express our outrage and anger at this wanton act—then our outrage and anger just is not as real as it should be.

Yes, trade confers benefits on both parties. But we should be willing to give up the benefit to us in order to deny the benefit to the Soviets.

Mr. President, this amendment would not tie the President's hands. It gives him a sense of direction; it gives him a realistic sense of the anger the American people feel. In addition, this amendment does not jeoprardize those areas of continuing negotiation—the START and INF talks, for example—which directly bear on the security of the United States and the survival of the world. The hardest lesson we may have to learn from this tragedy is that reality requires us to continue to deal with the Soviets on such issues as nuclear arms reduction. Indeed, it is probably more important than ever that we do so.

But morality dictates that we not maintain normal trade relations with the Soviet Union.

Given the votes to table all amendments, including two which related to trade, I believe the issue has been in effect, debated and voted on, and it is sadly clear that the majority of us do not wish to restrict normal trade relations with the Soviet Union, and I will, therefore, not offer my amendment.

Mr. MOYNIHAN. Mr. President, I yield to the Senator from Arkansas.

Mr. PRYOR. Mr. President, in the past 2 weeks we have witnessed a universal expression of revulsion over the downing of an unarmed passenger plane by the Soviet Union. Words like murderous, barbaric, inhuman, repulsive, and uncivilized describe that action, and yet these words hardly seem strong enough to express our feelings about this tragic loss of innocent life.

Now that we have had an opportunity to express our outrage and investigate the circumstances surrounding the incident, I believe it is time to evaluate the lessons this tragedy has taught us about the Soviet character and policies.

There are many countries around the world, particularly less-developed countries, which, for some reason, are attracted to the Soviet sphere. Perhaps it is the specious philosophy of the redistribution of wealth that is appealing; perhaps Soviet propaganda has been successful in convincing the have-nots that the U.S.S.R. is on the side of the underdog. Whatever the reason, the Soviets have been alarmingly successful in attracting the allegiance of many Third World nations.

The Korean Air Lines tragedy has had a greater impact, in human terms, than a thousand speeches on Afghanistan, Poland, Czechoslovakia, internal repression, and human rights. We need to take this opportunity, while world attention is focused on this barbaric incident, to spotlight the extent and methods of Soviet repression, which may not be immediately obvious to all observers.

To put it quite simply: The Soviets are not like us. They do not play by the accepted rules of civilized behavior. I am referring here to the Soviet leadership. The Soviet people may have the same hopes and fears and needs as the rest of the world, but that does not matter because in the Communist system the people have no voice. Only active Communist Party members count, and only a select few have a say in policy decisions.

CLOSED SOCIETY

While the story of the KAL crash was breaking all around the world, Soviet citizens, as usual, were told only what their leaders wanted them to hear. It is hard for us to realize just how completely the Soviet Government controls the flow of information within the U.S.S.R. We in the United States are blessed with a uniquely free press and the freedom of thought that accompanies it. The Soviet system has destroyed free speech, free thought, most other personal freedoms—including religion—and the political freedom to choose their leaders and direct national policies. As Soviet leaders are not accountable to their own people, they evidently feel no accountability to the rest of the world.

One of the most fascinating pieces of information to come out of new accounts was that the standard radio channel for emergency airline communications is denied to Soviet pilots for fear that they will use it to defect.

THE BIG LIE

It is ironic that this incident took place late in 1983, for in his book "1984," George Orwell described the big-lie technique used by totalitarian governments. The Nazis used it, and now the Soviets have given us a textbook example of the big-lie technique, which may be effective with the captive Soviet audience but which must be exposed and refuted by the United States at every opportunity. For example:

The Soviet Government has claimed that the KAL plane was on a spy mission for the United States and its allies. That is a lie. Our intelligence satellites can gather any information we need, and a nighttime flight by a Korean plane would not add any useful information to our intelligence files.

The Soviet Government claimed that the aircraft was flying without lights, but on intercepted transmissions the Soviet pilot reported that the KAL strobes and other lights were on.

The Soviets tried to use the earlier flight of a U.S. reconnaisance plane as a red herring in its explanation of its action, but records show that the U.S. aircraft was already on the ground in Alaska when the Korean plane was destroyed and could not have been confused with that 747.

MILITARY MINDSET

The Soviet overreaction to the Korean flight confirms the excessive

paranoia of the U.S.S.R. where its security is concerned and provides a striking lesson to all nations of the world, but especially to neighboring countries, many of which have already felt the effects of Soviet military strength. It also raises questions about the likelihood of future incidents involving commercial airline flights, shipping, and fishing.

The world should also know, if it does not already, that security concerns have taken a toll on Soviet citizens like Andrei Sakharov and others who wish to emigrate. We should also be quick to point out that the Soviet military buildup has come at the expense of the economic well-being of its own citizens, since scare economic resources have been diverted to the war sector of the economy rather than to the production of food and other necessities.

NO REMORSE

Most alarming of all, the Soviets have shown absolutely no remorse over the Korean Air Lines incident. On the contrary, they have defiantly stated that the action by the Soviet pilot was proper and that the Soviet command would not hesitate to order similar action in the future if necessary.

This incident was no fluke. It was a deliberate, cold-blooded decision.

The Soviets have offered no apology and have only grudgingly given us a highly fanciful explanation of the tragedy.

The Soviets have stonewalled the world in public, and Foreign Minister Gromyko's private discussions with Secretary Shultz have been just as unsatisfactory. The Soviet Government has even dismissed modest efforts to establish better guidelines for use of international airspace and, amazingly, has refused to permit efforts to recover the bodies of the victims.

The Soviet record over the past 65 years is very clear: In the Communist scheme of things little value is placed on either the quality or sanctity of human life. The Soviets showed no scruples about destroying 269 innocent civilians over a highly questionable matter of military security, and they will not hesitate to destroy other lives or other nations as they seek to extend their domination in other parts of the globe.

Our policies should be guided by this perspective, and we should continue to remind the people of other nations about Soviet intentions, practices, and mentality.

U.S. RESPONSE

Many differing views have been expressed here today about how we should retaliate against the Soviets. I believe that our reponse to this murderous event should be guided by three general principles:

One. We must find the whole truth surrounding the incident and see that the truth gets to the rest of the world, using the United Nations, other international organizations, our international broadcasting programs, and any other means to expose the Soviets for what they are.

Two. We should encourage other nations to respond to the Soviet action and make it clear that this is not a U.S.-U.S.S.R. grudge match.

Three. Finally, we must keep the pressure on the Soviets to accept the responsibility for their actions. That includes an apology, restitution to the families of the victims, and cooperation with other nations to prevent such tragedies in the future.

I am not suggesting that we suspend all relations with the Soviet Union. I do maintain, however, that it is vital that we know just who and what we are dealing with and that our policies reflect that awareness.

The PRESIDING OFFICER. Who yields time?

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 2137

(Purpose: To urge the President to negotiate with U.S. allies to reduce the credits available to the Soviet Union)

Mr. DOLE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Kansas (Mr. DOLE) proposes an amendment numbered 2137:

At the end of the submitted text, add the following: "And be it further resolved that the Senate and the House of Representatives in Congress assembled urge the President of the United States to seek agreement with major creditors of the Soviet Union on a systematic and substantial reduction in credits and guarantees extended to the Soviet Union."

Mr. DOLE. Mr. President, the Senator from Kansas joins the rest of the civilized world in condemning the Soviet attack on an unarmed civilian airliner which killed 269 men, women, and children. As we read the reports of relatives who travel to the Sea of Japan in one final effort to be close to their loved ones on the ill-fated Korean airliner, the real cost of the Soviet Union's barbaric paranoia becomes apparent.

But from our sorrow at this totally senseless loss of life we must derive new resolve not only to punish the Soviet Union but also to find effective ways of limiting their ability and propensity to disregard the norms of civilized behavior between nations.

In seeking effective instruments to carry out this new resolve, we must avoid using economic weapons which inflict as much damage on our economy as on the Soviet Union. I commend the President for not imposing a grain embargo against the Soviet Union. Such embargos have only resulted in hardship for America's farmers without inflicting serious damage on the Soviet economy.

Almost any economic sanction chosen must, to be effective, be enforced with the cooperaiton of our allies. Potentially, one of the most effective weapons is the denial of credit to the Soviet Union. While we restricted U.S. Government guaranteed credits to the Soviet Union after passage of the Jackson/Vanik amendment, and to Poland after the imposition of martial law, we must, acting in concert with other Soviet creditors, further restrict availability of credit to Moscow. The President has made efforts in the past, without success, to persuade our European Allies to reduce their credits and guarantees to the Soviet Union. Perhaps the Soviet Union's most recent outrage will persuade our allies that concerted action to reduce credits and guarantees is appropriate. A reduction will force the Soviet Union to draw upon its hard currency reserves and will limit its ability to purchase the items in the West which it needs.

I can understand the desire to punish the Soviets by declaring Poland in default as is advocated by some of my colleagues. But I am convinced that precipitating a Polish default will not punish the Soviet Union, which is the target of our just anger. The Soviet Union has demonstrated that it is prepared to let the Polish people suffer. Declaring Polish debt in default will certainly increase the suffering of the Polish people, but there is no assurance that the Soviet Union will pay any part of that price.

Polish default will also leave our creditors with few Polish assets from which to recover. And a Polish default declared by the United States could precipitate defaults on much larger loans by our European allies. Such defaults could seriously damage allied interests.

We must recognize that default would hurt Poland and our allies more certainly than it would hurt the Soviet Union. The target is the Soviet Union.

The civilized nations of the world do not shoot down unarmed civilian aircraft flying over their territory. This policy is not the result of fear of retribution or a disregard for their national security, but of a respect for human life and of a reluctance to sacrifice innocent civilians on the altar of military security. The Soviet Union is virtually alone among the nations of the world in asserting a brazen policy of shooting down unarmed civilian aircraft which enter, even inadvertently, its airspace. This is certainly not the policy of a great country nor would it seem necessary in defense of a great military power. But the Soviet Union is superpower, and its savagery in the name of defense is all the more repre-

hensible in light of its ample military defenses.

I thus offer an amendment, with Senator HEINZ and Senator GARN, to encourage joint action with our allies to take action that will be a meaningful response to the Soviet's barbaric conduct. A systematic and substantial reduction in credits and guarantees to the Soviets is an appropriate short-term response to the murder of flight 007's passengers, and a prudent long-term policy on its own merits. I urge the support of my colleagues for my amendment urging the President to follow this course.

EAST EUROPEAN AND SOVIET HARD-CURRENCY DEBTS TO THE WEST, END YEAR 1982

[Billions of dollars]

	Official (government) total	United States	Private total	United States	BIS, IMF and CMEA [1]	Total
Bulgaria	0.6	0.1	2.2	0.2	.....	2.8
Czechoslovakia	.8	.5	3.2	.5	.....	4.0
GDR	3.5	.09	9.6	.9	.....	13.1
Hungary	.4	.02	6.7	.9	0.6	9.8
Poland	10.5	1.6	14.3	1.1	.....	24.8
Romania	1.4	.15	5.4	.2	2.9	9.8
Yugoslavia	3.1	.52	11.9	2.2	3.3	18.3
Total Eastern Europe	20.2	2.96	53.4	6	6.9	80.5
U.S.S.R.	8.6	[2]1.078	11.5	.2	.....	20.1

[1] BIS is the Bank for International Settlements in Switzerland; CMEA banks are 2 regional banks with headquarters in Moscow which borrow on the open market.

[2] Includes approximately $650,000,000 in World War II lend lease debt which, under the terms of an agreement with the United States, is payable upon the granting of MFN to the Soviet Union. Most favored nation status for the U.S.S.R. is conditioned upon its emigration policies under the Trade Act of 1974.

I think this is a serious amendment. I think it is one that ought to be explored, if not by the Senate Foreign Relations Committee, perhaps by the Banking Committee. I also understand the desire of the leadership, after successfully defeating other efforts to amend the resolution, not to take up another amendment now.

I ask the Senator from New York if there might be some assurance that at least someone will take a look at credits to the Soviet Union and Soviet bloc countries? In my view, this is one of the areas that should be addressed. We understand Soviet debt to the West totals $20 billion, most of it extended by our allies.

Mr. MOYNIHAN. The Senator from New York congratulates the Senator from Kansas for raising this subject. I cannot speak for this side of the aisle, but I can report what I believe to be the convinced judgment that this ought to be explored, it ought to be quantified, and it ought to be changed. If I understand the thrust of the amendment of the Senator from Kansas, he will have my support when the matter comes on a more appropriate legislative vehicle.

Mr. PERCY. Mr. President, I can certainly appreciate the efforts of the Senator from Kansas to put some teeth in this resolution by focusing on the question of credits. I feel that this amendment, which deals directly with commercial credits issued to the Soviet Union—rather than with Poland and CCC credits—has a great deal of merit. Much rhetoric has been heard, and many gestures have been referred to. But curtailing credits to the Soviets would indeed have an impact. With the requisite support from our allies, a gradual reduction in credit available to the Soviets would have the effect of slowing Soviet development efforts.

The Senator from Illinois prefers, however, that we should adopt the joint resolution as passed by the House yesterday. So I would ask if the Senator from Kansas would agree to defer congressional action on this today, with the understanding that the Foreign Relations Committee will carefully consider his proposals as part of hearings on United States-Soviet relations that the committee has been holding for several months.

Mr. DECONCINI. Will the Senator from Kansas yield?

Mr. DOLE. Yes.

Mr. DECONCINI. I compliment the Senator from Kansas. I understand the leadership and managers want to keep everything off this resolution, but I think the Senator from Kansas has a very good amendment. I was working on such an amendment myself. I, quite frankly, wish the Senator would bring it up for a vote.

I can see what is going to happen with it. To me, it is a very important principle that we go on record, those of us who feel strongly about it.

I am not going to call up the Senator's amendment to a vote, but I just want to tell him that I support the idea and truly hope that if we do not get a vote on it today, the Senator from New York will help us bring this matter before the Senate in a very timely and expeditious manner, because this is something that could be accomplished, in this Senator's judgment.

Mr. DOLE. I assure the Senator from Arizona that I intend to pursue it. It is going to take the cooperation of our allies, since they are the primary source of credit for the Soviet Union.

I appreciate the expressions of the Senator from New York (Mr. MOYNIHAN) and the Senator from Illinois (Mr. PERCY).

Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MOYNIHAN. Mr. President, I yield to the Senator from Arizona.

Mr. DECONCINI. I thank the Senator from New York. Mr. President, the shooting down of Korean Airlines flight 007 has shocked and outraged the American people. The reaction of our constituents is strong and consistent: They are calling upon us to do something to let the Soviets know that the United States of America will not tolerate such wanton acts of death and violence.

I believe we must respond to this call, not just because it is the sentiment of the overwhelming majority of Americans, but because it is the right thing to do from a foreign policy standpoint. The United States is the strongest Nation in the world, and because of this strength, we have the ability to affect events and the actions of others. We must begin once again to use this ability, particularly when the situation we are confronting is so clear cut.

I, of course, have no quarrel with the actions that the President has taken so far. He has demanded restitution and concrete assurances that such actions will never happen again. Not only did the Soviets refuse to pay restitution, but they stated rather clearly that they would not hesitate to shoot down any other planes which stray over Soviet airspace.

The President has joined with other nations in actions against the Soviet airline, Aeroflot; he is pressing the International Civil Aviation Organization to investigate the attack; and he has suspended the renewal of the United States-Soviet bilateral agreement in the field of transportation as well as suspending negotiations on certain other bilateral arrangements that had been under consideration.

Again, these actions are all well and good, but they treat a Soviet action which led to the deaths of 269 people, 61 of whom were Americans, as if it were merely an infraction having to do with Soviet airspace. It is, indeed, a much more serious reflection of Soviet policy. It indicates that the Soviets do not share basic moral standards accepted by the rest of the world. It demonstrates that the Soviets believe that they can callously take the lives of innocent citizens of other nations without fear of major reprisal.

These facts not only anger me—they scare me. They put the Soviet arms buildup in an even more ominous light than it was in before. I believe that the United States must show the Soviet Union the degree to which we are disgusted by their actions and their policies vis-a-vis innocent civilians.

Our response is constrained by two considerations. First, we are constrained because we already have, and for good reason, only limited relationships with the Soviet Union. Second, we are constrained from acting in a way that would prevent us from using other forums, such as the START talks or the MBFR negotiations, to prompt the Soviets to modify their behavior. Therefore, I have supported amendments to House Joint Resolution 353 which would toughen or restrict our relations with the Soviets in

areas other than arms control. I endorse in particular the imposition of commercial sanctions against the Soviets, and I urge the President to suspend our commercial relations with the Soviet Union, to refuse to extend credits to the Soviet Eastern bloc nations, and to declare Poland to be in default of their Commodity Credit Corporation debts.

Our current commercial relations with the Soviet Union are not huge by any means.

Some might argue that other nations will fill the void left by our cutoff in commerce. If that is true, then it is a sad statement about those other nations in the world. Nevertheless, the point that I believe would be made by such a cutoff is that the United States does not wish to have commercial exchanges with a nation that has no respect for human life.

Commercial relations are the basis for interaction between civilized nations. I believe that the cutoff of these relations will clearly demonstrate to the Soviet Union that we do not believe that they deserve to be treated with the respect that is implied by commercial exchanges. I have no hopes that a cutoff of commercial relations with the Soviet Union by the President will threaten the Soviet regime, but I do believe that they would get the message that the United States of America does not wish to deal with them until they agree to the basic moral principles upheld by the vast majority of nations in the world.

Mr. MOYNIHAN. Mr. President, I see that the distinguished Senator from Wisconsin has arisen.

The PRESIDING OFFICER. Who yields time to the Senator?

Mr. MOYNIHAN. I believe the Senator has 20 minutes, equally divided, by the order entered.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2138

Mr. KASTEN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Wisconsin (Mr. KASTEN) proposes an amendment numbered 2138.

Mr. KASTEN. Mr. President, I ask unanimous-consent reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the joint resolution, add the following:

And be it further resolved that the President be urged to direct that, notwithstanding any other provision of law, no funds may be paid out of the Treasury of the United States or out of any fund of a Government corporation to any private individual or corporation in satisfaction of any assurance agreement or payment guarantee entered into by any agency or corporation of the United States Government with respect to loans made and credits extended to the Polish People's Republic unless the Polish People's Republic has been declared to be in default of its debt to such individual or corporation.

Mr. MOYNIHAN. Mr. President, will the Senator from Wisconsin do me the honor of adding my name as a cosponsor of the amendment?

Mr. KASTEN. I am pleased and honored to have the Senator from New York as a cosponsor. As we all know, the Senator from New York was a cosponsor of an earlier amendment also having to do with Polish debt. I think it is appropriate that once more, we have a Kasten-Moynihan amendment.

The PRESIDING OFFICER. Without objection, the name of the Senator from New York will be added as a cosponsor of the amendment.

CREDIT AS A STRATEGIC WEAPON: A PROPOSED RESPONSE TO THE KOREAN AIR LINES ATROCITY

Mr. KASTEN. Mr. President, the recent unprovoked attack by the Soviets on an unarmed commercial airliner is both appalling and despicable. Today, in this Chamber, we have heard this event frequently described as a tragedy. But in the words of columnist George Will:

When children die of leukemia, that is a tragedy. When they are blown to bits by an act of state, that is an atrocity, and are worthy of Hitler's former allies.

The Soviets must be held fully accountable for this action.

Yet, the Soviets continue to thumb their noses at world opinion, and persist in making the ludicrous charge that KAL flight 007 was on a spy mission for the United States. This behavior is beyond the pale of human decency and civilized conduct. The problem is that this is not the first time the Soviets have conducted themselves in this fashion, and for us to simply express our disgust and then let time take its course as we forget, just will not do.

The President was correct in asking the international community to react appropriately and to effectively isolate the Soviets in world opinion. Statesmanlike behavior, or course, requires that we not overreact even to such an outrageous act. But there are stronger measures available to us than the ones proposed by the President, and stronger than the ones called for in the resolution before us.

Mr. President, in an article for the Wall Street Journal on July 28, 1983, I pointed out that borrowing by Communist countries is part of the economic strategy of the Soviet Union. Poland and all of the East European satellites are linked to the Soviet Union in a way that we in the capitalist West cannot even imagine. Thus, the Polish debt and the Soviet attack on KAL 007 are connected because both represent aspects, economic and military, of Soviet grand strategy. Accordingly, we can and should respond to such murderous Soviet actions as the shooting down of an unarmed airliner by attacking the economic aspect of Soviet strategy.

Mr. Will has recently made a point similar to mine concerning Western credit and the Soviet bloc. He agrees that "Credit is a strategic weapon" and he argues that, as such, it ought to be used against the Soviet perpetrators of the Korean Air Lines atrocity.

In the words of Felix Rohatyn, the Soviet Union has shot down an airplane. We should shoot down a Soviet-controlled country. We have an opportunity here to use credit as a strategic weapon in response to the Soviet attack.

For more than 1 year I have urged the administration and my colleagues in the Congress to declare the Polish debt in default. The Soviet-dominated Government of Poland cannot pay its bills. And as the Western nations continue to roll over these obligations in one rescheduling action after another, we are ultimately bailing out the Soviet Government.

Now is the time—as we have more reason than ever before—to declare the Polish debt in default. This would force the Soviets into the uncomfortable position of having to admit that Communist-plagued economies do not work. They would have no choice, it seems to me, but to step in and bail out the Government of Poland.

Mr. President, the Senate has already spoken on this issue. Over 1 year ago, in May 1982, the Senate voted 83–10 to declare Poland in default.

As a result of the vote on the first Kasten-Moynihan amendment to the 1982 emergency supplemental appropriations bill, there is now in place a process that requires the President to send a certification to Congress each month in order to avoid a default declaration. In light of this latest atrocity by the Soviet Union, it is clearly time for the President to trigger the default, by refusing to certify Poland with respect to its debt. If the President fails to trigger the default himself, it will then be time for Congress to act. I hope I am wrong, but I expect that Congress may be forced to act on the Polish debt issue in the weeks ahead.

Mr. President, I ask unanimous consent to have printed in the RECORD George Will's Newsweek column of September 12, 1982, and my own piece from the Wall Street Journal of July 28, 1983.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Newsweek, Sept. 12, 1983]

NEEDED: A POLICY OF PUNISHMENT

(By George F. Will)

The shocking thing is how shocked people are. The day the Soviet regime murdered another 269 persons was the 24,041st day since the regime was founded. Since 1917 the regime has killed at least 20 million of its own citizens, an average of more than 800 a day for 66 years. Unless the Red Army massacred another Afghanistan village last Thursday, the regime had a below-average day of blood.

Why are people so startled when the Soviet regime acts in character? Nothing in nature—not even granite, which water wears away over time—is as durable as illusions grounded in a desire to avoid facing nasty facts. Oh, yes, with metronomic regularity the Soviet Union does shatter some Americans' illusions. But Americans are a manufacturing people, so they manufacture new illusions about Soviet willingness to move up from barbarism. In 1979, after 62 years of domestic carnage and international gangsterism, the Soviet regime invaded Afghanistan, and the president of the United States said gosh that sure opens my eyes.

Why did the Soviet regime, after 2½ hours of thinking about it, murder another 269 persons? Well, why not? The benefits are clear enough (the benefits of intimidation, especially of Japan), and the costs are almost certainly going to be negligible, and brief.

The Soviet deed has been the subject of a U.N. debate. For the Kremlin that was an ordeal akin to being bombarded with marshmallows. Thank God it is not December or some dunce would suggest dimming the national Christmas tree. The state of Ohio, which has a better foreign policy than the United States, has removed Russian vodka from state-run liquor stores. Perhaps the 269 murders will complicate the process of subordinating foreign policy to presidential politics. Perhaps it will not be harder for the president to sally off to an election-year summit and sign an arms-control agreement ruined by American eagerness. But summits and agreements have no noticeable influence on the behavior of the Soviet rainmakers—the "yellow rain" rainmakers.

IMPARTIALITY

The World Council of Churches has not yet had time to condemn Korean Air Lines for aggressively bumping into Soviet air-to-air missiles, but various other "peace" parties, with the impartiality for which they are famous, have announced:

The Soviet deed proves the irrationality of "the superpowers" and demonstrates the paranoia to what U.S. policy has driven the Soviet Union. So everyone must disarm, starting now, starting here.

The cotton-candy language of journalism spreads a sticky goo of imprecision over events like the attack on the plane. It has repeatedly been referred to as a "tragedy." No, when children die of leukemia, that is a tragedy. When they are blown to bits by an act of state, that is an atrocity, and one worthy of Hitler's former allies. But too many persons by now have too large a stake in fuzzy language. Remember the merry disdain that showered down upon President Reagan when, in his first press conference, he alked about how the Soviet Union lies? "There you go again," said his cultured despisers, when he recently referred to the "evil empire."

His words are fine, but he has not got a policy worthy of them. What is needed is a policy not merely of punishment, but of steady deterrents and leverage. A suitable policy, one that was desirable even before this atrocity, is at hand. But the hands of this administration are not apt to reach for it at this late date.

Felix Rohatyn, the investment banker and Democratic thinker, says: The Soviet Union has shot down an airplane. We should shoot down a Soviet-controlled country. Western governments should nationalize the loans Western banks have made to communist countries. The governments should buy up the debts at a substantial discount—at, say, between 25 and 50 cents on the dollar (that is between 25 and 50 cents more than some of them are worth). Then it should declare Poland in default, drying up the flow of credit to that country and slowing the flow to all other Soviet satellites.

This would give the banks a little liquidity—more than they deserve, given their irresponsibility. It also would force them to quit cooking their books, pretending that virtually irrecoverable loans retain their full face value as assets. But the principal benefit would be for foreign policy.

Credit is a strategic weapon. Like other strategic weapons, it should not be in private hands. Credit for communists should no more be controlled by private banks than the MX should be controlled by Hertz Loans—if any—for the East bloc should be government to government, so that Western policy will no longer be hostage to commercial calculations.

BELLY UP

Were credit nationalized, we could say to the Kremlin: You want credits for your basket-case economies? Fine—but it will be contingent on reductions in defense spending. You reject such linkage? Fine—you pay for Poland, and have fun when Romania goes belly up.

During martial law Poland received from the West a substantial subsidy: it debts were rescheduled. The Reagan administration is a shameful subsidizer: Poland has not paid debts owed to the U.S. government, yet the United States has not put Poland in default. Some bankers say that forcing default would to too kind to Poland, because it would wipe the slate clean. Poland's regime knows better; otherwise it would declare default on its own. Poland today is receiving, in effect, money at 6 percent from the West while Americans pay more than twice that for mortgages. If Democratic candidates cannot make an issue of that, they should be burned on a pyre of their bumper stickers.

The Soviet Union suffocates entire nations without even a suspension of subsidies from the West. What has it to fear from reaction to the annihilation of a mere planeload of people? A regime whose essential policy is intimidation has added another brutality to its repertoire. But the diplomatic minuet will continue, from Madrid to Geneva. The grain shipments will continue, and so will the subsidized sale of "nonstrategic" goods—as though such a distinction makes sense regarding a totalitarian nation with a command economy entirely subordinated to militarism. Faster than a heat-seeking missile, there will be business as usual, especially for business.

[From the Wall Street Journal, July 28, 1983]

HOLD OFF RESCHEDULING THE POLISH LOANS

(By Robert W. Kasten Jr.)

What do the latest actions by the Polish government really mean for the people of Poland, and how should the U.S. react? We have conditioned normal relations with Poland upon the lifting of martial law, release of political prisoners and discussions with independent labor unions. Are conditions in Poland sufficiently changed for us to normalize relations?

In many cases the new "civil" laws are harsher than the martial laws they replace. For instance, it now will be impossible to strike legally, independent unions will be banned completely, press censorship and restrictions on movement will be tightened severely, and the regime will be able to declare an emergency whenever it decides there is a threat from "internal factors." As Gen. Jaruzelski told the Polish Parliament a week ago: "Any attempt at anti-state activity will be curbed no less unswervingly than during martial law." No wonder that Lech Walesa declared: "If I were to choose between the new (laws) and martial law, I would choose martial law." In addition, it seems that the "release of political prisioners" by Polish authorities may not include any real political prisoners.

ARGUMENTS OF THE "MODERATES"

Thus, despite the apparent changes, there hasn't been any change in substance. Yet the banking community has begun to clamor for a return to the state of affairs before martial law. Poland has requested that its foreign debt be rescheduled drastically, including an incredible eight-year moratorium on interest payments and a demand for $3 billion more in export credits. American and European leaders seem ready to discuss this. Clearly, the West has yet to learn anything about economic relations between communist and capitalist nations.

Those who advocate a rescheduling make the same arguments as the "moderates" who opposed a declaration of Polish default one year ago. Then, despite the fact that Poland had stopped making payments on its debts, they argued against facing the financial realities and declaring default.

The "moderates" asserted that if we refrained from declaring default, the West would gain in two ways: There would be an incentive for the Polish authorities to "liberalize" more quickly, to lift martial law and to treat the Polish people less harshly. And Poland would speed up its repayment of loans to the West.

But what actually happened? It has taken 1½ years to "lift" martial law, and this action itself is meaningless. The evidence doesn't support the claim that Western restraint leads to improved behavior on the part of communist governments. History indicates that in dealing with such regimes the welfare of the people depends far more on the dynamics of internal politics than on Western actions.

What about the financial situation? During hearings before my Foreign Operations Subcommittee last year, representatives of the administration claimed that if we didn't declare default, things would be better for Western creditors. Robert Hormats, former assistant secretary of state, in testimony on Feb. 9, 1982, opposed declaring Poland in default and asserted that "the best chance of putting maximum pressure

to obtain a reflow of currency from Poland to the West is by continuing to press them to pay their debts. Now they don't pay as we would like, clearly, but there is a net outflow. There is a net outflow, and it is a high cost for an economy as weak as the Polish economy."

But the past year hasn't fulfilled the predictions of those who confidently assured us that the Polish government would make every effort to repay its debt. True, Poland paid half of the interest due in 1982, but only on the condition that the other half be "recycled" back to Poland by banks as short-term credits. The net effect was to increase the debt's magnitude by one half the interest due to Western creditors. These short-term credits enabled Poland to "purchase" Western goods, leading to a further transfer of resources from West to East. And now comes the latest outrageous request from the Polish debtors. The "outflow" described by Mr. Hormats continues to be in the opposite direction.

This is perhaps the most important point to be made, for the Polish debt is but a small part of the greater issue of financing and extending credit to the Soviet Union and its satellites. Trade with the Soviet Union once was seen as an aspect of "detente." By trading with and lending to the communists, it was argued, we would bridge the gap between East and West, bringing prosperity and hope to oppressed people. And by making tyrannical states more dependent on Western goods and technology, we would convert them into more moderate and freer nations, eventually eliminating the danger of war. Western trade would "liberalize" the communist countries.

But things didn't work out that way. The oppressed people remain oppressed, the communist nations are no less tyrannical, and the danger of war hasn't been reduced. Why hasn't the theory of "liberalization by trade" worked, as we once believed it would?

Part of the answer lies in the underlying philosophy of the Soviet bloc countries themselves.

According to Lenin's theory of imperialism, the capitalist West is driven by historical necessity to export its suplus first to the underdeveloped world, and then to communist countries. In other words, when capitalists extend credit to communist nations, they are behaving as Marxist-Leninist theory predicts they will. As Lenin wrote:

". . . the capitalists of the whole world and their governments, in their rush to conquer the Soviet market, will close their eyes [to various Soviet diplomatic subterfuges] and will thereby be turned into blind deaf mutes. They will furnish credits which will serve us for the support of the Communist Party in their countries and, by supplying us material and technical equipment which we lack, will restore our military industry necessary for our future attacks against our suppliers. To put it in other words, they will work on the preparation of their own suicide."

The implication is that the accumulation of debt has been a conscious act of policy by the communist states and that they have no intention of paying it back. It is likely that communist borrowing is part of "the economic strategy of an empire." In a brilliant essay by this title in Grand Strategy: Countercurrents, Larry Arnn observed that:

". . . until the Poles actually repay the loans, the food they have consumed and the capital they have imported is not expensive to them at all. It is incredibly cheap. The spanking new Polish steel mill may not be an efficient and wise investment by our standards, but it is a large and modern steel mill, and so far someone else has paid for it."

The problem's magnitude becomes apparent when we consider that Poland's government is $25 billion richer and the West is $25 billion poorer, and that even though Poland has paid only a minute part of what it owes, its line of credit is far from exhausted. Furthermore, as Mr. Arnn noted, the logic that has allowed Poland to "borrow" $25 billion will enable the Soviet Union and the rest of its satellites to "borrow" billions and billions more, unless we recognize this policy for what it is: the economic exploitation of the West by the East, which can occur only because of the shortsightedness of capitalist nations.

SHOULD DELAY AGREEMENTS

We must recognize these things and be guided in our relations with communist countries by reason and prudence—not by our hopes alone. These hopes have been dashed too many times. I believe we have reached a point where we must draw the line. A year ago I called for the U.S. to declare Poland in default. Now I believe that the U.S. should delay any agreements on rescheduling Poland's debt until such time as that country meets objective standards of human freedom. In addition, if by the end of the year Poland hasn't made substantive changes in its policy toward its people, we should state unequivocally that we will declare Poland in default on the $1.7 billion it owes to the Commodity Credit Corporation. The U.S. thereby would accomplish three important goals. First, we would make clear to our allies and to Western business interests that trade between West and East is a risky undertaking that we will no longer subsidize. Second, we would begin to undermine the economic strategy of the Soviet empire. And finally, we would make it clear that our commitment to liberty and human rights is more than just words.

Mr. KASTEN. Mr. President, in view of the part that, for the pending resolution to have the desired impact, it must be to the President's desk today, I do not intend to pursue the amendment at this time. Accordingly, I ask that the amendment be withdrawn.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MOYNIHAN. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Are there further amendments?

AMENDMENT NO. 2139

Mr. MOYNIHAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from New York (Mr. MOYNIHAN) proposes an amendment numbered 2139.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the resolution, add the following:

"(9) declares its intent to discontinue all exports of agricultural commodities to the Soviet Union until such time as the Soviet Government apologizes unequivocally for its actions, fully compensates the families of innocent victims, and provides credible assurances to the world community that it intends to fulfill its commitments to abide by internationally recognized and established procedures for insuring the safety of civil aviation.

Mr. MOYNIHAN. Mr. President, the amendment I have proposed to the pending resolution would express the intention of the United States to halt the present export of grains to the Soviet Union as part of the American response to the Soviet destruction of Korean Air Lines flight KAL 007.

My reasoning, which I would hope would win the support of colleagues here today, is straightforward: Why should the United States provide subsidized foodstuffs to the Soviet Union, as normal neighboring countries might do—when the Soviet Union refuses to abide by the minimal standards of civilized behavior that would entitle it to be treated as an ordinary, law-abiding state?

If we feed the Soviet Air Force—and do not doubt that in that totalitarian state, the armed forces eat first—what right do we have to complain about how that air force behaves? By feeding them, and then later complaining that their pilots do not do what we expect them to do, we invite their contempt and encourage them to go still further in the barbaric atrocities they feel free to commit.

Recall that a central conviction of Soviet leaders, from the earliest days of the revolution, has been precisely the belief that the Western democratic capitalists would do this. In his important work, "Russia and the West Under Lenin and Stalin," George Kennan described what he called the imaginary statement of Soviet leaders to the Western governments:

". . . since we are not strong enough to destroy you today . . . we want you during this interval to trade with us; we want you to finance us; . . . An outrageous demand? Perhaps. But you will accept it because you are slaves to your own capitalistic appetites . . . you will wink at our efforts to destroy you, you will compete with one another for our favor. . . . It is, in fact, you who will, through your own cupidity, give us the means wherewith to destroy you."

Kennan then says, for himself:

"I can only assure you that this formulation is not one whit sharper or more uncompromising than the language consistently employed by the Soviet leaders at that time. I do not believe that it embraces a single thought which did not then figure prominently in their utterances."

We have every reason to believe this view continues.

Certainly they shall have additional reason to believe it if we go forward

with the administration's recently announced arrangement with the Soviet Government to double the volume of our grain sales to the Soviets over the next 5 years.

I believe that is the essence of my argument. I will not detain the Senate any longer at this point. I would hope that Senators on both sides of the aisle would feel able to join me in stating this point.

Mr. President, I said earlier that I would offer this amendment if others had been proceeded with. They have not been, and I ask that the amendment be withdrawn.

The PRESIDING OFFICER. The amendment is withdrawn.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2140

(Purpose: To encourage a more humane policy by the Soviet Government toward Jews and others wishing to emigrate)

Mrs. HAWKINS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Florida (Mrs. HAWKINS) proposes an amendment numbered 2140:

At the end of the joint resolution, insert the following: "calls on the Union of Soviet Socialists Republics to also comply with its other obligations under international law, including the Helsinki Final Act and the Universal Declaration of Human Rights by ceasing its harassment of Soviet Jewry and others wishing to emigrate, and reiterates its willingness to use trade sanctions and whatever other means may prove necessary to encourage such compliance."

Mrs. HAWKINS. Mr. President, I have submitted this amendment on behalf of myself, Senator NICKLES, Senator D'AMATO, and Senator ARMSTRONG.

Mr. President, 2 weeks ago today ago today, a Soviet jet fighter brutally shot down and murdered 269 people in cold blood. This was done with the full knowledge of high authorities in the Soviet command. And since the downing of the civilian airliner Moscow has, in callous disregard of world opinion, lied, evaded, and misled the world with regard to the downing of the Korean jet.

We all share a sense of outrage and sadness, of revulsion and sorrow at this deliberate act of barbarism. But barbarism in the Soviet Union is not limited to attacks on unarmed civilian airliners who stray into Soviet airspace. This same type of barbaric behavior is also aimed at elements within Soviet society, elements that do not conform entirely with the rigid and narrow pattern of the Communist society. No group has borne more of these cruel policies than have the Jews of the Soviet Union.

Members of the Jewish faith are frequently discriminated against within Soviet society by limiting their educational, employment, and social opportunities.

For example, freedom of religious and cultural expression are denied through government intimidation, including such actions as breaking up religious meetings, arbitrary arrests and detentions, and sentencing to internal exile. And prominent prisoners of conscience such as Anatoly Scharansky and Viktor Brailovsky are held by Soviet officials for the forthright stands they have taken on protecting the rights of Soviet Jews, and indeed all Soviet citizens.

A person does not have to be an activist, however, in order to come under the eye of the Soviet Government. There are strict controls on the distribution of Jewish literature, and the Soviet Government does not permit the establishment of schools for Jewish children. Furthermore, the Soviet authorities do not allow enough synagogues to serve the population of 2 million Jews who live in the Soviet Union. In fact, the policies of the Soviet Government toward its Jewish population, when taken together, constitute a wholesale attack on the cultural heritage, family structure and basic human rights of the members of the Jewish community in the Soviet Union.

In addition, the Soviet authorities have created a new and evil organization that they refer to as the anti-Zionist Committee. The purpose of this organization is primarily to sever the link between Jews in the Soviet Union and their friends and relatives in Israel. I am pleased to have joined some of my colleagues in condemning this evil organization. Soviet authorities, however, have not been satisfied with these attempts to isolate the Jewish community. They have virtually closed their border to Jewish emigration. Jewish emigration last year was at its lowest level since 1970, 2,688 persons. And there is every indication that the emigration levels will be just as low this year. The results of these actions include emotional and psychological anguish for Soviet Jews who are dissatisfied with life in the Soviet Union and would like to start a new life elsewhere. I believe that these are cruel and barbaric policies, and that the United States must do whatever it can to encourage the Soviet Union to reform its ways.

I believe that it is appropriate to renew on this resolution our country's commitment to help Soviet Jews wishing to emigrate. The cruel and senseless downing of the Korean airliner has served as a reminder to many of us, that the same regime that is responsible for the KAL 007 massacre and the ensuing coverup, is the same regime that is responsible daily for the repression of their own people and especially their Jewish population.

Moreover, we have been reminded this week as we honor the memory of our distinguished colleague, Scoop Jackson, of his unflagging commitment on behalf of Soviet Jewry. I can think of few actions more appropriate as we remember and honor the memory of our colleague than to carry on the cause that he held so high—the cause of Soviet Jewry. I would like to take this opportunity to repeat some of his words at one of the high points of his career—the passage of the Jackson-Vanick amendment. His words and the sentiments behind those words are as relevant today as they were 7 years ago:

Mr. President, the action of the Senate today is the culmination of a struggle for human rights that began some 27 months ago. Over the last 2 years, countless Americans of diverse religious and national backgrounds and of differing political persuasions and occupations have worked long and hard to bring about the result that we are enacting today. Many thousands of my fellow citizens have expressed their support for the effort to associate freer trade with progress toward the freer movement of peoples between East and West. The American press has helped arouse the conscience of so many in the West by focusing on the human rights aspects of a genuine detente.

Above all, Mr. President, we have been sustained and inspired throughout a long and difficult struggle by the bravery and resourcefulness and dedication of those who are standing up in the Soviet Union and other such countries to demand their fundamental human right to emigrate promised them in the Universal Declaration of Human Rights which was adopted unanimously 26 years ago this week.

Mr. President, this agreement, which I believe to be a great step forward in the enduring struggle for human rights, can only operate in the interest of improved United States-Soviet relations if it is implemented in good faith. I pray that this will prove to be the case. Obviously the opportunities for bad-faith circumvention are numerous. No agreement can be drafted to prevent the maneuverings associated with bad faith.

If the Soviets fail to live up to the letter and the spirit of this agreement the basis of trust and confidence that is essential to the whole range of our relations will be destroyed. We will be watching closely—not just at the expiration of the 18-month waiver, but day by day from this moment on.

Mr. President, today, 7 years later, we still find ourselves inspired by the bravery, resourcefulness, and dedication of those individuals who risk demanding their fundamental human rights. Today as then we must remain vigilant for the cause of Soviet Jewry—and as Scoop reminded us so many years ago the fate of Soviet Jews

is largely a question of good faith and common decency on the part of the Soviet Union.

The downing of Korean Air Lines flight 007 has reminded us anew that we cannot rely on the good faith of the Soviet authorities, or on their common decency.

I believe that we must send a message to the Soviet Union, a message that says that the downing of the Korean airliner has implications beyond the brutality of the act itself. And that the United States is prepared to take whatever steps are necessary to encourage the Soviet Government to ease its restrictions on Soviet religious and cultural activities, to cease its harassment of Jewish activists, and to permit the unobstructed emigration of Soviet Jews.

Mr. President, I thought, as we all sat in this Chamber and listened to the eulogies honoring our late colleague Senator Scoop Jackson, that indeed the adoption of this amendment would be a great tribute to Senator Jackson.

The amendment calls on the Soviet Union to comply with all the obligations of the laws that are on the books and for the United States to use trade sanctions or whatever means we have to encourage such compliance in connection with harassment of Soviet Jewry.

This is, I believe, a reasonable and needed amendment. However, I have agreed to withdraw this amendment, since Senator PERCY, the chairman of the Committee on Foreign Relations, has agreed to hold hearings on this subject. I understand the desire of the leadership to get this resolution to the President as soon as possible. I believe that hearings in the Foreign Relations Committee will allow us to focus on the issue, and organize the necessary and appropriate steps to be taken on behalf of Soviet Jewry.

Therefore, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MOYNIHAN. I thank the Senator from Florida for her courtesy in this matter.

Mr. PERCY. Mr. President, I would like to address myself to the question of the amendment offered by Senator HAWKINS of Florida.

Mr. President, the plight of Soviet Jews who are denied the opportunity to emigrate is always on our minds. In recent months, it has become increasingly difficult for even a small number of Soviet Jews to emigrate. And despite the claims of the so-called anti-Zionist Committee, there is no one here, and no one in the world who will believe that there are just a few hundred or thousand Jews who wish to emigrate now. There are several hundred thousand.

Let us not forget those brave and persevering individuals whose cases have become known outside the Soviet Union. Let us not forget Anatoly Shcharansky, Alexander Paritsky, Ida Nudel, Josef Begun, and Chicago-born U.S. citizen Abe Stolar. These are just a few of the many Soviet Jews who seek only to exercise their basic human right to emigrate from the Soviet Union. In this week, which is the holiest of the Jewish year, let us remember these courageous individuals and rededicate ourselves to the continuing effort to help them.

In April 1966, I first met with Soviet officials in Moscow to express my concern about that government's discrimination against Soviet Jews and the people of the Baltic States and Ukraine. In every year and on every appropriate occasion since, many efforts have been made on behalf of Soviet Jews. They need our united efforts. They need our strongest voices to be heard. Let us do all we can. And let us not relent until they are free to live wherever they choose.

Mr. President, I would like to supplement my previous comments with one further comment: That during the continuation of the U.S.-U.S.S.R. relationship in a nuclear age hearings the committee has been holding, we will at an appropriate time in those hearings take up the whole issue of Soviet Jewry, and we would be happy and delighted to have the distinguished Senator from Florida join the Foreign Relations Committee during that section of the hearings, and also the distinguished junior Senator from New York.

Mr. DURENBERGER. Mr. President, it is said that actions speak louder than words. If that is so, the Soviet Union has spoken to the world in an unmistakable voice. It is the voice of repression, of inhumanity, of the belief that political might makes moral right.

We will probably never know all the facts about the gratuitous destruction of Korean Air Lines flight 007. Most of the witnesses are dead, victims of two Soviet air-to-air missiles. Those who survived are Russian pilots and their ground controllers. But even if we never know all the facts about this incident, we know the one irreducible fact which is important: The Russians chose to respond to the violation of their borders by an unarmed civilian aircraft with brute force. They cared more about making a point than they did about the lives of the 269 people who plunged 30,000 feet to their deaths.

The Soviet Government is adept at presenting its best face to the world. It employs legions of people skilled in the art of the subtle untruth, the half-lie, and the bald-faced lie. It regularly trots out spokesmen whose accents and idioms are comfortingly American, whose tone of voice is reassuringly calm and measured, whose appearance is designed to elicit sympathy. They have made good use of their propaganda apparatus on many occasions, for instance by seeking to convince many well-intentioned and frightened people that it is we in the West and not the Soviets who are to blame for every unfortunate detail of international politics.

That is propaganda of the word, and it sometimes works. But anarchists and terrorists have long spoken of what they call propaganda of the deed. Whether or not the people who gave the order to pull the trigger that killed 269 people intended it, that one incident constituted propaganda of the deed. It conveyed a message about the nature of the Soviet Government which the world will not soon forget.

To drive the point home, the Soviet Foreign Minister, Andrei Gromyko, released this official statement at the Madrid talks: "We state: Soviet territory, the borders of the Soviet Union are sacred. No matter who resorts to provocations of that kind, he should know that he will bear the full brunt of responsibility for it." In other words, according to Mr. Gromyko, every time a pilot or a ship's captain gets lost, every time he violates the so-called sacred borders of the world's last empire, he will be killed, and his passengers along with him.

It is disturbing how often and how quickly yesterday's brutality becomes today's banality. The world was outraged in 1956 when the Soviets invaded and crushed Hungary. It was outraged again in 1968 when Czechoslovakia was singled out for the same treatment. Again in 1979, when the Russians invaded Afghanistan, the world was outraged. But after each such incident, sooner or later, people seemed to forget that the reason the Soviets act outrageously is because their government is outrageous. By passage of this resolution today, we can try to remember what we have learned and relearned for decades: The Soviets value force more than life, order more than freedom, empire more than independence.

As the President has wisely reminded us, this latest offense in the Soviet catalog of atrocities is not and was not directed at the United States alone. It does not represent an issue between the Soviets and the Americans. It represents an outrage by one government against the community of nations. It insults the decency and integrity of people everywhere, regardless of political system, nationality, or ideology.

If there was no other reminder of this, let us remember that people from 15 nations were aboard Korean Air Lines flight 007. Let us remember that the Soviets vetoed a modest resolution before the U.N. Security Council. Let

us remember that Soviet authorities have refused the requests of several governments for so basic a thing as an expression of regret. Let us remember that the Soviet Foreign Minister has belligerently stated that his government will continue to shoot down any airliner which violates what the Soviets are pleased to call their sacred borders. Let us remember that the Soviet Government is so lacking in simple human remorse that it has turned back boatloads of grieving citizens, the survivors of 269 victims, who seek merely a religious ceremony to ease their pain.

There is no shading of fact, no nuance, no room for interpretation which can diminish the simple and central fact of Soviet brutality, both at the time of this incident and since then. The only pertinent fact is this: 269 people were slaughtered through no fault of their own, and the Soviets are continuing to seek justification for the unjust while refusing even the most basic courtesies to the victims. This is not an offense against the Government of the United States. The Government of the United States was not on the boats which sought access to the grave of flight 007. This is instead an outrage against all people.

The resolution we pass today cannot alter the facts or lighten the anguish of those who mourn. It is only a simple statement of reality by the American people, who are one Nation among the many to whom the Soviets have shown the mailed fist. It is not intemperate, nor rash, nor a new turn in the United States-Soviet relationship, nor an exercise in propaganda by a government. It is simply the truth, simply told. It deserves our support and should be passed immediately.

SOVIETS OFFER NO REMORSE

Mr. PERCY. Mr. President, the Department of State has compiled a catalog of Soviet public statements about the destruction of KAL 007. A close reading of these Soviet statements indicate the extent to which the Soviets have changed their story over time. At first they were unwilling to admit their terrible deed. Next they tried to justify it, hiding behind harsh anti-U.S. rhetoric.

Then they began to argue that KAL 007 was a spy flight. This is absolute nonsense. This was reconfirmed for the Foreign Relations Committee again just yesterday by key administration officials.

Finally, the Soviet statements are unbelievably callous about the loss of human life. They continue to hide behind expressions about the sacred borders of the Soviet Union. Earlier, the junior Senator from Alaska recounted for us that no more than 90 occasions over the past 5 years, Soviet aircraft have violated U.S. airspace in Alaska alone. Our Nation has not responded brutally.

Mr. President, I ask unanimous consent that the State Department's compilation of Soviet statements on KAL 007 be placed in the RECORD.

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

SOVIET PUBLIC STATEMENTS ON KAL 007 SHOOTDOWN

Moscow, September 1, TASS—"An unidentified plane entered the air space of the Soviet Union over the Kamchatka Peninsula from the direction of the Pacific Ocean and then for the second time violated the air space of the USSR over Sakhalin Island on the night from August 31 to September 1. The plane did not have navigation lights, did not respond to queries and did not enter into contact with the dispatcher service.

Fighters of the anti-aircraft defense, which were sent aloft towards the intruder plane, tried to give it assistance in directing it to the nearest airfield. But the intruder plane did not react to the signals and warnings from the Soviet fighters and continued its flight in the direction of the Sea of Japan.

Moscow, September 2, TASS—"TASS Statement"—"It was natural that during the time the identified intruder plane was in the USSR air space, Soviet anti-air defense aircraft were ordered aloft. They repeatedly tried to establish contact with the plane using generally accepted signals and tried to take it to the nearest airfield in the territory of the Soviet Union. The intruder plane, however, ignored all this. Over Sakhalin Island, a Soviet aircraft fired warning shots with tracer shells along the flying route of the plane.

Soon after this, the intruder plane left the limits of Soviet air space and continued its flight toward the Sea of Japan. For about 10 minutes it was within the observation zone of radar facilities after which it could not be observed any more."

Moscow, September 3, TASS—Continuing its condemnation of the "rabid anti-Soviet campaign by the U.S. TASS stated that "Washington is feverishly covering up traces of the provocation staged against the Soviet Union by the South Korean plane which flew from the United States and entered Soviet airspace.

"The White House and the Department of State are mounting a worldwide anti-Soviet campaign. The tone first set by the U.S. President. In his statements, permeated with frenzied hatred for the Soviet state and Socialism he used as a cover up antagonistic phrases about 'humanism and moral feelings." The head of the White House is trying to convince public opinion that the USSR allegedly is guilty (responsible for) the loss of life. Tossing forth torrents of vicious abuses, representatives of the U.S. Administration want to avoid answering clear questions: why did the plane happen to find itself in Soviet air space, deviating by 500 kilometers from the existing international route? Why did the authorities of the U.S. and Japan whose air traffic services control flights on this route, knowing that the plane had remained a long time in Soviet air space, did not take appropriate measures to put an end to this flagrant violation of Soviet sovereignty.

Moscow, September 6, Pravda—"The frantic anti-Soviet hysteria around the disappearance of the South Korean aircraft that carried out a provocative flight over Soviet territory for a long period of time on the night ending on 1 September is taking on increasingly unbridled and coarse forms. The coordinated and deliberate character of both the provocative flight itself and the broad anti-Soviet campaign subsequently unleashed by the U.S. Administration is worthy of attention. It is evident that the 'incident' was prepared in advance and that—judging by what followed—it was expected. It is also indicative that the first report about the disappearance of the aircraft came from the CIA.

"This is not a fortuitous link, but a natural one in the general chain of Imperialism's political and other actions in recent times. All of these actions are directed toward widening and deepening the front of the notorious 'crusade' against Socialism and are calculated to raise a new wave of anti-Sovietism and anti-Communism by any means and discredit the Soviet Union, kindle a feeling of hostility toward it, cast a shadow upon Soviet peace-loving policy, and heat up the situation in the world even more, thereby making it easier to implement the United States' Imperialist plans.

"Washington's unusually rapid 'reaction' to what took place is characteristic. Just a few hours after the 'incident', Shultz, U.S. Secretary of State, held an emergency press conference in Washington, which took place in a malicious anti-Soviet spirit. The State Department then made an official statement containing even sharper attacks upon the Soviet Union. The American President himself immediately took charge of the malicious anti-Soviet campaign. His speeches repeatedly contained filthy insinuations against the Soviet Union. At the present time the American mass media are whipping up an anti-Soviet atmosphere by every means and trying to drive new wedges into East-West relations. Does not all of this reveal the true underlying state of affairs behind the 'incident' that has provoked the histerical noise that has been raised around it?

"In this, possible dangerous consequences of the provocative flight were not only ignored, but a diabolical game was deliberately undertaken without regard for the possible human victims. Clearly, the calculation was that the possibility of carrying out reconnaissance flights over Soviet territory without impediment under cover of civil aircraft should be tested in practice: in the event of failure it was to be turned into grounds for slanderous accusations against the Soviet Union.

"It is known that the deliberate violation of Soviet state frontiers by American aircraft counting on going unpunished has taken on a systematic character of late. In 1982, such violations took place on 22 February, 13 March, and 4 and 7 May. During this year 12 similar violations have taken place, including violations on 4 April by carrier-based aircraft from the aircraft carriers Midway and Enterprise.

"The Soviet Union made official protests on these occasions, however, there was no reaction to them. On the contrary, the level of activity by American reconnaissance aircraft near Soviet air borders increased. Furthermore, the Soviet side possesses reliable data that bear evidence of the fact that the American special services have started to use civil aircraft on an ever-increasing scale for the fulfillment of reconnaissance tasks. Reconnaissance activity of this kind is also carried out systematically during flights along established corridors. As one may judge, the civil aircraft of other countries,

including South Korea, are involved in carrying out particularly risky and provocative tasks. It is evident that this 'risk' is not fortuitous, but specially 'programmed'—and not just anywhere, but across the ocean.

"Seven flights by American reconnaissance aircraft of the RC-135 type were registered in this region on 31 August of this year, the day before the South Korean airplane's intrusion into the USSR's airspace. A reconnaissance aircraft of this type was observed meneuvering at a height of 8,000 meters in the immediate vicinity of the point where the South Korean aircraft entered the USSR's air space from 1745 to 2049 Moscow time on 31 August. At the same time, three American warships appeared close to Soviet territorial waters. At 2000 on 31 August Soviet radar stations observed an unknown aircraft with a radar print analogous to the print of the EC-135 800 KM northeast of Petropavlovsk-Kamchatskiy proceeding on a course toward the Kamchatka Peninsula also at a height of 8,000-9,000 meters. Subsequently the Soviet air control service attempted to establish communication with it in order to point out the fact of the violation. However, the aircraft made no reply to the enquiries and continued its flight on the same course, moving more deeply into the USSR's airspace.

"Soviet aircraft of the air defenses were sent into the air in order to identify the aircraft and to give it assistance. The violating aircraft made no response to their commands but continued to fly with its air navigational lights turned off, which is characteristic of flights by American reconnaissance aircraft. The violating aircraft flew over the territory of Kamchatka, including immediately above a Soviet naval base and other military objectives.

"As the violating aircraft approached the island of Sakhalin, a new group of Soviet air defense aircraft was sent up, which tried again to establish contact with it and to bring it to the nearest Soviet airfield. However, the violator did not merely continue its flight without reacting to the Soviet aircraft's warning maneuver but, having changed course, entered the airspace over the southern part of Sakhalin and passed over a Soviet air base, at the same time maneuvering at the same altitude.

"It was only after this that warning shots using tracer shells were fired by the Soviet Aircraft * * *.

'The argument that the deviation from the course took place allegedly because of technical reasons is also clearly without foundation. According to foreign specialists, aircraft of this type are equipped with precise navigational equipment of the "Omega" system backup, which completely rules out the possibility of deviations of such a considerable distance. There are five radio installations on the aircraft, one of which has to be permanently tuned to the international frequency.

"As is known, the ruling circles of the Soviet Union expressed regret in connection with the human victims and at the same time expressed their resolute condemnation of those who either deliberately or as a result of criminal negligence brought about the deaths of people and now trying to use what happened for unscrupulous political purposes.

Moscow, September 6, Pravda—(Article by Colonel General S. Romanov, Chief of the Main Staff of the Air Defense Forces: "Political Provocation with Far-Reaching Aims")

Moreover, carrying out a flight in defiance of the standards of the International Civil Aviation Organization, with extinguished air navigation lights and collision avoidance lights, the crew failed to react to all of our fighter-interceptor's actions. The pilot of our fighter-interceptor undertook repeated attempts to bring the intruding aircraft to the nearest Soviet airfield for a long time. The crew also failed to react to the indications of instruments showing that the aircraft was flying not over the sea, where it should have been flying, but over the dry land of the Kamchatka Peninsula and the Island of Sakhalin. Aircraft of this type are equipped with the most up-do-date navigational and radar apparatus and repeated backup systems."

Moscow, September 6, TASS—"Soviet Government Statement: When it was approaching Sakhalin Island the intruder was again intercepted by fighter planes of the anti-aircraft defenses. And again attempts were made to establish contact with it, including with the help of the known general call signal on the international emergency frequency of 121.5 megacycles. Contrary to the false contentions of the United States President, Soviet anti-aircraft defense fighter planes are outfitted with communication equipment in which this frequency is fixed. So these signals had to be received by the intruder plane, but it did not respond to them. Neither did it respond, as it has been said earlier, to other signals and actions of the Soviet fighter planes.

Since even after this the intruder plane did not obey the demand to fly to a Soviet airfield and tried to evade pursuit, the interceptor-fighter plane of the anti-aircraft defenses fulfilled the order of the command post to stop the flight. Such actions are fully in keeping with the Law on the State Border of the USSR which has been published.

The Soviet pilots, in stopping the actions of the intruder plane, could not know that it was a civilian aircraft. It was flying without navigation lights, at the height of night, in conditions of bad visibility and was not answering the signals."

Moscow, September 7, TASS—"Since the intruder plane did not obey the order to proceed to a Soviet airfield and attempted to evade, an air defense interceptor carried out the order of the command post to stop the flight. Such actions are in full conformity with the law on the USSR state border which was published. We have expressed regret over the loss of human lives.

We state: Soviet territory, the borders of the Soviet Union are sacred.

No matter who resorts to provocations of that kind, he should know that he will bear the full brunt of responsibility for it."

Moscow, September 9, Soviet TV—Press Conference on 9 September in Moscow with Marshal of the Soviet Union Nikolay Ogarkov, chief of the General Staff of the Armed Forces and first deputy minister of defense; Georgiy Korniyenko, first deputy minister of foreign affairs; and Leonid Zamyatin, head of the International Information Department of the CPSU Central Committee—opening statement read by Marshal Ogarkov.

"It has been irrefutably proved that the intrusion of the plane of the South Korean airlines into Soviet airspace was a deliberate, thoroughly planned intelligence operation. It was directed from certain centers in the territory of the United States and Japan. A civilian plane was chosen for it deliberately, disregarding or, possibly, counting on loss of human life. Hence, all the grave consequences of this extraordinary incident, as it is referred to in the Western press. Naturally, all responsibility for what happened rests wholly and fully on its organizers."

Moscow, September 14, Soviet TV—Press conference in Moscow with First Deputy Foreign Minister Korniyenko and Deputy Chief of General Staff Akhrowepeu—(Korniyenko Statement): "There are signs that the American side uses its own provocation involving the South Korean plane in order to complicate the talks on curbing the arms race and on disarmament. This is confirmed by the fact that Mr. Nitze, on arriving in Geneva, declared at the airport that, you see, the talks cannot but be overshadowed by what happened to the South Korean plane. It is very likely that one should see in this explanation for whom and for what purpose that provocation was needed.

As to the readiness or unreadiness of the Soviet Union to discuss the issue of compensation, I view this question as irrelevant, for not only financial, but also political and any other responsibility for what has happened to the South Korean plane should be borne by those who used it as a tool of their dirty policies."

Mr. STEVENS. Mr. President, as everyone here is aware, on August 31, 1983, the Soviet Union shot down the Korean Air Lines 747 flight bound for Seoul, Korea, in an unconscionable act that cost 269 innocent civilians their lives.

The Soviet Union initially denied responsibility for the air tragedy. They told us that they had tried to escort the plane out of Soviet airspace, then they claimed that they did not shoot it down. The tapes released by the Japanese of the Soviet pilot's conversations with the ground control station clearly refute these explanations. Finally, just this past week, the Soviet Union admitted to stopping the flight of Korean Air Lines flight 007. It is important to note that this is not simply a flight that was stopped, it is also the stopping of 269 innocent lives aboard this unfortunate flight.

What reasons do the Soviets give for their actions in shooting down the Korean Air Lines flight? Soviet Foreign Minister Andrei Gromyko puts forth the notion that the flight of the KAL airliner was on "special duty for the American authorities and their relevant services," and that the aircraft refused to land and tried to escape. The idea that we would jeopardize innocent lives or a foreign air carrier for surveillance purposes is ludicrous. Further, the implication that the 747 looked like a RC-135 is untenable. The 747 is the largest civilian aircraft in the world—twice the size of an RC-135—and has a distinctive silhouette that can hardly be confused with that of an RC-135. The RC-135 flight originated at Shenya in the Aleutians, almost 1,300 miles from the Anchorage takeoff point of the KAL flight. The two aircraft did not fly parallel courses at any point in their respective

routes, and at their closest proximity they were more than 75 nautical miles apart. Further, the RC-135 landed in the Aleutians at 1727 Greenwich mean time, nearly 1,350 miles east of the point the KAL 747 was shot down and over an hour before the KAL airliner was destroyed. I find it incredible that the Soviets were not able to discern the KAL flight, a routine daily flight out of Anchorage, from a much smaller aircraft like the RC-135. Clearly, the assertion that the RC-135 was in any way connected with the Korean airliner is absurd.

The claim that the 747 tried to escape is refuted by the transcript of the Soviet pilot's conversation with his ground control. The transcript records the Soviet fighter pilot remarking that the target was flashing its navigation lights only moments before it was shot down. This is an international signal that the aircraft was agreeable to obeying directions of nearby military aircraft. Such action on the part of the Korean airliner contradicts Gromyko's claim that the aircraft "tried to escape." Shooting down an aircraft signaling its intent to obey directions of a military jet cannot be defended, it is simply a malicious execution. Even the claim by the Soviet pilot that the KAL flight failed to respond to cannon fire, a claim that appears to be supported by new information gleaned from the tape, is tarnished by his own announcement that the 747 could not see him.

Gromyko claims "that Soviet territory and the frontiers of the Soviet Union are sacred." Without questioning the validity of the statement, I would ask if human life is not equally as sacred? Further, I question the rationale of protecting sacred Soviet territory by waiting 2½ hours from the time of initial violation of the Soviet frontier before protecting such frontiers—a claim that is even more ludicrous in light of the possibility that the Korean jet was no longer even in Soviet airspace.

All these excuses put forth by the Soviets for this incident serve as "red herrings," drawing our attention away from their seemingly undue sensitivity about this area. In the past, I have warned about the Soviet movement eastward—they have militarized the area east of the Urals and, as the downing of the KAL airliner illustrates, are fanatical about the security of their operations there. The Soviet impression as to the importance of their operations there is evidenced by the presence of first phase fighters, and the fact that the local commander had authority to give the authorization for launching the air-to-air missiles. With Moscow more than 4,000 miles away, a threat to strategic military centers of the U.S.S.R. was perceived. Obviously, we who are adjacent to the Soviet Union are concerned about the increased Soviet military presence east of the Urals.

I agree with the President that the Soviet response to this tragedy is not yet sufficient. These fabricated excuses for uncivilized acts should not be accepted by the international community, and pressure should be brought upon the Soviets to bear the full responsibility for their disgusting disregard of human life. I applaud the administration's efforts to maintain a rationale approach to the problem and I encourage my fellow Senators not to forget this tragedy. With these thoughts in mind, I firmly endorse the Senate resolution condemning the Soviet execution of Korean Air Lines flight 007.

Mr. GARN. Mr. President, the massacre by the Soviet Union of 269 innocent men, women, and children aboard an unarmed, commercial Korean Air Line passenger aircraft was a violent act of cowardice and paranoia. Civilized people throughout the world have been repulsed by the wanton disregard for human life demonstrated by the leaders of the Soviet Union in this despicable act and their subsequent efforts to justify their actions.

It is difficult to find the words to adequately describe the outrage I felt upon hearing the news of this vicious, coldblooded act. There is possibly nothing any one of us can add to the feelings that have already been expressed in the days that have passed since that tragedy. And yet there is also probably nothing in all those words of condemnation that does not bear repeating, for this is an incident that must never be forgotten.

Almost as revolting as the murderous act itself have been the blatant attempts by the Soviet Union to deny, excuse, and justify its action on the basis of boldfaced lies, official denials of obvious facts, and sheer, unadulterated arrogance. The big lie techniques perfected by the Nazi regime of Adolf Hitler obviously have been adopted and expanded upon by the Kremlin. Yuriy Andropov—not so long ago described by some as a "closet liberal"—has again shown his true colors. The actions of his government are fully consistent with his own brutal past as head of the Soviet KGB secret police and with the terrorizing heritage of communism under Lenin, Stalin, and their successors.

For all our sophistication and experience, we adults often miss the essence of a matter that presents itself so clearly to our young children. In fact, with seven children in my family, I have long since learned of the incredible ability of children to see things in clear and stark terms, and to express their thoughts in eloquent simplicity. The same has proved true in this case, in letters I have received from young people in Utah. A group of students at the Dilworth Elementary School in Salt Lake City have written letters to Soviet President Andropov, expressing their feelings about this inexcusable tragedy. They have asked me to forward their letters to Mr. Andropov, and I intend to do so.

With the permission of their teacher, Ms. Mary Sharp, I would like to quote for my colleagues some of the comments made by these young students; 11-year-old Erik Lisonbee expressed the sentiment that must be felt by many of the families of those who died when he wrote: "If my mom or dad or both were on that plane (I) would hate Russia forever." Karen J. Pyper, age 11, seemed to sense the differences between the human values held by the West and the Soviet disregard for those values, when she wrote: "If you want to go around shooting planes, shoot down your own," as if to say "you may not care about innocent human lives, but we do." Mindi Hansen summed up the entire matter quite well: "* * * You have a mean brain. To me and millions of other people * * * you need help with learning what the word love means." Katie Jorgensen expressed her revulsion at the extreme reaction to the Soviets: "Did you know no one would have care(d) if you had had them land and checked them but no you shot them down and killed 269 people and that is why I hate you." Amy Peuler said: "* * * You are so cruel that there is no word to describe you. This letter may make you mad, but it makes me mad that you shot down that plane. I wish you would try and understand us."

Eleven-year-old Davis Herrmann wrote to Andropov saying: "* * * I am mad that my fellow Americans were killed. I expect an apology [sic]. If there is a misunderstanding, I apologize [sic]."

From Shelby E. of the United States comes this comment: "What do you have against Korea? or the United States and Japan?! People like you can cause big problems, I hope you know! you have no reason and right."

A third-grade girl wrote: "You should be ashamed! [sic] Have you ever heard of being kind or consiterate? [sic] From the sad and angry Karin North."

I could go on quoting from the letters these students have directed to Mr. Andropov, but I believe these few examples are a good indication of the feelings that have been generated by this callous act on the part of the Soviet Union.

I said earlier that this terrible deed must never be forgotten. Today, with the memory of this tragedy fresh in our minds, the reminder never to forget seems quite unnecessary—and yet, how often has it been that free men and women have forgotten the serious nature of the threat posed by the Soviet Union and the require-

ments for preserving our security? Will we finally recognize and remember that the leaders of the Soviet Union are not peace-loving, humanitarian people committed to living in harmony with the rest of mankind? However dramatic and tragic this incident is itself, it is also another of a long series of examples of Soviet aggression and abuse of human rights, including the invasion of Afghanistan, the aiding and abetting of terrorism throughout the world, the Polish oppression, the constant export of revolution, and the repression of freedom for the Soviet people, themselves. We must recognize and remember that the Soviet Union and its belligerent leadership pose a threat to world peace and human liberty. I would suggest that the magnitude of the Soviet Union's crime against humanity could be exceeded only by the crime we could commit by forgetting it, and ignoring what it tells us about Soviet values.

Adm. Bobby Inman recently commented upon this grim reminder of the Soviet value system. Inman made note of the mistake in confusing American values for those of Andropov and his colleagues. He said that:

> To an American * * * human life is the No. 1 priority * * * It is inconceivable to me that the United States would ever delegate authority to engage a civilian airliner in peacetime.
>
> With the Soviet the priority is exactly the other way around. The first priority is that they will not tolerate any intrusion into their air space.

Even upon reflection on their act, the Soviets showed no signs of remorse. If they have any second thoughts about the decision to shoot down the airliner, they are unrelated to the question of the lives that have been lost. Rather, as Inman again point out, it is:

> Because of the stark reminder * * * for the rest of the world; it does an awful lot to clear the air after this very sophisticated campaign we've watched over the last two years of their trying to portray themselves as the peacemakers and the United States as the great threat to world peace.

The point still remains that faced with the brutal reality of Soviet action how should the United States and the world community respond? Let me say first that I support the measured steps President Reagan has taken thus far in addressing this situation. I believe we should work with our allies and all countries affected by this tragedy to seek compensation for the families of the victims of this crime, a public apology from the Soviet Union, and agreement upon measures to prevent such a tragedy in the future. I do not, nor I believe, does the President, rule out further sanctions to be imposed against the Soviet Union, beyond those which have already been taken. I believe that the entire spectrum of our relations with the Soviet Union should be subject to review and reassessment, and I stand prepared to support tougher measures should they be deemed appropriate by the President.

But let us not forget that the imposition of sanctions, whatever their individual merit, constitutes a short-term, reactive approach to U.S.-U.S.S.R. relations. They do not constitute a basis for a long-term U.S. national security policy.

But out of this incident can grow improved recognition of essential facts that should be the basis for long-term relationships between the Communist powers and the West. That is, the reality that we share this planet with monstrous sinister power that seeks the destruction of free societies and is capable of rejecting the rules of civilized behavior in order to achieve that objective. A Washington Post columnist, with whom I do not often agree, said it well the other day in suggesting that the Soviets have been treating the rest of the world the way they treat their own people, by simply creating a fiction and insisting that we accept it. In doing so, they have turned a terrible tragedy into a monumental travesty. At the same time, in what can only be described as a miscalculation growing out of sheer arrogance, they have revealed themselves to the world for what they are. They have shown us—once again, and in stark, undeniable terms—that they view raw, brute power as the only valid currency in dealing with their fellow man. We must now act on this knowledge. Not in a brief flash-in-the-pan exchange of words and limited sanctions. But in a consistent, ongoing pattern of behavior that deals with the Soviet Union in the only terms it understands.

If we fail to defeat the nuclear freeze, if we fail to modernize our strategic deterrent and upgrade our conventional force capabilities, if we fail to adopt a fundamentally different approach to our trade and financial relations with the Soviets and their allies, if we fail to enforce existing arms-control agreements, if we fail to protect our security interests in Central America, then the dismissal of Soviet diplomatic personnel, consultations with our Ambassador in Moscow, the temporary suspension of arms-control negotiations, and other short-term responses will contribute little or nothing to our security, and that of the free world.

That, in my opinion, is the challenge before us today—in a mood ripe for punitive revenge, we must remember not to lose sight of these most fundamental elements of our Nation's defense and foreign policies that will insure our security over the long haul.

Mr. ABDNOR. Mr. President, I strongly support the resolution we are considering here today denouncing the Soviet Union for its calculated and heinous act in shooting down the unarmed South Korean commercial airliner, taking the lives of 269 innocent men, women, and children, including 61 of our own people. We continue to grieve for the families and loved ones of all the victims of this despicable, barbarous, and coldblooded act. We all must be outraged with the utter contempt shown by the Soviets in dismissing this act as being justified and, even worse if that can be, a course of action they intend to follow in the future.

I further strongly support this resolution since it concisely addresses the grave matter we have before us and most properly leaves the President of the United States to pursue the course he concludes is best in the interest of our Nation and in the interest of our friends and allies throughout the world.

In voting to table each of the several amendments that have been offered to the resolution, I have done so not because I do not agree with the thrust of most of them, but, as I have indicated, because they for the most part should be left for the consideration of the President following the adoption of the resolution, unanimously in the other body and now here in this Chamber. We may well consider these propositions at another time, and I will welcome the opportunity to do so, but in my judgment they are not appropriate to be included in this measure at this point in time.

THE RELATIONSHIP BETWEEN THE KAL SHOOTDOWN AND SOVIET SALT VIOLATIONS

Mr. McCLURE. Mr. President, I will ask unanimous consent that the Washington Times lead headline story of September 12, 1983, entitled "Recon Plane Thwarted Soviet Missile Test," be entered in the RECORD. This article is important for several reasons.

First, it shows just how sensitive the Soviets are about U.S. discovery of their SALT II violations, in particular their Public Law 5 second new type ICBM. I took the floor last March to point out to the Senate that the throw-weight of the Public Law 5 was 200 percent greater than the SS-3 ICBM, thereby making the Public Law 5 a second new type ICBM in violation of the unratified SALT II Treaty. Confirmation of the fact that the Public Law 5 is a SALT II violation is provided by its new name, the "SS-X-25," making it officially a second new type ICBM.

Second, this Times article shows the linkage of Soviet SALT violations with the Soviet massacre of KAL flight 007. I would ask whether there are any further lessons we can draw from the Soviet airline massacre about the Soviet approach to SALT compliance? I believe that the Soviet willingness to violate their own domestic law and international law in order to shoot down an innocent civilian airliner is

fully consistent with Soviet willingness to violate the SALT II Treaty with which they have repeatedly pledged to comply.

Third, the Soviets have claimed the right to shoot down U.S. military reconnaissance aircraft which are engaged in the national technical means of verification of SALT treaties. This outrageous Soviet claim should be regarded as an obstacle to further progress in START and INF negotiations. The United States should reevaluate its proposals for "effectively verifiable" START and INF treaties unless the Soviets withdraw this claim.

I ask unanimous consent that the Times article to which I have referred be printed in the RECORD.

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

RECON PLANE THWARTED SOVIET MISSILE TEST—OFF-COURSE FLIGHT 007 FLEW OVER PLANNED LANDING ZONE

(By Ted Agres)

The Soviet Union had planned to test a highly secret, new intercontinental ballistic missile the night that Korean Air Lines flight 007 strayed over Soviet airspace and was shot down, according to military and intelligence sources.

The missile would have landed on the testing grounds at Kamchatka peninsula, over which the KAL flight had flown off course.

Acting on information of the impending launch, the United States had sent up an RC-135 reconnaissance aircraft to monitor the test. The RC-135, based at the U.S. Air Force station on Shemya Islands near the tip of the Aleutians, circled in international airspace for several hours that night.

But the Soviets, having detected the U.S. reconnaissance plane, apparently decided to cancel the test launch. The RC-135, codenamed "Cobra-Ball" by the military intelligence community, returned to Shemya. It was during this time that the KAL 747 jumbo jet was making its way from Anchorage, apparently on course as it passed over Shemya.

U.S. officials believe the planned launch was to have been of a PL 5 ICBM. Officials said the throw-weight of this new missile is 2,200 pounds, roughly 200 percent greater than that of the Soviet SS 13.

"An increase of only 5 percent is all that's needed for a missile to qualify as an illegal 'new type' ICBM," said one source.

Another source said that the Soviet test flight could have been of a TT 10 or TT 11 ICBM, which would have been launched from facilities at the Tyuratam flight range in Leninsk, near the Aral Sea north of Afghanistan.

The source added that during three previous tests of the PL 5 this year the Soviets went to great lengths to conceal as much as they could. This included launching the missile at night from camouflaged launchers and encrypting or coding from 98 to 100 percent of the missile's telemetry, or radio data. That, in itself, would constitute a violation of present SALT agreements, officials said.

A source added that the first test of the PL 5 took place from Soviet launching facilities at Plesetsk, in northeastern Russia near the White Sea coast.

The U.S. operates monitoring facilities—called "platforms"—near Kamchatka to gather information on Soviet missile and other weapons development.

One of these platforms, code-named "Cobra-Judy," is a U.S. radar ship based at Shemya and usually on station off Kamchatka. It is used to track ICBM/SLBM reentry vehicles impacting on the target area on Kamchatka. Another, code-named "Cobra-Dane," is the giant U.S. radar station operating on Shemya Island.

One source explained that the United States did not have all three platforms operational during the first test this year of the PL 5 on Feb. 8. But it was during the third Soviet test, in June, that Cobra Judy, the radar ship, was operating for the first time. It was from this that the United States got its first "hard evidence," the source said.

"This recent test was to have been the first time that we would have synergistic collection from all three platforms," the source said. "It would have refined our data considerably."

White House Deputy Press Secretary Larry Speakes indirectly confirmed last week a report that the RC-135 reconnaissance plane was airborne to monitor an impending Soviet ICBM launch.

There is speculation among U.S. officials that the Soviets, already concerned over U.S. monitoring of their new ICBMs, became more nervous when the KAL jetliner inexplicably entered Soviet airspace shortly after the RC-135 was launched and after they had cancelled their own missile test.

Intelligence and other officials have charged that Aeroflot, Cubana and other Soviet-bloc civilian aircraft have been known to deliberately fly over sensitive military facilities in the United States to gather electronic and photographic information. The Soviets, the argument goes, could easily have believed that the KAL flight, even though a commercial airliner, was likewise employed on a reconnaissance mission since they themselves use their airlines in that fashion.

These officials are quick to emphasize that they are not making excuses for the Soviet action of shooting down the plane but merely are seeking to gain insight into the Soviet rationale for doing so.

In a related development, the English-language Korea Times, quoting Japanese sources, reported last week that the presumed location of the KAL crash site would have been exactly where the plane should have been at the time if the latitude and longitude coordinates were transposed.

A U.S. defense source said that Flight 007 was on course as it passed over Shemya, and that new coordinates need to be entered during flight over the Aleutians. He added that the airliner's navigation equipment could have operated from New York to Shemya without reprogramming in Anchorage, giving rise to speculation that the pilot or navigator might have reversed coordinates for the flight path bringing the plane into Soviet airspace by accident.

Mr. GRASSLEY. Mr. President, I want to add my support to the resolution on the destruction of the Korean Air Lines flight 007, condemning the brutal behavior of the Government of the Soviet Union which resulted in the loss of 269 innocent lives on August 31. President Reagan has shown great skill in managing the response of the United States to this barbaric act. Such tense international situations test the quality of leadership. This President has proven his great ability to sanely and precisely create a forum in which policy problems can be resolved without hysteria. With firmness and resolve, the President has presented his case to the international community. No nation can ignore the moral principles which underlie the President's call for concerted and effective pressure on the Soviet Union.

It is only the 15th day of September and even now the horror of the Soviet attack on the unarmed passenger plane affects all of us. That sense of tangible horror must be maintained, not lost; 269 lives were snuffed out in a murderous and coldly calculated attack. Step by terrible step the radio transmissions tell a chilling story of the process of dehumanization. The plane filled with children, women, and men was transformed into the target. The destruction of those human lives was euphemistically called termination of the target. The potential of those lives on flight 007 seems incalculable to me. Yet, the Soviet Union has created a state apparatus which not only allows such barbarity, but actively encourages murder in the interests of the state. The record of the Soviet Union in treatment of human life makes sensitive people wince. The callous attack on the Korean airliner is one more proof that we are dealing with a renegade nation; a nation which not only spurns the civility of international law, but appears to actively create an atmosphere of intimidation.

It is clear that pressure must be applied to the Soviets and the President has chosen the international forum to accomplish this. Against the Soviets, broadly based action by a number of nations creates a more lasting and forceful impact and establishes a foundation for additional action in the future. There must be a carefully planned reassessment by the United States and its allies regarding the Soviet Union. The resolution before this body reaffirms the President's announced actions against Aeroflot Airlines, calls for an international investigation, urges the international community to demand that the Soviet Union modify its air defenses, urges international sanctions against Soviet civil aviation, and urges our allies to cooperate with the United States in implementing additional sanctions until such time as the Soviets apologize for this heinous crime.

The attack on the Korean airliner was a form of large-scale international terrorism for which the Soviet Union has become infamous. Because the entire globe has become the staging ground for Soviet action, all civilized nations must coalesce and create disincentives to Soviet terror. The President has identified several forms of pressure which are supported by many

nations and the Senate applauds the wisdom of his decisions. It should be stressed that pressures on the Soviet Union should not be limited to those actions set in motion by the President. International terror must be squelched. There can be no more flight 007's. Should the international community find other actions against the Soviets appropriate, the United States should encourage concerted measures. I am convinced that international pressure on the Soviet Union has an impact. In the months to come I will be involved in organizing an International Parliamentary Union meeting which will focus upon the Soviet policies against human rights. The Soviet Union's unrepentent attitude in the case of flight 007 is another sign of that nation's total insensitivity. The world must focus attention on the practice of crimes transgressing the international law of human rights.

● Mr. QUAYLE. Mr. President, I am frankly shocked that so many Americans and people from all over the world were surprised that the Soviet Union would actually coldbloodedly attack and destroy an unarmed civilian airliner. The tragedy of KAL flight 007 is a blatant reminder that the Soviets are not rational, civilized people.

One has only to look at recent history to see examples of their brutality and ruthlessness. The Soviet Union invaded Afghanistan in 1978, and they still have an estimated 105,000 soldiers in that country. Their use of carpet bombing has increased and in the last months the level of violence has risen.

An incident that happened 1 year ago on Tuesday, September 13, 1982, is another example of the Soviet disdain for human life. On that day over 100 Afgan civilians—many of them women and at least a dozen children under 10—were callously burned to death. They had taken refuge in an underground irrigation tunnel when Soviet troops arrived in their village. These soldiers sealed the entrances, poured several liquids down ventilation shafts, and then ignited the combustible substances. After the incineration, some of the troops supposedly shouted with joy.

Reports continue to come out of Afghanistan that the Soviets are using illegal chemical and toxic weapons. The use of these heinous munitions are in violation of international law, two internationally recognized treaties, and the most basic human rights. They not only use them, but they are also providing them to the Vietnamese for use in Laos and Cambodia.

There is apparent evidence of Soviet complicity in the assassination attempt on the Pope.

The Soviets continue to provide millions of dollars a day in aid to Cuba which is in turn supporting the establishment of a Marxist-Leninist totalitarian regime in Nicaragua. This is the same regime which aids the rebel forces in El Salvador.

The expansionist Vietnamese are presently being directly supported by the Soviets. This allows the Vietnamese to have some 50,000 troops in Laos along with some 2,000 Soviet advisers. At the same time, they have about 180,000 troops in Cambodia along with hundreds of Soviets.

Syria now has the most advanced SAM sites outside of the Soviet Union. These sites are manned by upwards of 5,000 Soviets.

In 1978, the Red Army invaded Czechoslovakia. Why, because the Czechs were moving toward political change. They were beginning to fall out of the Soviet orbit.

To this day, the Soviet Government holds the sword of Damocles over Poland. They have already forced the crackdown on Solidarity and imposition of martial law, which was lifted in name only.

International terrorists are trained, equipped, and harbored in the Soviet Union, and it openly supports terrorist regimes.

Slave labor from their Gulags are used to this day.

The Soviet Union has chosen to ignore their promises under the 1975 Helsinki agreement, especially those obliging them to respect human rights.

And, the list goes on. These are just some of the major actively aggressive and repressive actions the Soviet Union has been and currently is involved in today.

Mr. President, the heart sickening loss of the 269 innocent individuals aboard KAL flight 007 means nothing to the Soviets. They have lied about it. They have said they will not compensate the families of the victims, and they have said they would do it again.

This callous disregard for human life and the Soviet's attitude are simply further examples that the Government is barbaric and not on the same level as the rest of the civilized world.

The Soviet Union is a paranoid and completely corrupt society. By now, we in the rest of the world should know this and understand this.

My sympathies go out to the families of the victims. Their losses are shared by the rest of the civilized world.●

Mr. MATHIAS. Mr. President, the downing of KAL flight 007 was an international disaster. It is hard to conceive of any circumstances which would justify shooting down an unarmed civilian airliner and certainly Soviet explanations are, as Secretary of State Shultz has said, "preposterous."

If one nation chooses to operate outside of recognized standards of human behavior, the world should demonstrate to that country that such actions will not be tolerated. The Soviet Union must be made to understand that such terrorist tactics have no place in the conduct of civilized international relations.

Therefore, I fully support this resolution and the sanctions outlined thus far by President Reagan. Even under great stress he responded to this appalling incident with an assured and reassuring combination of indignation and restraint. The President has drawn the right lesson from this heartless demonstration of Soviet military rigidity and callousness: the need to be strong in facing such a regime and the need to be persistent in efforts to reduce the nuclear menace it poses to the world. His actions, together with those of the rest of the world, clearly indicate the depth of our dismay.

It is appropriate to condemn the Soviet Union for this outrage. But it is no less appropriate to keep our own actions reasonable and restrained. As George Washington cautioned in his Farewell Address:

> The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest.

The United States must not fall victim to any such crippling, consuming hatred. Our reaction to the downing of KAL flight 007 makes that clear. When a country must be condemned, we will condemn it. But we will also work to create a climate in international relations where such tragedies can be prevented from happening.

TRAGEDY

● Mr. LAUTENBERG. Mr. President, there are events still able to shock and outrage people everywhere, even in this modern time when we have all seen too much tragedy and too much disaster. The shooting down of a Korean civilian airliner by the Soviet Union on August 31, 1983, is one of those events. It violated all established norms of behavior and a basic respect for human life. It is a tragedy born of paranoia and callousness among leaders in the Soviet Union.

Of the 269 people who died in the explosion of Korean Air Lines flight 007, 61 were from the United States. But there were citizens of 13 different countries on this international flight. Our sympathies flow to the families of all these people. It was such a sudden and senseless way for trusting airline passengers to die. My condolences go in a special way to the families of the 16 who lived in New Jersey. In speaking with some of them in the last 2 weeks, I have gained a firsthand sense of their loss.

Mr. President, as a cosponsor of Senate Joint Resolution 158, I join my

colleagues in condemning the Soviet Union for shooting down this civilian airliner. I also join them in calling for a full investigation by the International Civil Aviation Organization, a more satisfactory and forthcoming explanation by the Soviet Union and the payment of damages to the families who have lost loved ones. The future participation of the Soviet Union in the international commercial air system should be linked to Soviet cooperation with these initiatives.

We should consider what additional steps are necessary to prevent another such tragedy in consultations with our allies and other interested nations. Further steps can only be implemented effectively if there is unity.

The Senate considered recommending additional actions that the United States might take on its own. None have been adopted, but several had substantial support. Undoubtedly, the United States will continue efforts to build some of these steps into the still evolving international response to the reprehensible Soviet action.

Senate Joint Resolution 158, introduced by Senators BAKER and BYRD, as leaders of both parties, embodies a bipartisan effort to condemn the Soviet Union for its senseless act. It calls on the Soviet Union to alter its defense procedures to prevent any reoccurrence. The resolution also calls for a Soviet explanation, an International Civil Aviation Organization investigation and appropriate civil aviation sanctions. It supports the rights of the families of the victims in seeking compensation.

In short, it places the Congress on record in a distinct and timely way against military aircraft shooting down civilian aircraft, no matter what the circumstances. It supports the view that the Soviet Union must earn its way back into the international civil aviation community. That is why the other body sent us the companion resolution of this subject, House Joint Resolution 351, by 416 to 0 vote. I urge its unanimous adoption.

We may never know the full truth about what happened August 31. But it is incumbent on us now to press for greater responsibility and more objective standards governing the safety of wayward civilian airliners. Unanimous support for this resolution is the first step.●

Mr. BAKER. Mr. President, I believe we are ready for final passage. But before I ask the Chair to put the question, I wish to speak to the minority leader, who happens to be in my office on another matter.

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

Mr. BAKER. I yield.

Mr. MOYNIHAN. Mr. President, we are at the end of this day, and I should like to say, once again, that this is a historic day.

We have declared a tyrannical nation guilty of a crime, of which it is guilty, and we have reason to be proud of the unanimous support we give to the House of Representatives.

We have reason to believe that the President will endorse and sign this measure today, and the world will have seen our act.

While there have been some disagreements on the floor—we have had to have some votes—it is even so the case, I believe, that we are going to end up unanimous, and the world will hear this action, having spoken with one voice in the space of 30 hours on a matter of the gravest consequence, making the gravest possible charge, which we now leave to the President to execute.

Mr. BAKER. Mr. President, I do not want the vote to occur until the minority leader approaches the floor. There is still a little time remaining under the resolution itself—1 minute; is that correct? Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. 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. BAKER. Mr. President, no more amendments are in order except those included in the unanimous-consent request. I believe then we are ready for third reading, and I ask for third reading of the resolution.

The PRESIDING OFFICER. If there be no further amendments, the question is on third reading of the joint resolution.

The joint resolution was ordered to be read a third time and was read the third time.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. PERCY. 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. HEINZ. Mr. President, in a few seconds we will vote on the resolution. I expect it will, as its companion in the House did yesterday, pass unanimously.

I hope that viewers outside this country, particularly those in the Soviet Union, will understand that in our support, our undivided support, for this resolution that they will be fully cognizant of the strength of national unity, that it will be apparent and that we will thereby lay to rest any question that any observer may have as to our depth of commitment in standing together, be we Republicans or Democrats.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. 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. BAKER. Mr. President, we have had third reading, the time has expired, and I ask the Chair to place before the Senate the question on the passage of the resolution.

The PRESIDING OFFICER. All time having been yielded back, the question is, Shall the joint resolution pass? The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from South Dakota (Mr. PRESSLER) is necessarily absent.

Mr. BYRD. I announce that the Senator from California (Mr. CRANSTON), the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Louisiana (Mr. LONG) are necessarily absent.

I further announce that, if present and voting, the Senator from California (Mr. CRANSTON), the Senator from Ohio (Mr. GLENN), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Louisiana (Mr. LONG), would each vote "yea."

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 253 Leg.]

YEAS—95

Abdnor	Garn	Moynihan
Andrews	Goldwater	Murkowski
Armstrong	Gorton	Nickles
Baker	Grassley	Nunn
Baucus	Hart	Packwood
Bentsen	Hatch	Pell
Biden	Hatfield	Percy
Bingaman	Hawkins	Proxmire
Boren	Hecht	Pryor
Boschwitz	Heflin	Quayle
Bradley	Heinz	Randolph
Bumpers	Helms	Riegle
Burdick	Huddleston	Roth
Byrd	Humphrey	Rudman
Chafee	Inouye	Sarbanes
Chiles	Jepsen	Sasser
Cochran	Johnston	Simpson
Cohen	Kassebaum	Specter
D'Amato	Kasten	Stafford
Danforth	Kennedy	Stennis
DeConcini	Lautenberg	Stevens
Denton	Laxalt	Symms
Dixon	Leahy	Thurmond
Dodd	Levin	Tower
Dole	Lugar	Trible
Domenici	Mathias	Tsongas
Durenberger	Matsunaga	Wallop
Eagleton	Mattingly	Warner
East	McClure	Weicker
Evans	Melcher	Wilson
Exon	Metzenbaum	Zorinsky
Ford	Mitchell	

NAYS—0

NOT VOTING—5

Cranston	Hollings	Pressler
Glenn	Long	

So the joint resolution (H.J. Res. 353) was passed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. Mr. President, I wish to take this opportunity to extend my thanks and congratulations to the distinguished managers of this resolution. That is to say, Senator PERCY, the able chairman of the Foreign Relations Committee; Senator PELL, the able ranking member of that committee; Senator TOWER, Senator NUNN, the minority leader, and to all those who have participated in the management of this joint resolution.

I also offer my congratulations to those who offered amendments to the resolution and argued so forcefully for their adoption.

As they know, I was opposed to the adoption of any amendments to this joint resolution. Indeed, I am most gratified that the Senate agreed to adopt the House-passed joint resolution without change. It will now go directly to the President of the United States for his approval.

Notwithstanding that, Mr. President, I which to say, as I have said privately to Members who offered amendments—the Senator from North Carolina, the Senator from Kentucky, the Senator from Florida, the Senator from Kansas, and so many others—that among those amendments are many amendments that I would have wished personally to have supported. But it was my judgment that there was such an overwhelming reason for adopting a joint resolution that had been adopted unanimously by the House of Representatives and which could be presented to this body for adoption, as it turned out, by a unanimous vote, that I was willing to subordinate my own personal preferences in many cases to what I considered to be the greater good, that is, the passage of our expressing the unanimous sentiment of the Congress of the United States.

I have already reviewed for many Members, especially for my caucus, how this matter arose, the genuine spirit of bipartisan cooperation that spawned this effort.

It was in the Cabinet room in a meeting with the President of the United States and the joint leadership of the two Houses on a bipartisan basis on the day in August when the President requested the leadership to return to the city and consult with him on the situation in Lebanon and the situation occasioned by the Russian destruction of the Korean airliner.

Mr. President, this is a major bipartisan achievement. I hope that it greases the way for future bipartisan efforts in the field of foreign policy. I express my appreciation to all of those who participated and my gratitude for their support in bringing this matter to a successful conclusion.

Mr. PRESSLER subsequently said: Mr. President, last Thursday when the Senate voted unanimously to adopt House Joint Resolution 353 I was unable to be present. Had I been present, I would have voted with my colleagues in favor of this resolution condemning the Soviet Union for destruction of the Korean airliner and its 269 passengers and crew.

Mr. President, the Soviet action was cold-blooded murder. This destruction of an unarmed passenger plane proves once again that the Soviet Government's word cannot be trusted. They must be judged by their deeds, and not their words or paper promises. I support the continuing efforts by our own Government and other governments to put pressure on the Soviet Union for a full apology and compensation for the families of the victims.

I request that the official record for the Senate be corrected to indicate my voting position following the announcement of the vote on House Joint Resolution 353 on Thursday, September 15, 1983.

Mr. BAKER. Mr. President, there are a number of matters that can be disposed of but before I do that, I ask unanimous consent that the Senate Joint Resolution 158, which was the original resolution offered by Senator BYRD and myself and Senator PERCY, Senator PELL, Senator TOWER, and Senator NUNN, in view of the adoption of the House-passed resolution, be indefinitely postponed.

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

SENATE SCHEDULE FOR WEEK OF SEPTEMBER 19

Mr. BAKER. Mr. President, what I plan to say next, I am sure, will gladden the hearts of many Senators. I announced earlier that we would be in session tomorrow and turn to consideration of the Export-Import Bank bill. I find that it is not feasible to do that. Therefore, we will not be in session tomorrow. We will be on the Interior appropriations bill again when we resume session on Monday.

Mr. President, I have a unanimous-consent request that I am trying to clear in respect to the conclusion of our affairs today and the reconvening of the Senate on Monday. It is my expectation that if this is cleared, and I believe it will be, we will adjourn today until Monday noon. I shall not now make that request pending the approval of the unanimous-consent request.

To repeat, the Senate will not be in session tomorrow. It will resume session, assuming there is no reason for changes, at noon on Monday. The unfinished business will be the Interior bill. I do anticipate rollcall votes on Monday. I do wish for the conclusion of the Interior bill on Monday.

I might give a general overview of some of the things that it is possible the leadership will ask the Senate to turn to next week while we have just a moment.

Mr. President, there are a number of things and I am not certain that all of them will be taken up. I hope, in addition to the Interior appropriations bill, we might reach S. 608, the Arms Control and Disarmament Agency authorization, the Inter-American Development Bank, the Asian Development Bank and African Development Fund, the State Department authorization bill, the revenue-sharing reauthorization, such conference reports as may come before us, the export administration bill, the Export-Import Bank Act, and the Martin Luther King, Jr., holiday bill, which is H.R. 3706.

That is an ambitious program for next week, but I remind Senators that we have a break coming on October 7, the Columbus Day recess of 10 days. That means we have very few days to complete an impressive array of legislation which must be dealt with, not the least of which is the continuing resolution and perhaps the debt limit. So I give up this Friday reluctantly and urge Senators to believe me when I say that is not a pattern for this fall and, indeed, I expect 5 full days of session next week.

ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, since we have spent all day on the Korean Air Lines resolution, it would be appropriate, I think, to have a period for the transaction of routine morning business. I ask unanimous consent that there now be a period for the transaction of routine morning business to extend until 7 p.m., in which Senators may speak for not more than 10 minutes each.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting a nomination which was referred to the appropriate committee.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:34 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 353. Joint resolution condemning the Soviet criminal destruction of the Korean civilian airliner.

At 2:28 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 675) to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, to authorize appropriations for such fiscal year for civil defense, to authorize certain construction at military installations for such fiscal year, to authorize appropriations for the Department of Energy for national security programs for such fiscal year, and for other purposes; and that the House agrees to the amendment of the Senate to the title of the bill.

The message also announced that the House has passed the bill (S. 1340) to revise and extend the Rehabilitation Act of 1973 and to extend the Developmental Disability Assistance and Bill of Rights Act, and for other purposes, with amendments; it insists upon its amendment to the bill, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. PERKINS, Mr. FORD of Michigan, Mr. BIAGGI, Mr. ANDREWS of North Carolina, Mr. SIMON, Mr. MILLER of California, Mr. MURPHY, Mr. CORRADA, Mr. WILLIAMS of Montana, Mr. KOGOVSEK, Mr. ERLENBORN, Mr. BARTLETT, Mr. GOODLING, Mr. GUNDERSON, and Mr. COLEMAN of Missouri as managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H.R. 3263) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1984, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. HEFNER, Mr. BEVILL, Mr. LONG of Maryland, Mr. ALEXANDER, Mr. ADDABBO, Mr. CHAPPELL, Mr. DICKS, Mr. FAZIO, Mr. WHITTEN, Mr. REGULA, Mr. EDWARDS of Oklahoma, Mr. LOEFFLER, Mr. LIVINGSTON, and Mr. CONTE as managers of the conference on the part of the House.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5. An act to establish an Ocean and Coastal Resources Management and Development Fund from which coastal States shall receive block grants.

ENROLLED BILL SIGNED

At 5:08 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 675. An act to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, to authorize appropriations for such fiscal year for civil defense, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

At 5:32 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolutions, without amendment:

S.J. Res. 81. Joint resolution to authorize and request the President to designate October 16, 1983, as "World Food Day";

S.J. Res. 82. Joint resolution designating November 1983 as "National Alzheimer's Disease Month";

S.J. Res. 119. Joint resolution to designate the week of December 11, 1983, through December 17, 1983, as "National Drunk and Drugged Driving Awareness Week"; and

S.J. Res. 131. Joint resolution designating the week of September 18, 1983, through September 24, 1983, as "National Cystic Fibrosis Week".

The message also announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 325. Joint resolution designating the week beginning September 18, 1983, as "Emergency Medicine Week".

HOUSE MEASURE REFERRED

The following joint resolution was read the first and second times by unanimous consent, and referred as indicated:

H.J. Res. 325. Joint resolution designating the week beginning September 18, 1983, as "Emergency Medicine Week"; to the Committee on the Judiciary.

HOUSE MEASURE PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5. An act to establish an Ocean and Coastal Resources Management and Development Fund from which coastal States shall receive block grants.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1731. A communication from the Acting Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a foreign military sale to Egypt; to the Committee on Armed Services.

EC-1732. A communication from the Acting Assistant Secretary of the Army for Installations, Logistics, and Financial Management transmitting, pursuant to law, notice of discovery and emergency disposal of chemical munitions at Dugway Proving Ground, Utah; to the Committee on Armed Services.

EC-1733. A communication from the Chairman and Chief Executive Officer of the Communications Satellite Corporation transmitting, pursuant to law, the 20th annual report of COMSAT; to the Committee on Commerce, Science, and Transportation.

EC-1734. A communication from the Acting Assistant Secretary of the Army for Installations, Logistics, and Financial Management transmitting, pursuant to law, notice of intent to dispose of chemical munitions at Umatilla Army Depot Activity, Oregon; to the Committee on Armed Services.

EC-1735. A communication from the Acting Secretary of State transmitting, pursuant to law, a report on payments by the United States to private individuals or corporations in satisfaction of assurance agreements or loan guarantees to the Polish People's Republic; to the Committee on Foreign Relations.

EC-1736. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-1737. A communication from the Chairperson of the Navy Resale and Services Support Office, Retirement Trust, transmitting, pursuant to law, the annual pension report for 1982; to the Committee on Governmental Affairs.

EC-1738. A communication from the the Director of the National Security and International Affairs Division of the General Accounting Office transmitting, pursuant to law, a report entitled "Status of Major Acquisitions as of September 30, 1982"; to the Committee on Governmental Affairs.

EC-1739. A communication from the Commissioner of the Immigration and Naturalization Service transmitting, pursuant to law, a report on fiscal year 1983 waivers granted aliens under sec. 212(a) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC-1740. A communication from the Assistant Attorney General of the United States transmitting, pursuant to law, a report on allegations of violations of Federal criminal law by current and former employees of the Environmental Protection Agency; to the Committee on the Judiciary.

EC-1741. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report on one deferral of budget authority relating to the Railroad Retirement Board; jointly, pursuant to the order of January 30, 1975, to the Committees on Appropriations, the Budget, and Finance.

EC-1742. A communication from the Acting Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a foreign military sale to Korea; to the Committee on Armed Services.

EC-1743. A communication from the Assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics transmitting, pursuant to law, revised by-country breakouts of fiscal year 1982-fiscal year 1984 military end strengths; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs:

Special report entitled "Second Monetary Policy Report for 1983" (Rept. No. 98-227).

By Mr. THURMOND, from the Committee on the Judiciary, without amendment and with a preamble:

H.J. Res. 218. A joint resolution to designate the month of September of each year as "National Sewing Month."

H.J. Res. 229. A joint resolution to authorize and request the President to issue a proclamation designating April 24 through April 30, 1983 as "National Organ Donation Awareness Week."

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, without amendment and with a preamble:

S. Res. 167. A resolution expressing the sense of the Senate that the Federal Government take all necessary steps to promote travel to the United States by foreign visitors during the 1984 Summer Olympics and the 1984 Louisiana World Exhibition, to inform such visitors of recreational and commercial opportunities throughout the United States, and to facilitate their entry into and travel within this country.

By Mr. THURMOND, from the Committee on the Judiciary, without amendment:

S. 1448. A bill to designate the square dance as the national folk dance of the United States.

By Mr. THURMOND, from the Committee on the Judiciary, without amendment and with a preamble:

S.J. Res. 50. A joint resolution designating the week beginning September 25, 1983, as "National Adult Day Care Center Week."

S.J. Res. 121. Joint resolution to designate November 1983 as "National Diabetes Month."

S.J. Res. 128. Joint resolution to designate the day of October 22, 1983, as "Metropolitan Opera Day."

S.J. Res. 134. Joint resolution to provide for the designation of the week of November 27 through December 3, 1983, as "National Entomology Week."

S.J. Res. 140. Joint resolution to provide for the designation of the week of October 2 through October 8, 1983, as "Myasthenia Gravis Awareness Week."

S.J. Res. 142. Joint resolution to designating the week of October 3 through October 9, 1983, as "National Productivity Improvement Week."

S.J. Res. 146. Joint resolution to designate March 23, 1984, as "National Energy Education Day."

S.J. Res. 150. Joint resolution to designate August 4, 1984 as "Coast Guard Day."

S.J. Res. 157. Joint resolution to designating November 13, 1983, as "National Retired Teachers' Day."

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1146. A bill to amend the Federal Aviation Act of 1958 to provide for the revocation of the airman certificates and for additional penalties for the transportation by aircraft of controlled substances, and for other purposes (Rept. No. 98-228).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. THURMOND, from the Committee on the Judiciary:

Kenneth W. Starr, of Virginia, to be U.S. circuit judge for the District of Columbia Circuit;

John F. Keenan, of New York, to be U.S. district judge for the southern district of New York;

John P. Vukasin, of California, to be U.S. district judge for the northern district of California;

James B. Roche III, of Massachusetts, to be U.S. Marshal for the district of Massachusetts for the term of 4 years; and

Thomas C. Rapone, of Pennsylvania, to be U.S. Marshal for the eastern district of Pennsylvania for the term of 4 years.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. KASSEBAUM:

S. 1844. A bill entitled the "Aviation Tax-Reduction Act of 1983"; to the Committee on Finance.

By Mr. CHAFEE:

S. 1845. A bill to amend the Tariff Schedules of the United States to extend duty-free treatment to the reimportation of certain articles originally imported duty free; to the Committee on Finance.

By Mr. PERCY (by request):

S. 1846. A bill to amend title II of the Arms Control and Disarmament Act, and for other purposes; to the Committee on Foreign Relations.

By Mr. DANFORTH (by request):

S. 1847. A bill to authorize the President to carry out and enforce the International Coffee Agreement, 1983; to the Committee on Finance.

By Mr. SPECTER:

S. 1848. A bill to extend the Federal Supplemental Compensation Act for 6 months, to provide additional weeks of compensation to individuals who are currently receiving such compensation or who exhausted their right to such compensation, and to suspend for 1 year the 120 percent requirement in the State trigger for extended benefits; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 1849. A bill to provide financial assistance to the States for the improvement of computer education instruction in the schools of the State, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BAKER (for Mr. SIMPSON (for himself, Mr. CRANSTON, Mr. STAFFORD, Mr. DENTON, Mr. RANDOLPH, Mr. MATSUNAGA and Mr. DECONCINI)):

S. 1850. A bill to amend title 38, United States Code, to extend for 1 year the authority of the Veterans' Administration to provide certain contract medical services in Puerto Rico and the Virgin Islands; placed on the calendar.

By Mr. HUMPHREY (for himself and Mr. RUDMAN):

S. 1851. A bill to establish additional wilderness areas in the White Mountain National Forest; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CHAFEE (for himself, Mr. ANDREWS, Mr. BURDICK, Mr. DOLE, Mr. DOMENICI, Mr. DURENBERGER, Mrs. HAWKINS, Mr. HELMS, Mr. HOLLINGS, Mr. JEPSEN, Mr. LUGAR, Mr. MATSUNAGA, Mr. PERCY, Mr. ROTH, and Mr. WILSON):

S.J. Res. 161. Joint resolution to designate the week of April 15, 1984, through April 21, 1984, as "National Child Abuse Prevention Week."; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S.J. Res. 162. Joint resolution proposing an amendment to the Constitution of the United States with respect to Senators and Representatives and the number of terms either may serve; to the Committee on the Judiciary.

By Mr. BYRD (for himself, Mr. EAGLETON, Mr. KENNEDY, Mr. SARBANES, Mr. CHILES, Mr. DIXON, and Mr. PELL):

S.J. Res. 163. Joint resolution finding that section 4(a)(1) of the war powers resolution applies to the present circumstances in Lebanon; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KENNEDY (for himself, Mr. CRANSTON and Mr. DODD):

S. Res. 219. A resolution calling for the restoration of democracy in Chile; to the Committee on Foreign Relations.

By Mr. HUDDLESTON (for himself, Mr. ANDREWS, Mr. ZORINSKY, Mr. MELCHER, Mr. BOREN, Mr. PRYOR, Mr. HEFLIN, Mr. DIXON, Mr. FORD, Mr. BAUCUS, and Mr. HART):

S. Res. 220. A resolution expressing the sense of the Senate that immediate action should be taken to provide temporary emergency assistance for farmers and others adversely affected by the drought; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BAKER (for himself and Mr. BYRD):

S. Res. 221. A resolution relative to flower displays in the Chamber for deceased Senators; considered and agreed to.

By Mr. HUDDLESTON:

S. Res. 222. A resolution calling for a reduction in the official Soviet presence in the United States in response to the destruction of Korean Air Lines flight 007; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. KASSEBAUM:

S. 1844. A bill entitled the "Aviation Tax Reduction Act of 1983"; to the Committee on Finance.

AVIATION TAX REDUCTION ACT OF 1983

Mrs. KASSEBAUM. Mr. President, I rise today for the purpose of introducing a bill which I had sincerely hoped would never become necessary. It has been little more than a year since the Commerce Committee and the Finance Committee joined forces to send the Airport and Airway Improvement Act of 1982 and its accompanying user-fee tax measures to the Senate. These pieces of legislation were enacted as shining examples of the user-fee concept that this administration has embraced so warmly. They recognized the pressing need to modernize our airport and airways systems and addressed that need by taxing the people who would benefit the most from the modernization.

I am here today to tell the Senate that the flying public, the general aviation community, cargo operators, and municipal airports all over this country have been betrayed. The administration has totally and utterly failed to carry through on the promises that it made during the formulation and enactment of the AIP legislation. The aviation taxes, significantly increased last year, are once again simply flowing into the airport and airway trust fund and bloating the surplus in that account. Because this money cannot be spent on anything other than aviation, the surplus renders no substantive benefit to anyone. It only allows the Office of Management and Budget to show a deficit number that is artificially low.

To demonstrate in detail how the administration has turned on the concept of aviation user fees, a little history is in order. In May and June of last year, I chaired a series of hearings that built on work begun in 1981 on a funding program for the national airspace system plan. Those hearings clearly established the fact that our current air traffic control system is outdated. If that system is to safely and efficiently handle the large increased projected in air traffic for the coming years, an almost complete overhaul was shown to be necessary. A pressing need also was shown for improvements at our Nation's airports. To meet these needs, the committee proposed an authorization schedule that represented a total expenditure of more than $21 billion over a 5-year span.

Aviation infrastructure improvements have traditionally been funded by taxes levied on aviation users. These taxes consist primarily of a tax on fuel used in noncommercial or general aviation, a passenger ticket and cargo waybill tax, and an excise tax on aircraft tires and inner tubes. In order to fund the ambitious modernization plan, the fuel taxes were increased significantly.

Due in large part to the accumulation of a large surplus in the trust fund, the aviation user groups were concerned that their taxes actually be used for making aviation improvements. I shared that concern. In order to make certain that the administration was committed to spending this money, contributed by the users, I closely questioned both FAA Administrator Helms and then Secretary of Transportation Lewis. I made the following request of those two gentlemen at our hearings:

. . . What I need is a pledge from you, and from Administrator Helms, that when we get this legislation in place, the user fees will be used. And that we are not going to use them to mount up a surplus in the trust fund in order to help balance the budget. . . . They are to be used for the purpose for which they are intended.

I received the following replies, in part:

Secretary LEWIS. We agree completely. And if there is any way you can lock us in in terms of the legislation, we would be pleased to be locked in so we are obligated, not only the two of us but whoever our successors should be.

We feel very strongly the money is needed. We do not see this as a budget balancer. And I am sure that Mr. Stockman will work with us, because he has accepted the need for the airports. As a matter of fact, I should point out, at the time I accepted the job as Secretary of Transportation, I asked the President two questions. And one was. Was he willing to make a commitment to the needs of the airspace in the future? So not only do we have a commitment from OMB, but also from the President of the United States.

Mr. HELMS. Senator, I would add on that just briefly that the Secretary and I recognized this is a sensitive issue, and he and I jointly discussed this directly with Mr. Stockman to ensure that there was no misunderstanding. And Mr. Stockman did pledge to work with us across the board. So we do not feel we have any qualms at all. . . .

It was that specific commitment which Mr. Stockman made that we would draw down the surplus and not let it go back up.

Unfortunately, these unqualified promises did not last even a year. In the 1984 Department of Transportation appropriations bill, the administration supported the Senate version which cut over $500 million from the authorized levels for fiscal year 1984. This action is even more incomprehensible when you examine what happened to one aviation account in particular, FAA facilities and equipment.

The facilities and equipment, or F&E, account represents spending for the construction of critical navigation and air traffic control equipment. The authorized level for F&E in 1984 is $1.393 billion. The President's budget for 1984 proposed spending $1 billion. The administration documented the reason for this reduction and pledged its support for that funding level.

The aviation community, myself included, was very disappointed when the Senate subcommittee adopted a figure of $750 million for F&E. Most believed, however, that that number could be increased to a more realistic level. Those hopes were dashed when the administration totally reversed its previous promises of support.

Aviation users were deserted by the very administration that promised little over a year ago to see that their dedicated taxes would be expeditiously spent. The time is long since past when the administration's plaintive refrain, "we will spend it next year," has any credibility at all.

I do not believe that the President, who has championed user fees as an appropriate and fiscally sound method of financing improvements, has focused on what is happening in the aviation area. Nothing could be more alien to the President's philosophy than to collect taxes for no good reason. I believe the problem lies with a Government bureaucracy that still thinks the aviation trust fund can be manipulated to show artificially low deficits. Such bureaucratic actions endanger the entire concept of user fees.

More importantly, the sharp reduction in aviation spending could endanger the timetable previously agreed to for modernizing our air traffic system. If such delays continue, we will face a choice between artificially restricting air traffic or jeopardizing the safety of millions of air travelers.

Because the stakes are so high, I can no longer rely on quiet persuasion with colleagues and the administration officials. As one who argued strongly for aviation tax increases, I feel compelled to acknowledge an undeniable breach of faith by the administration and to fight for an immediate correction. Therefore, I am today introducing the Aviation Tax Reduction Act of 1983. The goal of this bill is very simple. The Government must either spend the money it collects from the aviation community and millions of air travelers or it must reduce the taxes it levies for aviation.

The bill would adjust aviation taxes each fiscal year to reflect the appropriated levels of spending for that year, starting with the tax levels currently in effect. If only half the authorized total were appropriated, the tax rates for that year would be half

their current rates. This will provide a rough adjustment mechanism to match taxation with spending. It would stop Government bureaucrats from playing games with the aviation trust fund by halting the already huge surplus from growing larger.

I believe this is a responsible answer to a problem created by the administration. Many members of the aviation community now are calling for an across-the-board cut in aviation taxes. I do not support such a move, which would cripple and possibly doom the modernization effort that is desperately needed. Instead, my legislation would protect the funding mechanism for modernization and force the administration to fulfill the spending obligation it accepted more than a year ago. I am taking Drew Lewis at his word, whether others in the administration want to or not, by trying to "lock in" aviation spending equal to aviation taxes.

As I said at the beginning of my statement, I had hoped that this bill would never be necessary. I believed the commitments made by the administration, because they were based on commonsense and a common understanding of the needs of our air traffic system. Unfortunately, the administration's commitments have now been shredded by the administration's actions. Simple equity demands that Congress correct this situation before it completely undermines support for air traffic modernization. I hope the Finance Committee will take prompt action on this legislation, and I urge my colleagues to give it their full support.

Mr. President, I ask unanimous consent that correspondence related to the legislation, a section-by-section analysis, and the bill be printed in the RECORD.

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

S. 1844

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Aviation Tax-Reduction Act of 1983."

SEC. 2. FINDINGS.

The Congress hereby finds and declares that—

(a) the safe operation of the airport and airway system will continue to be the highest aviation priority;

(b) the Airport and Airway Improvement Act of 1982 and its accompanying aviation tax measures were enacted in light of the pressing need to modernize our airport and airway systems and with a recognition that the users of such systems should bear the cost of that modernization;

(c) in light of the fact that the administration has failed to support the expenditure of funds as set forth in the Airport and Airway Improvement Act of 1982, it is not appropriate to continue taxing aviation users at a rate designed to support the spending levels originally contemplated; and

(d) the most appropriate way to fund the Airport and Airway Improvement Programs is by user taxes related to the actual level of funds appropriated for these programs.

SEC. 3. AMENDMENT OF 1954 CODE.

Except as otherwise expressly provided herein, whenever an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

SEC. 4. TAX ON FUEL USED IN NONCOMMERCIAL AVIATION.

(a) CONSOLIDATION OF AVIATION FUEL TAXES.—Section 4081 is amended by adding the following new subsection (d):

"(d) Under regulations prescribed by the Secretary, no tax shall be imposed by this section on the sale of any gasoline sold for use as a fuel in an aircraft."

(b) RATE OF TAX ON LIQUID FUELS.—Subsection (c) of 4041 is amended as follows:

(1) strike the language beginning with the word "There" and ending with "4081)" in paragraph (c)(1) and substitute the following in its place: "There is hereby imposed upon any liquid (other than gasoline) a tax in any given fiscal year equal, per gallon, to the product of (A) 14 cents and (B) the tax-reduction factor for that fiscal year."

(2) strike paragraph (c)(3) and substitute the following in its place:

"(3) RATE OF TAX.—The rate of tax per gallon imposed by paragraph (2) in any given fiscal year shall be the product of (A) 12 cents and (B) the tax-reduction factor for that fiscal year."

(3) strike the last sentence in paragraph (c)(2).

(4) strike the language beginning with the word "any" and ending with "4081" in paragraph (c)(2) and substitute the word "gasoline" in its place.

(5) add the following new paragraph:

"(6) DEFINITION OF TAX-REDUCTION FACTOR.—For purposes of this section, and sections 4261 and 4271, the term 'tax-reduction factor' means a fraction the denominator of which is the total of the amounts authorized to be appropriated for the fiscal year in question under subsection 505(a) and 506 (a), (b), and (c) of the Airport and Airway Improvement Act of 1982 and the numerator of which is the total amounts appropriated under such subsections for such fiscal year."

(c) EXEMPTION FOR AVIATION AGRICULTURAL USE.—Subsection (l) of 4041 is amended to read as follows:

"(l) EXEMPTION FOR CERTAIN AIRCRAFT USES.—No tax shall be imposed under this section on any liquid sold for use in, or used in, aircraft for the purpose of—

"(1) transporting individuals, equipment, or supplies in the exploration for, or the development or removal of, hard minerals, or

"(2) the planting, cultivation, cutting or transportation of, or caring for, crops (including trees and logging operations),

but only if the aircraft does not take off from, or land at, a facility eligible for assistance under the Airport and Airway Development Act of 1970, or otherwise use services provided pursuant to the Airport and Airway System Development Act of 1982 during such use."

(d) REFUND OF TAX.—Subsection (d) of section 6427 (relating to fuels not used for taxable purposes) is amended—

(1) by inserting "or is used in an aircraft for a purpose described in section 4041(l)," after "section 4041(h)(2)(C),"; and

(2) by inserting "or in Certain Aircraft" after "Museums" in the caption thereof.

SEC. 5. TAX ON TRANSPORTATION BY AIR.

(a) TRANSPORTATION OF PERSONS.—Section 4261 is amended as follows:

(1) strike out subsections (a) and (b) and insert in lieu thereof the following new subsections:

"(a) IN GENERAL.—There is hereby imposed on the amount paid for taxable transportation (as defined in section 4262) of any person a tax equal in any given fiscal year to the product of (A) 0.08 and (B) the tax-reduction factor and (C) the amount so paid. In the case of amounts paid outside of the United States for taxable transportation, the tax imposed by this subsection shall apply only if such transportation begins and ends in the United States."

"(b) SEATS, BERTHS, ETC.—There is hereby imposed upon the amount paid for seating or sleeping accommodations in connection with transportation and with respect to which a tax is imposed by subsection (a) a tax equal in any given fiscal year to the product of (A) 0.08 and (B) the tax-reduction factor and (C) the amount so paid."

(2) Add the following new subsection:

"(g) DEFINITION OF TAX-REDUCTION FACTOR.—As used in this section, 'tax-reduction factor' shall have the same meaning given it by section 4041."

(b) TRANSPORTATION OF PROPERTY.—Section 4271 is amended as follows:

(1) Strike out subsection (a) and insert the following in lieu thereof:

"(a) IN GENERAL.—There is hereby imposed upon the amount paid within or without the United States for the taxable transportation (as defined in section 4272) of property a tax equal in any given fiscal year to the product of (A) 0.05 and (B) the tax-reduction factor and (C) the amount so paid for such transportation. The tax imposed by this subsection shall apply only to amounts paid to a person engaged in the business of transporting property by air for hire."

(2) Add the following new subsection:

"(e) DEFINITION OF TAX-REDUCTION FACTOR.—As used in this section 'tax-reduction factor' shall have the same meaning given it by section 4041."

SEC. 6. TAX ON TIRES AND TUBES.

(a) Paragraphs (2) and (3) of section 4071 are amended to read as follows:

"(2) Other tires (other than laminated tires to which paragraph (5) applies and aircraft tires to which paragraph (6) applies), 5 cents a pound.

"(3) Inner tubes for tires (other than inner tubes for aircraft tires to which paragraph (7) applies), 10 cents a pound."

(b) Section 4071 is amended by adding the following new paragraphs to subsection (a):

"(6) Tires of a type used on aircraft, 5 cents times the tax-reduction factor a pound."

"(7) Inner tubes of a type used in aircraft tires, 10 cents times the tax-reduction factor a pound."

(c) Section 4071 is amended by adding the following new subsection:

"(f) DEFINITION OF TAX-REDUCTION FACTOR.—As used in this section, 'tax-reduction factor' shall have the same meaning given it by section 4041."

SEC. 7. CONFORMING AMENDMENTS.

Section 9502 of Subchapter A of chapter 98 (relating to Trust Fund Code) is amended by striking out paragraphs (2) and (3) of subsection (b) and inserting the following in lieu thereof:

"(2) Amounts equivalent to the taxes received in the Treasury after August 31, 1982, and before January 1, 1988, under paragraphs (6) and (7) of section 4071(a) (taxes on aircraft tires and tubes).

SECTION-BY-SECTION ANALYSIS OF THE AVIATION TAX-REDUCTION ACT OF 1983

Section 1. Short Title

This section provides that this legislation may be cited as the "Aviation Tax-Reduction Act of 1983."

Section 2. Findings

This section states that Congress has the safe operation of the airport and airway system as its highest aviation priority. It is further stated that the most appropriate way of funding these systems is by taxes tied to the level of spending from the Airport and Airway Trust Fund.

Section 3. Amendment of 1954 Code

By operation of this section, all section references in the bill are to the 1954 Internal Revenue Code unless stated otherwise.

Section 4. Tax on Fuel Used in Noncommercial Aviation

This section first exempts aircraft gasoline from the 9-cent-a-gallon tax imposed on all gasoline by section 4081. This 9-cent tax is then added to the 3-cent tax on aviation gasoline used in noncommercial aviation levied by section 4041. This leaves the base rate on such gasoline at its present 12 cents a gallon. It was necessary to move the 9-cent component of this tax from 4081 because that section taxes all gasoline sold in this country.

Section 4 of the bill next adjusts the tax rate on noncommercial gasoline (12 cents a gallon) and noncommercial jet fuel (14 cents a gallon) in each fiscal year by multiplying those tax rates by the "tax-reduction factor" for that year. The tax-reduction factor is a fraction that represents the portion of the authorization from the Aviation Trust Fund accounts that is appropriated in that fiscal year. The trust fund accounts that go into making up this fraction are Grants-In-Aid to Airports; FAA Facilities and Equipment; Research, Engineering and Development; and the portion of FAA Operations and Maintenance that can be drawn from the trust fund.

Finally, the exemption from the fuel tax currently in the law for helicopters used in logging is extended to all aircraft involved in agricultural activities. Such agricultural activities have always been exempt—this provision merely eliminates a cumbersome refund process. These exemptions recognize the fact that such aircraft do not use the facilities that the aviation taxes support.

Section 5. Tax on Transportation by Air

This section applies the tax-reduction factor to the passenger ticket tax (8 percent) and the cargo waybill tax (5 percent).

Section 6. Tax on Tires and Tubes

This section applies the tax-reduction factor to the tax on aircraft tires (5 cents a pound) and aircraft inner tubes (10 cents a pound).

Section 7. Conforming Amendments

Since the bill exempts aircraft fuel from section 4081, it is no longer necessary to provide for the transfer of taxes collected pursuant to that section into the Aviation Trust Fund. This section revokes that transfer authority.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., July 14, 1983.

Hon. MARK ANDREWS,
Chairman, Subcommittee on Transportation and Related Agencies, Senate Appropriations Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Senate Committee on Appropriations will mark up the 1984 Transportation Appropriations Bill, H.R. 3329, on Thursday, July 14.

You and your Subcommittee are to be commended for the considerable progress you have made in moving the House version of this bill in the direction of fiscal restraint. During the Subcommittee's deliberations, $747 million of the $920 million in funding in excess of the Administration request was deleted. In total, the Bill as reported by the Subcommittee is under the President's request for annually funded discretionary programs by $50 million, and exceeds requested obligation limitations on trust fund spending by $223 million. As a result, the spending authority provided by the bill is within $173 million of the amount requested by the President.

The Administration is also encouraged that these reductions were achieved within the scope of pending 1984 appropriations requests, and did not resort, as did the House, to a false claim of "savings" due to a previously-requested $143 million rescission in fiscal year 1983 budget authority for Airport & Airways Trust Fund programs.

The Administration remains concerned over certain program increases that substantially exceed the amount the Administration believes prudent or necessary. In particular, the following increases will inflate program operating levels beyond demonstrated need:

The $415 million increase in Mass Transit formula grants;

The $100 million increase for grants-in-aid to airports from the Airport & Airways Trust Fund; and

The $56 million increase for grants to the National Rail Passenger Corporation.

As you search, in your subsequent deliberations on this bill, for ways to bring amounts provided within the levels requested by the Administration, I urge to endeavor to achieve reductions in these unwarranted funding increases.

In the Administration's view, the funding levels provided in this bill must be viewed in the context of the dramatic funding increases provided for urgent national transportation and infrastructure needs over the last two years. When appropriations are viewed side by side with increases in obligation limitations and contract authority, the Administration request for fiscal year 1984 represents a nearly $700 million increase over the fiscal year 1983 enacted level, excluding funds provided in the recent Jobs Bill, and a 31.8 percent increase over fiscal year 1982. The following table summarizes these trends:

Funding level	1982	1983	1984 request	1984 Senate subcommittee
Budget authority	10,632	10,669	10,913	10,894
Obligation limits	8,745	14,180	14,622	14,845
Total	19,377	24,849	25,535	25,739

In light of these necessary but large increases, it is imperative that the levels adopted by the Senate Subcommittee become the ceiling for subsequent deliberations. While the levels contained in the Senate Subcommittee bill are acceptable to the Administration, any net add-ons during either Senate consideration or in Conference would make it difficult to recommend favorable action to the President.

The Administration is also concerned about possible objectionable language in the bill. The House-passed bill had a number of objectionable language provisions in it. Because the Senate full Committee mark-up follows so closely after Subcommittee action, the Committee Print and bill language could not be available to us in time for our analysis of the bill. We must, therefore, reserve judgment about the language provisions in the bill until there has been time to analyze them.

The Secretary of Transportation and I urge that when H.R. 3329 is marked up by the Committee, you use your leadership and influence to oppose amendments that would increase the level of funding proposed by the Subcommittee and to ensure that the bill is free of objectionable language provisions.

Sincerely,

DAVID A. STOCKMAN,
Director.

DEPARTMENT OF TRANSPORTATION,
Washington, D.C., July 13, 1983.

Hon. MARK O. HATFIELD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The purpose of this letter is to convey my appreciation for the actions taken by the Senate Subcommittee on Transportation in marking up the fiscal year 1984 DOT Appropriations Bill. The excessive appropriation levels of the House passed bill were dramatically reduced and much of the objectionable bill and report language was deleted. Barring any unforeseen circumstances, the Department can operate effectively within the Subcommittee's levels. In particular, FAA Administrator Helms has indicated that the FAA levels, although reduced below those requested by the Administration for fiscal year 1984, will not severely impact the implementation of the NAS plan in 1984—the Administration remains committed to the outyear funding requirements associated with the NAS plan.

I would recommend that an enacted Appropriations Bill along the lines of that of the Subcommittee be signed by the President.

With best wishes.

Sincerely,

ELIZABETH HANFORD DOLE,
Secretary.

By Mr. CHAFEE:

S. 1845. A bill to amend the tariff schedules of the United States to extend duty-free treatment to the reimportation of certain articles originally imported duty free; to the Committee on Finance.

AMENDMENT OF TARIFF SCHEDULES

● Mr. CHAFEE. Mr. President, today, I am introducing a bill which will clarify the language of the tariff schedules of the United States.

In general, goods which are reimported into the United States are not subject to a duty if the product has not been enhanced in value. The rea-

soning behind this is sound, as there is no purpose to be served by taxing a product simply because it has been transported out and then back into the United States.

However, the language of the tariff schedule is sufficiently vague that it might be construed to impose a tariff upon reentry if the product initially entered duty-free. For example, an item that is imported under the GSP program will pay no duty. However, if that product is transferred to a non-GSP country, and later returned to the United States, it may be met with a duty upon reentry.

Mr. President, I cannot divine any logical reason for this situation. Indeed, I find it extremely illogical and counterproductive to the trade and foreign relations goals of U.S. tariff programs such as the GSP and CBI. The present tariff schedule was established before the enactment of tariff preference programs. There is no legislative history on this matter, and I can only conclude that the imposition of a tariff on reentry of products originating from GSP or CBI nations was never anticipated or intended.

I urge my colleagues' support on this bill, and I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1845

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 801.00 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting "or which were previously entered free of duty pursuant to the Caribbean Basin Economic Recovery Act or title V of the Trade Act of 1974" after "previous importation".

(b)(1) The amendment made by subsection (a) shall apply to articles entered, or withdrawn from warehouse, for consumption after the date of enactment of this Act.

(2) The entry, or withdrawal from warehouse, for consumption of any article—

(A) which was made—

(i) after June 1, 1982, and

(ii) on or before the date of enactment of this Act, and

(B) with respect to which no duty would have been imposed if the amendment made by subsection (a) applied to such entry,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930, or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the day after the date of enactment of this Act if the importer of such article or the consignee or agent thereof files with the appropriate customs officer on or before the date which is 90 days after the date of enactment of this Act a request for such liquidation or reliquidation.●

By Mr. PERCY (by request):

S. 1846. A bill to amend title II of the Arms Control and Disarmament Act, and for other purposes; to the Committee on Foreign Relations.

UPGRADING OF CERTAIN POSITIONS IN THE ARMS CONTROL AND DISARMAMENT AGENCY

Mr. PERCY. Mr. President, by request, I introduce for appropriate reference a bill to amend title II of the Arms Control and Disarmament Act, and for other purposes.

This legislation has been requested by the U.S. Arms Control and Disarmament Agency and I am introducing the proposed legislation in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letter from ACDA Director Kenneth Adelman to the President of the Senate dated September 9, 1983.

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

S. 1846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

Title II of the Arms Control and Disarmament Act (22 U.S.C. 2561-2567) is amended by adding at the end thereof the following new section:

"UNITED STATES REPRESENTATIVE FOR ARMS CONTROL AND DISARMAMENT NEGOTIATIONS

"SEC. 28. The President may appoint, by and with the advice and consent of the Senate, a United States Representative for Arms Control and Disarmament Negotiations who shall perform such duties and exercise such powers (under the direction of the President and the Secretary of State, acting through the Director) as the Director may prescribe with respect to arms control and disarmament negotiations and matters relating thereto.".

SEC. 2. (a) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following:

"Deputy Director of the United States Arms Control and Disarmament Agency.

"Special Representative for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency.

"United States Representative for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency.".

(b) Section 5315 of title 5, United States Code, is amended—

(i) by adding at the end thereof the following: "Assistant Directors, United States Arms Control and Disarmament Agency (4).."; and

(ii) by striking out the following: "Deputy Director of the United States Arms Control and Disarmament Agency.", and "Special Representative for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency.".

(c) Section 5216 of title 5, United States Code, is amended by striking out the following: "Assistant Directors, United States Arms Control and Disarmament Agency (4).".

U.S. ARMS CONTROL AND DISARMAMENT AGENCY,
Washington, D.C., September 9, 1983.

Hon. GEORGE BUSH,
President of the Senate.

DEAR MR. PRESIDENT: With the approval of the President, I transmit herewith for consideration of the Congress proposed legislation to amend Title II of the Arms Control and Disarmament Act, and for other purposes.

The draft bill would upgrade several key executive positions at the United States Arms Control and Disarmament Agency (ACDA). ACDA has major roles in advising the President, the Secretary of State, and the National Security Council on arms control matters and in negotiating arms control agreements with the Soviet Union and other nations. This legislation is an important part of the steps the Reagan Administration is taking to invigorate and strengthen this Agency in carrying out the President's determination to pursue effective reductions in nuclear arms.

The proposed legislation would establish a new Executive Level III position in the Agency. This position would authorize a United States Representative for Arms Control and Disarmament negotiations. This position would be utilized for the United States Representative to the Intermediate-Range Nuclear Forces negotiations. The bill also would upgrade from Executive Level IV to Level III the position of the Deputy Director of the Agency and the Special Representative for Arms Control and Disarmament Negotiations (START Negotiator). Finally, the bill would upgrade the Agency's four Assistant Directors from Executive Level V to Level IV.

These changes will put ACDA officials on the same level as their counterparts in other U.S. Government agencies, and reflect the key role of the Agency's leadership and negotiators in formulating arms control policy and in conducting the important START and INF negotiations. The amendment relating to the INF Negotiator emphasizes the high priority the President attaches to the role of negotiating reductions in nuclear arms at both START and INF. The bill authorizes a Presidential appointment position for the INF Negotiator and establishes it at an executive level equal to that of the START Negotiator.

Recently, at the request of the President, the Congress provided increased funding for the U.S. Arms Control and Disarmament Agency for fiscal year 1983. In addition, the President has asked the Congress to consider a $2,095,000 amendment to the Agency's fiscal year 1984 budget estimate. Those measures, together with this proposal to upgrade key positions at the Agency, will help ACDA to fulfill its critical missions. I therefore urge early enactment of this legislation.

The Office of Management and Budget has advised that there is no objection to the submission of this bill to the Congress and that its enactment would be in accord with the program of the President.

Sincerely,

KENNETH L. ADELMAN.

By Mr. DANFORTH (by request):

S. 1847. A bill to authorize the President to carry out and enforce the International Coffee Agreement, 1983; to the Committee on Finance.

INTERNATIONAL COFFEE AGREEMENT, 1983

● Mr. DANFORTH. Mr. President, at the request of the administration, I am introducing today legislation to enable the United States to carry out and to enforce its obligations under the 1983 International Coffee Agreement (ICA). The Senate unanimously gave its advice and consent to ratification of this agreement last July 27. In order for the ICA to be effective, however, the President must be separately authorized to regulate coffee trade to a limited extent in accordance with the agreement's terms.

The ICA establishes a price range for coffee—$1.15 to $1.50 per pound—and export quotas—with stocking requirements—to maintain prices within these limits. Importing countries agree to regulate coffee to support these quotas which, like the price limits, are renegotiated annually.

The 1983 ICA is the fifth in a series of such agreements, dating back to 1963. The Congress has authorized participation by the United States in these arrangements. The administration seeks authorization for the United States to participate in the new agreement because, with certain improvements in it accepted by the member countries, the ICA will continue to provide stability in world coffee trade when authorization to enforce the existing agreement expires on September 30. This stability is extremely important to the economies of several developing countries, which can be devastated by the cyclical nature of coffee production. U.S. consumers also benefit from the protection against severe supply disruptions afforded by the agreement.

The Subcommittee on International Trade, which I chair, will conduct a hearing next Monday, September 19, on this legislation. While I understand that both the National Coffee Association and consumer advisers to the U.S. negotiating delegation support the agreement, the subcommittee will review the legislation carefully to insure that it is in the best interests of the United States. If this proves to be the case, I expect to seek early Senate consideration of the bill in view of the expiration of the President's existing authority on September 30.●

By Mr. SPECTER:

S. 1848. A bill to extend the Federal Supplemental Compensation Act for 6 months, to provide additional weeks of compensation to individuals who are currently receiving such compensation or who exhausted their right to such compensation, and to suspend for 1 year the 120-percent requirement in the State trigger for extended benefits; to the Committee on Finance.

EXTENSION OF FEDERAL SUPPLEMENTAL COMPENSATION PROGRAM

Mr. SPECTER. Mr. President, today I am introducing a bill to insure that millions of American workers who are still unemployed as a result of the recent recession will continue to be able to receive extended unemployment compensation benefits. Specifically, my bill would extend the Federal supplemental compensation (FSC) program from October 1, 1983, through March 31, 1984, a 6-month extension beyond the present deadline of September 30, 1983. My bill will also insure that workers whose benefits have expired on September 30 remain eligible for the so-called reach-back provisions contained in the social security bill passed last March. However, simple extension of the FSC program is not enough. In addition, my bill would suspend the 120-percent trigger requirement for the extended benefits program, which provides 13 weeks of extended benefits—beyond the normally provided 26 weeks.

The Federal supplemental compensation program provides up to 24 weeks of federally funded unemployment benefits to individuals who have exhausted their regular and extended benefits. Over 3 million workers have received Federal supplemental benefits in the past 6 months; if we do not act now to extend the program many of those presently receiving benefits will be cut off as of September 30; in addition, given present unemployment rates, millions more will exhaust their regular and extended benefits without having found a job. The situation is, in some respects, even worse now than it was in April 1983, when we last extended the Federal supplemental compensation program, because all but two States have now triggered off from the extended benefit program. Under that program, which is permanent, 13 weeks of benefits beyond the regular 26 weeks are provided under the following conditions: First, the State's insured unemployment rate is over 6 percent; second, the State's insured unemployment rate is in the range of 5 to 6 percent and for the past 13 weeks the rate is 120 percent of the rate for the comparable period during the past 2 years.

For millions of Americans the recession is not yet over. Our unemployment rate still stands at over 9 percent; really a staggeringly high figure compared to any other period since World War II. Furthermore, the overall rate merely represents an average throughout the Nation. In many States and individual communities the rate is much higher. In Pennsylvania, the statewide rate presently stands at 10.8 percent; in Beaver, Cambria, Cameron, Fayette, and Somerset Counties the rate is over 20 percent. In Cameron County, the rate is an almost unbelievable 29 percent.

Our unemployment statistics tell a grim story; but statistics are just numbers. To understand what the statistics really mean, in human terms, it is necessary to see and listen to the actual human beings whom the statistics represent. During a recent tour of Pennsylvania, I visited a number of unemployment offices and held 13 open houses. Over and over again I heard stories of people who had worked all their lives but now for the first time have found themselves out of work for extended periods, often more than a year. Many of these people are highly skilled; virtually all of them have deep roots in their communities. It is not easy for them to cope with the loss of their jobs. For most, unemployment benefits are the only means they have of survival, other than simply going on welfare.

In communities like those I have mentioned, which have unemployment rates of over 15 percent, the continuation of unemployment benefits is not only essential to the individuals who are receiving it, but also to the continued well-being of the entire community. Unemployment compensation benefits are not spent on luxuries. They are used to make mortgage payments, buy groceries, and for other necessities of life. In these communities the cutoff of unemployment insurance benefits would have serious repercussions for the whole economic structure of the community.

Unemployment insurance benefits thus represent not only humanitarian assistance for individuals, but they also are the means of insuring that a bad overall economic situation does not become even worse, as happened during the Great Depression. There is hardly any doubt that with unemployment levels at the depression levels they have been during the past 2 years, a major reason we have not had the kind of total economic collapse that occurred after 1929 is because of our safety net programs, such as unemployment insurance.

There is ample precedent for the bill I am introducing today. Indeed, conditions are far worse today than they have been in the past when Congress has acted both to suspend the 120-percent trigger requirement for the 13 week extended benefit program and to provide Federal supplemental compensation. For example, Federal supplemental benefits were provided in 1972 when total unemployment was 6 percent, and in 1975–77 when unemployment was in the range of 6 to 8 percent. Since the early 1970's Congress has suspended the 120-percent trigger requirement on no less than eight separate occasions, on all of which the unemployment rate was much lower than the current rate.

One of the obvious problems with the 120-percent trigger requirement, in particular, in today's environment, is that it is keyed to the insured unemployment rate rather than the total unemployment rate. According to the

latest trigger notice from the Department of Labor, dated August 20, 1983, all but two States have now triggered off the program on August 6, 1983. The reason most States have triggered off is that their insured rates have fallen below 6 percent and since their insured rates have been decreasing, they cannot meet the 120-percent trigger on requirement. Given the actual unemployment rate in many States, this result is unconscionable.

Today the percentage of unemployed workers receiving unemployment benefits, that is, those who make up the insured unemployment rate, has dropped to an alltime low—38 percent. Historically, as much as 70 to 80 percent of unemployed workers have been eligible for unemployment compensation benefits. The disparity between the insured unemployment rate and the total unemployment rate is very disturbing; at least part of the cause is the fact that so many workers have exhausted benefits during this recession. Thus, the fact that this recession has been so severe has, ironically, produced a situation where fewer of our unemployed workers than at any time in history are actually eligible for unemployment compensation benefits.

The 120 percent trigger requirement was really designed to deal with short, sharp recessions. This was the typical nature of the recessions we experienced between 1945 and 1975. Today, however, we are faced with an entirely different situation. This recession is without parallel in our postwar history. As we come out of it, many communities are being left behind in an economic sense. We have a long way to go to return to anything like full employment, yet under present law, workers in only two States will presently qualify for the 13 weeks of extended benefits. In fiscal year 1983 over 4 million workers exhausted their regular benefits; we can anticipate that over 3 million workers will exhaust their regular benefits in fiscal year 1984. For these workers the 13-week extended benefits program represents an essential first level of additional protection. I believe that in today's environment the 120 percent trigger requirement is totally unrealistic, and I hope that a majority of my colleagues will join me in voting to suspend it.

Clearly, this system is not working when over 60 percent of the unemployed workers in this country do not receive benefits and many States are hopelessly mired in debt. As part of the long-term solution to this problem, I have cosponsored legislation by Senator HEINZ and Senator BYRD which provides for a comprehensive overhaul of existing law.

In the short term, we need to take prompt action on the legislation which I have discussed. If we do not act by September 30, 1983, the combined result of the termination of both Federal supplemental compensation and extended benefits will be devastating to millions of unemployed workers and the communities in which they live.

I ask unanimous consent that the full text of the bill be printed.

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

S. 1848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

EXTENSION OF FEDERAL SUPPLEMENTAL COMPENSATION PROGRAM

SECTION 1. (a)(1) Section 602(f)(2) of the Federal Supplemental Compensation Act of 1982 is amended by striking out "September 30, 1983" and inserting in lieu thereof "March 31, 1984".

(2) Section 605(2) of such Act is amended by striking out "October 1, 1983" and inserting in lieu thereof "April 1, 1984".

(b)(1) Section 602(e)(2)(C) of such Act is amended by striking out "April 1, 1983" each place it appears and inserting in lieu thereof in each instance "October 1, 1983".

(2) Section 602(e)(2)(E) of such Act is amended—

(A) by striking out "March 31, 1983" and inserting in lieu thereof "September 30, 1983"; and

(B) by striking out "April 1, 1983" and inserting in lieu thereof "October 1, 1983".

(c) The amendments made by this section shall apply to weeks beginning after September 30, 1983.

(d) In the case of any eligible individual—

(1) to whom any Federal supplemental compensation was payable for any week beginning before October 1, 1983, and

(2) who exhausted his rights to such compensation (by reason of the payment of all the amount in his Federal supplemental compensation account) before the first week beginning after September 30, 1983,

such individual's eligibility for additional weeks of compensation by reason of the amendments made by this Act shall not be limited or terminated by reason of any event, or failure to meet any requirement of law relating to eligibility for unemployment compensation, occurring after the date of such exhaustion of rights and before October 1, 1983 (and the period after such exhaustion and before October 1, 1983, shall not be counted for purposes of determining the expiration of the two years following the end of his benefit year for purposes of section 602(b) of the Federal Supplemental Compensation Act of 1982).

(e) The Secretary of Labor shall, at the earliest practicable date after the date of the enactment of this Act, propose to each State with which he has in effect an agreement under section 602 of the Federal Supplemental Compensation Act of 1982 a modification of such agreement designed to provide for the payment of Federal supplemental compensation under such Act in accordance with the amendments made by this section. Notwithstanding any other provision of law, if any State fails or refuses, within the 3-week period beginning on the date the Secretary of Labor proposed such a modification to such State, to enter into such a modification of such agreement, the Secretary of Labor shall terminate such agreement effective with the end of the last week which ends in or before such 3-week period.

EXTENDED BENEFITS TRIGGER

SEC. 2. (a) Section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by inserting before the last sentence thereof the following new sentence: "The State may by law provide that, during the 52-week period beginning with the week in which this sentence is enacted, the determination of whether there has been a State 'on' or 'off' indicator beginning or ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof.".

(b) The amendment made by subsection (a) shall be effective during the 52-week period beginning with the week in which this Act is enacted.

(c) If the application of the amendment made by subsection (a) establishes an "on" indicator for a State for the first week of the 52-week period described in subsection (b), and such week would not otherwise have had an "on" indicator, an extended benefit period shall begin in such State with such first week, without regard to the 3-week delay provided in section 203(a)(1) of the Federal-State Extended Unemployment Compensation Act of 1970, and the 13-week wait provided in section 203(b)(1)(B) of such Act.

By Mr. LAUTENBERG:

S. 1849. A bill to provide financial assistance to the States for the improvement of computer education instruction in the schools of the State; to the Committee on Labor and Human Resources.

COMPUTER EDUCATION ASSISTANCE ACT

● Mr. LAUTENBERG. Mr. President, computer education can play an important role in revitalizing American education. This country's competitive position in world commerce is dependent on the quality of education that our children receive. The ability to use and process information is going to be a valuable skill in the economy of the future. The schools that use modern technology, primarily computers, in their curriculum will be able to educate their students to be productive in our society and to help our country maintain its position of leadership.

In my own State of New Jersey, the quality of the schools has been an important factor in our ability to attract and hold industry. Businessmen have told me that they need to know they can recruit an educated work force from the local schools. Corporation executives use the lure of quality schools in locating their managers and other workers. With the growing importance of computers and computer education, the schools will have to offer these programs in order to offer the best education. Federal assistance is needed to help schools develop strong computer education programs.

Today I am introducing a bill to establish a pilot program to begin to address the role of Federal assistance in the development of computer education in the schools and to assure special targeting of assistance of schools

with concentrations of poverty-level children. The need for a Federal investment in this area is justified by the role that computers will play in the continued growth of our economy and the strengthening of our educational system.

Clearly computer education is not a substitute for the 3R's. Putting computers in the classrooms is not a panacea for the problems in American education which have been outlined by the Commission on Excellence in Education and others. This is why planning for the appropriate role of computer education is so important. Thoughtful consideration must be given to the integration of computers into the curriculum. Computer education planners must first consider the overall goals for their schools. Then they must decide how computers can best help them meet those goals. For some purposes, old, tried and true methods will continue to be best. For other purposes, computers offer exciting possibilities for changes in the curriculum.

Computers can be used by students in every subject in every grade. Students can use word processing programs to improve their writing by editing and revising more easily then they do now. They can learn to simulate "what if" situations in history classes so that they can understand more clearly the factors that affect human behavior and events. They can learn to use graphics to present data in a clear and meaningful way.

These uses of the computer in schools would go far beyond the teaching of computer literacy—a basic understanding of how a computer works and how to operate it—and programming. Computer literacy in school should be a beginning for computer education, not an end. Computers are more like pencils than books. As educators come to view computers in this way, as tools, they will begin using them in exciting and mind-expanding ways which is their true promise.

Thinking of computer education in broader terms will require coordination with curriculum planning. It is more than computer literacy, programming, and drill and practice programs. Once children learn how to operate a computer, they should have access to a wide range of application software for use in word processing, spread sheet analysis, and data base analysis, all of which can be used more generally than highly specialized instructional courseware.

Use of computers in schools is growing, but the need for Federal seed money is convincing. From the fall of 1980 to the spring of 1982, the number of microcomputers in public schools tripled. By early 1983 slightly over half of all public schools had at least one microcomputer. However, although more than half the Nation's schools have at least one microcomputer, that is also the most that a large number of these schools have. Furthermore, little is known about the kind and amount of software or courseware that these schools are using with their computers.

A recent study, using January 1983 data, looked at the amount of time that microcomputers are actually used in schools. Looking only at the schools which reported at least one microcomputer, the survey found relatively few students obtaining access to the computers and for relatively short periods.

In elementary schools, 16 percent of the students used the computer in a week and 13 percent used one in secondary schools. The students who did use the computer spent 20 minutes a week in elementary schools and 45 minutes a week in secondary schools. These figures are for the median school, so some students had more access, some less.

To understand how small this amount of access is, consider what it would mean if students spent so little time with either pencil and paper or textbooks. The computer revolution in the schools is in its infancy, despite the growing anecdotal reports which the press has been highlighting.

The Computer Education Assistance Act will establish a pilot program to assit States and local school districts in developing the ambitious computer education program that is needed. The program will authorize $150 million a year for 4 years for grants to schools for planning, acquisition of hardware and software and teacher training. The funds will be allocated to the States half on the basis of the school age population and half on the basis of the title I formula, used for aid to disadvantaged schoolchildren. Each State will make grants to local school districts, which must assure that at least half the funds are used to serve title I eligible children and that funds are targeted on schools with the greatest need for computers.

School districts will be required to do some fairly extensive planning. This will include:

Setting goals for computer education in the schools and relating these goals to the overall educational objectives of the district;

Instructional priorities for the use of computers;

Schedules for placing computers in the elementary and secondary schools;

Criteria for selection of the hardware and software;

Planned revisions in the basis curricula of the schools designed to incorporate the use of computers;

After school availability of the computers for use by parents and students.

The Federal grants are to be matched, with the Federal share set at 75 percent and the non-Federal at 25 percent. The non-Federal share can come from public or private sources, and may be in cash or kind. Local districts that can make arrangements with businesses and industries to donate equipment, personnel, or cash will not have to use their own funds for the matching share. Private school students would be eligible for assistance. The bill also provides $3 million a year for the National Institute of Education to provide on improved instruction in computer education.

The planning requirement in this legislation is extremely important. Schools need to take a careful look at the role of computers in the total curriculum. They also need to consider such questions as whether to institute saturation programs at a limited number of schools or to provide computers in every classroom in a particular grade throughout the district. The bill does not set a goal for a specific ratio of students to computers or daily access time per student. This legislation is intended to be a pilot program which targets its funds, rather than a nationwide grant program.

Plans are to include after school availability of computers for parents and children. This would permit parents and children to spend additional time working on the computers and gaining familiarity with them. Such after school programs would be especially helpful to those without access to computers at home. The children who do not have computers at home are very likely also attending schools which are least likely to have computers. The benefits of the growth in computers are not evenly distributed among schools serving different socioeconomic groups. One study has found that 70 percent of the schools in more affluent areas had at least one microcomputer, while only 40 percent of the schools in poorer areas were so equipped. Another study found that twice as many students in well-to-do urban areas said that they had never used a computer in school as students in disadvantaged urban areas. The number of computers in homes far exceeds the number in schools and the lion's share of those computers are in more affluent homes, including many with children. The additional exposure to computers in the home creates further disparity between rich and poor children.

The funds under the Computer Education Assistance Act will be used in all schools, but at least half the funds will be targeted on schools with poverty-level children. Priority also is to be given to schools with the greatest need for computers. By establishing the targeting requirement and the priority for underserved schools, the bill aims to concentrate its resources in a way that benefits schools and children that are falling behind in computer usage.

Funds will be allocated to the States half on the basis of school-age children and half on the basis of the number of poverty-level children.

The grant funds can be used for planning, acquisition of hardware and software, and teacher training. Each district will decide the mix of uses to which they will put their funds. This provides school districts with a great deal of flexibility. In addition, the non-Federal matching share can be in-kind, such as donations of equipment or personnel services from private sources or from public agencies. This provides additional flexibility and an incentive for local school districts to involve the business community in their planning.

An authorization of $3 million is provided for information dissemination. The National Institute of Education will administer grants and contracts in this area. Many innovative computer education projects are already underway and more will be developed as this pilot program starts operating. Schools around the country should be made aware of successful approaches used by other schools. The results of research, as well as evaluations of equipment and materials, should also be made widely available.

Mr. President, this bill is meant to be a pilot program. It is intended to provide Federal seed money to schools for computer education programs. A great deal of flexibility is allowed and the result should be a wide variety of different approaches. From this variety, educators will learn which approaches work. This will be a learning process. I welcome comments on this bill from interested parties.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1849

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Computer Education Assistance Act".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to improve and strengthen computer education instruction in elementary and secondary schools of local educational agencies by—

(1) encouraging orderly planning for the use of computers and for the application of computers to the instructional program of elementary and secondary schools;

(2) encouraging the acquisition of computer hardware for schools having the greatest need;

(3) improvement of teacher training in computer education; and

(4) assisting in the acquisition of appropriate computer software.

DEFINITIONS

SEC. 3. As used in this Act—

(1) the term "elementary school" has the same meaning given that term under section 198(a)(7) of the Elementary and Secondary Education Act of 1965;

(2) the term "institution of higher education" has the same meaning given that term under section 1201(a) of the Higher Education Act of 1965;

(3) the term "local educational agency" has the same meaning given that term under section 198(a)(10) of the Elementary and Secondary Education Act of 1965;

(4) the term "secondary school" has the same meaning given that term under section 198(a)(7) of the Elementary and Secondary Education Act of 1965;

(5) the term "Secretary" means the Secretary of Education;

(6) the term "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands; and

(7) the term "State educational agency" has the meaning given that term under section 198(a)(17) of the Elementary and Secondary Education Act of 1965.

PROGRAM AUTHORIZED

SEC. 4. (a) The Secretary is authorized, in accordance with the provisions of this Act, to make grants to States to pay the Federal share of the costs of strengthening computer education in the elementary and secondary schools within the State.

(b) There are authorized to be appropriated $150,000,000 for the fiscal year 1985 and for each of the succeeding fiscal years ending prior to October 1, 1988.

ALLOTMENT TO STATES; WITHIN STATE ALLOCATION

SEC. 5. (a)(1) From the sums appropriated to carry out this Act for each fiscal year, the Secretary shall reserve 2 percent for payments to the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(2) From the remainder of such sums, the Secretary shall, subject to the provisions of subsection (b), allot to each State—

(A) an amount which bears the same ratio to one-half of such remainder as the school-age population of the State bears to the school-age population of all States, plus

(B) an amount which bears the same ratio to one-half of such remainder as the amount the State is eligible to receive under subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (as modified by chapter 1 of the Education Consolidation and Improvement Act of 1981) in the fiscal year for which the determination is made bears to the amount available to all States under such subpart 1.

(3) For the purpose of this subsection—

(A) the term "school-age population" means the population aged 5 through 17; and

(B) the term "States" includes the fifty States, the District of Columbia.

(b) For the purpose of this section—

(1) the provisions of section 111(a)(2)(D) of the Elementary and Secondary Education Act of 1965, relating to the use of the survey of income and education data, shall not apply to the allotment of funds under paragraph (2) of subsection (a); and

(2) the provision of the third sentence of section 193(a) of the Elementary and Secondary Education Act of 1965, relating to the 85 percent hold harmless, shall not apply to the allotment of funds under paragraph (2) of subsection (a).

(c) The amount of any State's allotment under subsection (a) for any fiscal year to carry out this Act which the Secretary determines will not be required for that fiscal year to carry out this Act shall be available for reallotment from time to time, on such dates during that year as the Secretary may fix, to other States in proportion to the original allotments to those States under subsection (a) for that year but which such proportionate amount for any of those other States being reduced to the extent it exceeds the sum the Secretary estimates that State needs and will be able to use for that year; and the total of those reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year shall be deemed a part of its allotment under subsection (a) for that year.

(d) The State educational agency shall allocate the allotment of the State to local educational agencies within the State having an application approved by the State in accordance with section 8 based on—

(1) the factors described in clause (2) of section 8(a), relating to the local applications, and

(2) such other factors as the State educational agency determines to be essential in carrying out the objectives of this Act.

USES OF FUNDS

SEC. 6. Grants under this Act may be used for the payment of the Federal share of—

(1) planning activities designed to facilitate the use of Federal financial assistance under this Act for the improvement of computer education in the elementary and secondary schools within the State;

(2) the acquisition of computers and other necessary equipment for the improvement of computer education;

(3) the conduct of teacher training programs by a local educational agency, or jointly by an institution of higher education and a local educational agency, designed to improve the quality of instruction in computer education in the elementary and secondary schools within the State, with particular emphasis upon the use of seminars and inservice training and the use of specially trained master teachers to train other teachers in the targeted schools of the local educational agency; and

(4) the acquisition of software for use in the computer education program of the elementary and secondary schools within the State, including program materials and services necessary for the operation and maintenance of the computers.

STATE ASSURANCES

SEC. 7. Each State which desires to receive assistance under this Act shall file an application with the Secretary which—

(1) designates the State educational agency as the State agency responsible for the administration and supervision of programs assisted under this Act;

(2) provides assurances that the planning activities described in clause (1) of section 6 will be carried out by the local educational agencies within the State and that not more than 10 percent of the amount available to each local educational agency within the State for the fiscal year 1985 and not more than 5 percent of such amount for fiscal year 1986 will be available only for such planning activities;

(3) provides assurances that the State—

(A) will use grants under this Act (i) so as to supplement the level of funds that would, in the absence of such funds, be made available from non-Federal sources for the purpose of the program for which assistance is

sought; and (ii) in no case to supplant such funds from such non-Federal sources; and

(B) will not comingle funds made available under this Act with State funds;

(4) provides assurances that the State will not expend more than 10 percent of the funds available to it under this Act for administration and oversight activities;

(5) provides assurances that the State educational agency will furnish services necessary to local educational agencies within the State necessary for the local educational agencies to carry out their responsibilities under this Act;

(6) provides assurances that the State educational agency will pay from non-Federal sources the non-Federal share of the cost to the State of the computer education program for which assistance is sought under this Act, together with an identification of the sources of the non-Federal support;

(7) provides that the application of each local educational agency applying for funds under this Act will not be denied without notice and opportunity for a hearing before the State educational agency; and

(8) provides such additional assurances as the Secretary deems necessary to assure compliance with the requirements of this Act.

(b)(1) An application filed by the State under subsection (a) shall be for a period not to exceed 4 fiscal years and may be amended annually as may be necessary to reflect changes without filing a new application.

(2) The Secretary shall not disapprove an application submitted by the State educational agency without first affording notice and opportunity for a hearing.

LOCAL APPLICATIONS

SEC. 8. (a) A local educational agency may receive payments under this Act for any fiscal year in which it has on file with the State educational agency an application which—

(1) sets forth the uses for which assistance is sought by the local educational agency;

(2)(A) provides assurances that of the payments made to the local educational agency in each fiscal year at least half of such funds shall be used to serve children who are counted under section 111(c) of the Elementary and Secondary Education Act of 1965; and

(B) provides assurances that the local educational agency will, to the extent practicable, target the funds made available to the agency under this Act in each fiscal year to elementary schools and secondary schools of such agency in the greatest need of computers and strengthened computer education instruction;

(3) provides assurances that the local educational agency will carry out planning activities in accordance with clause (1) of section 6, including—

(A) the goals for computer education in the schools of such agency and how the goals relating to computer education relate to the education objectives of the local educational agency,

(B) instructional priorities for the use of computers,

(C) schedules for placing computers in the elementary and secondary schools of such agency selected in accordance with the provisions of clause (2)(B),

(D) criteria for selection for the acquisition of computers and program materials,

(E) planned revisions in the basic curricula of the elementary and secondary schools designed to integrate the use of computers,

(F) provisions for the security of the computers,

(G) after school availability of the computers for use by parents and students for instructional or educational purposes, and

(H) standards for the evaluation of the computer education program assisted under this Act;

(4) provides assurances that funds paid under this Act (A) will be used to supplement the levels of funds that would in the absence of such funds be made available from non-Federal sources for the purpose of the program for which assistance is sought; and (B) in no case as to supplant such funds from non-Federal sources;

(5) provides assurances that the local educational agency will pay from non-Federal sources the non-Federal share of the cost of the computer education program for which assistance is sought under this Act, together with an identification of the sources of the non-Federal support;

(6) agrees to keep such records and provide such information to the State educational agency as reasonably may be required for fiscal audit and program evaluation consistent with the responsibilities of the State educational agency under this Act; and

(7) provides assurances that the agency will comply with the other provisions of this Act.

(b)(1) The State educational agency may approve applications submitted under subsection (a) based upon the factors described in clause (2) of subsection (a) and clause (2) of section 5(d).

(2) An application filed by a local educational agency under subsection (a) shall be for a period not to exceed 4 fiscal years and may be amended annually as may be necessary to reflect changes without filing a new application.

INFORMATION DISSEMINATION

SEC. 9. (a) The Secretary, through the National Institute of Education, is authorized to make grants to or contracts with public agencies and private organizations, including business concerns, for the development, analysis, and dissemination of information relating to improved instruction in computer education.

(b) There are authorized to be appropriated $3,000,000 for the fiscal year 1985 and for each of the succeeding fiscal years ending prior to October 1, 1988.

PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS

SEC. 10. The provisions of section 557 of the Education Consolidation and Improvement Act of 1981 shall apply to the financial assistance made available under this Act.

PAYMENTS; FEDERAL SHARE

SEC. 11. (a) From the amount allotted to each State pursuant to section 5, the Secretary shall, in accordance with the provisions of this Act, pay to the State an amount equal to the Federal share of the cost of the program to be assisted under this Act.

(b)(1) The Federal share for each fiscal year shall be 75 percent.

(2) Non-Federal contributions may be in cash or in kind, fairly evaluated, including plant, equipment, and services.●

By Mr. HUMPHREY (for himself and Mr. RUDMAN):

S. 1851. A bill to establish additional wilderness areas in the White Mountain National Forest; to the Committee on Agriculture, Nutrition, and Forestry.

WHITE MOUNTAIN NATIONAL FOREST WILDERNESS ACT OF 1983

Mr. HUMPHREY. Mr. President, I am pleased to be joined today by Senator RUDMAN in introducing the White Mountain National Forest Wilderness Act of 1983. This bill will designate an additional 77,000 acres of wilderness in New Hampshire, and is the product of long and extensive deliberations among a broad spectrum of forest user and interest groups. All four members of the State's congressional delegation and the Governor have pledged their support for the bill. We are proud of this legislation and believe it represents an important environmental achievement—not only because it will designate a tremendous amount of new Wilderness, but also because groups with divergent interests were able to reach a consensus on sound future management of a major national forest.

Our bill will extend one existing wilderness area and will create two new wilderness areas for a total of 77,000 additional acres of statutory wilderness. First, two tracts totaling 7,000 acres will be added to the Presidential Range-Dry River Wilderness Area, which was established by act of Congress in 1975. Second, a 25,000-acre Sandwich Range Wilderness will be created, including Mount Whiteface, Mount Passaconway, and Mount Tripyramid, the Bowl area, and Sandwich Mountain. And third, the bill will designate a 45,000-acre parcel in the Pemigewasset Valley, the largest roadless area east of the Mississippi and one long recognized for its wilderness potential.

Mr. President, the White Mountain National Forest is one of the most intensively used of the Nation's 154 national forests. Each year, some 6 million people visit our 752,000-acre national forest. They range from hikers and backpackers to snowmobilers, from alpine and cross-country skiers to geologists, and from leaf lookers to birdwatchers. In addition, New Hampshire has a sizable and active forest products industry whose livelihood depends in part on the availability of timber from the national forest. These competing interests coexist in the forest, but they have not always seen eye to eye.

Looking back for a moment at the history of New Hampshire and the birth of the national forest, we observe that while the pioneers had cleared away about half the State's virgin forest by 1840, from that time on through the early 1900's, loggers accelerated the timber harvests—often in vast clearcuts. By the mid- to late-1800's though, the White Mountains had also been recognized for their scenic beauty and the opportunities

they provided for outdoor recreation. Suddenly there was competition between timbering and tourism for use of New Hampshire's forests.

Massive lumber operations caused serious erosion and water pollution problems, were the source of numerous forest fires, and scarred the landscape. Verdant mountains were reduced to eyesores. As the beauty of the White Mountains disappeared, a fledgling conservation movement was galvanized, leading finally in 1911 to passage of the Weeks Act and establishment of the White Mountain National Forest.

Many of the original tracts purchased by the Forest Service were at the time little more than barren slopes and valleys covered by stumps and slash. Today, however, the White Mountains of New Hampshire include a countless number of exceptional hardwood and softwood stands, and the area is known for its scenic splendor. From clearcuts have sprouted new forests, living proof that wilderness qualities can be restored.

During its 72-year history, the White Mountain National Forest has been a leader in the field of forest management. The forest was a star example of how multiple use management can work. Perhaps the most important contribution of the White Mountain National Forest, however, is in the area of public particpation in forest management. The fact that so many diverse groups compete for use of the forest's resources dictates that the Forest Service listens and responds to public comments and concerns. Indeed, our national forest was one of the first in the Nation to implement the unit planning process, which was successful in directly and intimately involving local citizens in deciding the best uses of various parts of the forest. It is no surprise that over the years the people of New Hampshire and the Forest Service have built a mutual trust and understanding that allows them to work together, to the point where today management of the White Mountain National Forest has developed into a true partnership. Granite Staters recognize that the Forest Service needs help in managing and maintaining the forest, and each year many private citizens and groups roll up their sleeves and donate thousands of hours in volunteer work.

The White Mountain National Forest Advisory Committee is further evidence of the substantial role that the public plays in determining the forest's future. This committee, which currently consists of 16 members, was originally appointed in 1971 by the forest supervisor to aid informulating management policies. Although it and similar groups across the country were later abolished for budgetary reasons, the committee played a major role in New Hampshire during the Roadless Area Review and Evaluation (RARE II) process. The committee has continued to meet on an ad hoc basis since 1979 to discuss wilderness and other forest issues.

The bill which Senator RUDMAN and I are introducing today is based entirely on the recommendations and consensus reached by the Ad Hoc White Mountain National Forest Advisory Committee. We believe that the ad hoc committee, whose members include an entire cross section of user groups, accurately reflects the desires and concerns of the people of New Hampshire on the issues of wilderness and of forest management in general. We also note that serveral of the groups represented on the ad hoc committee were instrumental in securing passage of the Weeks Act back in 1911.

Mr. President, as soon as our bill becomes law, the forest management plan for the White Mountain National Forest will be released. Those areas which are not designated as wilderness by our bill will be managed according to this plan. We have every confidence that through the public participation mechanisms, the forest management plan can be modified, if necessary, to provide whatever additional safeguards may be desired in order to insure protection of other areas which possess strong wilderness attributes.

This is not New Hampshire's first wilderness bill, and I suspect it will not be the last either. For the moment, however, its recommendations for wilderness go as far as the many interests working collectively are able to go. Public support is essential for wilderness designation, and this support is strong in New Hampshire for an additional 77,000 acres of statutory wilderness.

It is my hope and belief that we can move forward quickly with the White Mountain National Forest Wilderness Act of 1983. Its speedy passage will allow us to designate new wilderness areas, and will also permit us to get on with a balanced overall management plan for the forest. Senator RUDMAN and I look forward to working with the Senate Agriculture Committee through the hearing process. This is a very important bill to the State of New Hampshire, and we hope that it will enjoy the strong support of our colleagues here in the Senate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1851

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "White Mountain National Forest Wilderness Act of 1983".

SEC. 2. In furtherance of the purpose of the Wilderness Act (78 Stat. 890), the following are designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(a) certain lands in the White Mountain National Forest, New Hampshire which comprise about 45,000 acres, are generally depicted on a map entitled "Pemigewasset Wilderness—Proposed" dated July 1983, and which shall be known as the Pemigewasset Wilderness Area;

(b) certain lands in the White Mountain National Forest, New Hampshire which comprise about 25,000 acres, are generally depicted on a map entitled "Sandwich Range Wilderness—Proposed" dated July 1983, and which shall be known as the Sandwich Range Wilderness; and

(c) certain lands in the White Mountain National Forest, New Hampshire which comprise approximately 7,000 acres are generally depicted on a map entitled "Presidential Dry River Wilderness Additions—Proposed", dated July 1983, and which are incorporated in and shall be deemed to be a part of the Presidential Dry River Wilderness as designated by Public Law 93-622.

SEC. 3. (a) As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file maps and legal descriptions of each wilderness designated by this Act with the Committee on Agriculture of the Senate and the Committees on Agriculture and Interior and Insular Affairs of the House of Representatives.

(b) Each map and legal description shall—

(1) be subject to correction of clerical and typographical errors;

(2) be on file and available for public inspection in the office of the Chief, United States Forest Service, Department of Agriculture; and

(3) have the same force and effect as if included in this Act.

SEC. 4. Subject to valid existing rights, the areas designated as wilderness by this Act shall be administered in accordance with the provisions of the Wilderness Act (78 Stat. 890) except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 5. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of national forest system roadless areas in the States of New Hampshire and Maine and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest system lands in States other than New Hampshire and Maine, such statement shall not be subject to judicial review with respect to national forest system lands in the States of New Hampshire and Maine;

(2) with respect to the national forest system lands in the States of New Hampshire and Maine which were reviewed by the Department of Agriculture in RARE II, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 (as amended by the National Forest Management Act of 1976) to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and

the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to the date established by law for completion of the initial planning cycle;

(3) areas in the States of New Hampshire and Maine reviewed in such final environmental statements and not designated as wilderness by Congress upon enactment of this Act need not be managed for the purpose of protecting their suitability for wilderness designation pending revision of the initial plans; and

(4) unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless areas review and evaluation of national forest system lands in the States of New Hampshire and Maine for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

Mr. RUDMAN. Mr. President, today, Senator HUMPHREY and I are introducing the White Mountain National Forest Wilderness Act of 1983. The bill, which would designate 77,000 acres of land in the White Mountain National Forest as wilderness, is essential to the continuing process of balancing commercial, environmental, and recreational needs in New Hampshire. It is solidly supported by, and represents another example of cooperation and consensus between, a diverse spectrum of interested groups within New Hampshire.

The 77,000 acres of the White Mountain National Forest Wilderness proposal includes three new wilderness areas, with restrictions of use designed to protect their special status within the boundary of the White Mountain National Forest. They include 7,000 acres within the Presidential Dry River Wilderness Area, 25,000 acres within the Sandwich Range, and 46,000 acres within the Pemigewasset Wilderness area. By designating these areas as wilderness, we will insure the maintenance of a most valuable and pristine environment for the indefinite future. Preserving wilderness has been compatible for decades with the thinking of New Hampshire residents and the National Forest Service.

The wilderness proposal was created for a twofold purpose: First, to address the issue of designation of wilderness areas; and second, to avoid another round of the roadless area review and evaluation (RARE) process. Forest planning is currently being held up by a recent court decision in California. That decision nullified the roadless area review and evaluation (RARE II) process. As a result of the decision, the National Forest Service instituted a blanket freeze on all forest plans, including those for New Hampshire, even though objectively a freeze is unnecessary in New Hampshire. To repeat the RARE process in New Hampshire would be duplicative, expensive, and unnecessary. It would handicap the forest supervisor's ability to get on with the management of the forest. Our bill includes sufficiency language which would draw to a conclusion the study of potential wilderness which has been ongoing for the past 10 years.

The Forest Service has developed a cohesive management plan for the White Mountain National Forest which is ready for public action. New Hampshire has an immediate need to have this wilderness bill pass in order to free the Forest Service to implement the plan of future management. Without this legislation, the Forest Service will be handicapped in developing and upgrading needed recreational facilities, meeting timber output needs for commerical users, and attending to specific projects designed to maintain the integrity of the New Hampshire National Forest.

The people of New Hampshire support this bill, confident that it is in the best interests of all concerned. The bill is a product of both public support and the efforts of the ad hoc White Mountain National Forest Advisory Committee, an advisory group representing a broad range of recreational, commercial, environmental, and government interests. It was first organized to assist the White Mountain National Forest supervisor in formulating policies with respect to the management of the forest and has remained a close affiliate of the Forest Service, involved in long-term strategic planning for management of the forest. It is emblematic of the long history of working groups and public meetings used in New England to address environmental concerns.

The forest management plan embodied in this legislation, developed over 3 years, addresses all issues relating to the forest: Timber, recreational, mineral, construction, and wilderness issues. The legislation represents a consensus that balances all interests to best serve the present and future needs of New Hampshire. The Federal Government should recognize the validity of these efforts by providing maximum support and flexibilty to any state which is able to responsibly manage its environmental interest from within. I urge my colleagues to join Senator HUMPHREY, the Governor and people of New Hampshire, and me in supporting the White Mountain National Forest Wilderness Act of 1983.

By Mr. CHAFEE (for himself, Mr. ANDREWS, Mr. BURDICK, Mr. DOLE, Mr. DOMENICI, Mr. DURENBERGER, Mrs. HAWKINS, Mr. HELMS, Mr. HOLLINGS, Mr. JEPSEN, Mr. LUGAR, Mr. MATSUNAGA, Mr. PERCY, Mr. ROTH, and Mr. WILSON):

S.J. Res. 161. Joint resolution to designate the week of April 15, 1984, through April 21, 1984, as "National Child Abuse Prevention Week"; to the Committee on the Judiciary.

NATIONAL CHILD ABUSE PREVENTION WEEK

Mr. CHAFEE. Mr. President, today, along with 14 of my colleagues I am introducing a resolution designating the week of April 16, 1984 as National Child Abuse Prevention Week.

Child abuse and neglect is defined as physical or mental injury, sexual abuse or exploitation, negligent treatment or maltreatment of a child by a person responsible for the child's welfare.

There are estimates that over 2 million children suffer abuse and neglect each year. But the actual incidence of child abuse and neglect is accepted as being greater because so many incidents go unreported each year. The National Center on Child Abuse estimates that about 2,000 children die each year from abuse and neglect.

Child abuse and neglect is not a new phenomenon. Historically, children have been abused even in highly civilized societies. Dickens has painted poignant scenes of child abuse in Victorian England. Exploitation of children in employment was widespread in the 19th century and well into this century. It was not until 1875 that the first Society for the Prevention of Cruelty to Children was established in New York.

In 1974, Federal focus on the problem began with passage of the Child Abuse and Prevention Treatment Act (Public Law 93-247). The act provided Federal leadership and assistance in identifying, treating, and preventing child abuse and neglect.

Studies show that child abuse occurs in families of all socioeconomic levels, races, nationality, and religion. However, more cases are reported among the lower socioeconomic levels. Data indicate that child abuse and neglect is caused by many interacting factors: Physical and mental health problems, low intelligence, a lack of knowledge about child development and parental skills, and the parent's experience of abuse as a child.

Children may suffer physical, emotional, psychological and neurological damage because of abuse or neglect. Abuse may also affect the cognitive and language development of the child. There is evidence that some abused or neglected children are more likely to become juvenile delinquents or abusive parents.

I believe the awful effects of child abuse make a strong case for greater Federal focus on the problem and a reassessment of current programs directed at preventing or remedying child abuse and neglect. Congress should also look at the level of funding currently being appropriated for these programs.

Public awareness and attention will not alone solve the problem. However, continued national awareness and congressional support for those programs

aimed at its prevention and treatment can reduce the incidence and tragic consequences of child abuse and neglect.

Our children are both our most valuable and vulnerable resources. I urge recognition of this fact by designating the week of April 16 as National Child Abuse Prevention Week.

By Mr. HUMPHREY:

S.J. Res. 162. Joint resolution proposing an amendment to the Constitution of the United States with respect to Senators and Representatives and the number of terms either may serve; to the Committee on the Judiciary.

LIMITING TERMS OF MEMBERS OF CONGRESS

Mr. HUMPHREY. Mr. President, I do not believe that our Founding Fathers intended our national legislature to be comprised largely of career politicians. Thomas Jefferson once remarked:

> The principles of our constitution * * * are wisely opposed to all perpetuation of power, and every practice which may lead to hereditary establishments.

And yet, this is exactly what we have today; a Congress made up largely of career politicians who outdo one another in spending the public's money in order to win reelection. Since World War II, 93 percent of incumbents seeking reelection have returned.

I have been in Congress 4 years now, and I am convinced that reform is urgently needed. Current record budget deficits, runaway spending, and burdensome taxes are proof that Congress needs help to say no to enticing propositions of special interest groups requesting preferential treatment.

In my view, no one measure would be of more immense benefit to our Nation than to reform the Congress by limiting the terms which Members can serve. The legislation I am introducing today would limit Senators to two 6-year terms and Representatives to six 2-year terms.

Such a reform would help revitalize this governing body by bringing in men and women with refreshing new ideas. Moreover, it would rule out the possibility of persons making a career of serving in the Congress.

Perhaps Dwight D. Eisenhower, an advocate of term limitation, best summarized the merits of this reform in his book "Waging Peace," when he wrote that each person serving under term limitation would tend to think of his congressional career as an important and exciting interlude in his life, as a period dedicated to the entire Nation rather than as a way of making a living or making a career of exercising continuous political power * * *. More rapid turnover of the membership in both Houses with its constant infusion of new blood would largely eliminate the career politician in Congress, but I can see little damage that would result from such a change except possibly to personal ambitions of particular individuals.

Mr. President, I ask unanimous consent that the legislation be printed in the RECORD.

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

S. J. RES. 162

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Article is proposed as an amendment to the Constitution of the United States:

"ARTICLE

"SECTION 1. The term of office for Members of the Senate shall be six years. No person otherwise eligible under this Constitution shall be eligible to be elected to the Senate more than twice.

"SEC. 2. The term of office for an elected Representative shall be two years. No person otherwise eligible under this Constitution shall be elected to the office of Representative more than six times.

"SEC. 3. The limitations on election provided for Senators and Members of the House of Representatives by sections 1 and 2 of this Article shall apply to the elections of such Senators and Members of the House of Representatives occurring after the date on which this Article is ratified.

"SEC. 4. This Article shall be valid only if it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years after its submission to the States for ratification.".

ADDITIONAL COSPONSORS

S. 175

At the request of Mr. DECONCINI, the name of the Senator from Montana (Mr. MELCHER) was added as a cosponsor of S. 175, a bill to amend title 17 of the United States Code to exempt the private noncommercial recording of copyrighted works on video recorders from copyright infringement.

S. 276

At the request of Mr. GOLDWATER, the names of the Senator from South Carolina (Mr. THURMOND), the Senator from Vermont (Mr. STAFFORD), the Senator from North Carolina (Mr. HELMS), the Senator from Hawaii (Mr. INOUYE), and the Senator from Utah (Mr. GARN) were added as cosponsors of S. 276, a bill to amend title II of the Social Security Act to repeal the earnings limitation for all beneficiaries age 65 or older.

S. 480

At the request of Mr. PRESSLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 480, a bill relating to the transfer of civil land remote sensing space satellite systems and meteorological satellite systems to the private sector.

S. 540

At the request of Mr. GOLDWATER, the name of the Senator from Kansas (Mr. DOLE) was added as a cosponsor of S. 540, a bill to amend the Public Health Service Act to establish a National Institute of Arthritis and Musculoskeletal and Skin Diseases, and for other purposes.

S. 567

At the request of Mr. THURMOND, the name of the Senator from Arkansas (Mr. BUMPERS) was added as a cosponsor of S. 567, a bill to amend title 38, United States Code, to authorize reimbursement for the reasonable charge for chiropractic services provided to certain veterans.

S. 719

At the request of Mr. THURMOND, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 719, a bill to amend subchapter II of chapter 73 of title 10, United States Code, to eliminate the social security offset against annuities provided for under such subchapter to the extent that the social security benefits of the annuitant are based on the annuitant's own employment.

S. 764

At the request of Mr. WARNER, the name of the Senator from Missouri (Mr. EAGLETON) was added as a cosponsor of S. 764, a bill to assure the continued protection of the traveling public in the marketing of air transportation, and for other purposes.

S. 869

At the request of Mr. BOSCHWITZ, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Texas (Mr. TOWER), and the Senator from Illinois (Mr. PERCY) were added as cosponsors of S. 869, a bill to amend the Export-Import Bank Act of 1945.

S. 875

At the request of Mr. MATHIAS, the name of the Senator from Connecticut (Mr. WEICKER) was added as a cosponsor of S. 875, a bill to amend title 18 of the United States Code to strengthen the laws against the counterfeiting of trademarks, and for other purposes.

S. 1300

At the request of Mr. HUDDLESTON, the name of the Senator from Virginia (Mr. TRIBLE) was added as a cosponsor of S. 1300, a bill to amend the Rural Electrification Act of 1936 to insure the continued financial integrity of the Rural Electrification and Telephone Revolving Fund, and for other purposes.

S. 1407

At the request of Mr. EXON, the name of the Senator from Nebraska (Mr. ZORINSKY) was added as a cosponsor of S. 1407, a bill to protect purchasers of used automobiles from fraudulent practices associated with automobile odometer modifications, and for other purposes.

S. 1596

At the request of Mr. TRIBLE, the name of the Senator from Alabama (Mr. DENTON) was added as a cosponsor of S. 1596, a bill to amend the Internal Revenue Code of 1954 to exempt farm trucks from the heavy truck use tax where use on public highways does not exceed 10,000 miles.

S. 1621

At the request of Mr. HUMPHREY, the name of the Senator from Ohio (Mr. METZENBAUM) was added as a cosponsor of S. 1621, a bill to amend the Federal Aviation Act of 1958 to require commercial passenger carrying aircraft to be equipped with smoke detectors and automatic fire extinguisher in all aircraft lavatories and galley areas.

S. 1677

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. TSONGAS) was added as a cosponsor of S. 1677, a bill relating to the provision of lifeline telephone service.

S. 1680

At the request of Mr. GOLDWATER, the names of the Senator from Nebraska (Mr. EXON) and the Senator from Kentucky (Mr. FORD) were added as cosponsors of S. 1680, a bill to clarify the circumstances under which territorial provisions in licenses to distribute and sell trademarked malt beverage products are lawful under the antitrust laws.

S. 1708

At the request of Mr. GRASSLEY, the names of the Senator from North Dakota (Mr. ANDREWS), the Senator from Montana (Mr. MELCHER), and the Senator from Florida (Mrs. HAWKINS) were added as cosponsors of S. 1708, a bill to amend part D of title IV of the Social Security Act to assure that all children in the United States who are in need of assistance in securing financial support from their parents will receive such assistance regardless of the economic status of their parents and that parents prevent their children from becoming a burden on taxpayers by fulfilling, to the best of their ability, their financial obligations on behalf of their children.

S. 1734

At the request of Mr. ZORINSKY, the name of the Senator from Nevada (Mr. LAXALT) was added as a cosponsor of S. 1734, a bill to amend title 17 of the United States Code with respect to public performances of nondramatic musical works by means of coin-operated phonorecord players, and for other purposes.

S. 1747

At the request of Mr. ARMSTRONG, the name of the Senator from South Dakota (Mr. PRESSLER) was added as a cosponsor of S. 1747, a bill to amend title 38, United States Code, to establish two new programs of educational assistance for veterans of peacetime service, to close the post-Vietnam era veterans' educational assistance program to new participants, and to repeal the December 31, 1989, termination date of the Vietnam-era GI bill, and for other purposes.

S. 1843

At the request of Mr. SASSER, the names of the Senator from Maryland (Mr. SARBANES), the Senator from Arkansas (Mr. BUMPERS), and the Senator from Montana (Mr. MELCHER) were added as cosponsors of S. 1843, a bill to extend by 3 months the cutoff date for social security disability determinations which will be subject to the provisions allowing continued payment of disability benefits during appeal.

SENATE JOINT RESOLUTION 135

At the request of Mr. DECONCINI, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of Senate Joint Resolution 135, a joint resolution proposing an amendment to the Constitution of the United States for the establishment of a legislative veto.

SENATE JOINT RESOLUTION 152

At the request of Mr. LEVIN, the name of the Senator from North Dakota (Mr. BURDICK) was added as a cosponsor of Senate Joint Resolution 152, a joint resolution to designate the week of May 6, 1984, through May 12, 1984, as "Batten's Disease Awareness Week."

SENATE JOINT RESOLUTION 158

At the request of Mr. PELL, the name of the Senator from Ohio (Mr. GLENN) was added as a cosponsor of Senate Joint Resolution 158, a joint resolution condemning the brutal behavior of the Government of the Union of Soviet Socialist Republics for the destruction of Korean Air Lines Flight 007 with the loss of 269 innocent lives.

SENATE JOINT RESOLUTION 159

At the request of Mr. MATHIAS, the names of the Senator from Missouri (Mr. EAGLETON), the Senator from Vermont (Mr. STAFFORD), and the Senator from Colorado (Mr. HART) were added as cosponsors of Senate Joint Resolution 159, a joint resolution to authorize the further participation of U.S. Armed Forces in the multinational peacekeeping force in Lebanon.

SENATE JOINT RESOLUTION 160

At the request of Mr. BYRD, the names of the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Utah (Mr. HATCH) were added as cosponsors of Senate Joint Resolution 160, a joint resolution to designate the week of October 17, 1983, through October 24, 1983, as "National Adult Continuing Education Week."

SENATE CONCURRENT RESOLUTION 21

At the request of Mr. COHEN, the name of the Senator from Ohio (Mr. GLENN) was added as a cosponsor of Senate Concurrent Resolution 21, a concurrent resolution expressing the sense of the Congress respecting the administration of title X of the Public Health Service Act.

SENATE CONCURRENT RESOLUTION 40

At the request of Mr. LEVIN, the names of the Senator from Ohio (Mr. GLENN), and the Senator from Tennessee (Mr. SASSER) were added as cosponsors of Senate Concurrent Resolution 40, a concurrent resolution expressing the sense of the Congress that a uniform State act should be developed and adopted which provides grandparents with adequate rights to petition State courts for privileges to visit their grandchildren following the dissolution—because of divorce, separation, or death—of the marriage of such grandchildren's parents, and for other purposes.

SENATE CONCURRENT RESOLUTION 62

At the request of Mr. MATTINGLY, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of Senate Concurrent Resolution 62, a concurrent resolution to direct the Commissioner of Social Security and the Secretary of Health and Human Services to develop a plan outlining the steps which might be taken to correct the social security benefit disparity known as the notch problem.

SENATE RESOLUTION 115

At the request of Mr. PRESSLER, the name of the Senator from Alabama (Mr. DENTON) was added as a cosponsor of Senate Resolution 115, a resolution to express the sense of the Senate on the need to facilitate U.S. exports by opposing international restrictions on the marketing and distribution of such exports.

SENATE RESOLUTION 127

At the request of Mr. ANDREWS, the names of the Senator from Massachusetts (Mr. TSONGAS) and the Senator from Nebraska (Mr. EXON) were added as cosponsors of Senate Resolution 127, a resolution to make the Select Committee on Indian Affairs a permanent committee of the Senate.

SENATE RESOLUTION 201

At the request of Mr. PRESSLER, the name of the Senator from Nebraska (Mr. EXON) was added as a cosponsor of Senate Resolution 201, a resolution expressing the sense of the Senate concerning the use and/or provision of chemical warfare agents by the Soviet Union.

AMENDMENT NO. 1299

At the request of Mr. BOSCHWITZ, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Texas (Mr. TOWER), and the Senator from Illinois (Mr. PERCY) were added as cosponsors of amendment No. 1299 intended to be proposed to S. 869, a bill to amend the Export-Import Bank Act of 1945.

AMENDMENT NO. 2134

At the request of Mr. SYMMS, his name was added as a cosponsor of amendment No. 2134 proposed to Senate Joint Resolution 158, a joint resolution condemning the brutal behavior of the Government of the Union of Soviet Socialist Republics for the destruction of Korean Air Lines flight 007 with the loss of 269 innocent lives.

At the request of Mr. HUDDLESTON, the name of the Senator from California (Mr. WILSON) was added as a cosponsor of amendment No. 2134 proposed to Senate Joint Resolution 158, supra.

SENATE RESOLUTION 219—RELATING TO RESTORATION OF DEMOCRACY IN CHILE

Mr. KENNEDY (for himself, Mr. CRANSTON, and Mr. DODD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 219

Whereas September 11, 1983, marked the tenth anniversary of the establishment of military rule in Chile;

Whereas on September 11, 1973, a military coup led by General Augusto Pinochet overthrew the constitutionally elected government of Salvador Alende and brought about the collapse of democratic institutions in Chile;

Whereas in the months following the September 1973 coup, up to 25,000 Chileans were killed by the regime of President Pinochet;

Whereas in the four days of demonstrations from September 8 to 11, 1983, fifteen Chileans have been reported as killed and over 550 arrested, and between June and September 1983 at least 40 persons were killed by the Chilean Armed Forces during public demonstrations of opposition to the regime of Augusto Pinochet;

Whereas during the same four month period, thousands more have been arrested in massive round-ups in working class neighborhoods in Chile;

Whereas the Pinochet regime, in response to the nationwide protests of June 14, 1983, targeted Chile's labor movement in particular, as shown by the dismissal of 31 union leaders and 799 copper workers from CODELCO, the imprisonment of 15 labor leaders by late June, and the arrest of 5 directors of the Coordinadora Nacional Sindical in the first week of July;

Whereas the Government of Augusto Pinochet has been linked by United States investigators to acts of terrorism and assassination in Argentina, Italy, and the United States, and was found "legally culpable" by a United States Federal District Court Judge for the September 21, 1976, murders of former Chilean Ambassador Orlando Leterlier and Ronni Moffit;

Whereas only a fraction of the over 11,000 Chileans exiled by the Pinochet regime since the 1973 coup have been allowed to return to their country;

Whereas the present Chilean constitution grants executive authority to Augusto Pinochet until 1989 and allows for delays in popular elections until 1998;

Whereas Amnesty International has noted that in recent years there has been a marked deterioration in the human rights situation in Chile, demonstrated by a consistent pattern of arbitrary detention, political imprisonment and killings, and systematic torture; and

Whereas Anmesty International, the International Commission of Jurists, the United Nations Human Rights Commission Ad Hoc Working Group of Chile, the United Nations General Assembly, and the Organization of American States Commission on Human Rights have stated that the regime of Augusto Pinochet has violated basic human rights and political freedoms in Chile since the military coup of 1973 in that country: Now, therefore, be it.

Resolved, That until Chile returns to its long tradition of democratic procedures and institutions—

(1) the United States should continue to deny any and all military assistance directly or indirectly to the government of Augusto Pinochet;

(2) the United States should also deny all economic assistance to the government of Chile, including Export-Import Bank and Commodity Credit Corporation guarantees and loans; and

(3) as mandated under section 701(f) of the International Financial Institutions Act of 1977, the United States should oppose all loans and grants to Chile by international financial institutions such as the Inter-American Development Bank, the International Bank for Reconstruction and Development, and the International Development Association, unless such assistance is directed specifically to programs which serve the basic human needs of the people.

Mr. KENNEDY. Mr. President, today I am proud to join with Senators CRANSTON and DODD in the Senate and Representatives TED WEISS, MIKE BARNES, and others in the House of Representatives, in submitting a resolution calling for the restoration of democracy in Chile.

Our resolution provides that until Chile returns to its long tradition of democratic government and institutions, the United States should deny all military and economic assistance to its military government under General Pinochet—except for humanitarian aid to the people of Chile on a nongovernmental basis.

Last Sunday, September 11, marked the 10th anniversary of the brutal military coup in Chile. Thousands of Chileans—leaders from the church, the labor unions, and the political oppositon—joined together with students and workers in protest against General Pinochet's repressive dictatorship. They demanded full restoration of democratic institutions and respect for human rights that had flourished for over a century and a half in Chile.

Today, in Washington, we also mark the anniversary of this tragic turn of history. We are here to voice our concern and support for the cause of democracy and human rights in Chile, and to demonstrate once again to the brave people of Chile that they do not stand alone.

Since the 1973 military takeover, Chile has become a symbol of gross and continuing violations of human rights and civil liberties, disappearances, and arbitrary killings, and detentions. The systematic use of torture, internal exile, and banishment have replaced the rule of law.

The Chilean Government also stands condemned for its sponsorship of the terrorist bombing on the streets of Washington that killed Orlando Letelier and Ronni Karpen Moffitt. For that act alone, the Pinochet regime deserves condemnation by the entire international community.

A decade has now passed since the coup of 1973, but the harsh repression inflicted by the regime has failed to muffle the people's demand in Chile for democracy and freedom. Since May of this year, the citizens of Santiago and other cities have staged continuing protests against the Pinochet regime; the clang of pots and pans in the streets echoes the cry from the heart of the growing numbers of people in every section of that land who are demanding that the dictatorship must end. The entire democratic opposition in Chile has come together in a democratic alliance for an end to military rule. Every day, the people of Chile risk beatings and imprisonment for their belief in democracy. A total of 55 people have reportedly been killed during the recent months of demonstrations—15 during last week's protests alone. Hundreds have been beaten and thousands imprisoned by Chilean security forces.

Just this past week, labor leader Rodolfo Seguel, who speaks for the Coalition of Chilean Labor Federations, was imprisoned once again. He has begun a hunger strike in protest against continued repression. His cause is our cause. His demands are our demands. We will not rest until democracy returns to Chile.

At this critical time in the struggle for democracy and human rights in Chile, the United States must make clear to the Chilean people that our Nation strongly supports their commitment to the early and peaceful restoration of democratic government in Chile. The Reagan administration must take no steps that would only serve to prolong in power the floundering military regime that has betrayed Chile's noble tradition of democratic rule and that has been censured repeatedly by respected international human rights organizations.

In desperation, the government of General Pinochet has attempted to make certain limited concessions in the face of growing opposition. We welcome the recent decisions to permit the repatriation of 200 political exiles, to ease restrictions on the press and on public protests, and to renew discussions with opposition leaders. But those minimal steps are not enough to save the General's totalitarian regime. The people of Chile want a final end

to human rights abuses and an immediate return to full democracy.

Since the military coup in 1973, I have worked closely with many of you to help restore democratic institutions and respect for human rights in Chile. I have held hearings where we heard of the personal anguish of the families of Americans and Chileans tortured and killed by the security forces. I have proposed legislation calling on the U.S. Government to halt aid to Chile. In 1976, my amendment to bar all military aid to Chile became the law of the land, and it remains today as the legal prohibition that prevents such support to the Chilean dictatorship.

I have read, year by year, the reports of international investigating commissions and private human rights organizations. Their verdict still stands. The Pinochet regime still disdains democratic values and the rule of law.

Together we say on this anniversary of repression—10 years of dictatorship is 10 years too much. As a U.S. Senator, as an American, and as a friend of the Chilean people, I am committed to the struggle for freedom in Chile. That is the only fitting memorial for all those who have died at the hands of the Pinochet regime. It is the only fitting tribute to all of those today who risk their lives and their livelihood for the cause of liberty in their land.

I am honored to join in submitting this new congressional resolution for democracy and against dictatorship in Chile. May it be passed in Congress, heeded in Santiago, and heard by all who share our cause of freedom and human rights.

Mr. President, I ask unanimous consent that a letter sent on September 13, 1983, to Secretary of State Shultz, and articles on the present situation in Chile be printed in the RECORD.

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

U.S. SENATE,
Washington, D.C., September 13, 1983.

Hon. GEORGE P. SHULTZ,
Secretary, Department of State, Washington, D.C.

DEAR MR. SECRETARY: We were pleased to see the Department of State's July 11, 1983 statement expressing "support for the right to peaceful dissent" in Chile and recognizing the need "for the transition to democracy sought by the vast majority of Chileans."

As you know, the tenth anniversary was recently observed of the military coup that interrupted a long tradition of democratic government in Chile.

Despite the passage of years, it is evident that the Chilean people have maintained their attachment to democratic principles. Recently, virtually all sectors of the population have joined in pressing demands for an early resumption of democratic government. In keeping with the high priority that you have asserted to the promotion of democracy as a goal of American foreign policy, we call upon the Department of State to aid the movement to restore full democracy in Chile to the maximum degree that is consistent with respect for Chilean sovereignty.

Specifically, we believe that it would be helpful for the Department to condemn publicly all efforts by the Chilean military junta to use repressive measures such as exile, political imprisonment and torture to crush the movement towards democracy. In addition to speaking out on such human rights matters, we hope the Department will follow up its July 11 statement by making it unmistakably clear that the U.S. supports a speedy and peaceful restoration of democratic government in Chile.

Sincerely,

DANIEL P. MOYNIHAN, EDWARD M. KENNEDY, DONALD W. RIEGLE, JR., ALAN CRANSTON, ALAN J. DIXON, JEFF BINGAMAN, JOHN GLENN, CHRISTOPHER J. DODD.

[From the New York Times, Sept. 11, 1983]

AN EXILE FINDS CHILE STRUCK BY A PLAGUE

(By Ariel Dorfman)

SANTIAGO, CHILE.—Returning to Chile after 10 years of forced exile, I am shocked by all that has changed. I am also shocked by what remains the same.

Everything seems so normal—much too normal. The same birds awaken me each morning that used to do so a decade ago, before a military coup crushed democracy. Somehow, I expected the birds to sing differently under a dictator. I imagined that the terror would have modified even the taste of food and the way people laugh. But everyday life appears much as it was when I left. Other things, however, have indeed changed.

I had read that Gen. Augusto Pinochet's model of development had created a new and opulent social class, but nothing could prepare me for what I felt when, after passing through a virtually unaltered Santiago, I reached the barrio alto—the hill-slope neighborhood where the privileged classes of Chile traditionally reside. This is the only part of the city that is unrecognizable. I found myself being guided, like a tourist, along unknown avenues filled with hundreds of glass towers and shopping malls, splendid gardens and efficient freeways. I could not believe that this was Chile. It was as if I had stepped into one of the nicer suburbs of a metropolis back in the States. In just 10 years, a modernized, sleek and exclusive city-in-itself had arisen, as if from nowhere.

There has always been, in Chile as in the rest of Latin America, an abysmal distance between the rich and the poor. But those who live in these countries find ways of disguising that distance or ignoring it. My years away from home have given back to me not only the possibility of measuring that distance but of overwhelming me with the stark, irrefutable evidence of its malignant growth. Only a few miles from the barrio alto is the price that Chile must pay for so much ostentatious luxury for a few: the slums where millions of impoverished Chileans live in squalor. When I left Chile, these people had been poor. When I came back, I discovered that General Pinochet had performed the considerable miracle of making them even more miserable, stranding them even further from the mainstream of society.

Visiting one shantytown, I realized that these people have lived an exile more terrible than my own. They may have had the comfort of the mountains, and they could speak Spanish while I had to learn foreign languages and read incomprehensible street signs, but they have been turned into strangers in their own land. They have not only been denied a decent life but also the means to protest against that denial.

What is true of them is true of most Chileans, even those in a better financial situation. It is as if Chile had been struck by a plague. I am scandalized by the physical ruin of my country. The economic crisis, the worst in our history, touches everybody.

I drove through the industrial belt of Santiago and it was like visiting a gost town. Stores are empty. Most of my friends and family are unemployed or hold only part-time jobs. Though it is winter, there is no heating in the house where I am living: Money must be used for more urgent matters.

And yet, in this land without a free press, this land where hundreds of thousands have been jailed and humiliated, where exile and violence and lying have become as natural as breathing air, the predominant mood is not despair. People know, of course, that General Pinochet still holds power. He can still order his troops to murder, and he does. He can still torture, and does. He can still transmit his most incoherent thoughts into each home whenever he so desires, and he so desires incessantly. But a dictator cannot last unless he rules the minds, as well as the bodies, of his people. If he cannot make their dreams coincide with his promises, and their fears coincide with his threats, he is lost. I am fortunate to have returned at the very moment when General Pinochet has lost control over the dreams of Chile. Day by day, I am witnessing the rebirth of this country.

Living under the shadow of violence and rage, people have somehow found the courage to demand, over and over, the return to democracy, to dream a country where it is abnormal that men can come in the night and makes you disappear, a country where it is aberrant that four square miles of a city have grown wondrously while everything else stagnates. People are no longer afraid. At night, they bang pots and pans to protest as if they were in front of the walls of Jericho, and in the daytime they march and congregate and openly discuss ways of ridding themselves of the tyrant. I have seen them risk the bullets and the beatings and the dogs. I have seen them bring a multitude of defiant Chilean flags to the airport to greet returning exiles.

Slowly, another sort of country is emerging, a country where I do not feel like a stranger. I love the birds and the mountains and the smell of fruit. I love to play with the nephews who were born during these 10 years. But what makes me feel really at home is the rebirth of my country.

To clean this land will not be easy. Dictators do not only impoverish society. They corrupt and soil its soul. They sow mistrust and division.

But it is good to be home and to be able to say that not only the birds awaken me every morning. It is so good to be able to tell the world that my country is alive.

[From the New York Times, Sept. 9, 1983]

CHILE'S 10 YEARS OF MISRULE

(By Peter Winn)

BOSTON.—A decade has passed since the Chilean military seized power in a bloody coup that overthrew President Salvador Allende Gossens and put an end to his democratic road to socialism. It has been a decade since a Chilean colonel proudly told me to

come back in 10 years and "see what we have done for Chile." In fact, he and his fellow officers have destroyed Chile's economy and united the people in opposition to their regime. They have proved to be incompetent as well as inhumane, sowing the seeds of their own overthrow.

During the weeks that followed the coup d'état, the military killed 25,000 of its 10 million countrymen—the equivalent of 500,000 in the United States. Another 100,000 passed through the prisons, concentration camps and torture chambers of the secret police, which intimidated one out of every 10 Chileans into spying on their colleagues and neighbors. Where Chile used to be famous for its civil liberties, the military made it notorious for the denial of human rights.

When the armed forces seized power, they said they did it to uphold "the rule of law" and to make sure that Chile would remain "a free country." But they have destroyed their country's democratic institutions and imposed the arbitrary personal dictatorship of Gen. Augusto Pinochet. They have censored the press, emasculated the courts and made a mockary of both liberty and law. Their totalitarian purpose is clear in their efforts to penetrate and purge the unions and universities, the churches and civic associations. Like Mussolini, they have not hesitated to murder their opponents in their places of exile, even on the streets of Washington.

When the military seized power, it said that its purpose was to defend the economic security of the nation, but what has it done to Chile's economy? The regime has given free rein to conservative economic ideologies, whose monetarist dogmas and freemarket policies have destroyed the country's industrial fabric and undermined the state's capacity to promote development or to ameliorate crisis. The consequences of the embrace of Milton Friedman's "Chicago Boys" are now all too clear. Speculators have made millions and colonels' wives drive Mercedes-Benzes, but the country is bankrupt and the people are hungrier than they ever were under President Allende.

After 10 years of misrule, industrial production and productive investments are half what they were a decade ago, and foreign capital is fleeing, along with the best educated citizens. The regime has made unemployment and underemployment a way of life for almost half the workforce and poverty a reality for most of the people. It has turned a global recession into a national depression. Inflation is 35 percent and rising, the economy shrank 14 percent last year and the per capita foreign debt is the highest in the world. The regime's vaunted economic miracle has proved a mirage.

When the armed forces seized power, they talked about the moral regeneration of Chile. But the regime has made beggars of the poor and paupers of the middle class. It has turned daughters into prostitutes and fathers into alcoholics, neighbors into informers and soldiers into torturers. Its policies have destroyed the stability of families and the fabric of society. It has deprived grown men of their dignity and children of their health. And it has become corrupt itself. It has given Chile a Government with few redeeming virtues, one with nothing to be proud of.

Many Chileans applauded the coup a decade ago, but few support the military today. Members of the middle class who beat their pots and pans for President Allende's overthrow then are banging them now for the ouster of General Pinochet. In this, the military has worked a political miracle: It has united a divided people—against itself.

It is all too clear what the military has done to Chile. Ten years ago, the colonel told me that he would "do what was necessary to save Chile." Today, it is obvious what is required. It is time that the officers returned to their barracks and gave the Chilean people another chance to rule themselves. Democracy may not be perfect, but it is far better than the military's disastrous despotism.

[From the Washington Post, Sept. 8, 1983]

TWO REPORTED KILLED, 550 ARRESTED IN PROTESTS THROUGHOUT CHILE

(By Jackson Diehl)

SANTIAGO, CHILE, September 8.—Renewed demonstrations against the government of Gen. Augusto Pinochet shook Chilean cities today, leading to more than 550 arrests and two reported deaths and jolting a fragile effort by the government and its opposition to negotiate political peace.

Despite public pledges by political leaders and authorities to avoid violence, the fifth consecutive monthly demonstration against Pinochet's military rule provoked day-long incidents in Santiago between thousands of protesters and police using tear gas, clubs and water cannon.

Marches and clashes were also reported in Concepcion, Temuto, Valparaiso and other major cities. Authorities confirmed tonight that one woman was shot to death by police in Valparaiso and a man was shot to death in Santiago. At least six persons were reported wounded.

Dozens of persons, including a protest coordinator who is the leader of the opposition Christian Democratic Party, were reported to have suffered injuries in beatings by police. Another Christian Democratic leader, former Sen. Patricio Aylwin, was arrested and later released.

The demonstrations reached a height tonight when thousands of persons marched through the streets of poor neighborhoods and built barricades to keep police out. Violent confrontations between police and demonstrators were reported in a number of neighborhoods, while in others residents limited themselves to peacefully banging pots and pans.

The new antigovernment demonstrations were scheduled three days before the Pinochet government's planned celebration of the 10th anniversary of the military coup against Socialist president Salvador Allene. They interrupted recent talks between Interior Minister Sergio Jarpa Reyes and the opposition Democratic Alliance, which includes the Christian Democrats and other parties, over a possible political solution to the growing confrontation between Pinochet and a mass protest movement.

The demonstrations in Santiago appeared to equal those of previous months despite a highly promoted initiative by Pinochet to relax his authoritarian rule. In the last month the government has authorized the return of more than 2,000 political exiles, lifted restrictions on the press and street movement and discussed further liberalization with opposition political leaders.

Following three days of violence last month that left at least 24 dead, the government also abandoned its use of troops and a curfew to repress street demonstrations today. Jarpa denounced the call for a national protest but said peaceful actions would be tolerated.

In Santiago, however, violence broke out at midday when more than 1,000 persons assembled around the traffic-congested Plaza Italia for a demonstration and sit-in planned by the Democratic Alliance.

Alliance leaders had meant to block a major traffic circle and marched down Santiago's Central Avenue toward the presidential palace. But when Genaro Arriagada, protest organizer and Christian Democratic party leader, sat down in the street with a group of protestors, he was beaten on the legs and body by police and forcibly moved.

Moments later, Aylwin, a former party president, was arrested and police began firing tear gas and jets of water from small tanks.

Militant students responded with rocks. For more than an hour afterward, more than 200 police battled with demonstrators around the plaza as opposition leaders unsuccessfully sought to mediate.

Confrontations between police and demonstrators continued through the afternoon.

Tonight, Santiago authorities reported that 250 persons had been arrested in the capital before nightfall, but that all but two had been ordered released. More than 300 were reported arrested in other parts of the country.

The conflicts led opposition leaders to charge brutality by police and a reflection by Pinochet's government of its promise of accepting peaceful protest. "A violence is being turned loose that is unacceptable," said Gabriel Valdes, the leader of the alliance and president of the Christian Democratic Party.

Jarpa rejected the opposition charges and said the violence resulted because those who organized [demonstrated] don't take responsibility for the consequences. He said tonight that fewer people had participated in the protest than in earlier demonstrations and that the country was "on the road to greater normality." He called on alliance leaders to circulate in poor neighborhoods tonight to prevent further disorders.

The debate over the violence today continued this week's harsh public dialog between opposition and government leaders over the protests and the government's progress in its political relaxation.

Jarpa and other government officials have said the new program is offering peaceful outlets for dissent and have criticized the opposition coalition for continuing to organize day-long national protests. The government maintains the protests have been dominated by extremist Marxist groups that more moderate leaders cannot control.

Today, government officials supported that charge by pointing to the slaying by security forces in shootouts last night of five alleged members of a leftist extremist group, the Revolutionary Left Movement. Another nine persons were arrested in raids that authorities said resulted in the capture of large stores of arms and evidence linking Revolutionary Left suspects to the assassination last wek of the governor of Santiago, Gen. Carol Urzua.

Jarpa said in a press conference yesterday that citizens should organize defense committees in their neighborhoods to protect themselves against violence and added that if terrorist violence increased, "the answer" of the vigilante groups "will have to be put in arms as well."

Opposition leaders, who have blamed security forces for deaths in previous national protests, sharply attacked Jarpa for his statements and warned tht they are losing

faith in the goverment's effort at negotiation.

SENATE RESOLUTION 220—RELATING TO EMERGENCY ASSISTANCE TO FARMERS AND OTHERS ADVERSELY AFFECTED BY THE DROUGHT

Mr. HUDDLESTON (for himself, Mr. ANDREWS, Mr. ZORINSKY, Mr. MELCHER, Mr. BOREN, Mr. PRYOR, Mr. HEFLIN, Mr. DIXON, Mr. FORD, Mr. BAUCUS, and Mr. HART) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 220

Whereas many farmers have had their 1983 crops devastated by the current drought;

Whereas further deterioration of the 1983 crops could precipitate a financial crisis for farmers, farm-related businesses, and agricultural lenders;

Whereas the people of the United States and millions of people elsewhere in the world depend on U.S. agriculture for food and fiber;

Whereas a strong agriculture is essential to the economic well-being of the Nation;

Whereas three successive years of abnormally low farm income and the problems many farmers now face due to the drought are seriously weakening U.S. agriculture;

Whereas the Agricultural Act of 1949, the Consolidated Farm and Rural Development Act, and other Acts of Congress give broad authority to the Executive Branch of the Government to take emergency action to assist farmers and others in recovering from the adverse effects of natural disasters and strengthen U.S. agriculture: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should use his authority to designate farming communities especially hard-hit by the current drought as eligible for Federal disaster assistance.

SEC. 2. It is further the sense of the Senate that the President, the Secretary of Agriculture, and the Administrator of the Small Business Administration should use the broad authorities vested in them by Congress to take emergency action immediately to assist farmers and others adversely affected by the drought and strengthen U.S. agriculture, including, but not limited to, the following actions:

(1) deployment of special emergency teams in States affected by the drought. These teams should be comprised of representatives from the agencies responsible for administering disaster assistance programs that can be used to aid farmers and farm-related businesses;

(2) making disaster payments available to wheat, feed grain, upland cotton, and rice producers, where needed in severely affected areas;

(3) use of the authority provided in the Omnibus Budget Reconciliation Act of 1982, with respect to wheat, feed grains, upland cotton, and rice, to make advance deficiency payments available to producers of 1984 crops for which there will be acreage reduction programs and for which deficiency payments are likely to be required;

(4) reopening of the emergency livestock feed program to aid farmers who have lost crops that would have been used to feed livestock;

(5) designation of counties for the Farmers Home Administration emergency disaster loans before harvesttime;

(6) return of the authority to make Farmers Home Administration county disaster designations to the Farmers Home Administration State directors;

(7) making Farmers Home Administration emergency disaster loans available based on estimated losses; and

(8) full use of Farmers Home Administration and Small Business Administration programs to make direct loans to, or guarantee loans for, rural businesses affected by the drought and payment-in-kind program.

SEC. 3. The Secretary of the Senate shall transmit a copy of this Resolution to the President, the Secretary of Agriculture, and the Administrator of the Small Business Administration.

Mr. HUDDLESTON. Mr. President, I am submitting a resolution expressing the sense of the Senate that the President and Secretary of Agriculture should take immediate action to make emergency assistance available to the many thousands of our Nation's farmers whose crops have been devastated by the current drought. The resolution calls for the Department of Agriculture to put into operation the emergency programs designed to provide assistance to farmers and others adversely affected by natural disasters.

Specifically, the resolution calls for the following:

First. Presidential disaster designations. A Presidential designation will make special assistance available under the Disaster Relief Act of 1974, as appropriate, and automatically trigger the Farmers Home Administration emergency disaster loan program.

Second. The deployment of special emergency teams in States affected by the drought. It is essential that emergency teams be deployed immediately so that they can begin to organize emergency assistance efforts and train the temporary personnel that will be needed before field offices are inundated with requests for assistance.

Third. Making disaster payments available to wheat, feed grain, upland cotton, and rice producers—under the discretionary authority provided in the Agriculture and Food Act of 1981—where needed in severely affected areas.

Fourth. With respect to wheat, feed grains, upland cotton, and rice, making advance deficiency payments available to producers of 1984 crops for which there will be acreage reduction programs and for which deficiency payments are likely to be required—under the discretionary authority provided in the Omnibus Budget Reconciliation Act of 1982.

Fifth. Reopening the emergency livestock feed payment program to aid farmers who have lost crops that would have been used to feed livestock.

Sixth. Designations of counties for the Farmers Home Administration emergency disaster loan program before harvesttime. Commercial lenders and farm suppliers need to know if farmers in their area can expect Federal assistance. Early designations will aid small businesses in their planning for the 1984 crop year and will encourage lenders to extend needed credit. Farmers and businesses need the assurance that Federal help is on the way.

Seventh. Returning authority to make Farmers Home Administration county disaster designations to the Farmers Home Administration State Directors. This will eliminate unnecessary redtape and give the local officials with the most knowledge of the problem the necessary authority to provide assistance.

Eight. Accepting individual applications for Farmers Home Administration natural disaster emergency loans based on estimated losses.

Ninth. Providing loans and loan guarantees, through the Small Business Administration and the Farmers Home Administration programs, to rural businesses adversely affected by the drought and payment-in-kind program.

In addition to the actions called for in the resolution, I urge the administration to take steps to insure that these programs, for which there will be thousands of qualified applicants, do not become bogged down in a tangle of redtape and procedural delay.

The current drought and its effects on the 1983 harvest and future food prices are matters of national concern. There is a possibility that the situation will continue to deteriorate and thereby precipitate a crisis not only for farmers but, also, farm suppliers and farm lenders. Meetings, public relations efforts, and expressions of sympathy will not solve this national problem.

The course of action outlined in this resolution will provide much-needed emergency assistance. I urge my colleagues to join me in sponsoring this resolution.

Mr. DIXON. Mr. President, the United States is facing the worst drought in 50 years. The effects of the heat wave on crop production and farm programs next year and beyond are still not clear, but they are going to be important and have major implications for agricultural policy.

Drought conditions continue to grip much of our Nation's farmland. Substantial damage has already been done to many growing crops, and further deterioration of the farm situation is possible. The U.S. Department of Agriculture's September Crop Report, released on September 12, indicated that we could harvest in 1983 the smallest corn crop and soybean crop in years.

In my own State of Illinois, farmers will, according to the estimates, harvest the smallest corn crop in 25 years.

The USDA indicated that Illinois farmers will harvest 608.4 million bushels of corn. The average yield per acre will be 78 bushels, the lowest since 1970.

Soybean production will be 247.8 million bushels with an average yield of 28 bushels an acre—the poorest crop in 9 years.

The Department of Agriculture has indicated that farmers in counties declared a disaster area will be eligible for the natural disaster emergency loan program.

The full impact of this drought has not been totally felt. Farmers, agribusinesses, lending institutions, and rural communities could be devastated by this national emergency.

It is because of my grave concern about this situation that I join my distinguished colleague, Senator HUDDLESTON, in offering this resolution to request that the President use the authority he has in providing the much needed assistance to the agricultural sector.

SENATE RESOLUTION 222—CALLING FOR A REDUCED SOVIET PRESENCE IN THE UNITED STATES AS A RESULT OF THE DESTRUCTION OF KOREAN AIR LINES FLIGHT 007

Mr. HUDDLESTON submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 222

Whereas, the United States is shocked and outraged over the actions of the Soviet Government on August 31, 1983, which led to the destruction of Korean Air Lines flight 007, with the loss of 269 lives;

Whereas, Korean Air Lines flight 007 was an unarmed, clearly-marked civilian airliner with innocent men, women, and children of 13 nationalities aboard;

Whereas, the Congress believes appropriate sanctions must be imposed upon the Soviet Government in order to demonstrate that the actions of August 31, 1983, represent unacceptable behavior;

Whereas, the official Soviet presence in the United States is substantially greater than the Official United States presence in the Soviet Union: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should reduce the Soviet official presence within the United States in order to establish substantial equivalence with the official United States presence in the Soviet Union.

Mr. HUDDLESTON. Mr. President, earlier today my amendment to House Joint Resolution 353, regarding the destruction of Korean Air Lines flight 007 on August 31, was tabled. I am, consequently, introducing my amendment as a separate sense of the Senate resolution and will seek to find another vehicle to which to attach it.

AMENDMENTS SUBMITTED

DESTRUCTION OF KOREAN AIR LINES FLIGHT 007

HELMS AMENDMENT NO. 2135

Mr. HELMS proposed an amendment (which was subsequently modified) to the joint resolution (H.J. Res. 353) condeming the Soviet criminal destruction of the Korean civilian airliner; as follows:

At the end of the joint resolution, add the following new section:

SEC. 2. It is the sense of the Congress that the President should recall the United States Ambassador to the Soviet Union for urgent consultations.

It is the sense of the Congress that the President should conduct a comprehensive reappraisal of the complete spectrum of United States-Soviet relations, including arms control, human rights, East-West trade, and regional issues.

It is the sense of the Congress that the President should report to the Congress on the record of Soviet compliance or non-compliance with the letter and spirit of all existing strategic arms limitations talks (SALT) agreements and other arms control agreements to which the Soviet Union is a party.

It is the sense of the Congress that the President should direct the United States negotiators at the strategic arms reduction talks at Geneva to link the possible success of such talks with the willingness of the Soviet Union to abide by international law as a responsible member of the community of nations, paying specific attention to the KAL 007 massacre, Soviet violations of the Helsinki accords, the Soviet invasion and subjugation of Afghanistan, the repression of Poland and its free labor movement, and the use of chemical and biological weapons in contravention of existing treaties.

It is the sense of the Congress that the President should re-emphasize the inconsistency of the Soviet military presence in the Western Hemisphere with the Monroe Doctrine.

It is the sense of the Congress that the President should tighten substantially the foreign policy and military controls over the export of machine tools, high technology products, and equipment for the development of Soviet oil and gas resources.

It is the sense of the Congress that the President should direct the Secretary of the Treasury to use existing statutory authority to prevent the import of any product or material produced in the Soviet Union with the use of forced labor.

MURKOWSKI AMENDMENT NO. 2136

Mr. MURKOWSKI proposed an amendment to the joint resolution House Joint Resolution 353, supra; as follows:

At the end of the joint resolution, add the following new section:

SEC. 2. (a) The Congress finds that—

(1) in December of 1982 the United States exported to the Union of Soviet Socialist Republics an average of 10,000 barrels per day of petroleum products and 222,000 barrels of petroleum coke, 81,000 barrels of lubricants, and 13,000 barrels of other miscellaneous petroleum products;

(2) in March of 1983 the United States exported to the Republic of Korea an average of only 5,000 barrels per day of petroleum products, 5,000 less per day than what the Union of Soviet Socialist Republics received in December 1982 and exported to the Republic of Korea 152,000 barrels of petroleum coke, 70,000 barrels less than which the Union of Soviet Socialist Republics received in December 1982; and

(3) while the United States permits the export of petroleum products to the Union of Soviet Socialist Republics the United States denies its allies in the Pacific Rim crude oil that would enhance their energy security and the overall international security of the Pacific Rim.

(b) No license may be issued for the export to the Union of Soviet Socialist Republics of any refined petroleum product, as defined by section 7(e)(4) of the Export Administration Act of 1979, or of any residual fuel oil.

DOLE (AND OTHERS) AMENDMENT NO. 2137

Mr. DOLE (for himself, Mr. GARN, and Mr. HEINZ) proposed an amendment to the joint resolution House Joint Resolution 353, supra; as follows:

At the end of the submitted text, add the following:

"*And be it further resolved*, That the Senate and the House of Representatives in Congress assembled urge the President of the United States to seek agreement with major creditors of the Soviet Union on a systematic and substantial reduction in credits and guarantees extended to the Soviet Union."

KASTEN (AND MOYNIHAN) AMENDMENT NO. 2138

Mr. KASTEN (for himself and Mr. MOYNIHAN) proposed an amendment to the joint resolution, House Joint Resolution 353, supra; as follows:

At the end of the joint resolution, add the following:

And be it further resolved that the President be urged to direct that, notwithstanding any other provision of law, no funds may be paid out of the Treasury of the United States or out of any fund of a Government corporation to any private individual or corporation in satisfaction of any assurance agreement or payment guarantee entered into by any agency or corporation of the United States Government with respect to loans made and credits extended to the Polish People's Republic unless the Polish People's Republic has been declared to be in default of its debt to such individual or corporation.

MOYNIHAN AMENDMENT NO. 2139

Mr. MOYNIHAN proposed an amendment to the joint resolution (H.J. Res. 353), supra; as follows:

At the end of the resolution, add the following:

"(9) declares its intent to discontinue all exports of agricultural commodities to the Soviet Union until such time as the Soviet Government apologizes unequivocally for its actions, fully compensates the families of innocent victims, and provides credible as-

surances to the world community that it intends to fulfill its commitments to abide internationally by recognized and established procedures for insuring the safety of civil aviation.".

HAWKINS (AND OTHERS) AMENDMENT NO. 2140

Mrs. HAWKINS (for herself, Mr. NICKLES, Mr. D'AMATO, and Mr. ARMSTRONG) proposed an amendment to the joint resolution, House Joint Resolution 353, supra, as follows:

At the end of the joint resolution, insert the following: "calls on the Union of Soviet Socialists Republics to also comply with its other obligations under international law, including the Helsinki Final Act and the Universal Declaration of Human Rights by ceasing its harassment of Soviet Jewry and others wishing to emigrate, and reiterates its willingness to use trade sanctions and whatever other means may prove necessary to encourage such compliance."

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. WEICKER. Mr. President, I would like to announce that the full committee of the Senate Small Business Committee will hold a markup on Tuesday, September 20, 1983, to consider legislation to comply with the reconciliation instruction incorporated in House Concurrent Resolution 91, the first concurrent budget resolution. The committee will also consider S. 1022, a bill to amend section 8(a) of the Small Business Act to treat businesses owned by Indian tribes as socially and economically disadvantaged small business concerns. The markup will start at 9:30 a.m. in room 428A Senate Russell Office Building. For further information please contact Mike Haynes of the committee staff at 224-5175.

ADDITIONAL STATEMENTS

ANATOLY SHCHARANSKY

● Mr. MOYNIHAN. Mr. President, today, September 15, marks the halfway point in Anatoly Shcharansky's infamous sentence to 13 years confinement in Chistopol prison in the Soviet Union.

During the 6½ years since his arrest on the false charge of spying for the United States, and forced separation from his bride Avital, Anatoly Shcharansky has become far more than yet another prisoner in the Soviet Gulag. He has, in his tenacious devotion to his people and his faith, become the very symbol of embattled Soviet Jewry.

It is accordingly most appropriate that we note this milestone in his travail—particularly because Soviet law allows for a prisoner to be released after completing half of their prescribed sentence. The perilous state of Anatoly Shcharansky's health, a condition gravely worsened by his recent 4 month hunger strike, should, of itself, be sufficient reason for the Soviet regime to release this Prisoner of Conscience—a man whose only crime has been the desire to freely practice the faith of his ancestors in their ancient homeland.

The people of New York State are, with all Americans of good will, deeply concerned about Anatoly Shcharansky's plight. It is for this reason that our Governor, Mario M. Cuomo, has declared today to be Anatoly Shcharansky Day in New York State.

Governor Cuomo's proclamation is of significance to all of us who cherish human freedom and admire Anatoly Shcharansky. I therefore ask that the complete text of Governor Cuomo's proclamation be reprinted in full.

The proclamation follows:

PROCLAMATION

STATE OF NEW YORK EXECUTIVE CHAMBER

Whereas, Anatoly Shcharansky has been imprisoned for six and one-half years; and

Whereas, in all those years, he has been isolated from his wife and his family and has gone on a four month hunger strike to protest his isolation which resulted in the serious deterioration of his health; and

Whereas, Anatoly Shcharansky is a symbol of all Prisoners of Conscience in the Soviet Union; and

Whereas, Soviet Law makes it possible for a prisoner to be released after the completion of half of his sentence and, this will fall on September 15th,

Now, Therefore, I, Mario M. Cuomo, Governor of the State of New York, do hereby proclaim September 15, 1983, as Anatoly Shcharansky Day in New York State and call upon the President of the Soviet Union, Yuri Andropov, to release Anatoly Shcharansky from prison so that he may rejoin his wife in Israel.

I ask all citizens of our State to use this occasion to write to President Andropov to appeal to him to free Shcharansky, as well as all other Prisoners of Conscience whom he symbolizes.●

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS—S. 1052

● Mr. SASSER. Mr. President, I applaud yesterday's passage of S. 1052, which expands the membership of the Advisory Commission on Intergovernmental Relations. As a second-term member of the Commission and as ranking Democrat on the Senate Intergovernmental Relations Subcommittee, I endorse the purpose of S. 1052 to add to the Commission a member of an elected school board and an elected officer of a township.

The Advisory Commission on Intergovernmental Relations is nearly 25 years old. It now has 26 members representing various levels of government and it is designed to address mutual government problems. Outside of the three private citizen members of the Commission and those members who represent aspects of the Federal Government, national public interests which are represented are chosen by the President from among names submitted by groups authorized by law. While the nature of governmental relations has evolved in the last quarter-century, I feel that the statute has lagged somewhat in reflecting these changes in the authorized Commission membership. S. 1052, which I cosponsored, remedies this situation by providing a school board member from among nominees submitted by the National School Boards Association, as well as adding an elected officer of a township.

In 1959, when the Commission was created, one could hardly have foreseen the growth in the importance of local school boards to the whole area of intergovernmental relations. Today, almost 40 percent of all expenditures by State and local governments go to education and the employees of school boards comprise about 50 percent of all State and local government employees. Schools and school districts run health services, recreation and park services, libraries and emergency shelters. They operate a $3.8 billion transit system and they spend approximately $13 billion on food. In truth, school boards are the largest unit of local government.

Furthermore, education is the shared responsibility of the Federal Government along with State and local governments. I feel that the Federal Government has been remiss in not earlier recognizing the importance of school board concerns to issues of intergovernmental relations.

Education might well be described as the most truly intergovernmental of all government functions. The Advisory Commission is a highly successful forum for the discussion of problems affecting the various levels of government and for the development of reasoned recommendations. School boards have a vital stake in the important issues of State and local taxation, local expenditures mandated by Federal and State Governments, and, most certainly, decisions affecting block grants. Their voice should be heard on our Advisory Commission. Their perspective should be a part of our deliberations.

I feel that the time has come for us to remedy a glaring lack in the membership of the Advisory Commission on Intergovernmental Relations, and I am pleased that my colleagues have seen fit to approve this legislation.●

● Mr. EAST. Mr. President, leading political commentator Patrick J. Buchanan makes a strong case in a recent column against the IMF bailout. The American taxpayers cannot afford to support corrupt and socialist governments around the world. Our Government should be encouraging the great New York City banks to loan money to

Americans desiring to buy homes and create or expand businesses, not make loans to foreign governments. I ask that Mr. Buchanan's column, which appeared in the September 17, 1983 issue of Human Events, be printed in the RECORD.

The article follows:

[From the Human Events, Sept. 17, 1983]

PRICE OF IMF BAILOUT IS RAPIDLY ESCALATING

(By Patrick J. Buchanan)

The political price to President Reagan of having signed on to the Bank Bailout, fashioned by the globalists at the Treasury Department and the State Department, is beginning to escalate. Conceivably, before the International Monetary Fund has shipped off the first billion in fresh American credit, Mr. Reagan will have split his party, shattered his coalition and jeopardized his recovery.

In the House, recall, the IMF authorization of $8.4 billion passed, and was sent on to conference, by a vote of 217-211 [see roll-call, Human Events, August 20, page 22]. Liberal Democrats were critical to passage; shift of four votes could kill the bill on return.

Sensing opportunity, Fernand St Germain (D.-R.I.), chairman of the House Banking Committee, has opted for a little extortion. If Mr. Reagan does not rescue the budget-busting housing bill in the Senate, St Germain pointedly warns, there may not be enough Democratic votes to save the IMF package in the House.

Other Democrats are demanding Mr. Reagan disown or discipline the National Republican Congressional Committee, which attacked 20 Democrats for having voted—with the President's leadership in the House—to permit the IMF to continue making loans to "Communist dictatorships." A prohibition against Communist loans was tacked on to the IMF authorization.

Mr. Reagan's reputation as the great antagonist of the Soviet Union—that "evil empire"—is not likely to emerge unscathed from a ferocious lobbying effort to remove the prohibition against IMF loans to the satellite regimes of Soviet Europe.

After all, if we are into guaranteeing the credit rating of the member states of the Warsaw Pact, what's a NATO for?

The threat to Reagan's recovery comes from the historical fact that for every dollar siphoned off by the IMF from America's credit pool, four or five dollars in commercial credits follow.

What Congress is up to, then, is authorizing, for all practical purposes, the eventual transfer of perhaps $40 billion in American capital to illiquid and insolvent regimes, capital that will be unavailable to marginal businesses and American consumers when the credit crunch comes.

Other agencies are rushing to join the bailout. To convince the banks to lend more money, the Export-Import Bank has just agreed to guarantee $2 billion in loans to Mexico and Brazil for purchases in the United States.

Under the plan, U.S. industry will get the orders. U.S. banks will handle the transactions, Mexico and Brazil will get the goods—and the U.S. taxpayer will be stuck with the paper. The announcement of Ex-Im Bank's generosity was made the very week a gathering consensus was reported in Brazil that that Latin nation—the world's largest debtor—should declare a unilateral moratorium on debt repayment.

In Poland, Gen. Jaruzelski has just completed "re-scheduling" most of that portion of his $25-billion debt due the next two years. The banks who helped him work it out are now pressuring Western governments to grant Poland new credits to get its economy moving again, and to permit Jaruzelski to join and draw upon the resources of the International Monetary Fund.

Likewise, the World Bank has been informed by the Treasury Department that the United States will provide $3 billion over the next four years—$750 million a year—for its foreign aid window that gives our money away in 50-year loans at zero percent interest.

The seeming inconsistencies and contradictions of American policy are becoming, excuse me, ludicrous.

Why are OPEC countries like Venezuela and Nigeria, and OPEC collaborators like Mexico, being advanced huge sums of American capital rather than forced to pump more oil, thereby breaking the $29-a-barrel price they are using to gouge the American people?

What is a conservative government doing shelling out $3 billion in American tax dollars to World Bank bureaucrats to be given away at zero percent interest to despots like Deng Tsaio-ping when young American couples are forced to pay 14 or 15 percent—or forgo their first home?

What national security interest is served by using precious American savings to maintain the credit rating of Stalinist Rumania? Why is keeping Yugoslavia and Hungary out of international bankruptcy court more important to us than the Soviet Union? Eighteen months after he smashed Solidarity, what argument exists for not declaring the Warsaw Quisling in default?

How terribly would the free world suffer if the Communist block sank into the pit of an endless depression? How much of the limited capital accumulated by the labors of free men and women should be used to spare these oppressive and inefficient Marxist regimes their natural fate?

Were this 1975, and were Ford and Kissinger in power, the pair would have been chased out of the Republican primaries by Ronald Reagan for having dared to pursue such inexplicable policies.

THANKS AND FAREWELL TO HOWARD LIEBENGOOD

● Mr. DOLE. Mr. President, this week a dedicated man and a good friend has decided to leave the post he has so ably filled for almost 3 years. Howard Liebengood, the Senate Sergeant at Arms, is returning to the private sector after an outstanding tenure as the chief law enforcement officer of this distinguished body.

The Senators from Indiana may disagree, and the majority leader may actually object, but this Senator will state plainly that Kansas claims Howard Liebengood as one of its own. For it was in 1964 that Howard received a bachelor's degree from Kansas State University, in Manhattan.

Howard Liebengood's personal and professional accomplishments have been exemplary, ranging from a Bronze Star in Vietnam, to an impressive private law practice in Tennessee, and to a position of tremendous responsibility on capitol hill.

Howard Liebengood became the assistant majority counsel to the historic Senate Watergate Committee in 1973. He was a consultant to Senator BAKER during the Church committee's investigation into intelligence operations in 1975. The following year he became the minority staff director for the Intelligence Committee, and in 1977 served as Senate Minority Leader BAKER's legislative counsel.

After 4 years at HOWARD BAKER's side, Mr. Liebengood was well prepared to take on many duties of the Sergeant at Arms, and everyone here can attest that the Senate is better off because of his good work.

The Senator from Kansas offers Howard his best wishes and thanks him for a decade of service to the U.S. Senate.●

MONSIGNOR CLEMENT KERN

● Mr. RIEGLE. Mr. President, during our recess, the State of Michigan, and in particular, the city of Detroit, lost one of its best known champions of the poor. It is with great sadness that I rise to note the passing of Monsignor Clement Kern on Monday, August 15.

This simple and unassuming man served as pastor to the poor, the lonely, and the dispossessed in Detroit's Corktown for 34 years. Known to many as the "saint of the slums," in his role as pastor of Most Holy Trinity Church, Monsignor Kern provided solace to Detroit's poor and impoverished as well as its leaders and well-to-do.

Born in Adrian, Mich., in 1907, Clement Kern moved with his family to Pontiac when he was 12. By the age of 14, he had enrolled in a Catholic seminary in the first step on the road that saw him ordained a priest in 1933. While physically small in stature, he was a giant in his influence on others, whatever their income, politics, ethnic heritage or religion. Few could ignore his summons to care for the poor. Said one of his many admirers: "He spoke the truth as he saw it. He initiated programs for the poor with no red-tape. He just helped people." A fellow priest added: "People knew his convictions came from the center of his soul. Clem's idea was that if it was the right thing to do, you just had to do it. And he did."

Monsignor Kern is a Detroit legend. He serves as a constant reminder to all of us that compassion is not only possible, it is necessary in every human circumstance. His crusade for human dignity lasted until the day he died. He provides an excellent example for us all to emulate.

Mr. President, I rise today to commend this remarkable individual. For all of his years of dedication and serv-

ice, all of Michigan owes a debt of gratitude to this beloved man.●

REVISED ALLOCATION PURSUANT TO SECTION 2(c) OF THE FIRST BUDGET RESOLUTION FOR FISCAL YEAR 1984

● Mr. DOMENICI. Mr. President, pursuant to section 2(c) of the first budget resolution for fiscal year 1984 (H. Con. Res. 91), I hereby report to the Senate on behalf of the Committee on the Budget an adjusted allocation to the Committee on Appropriations under section 302(a) of the Congressional Budget Act. The details of this adjustment are contained in the following letter from the Committee on the Budget to the Committee on Appropriations:

U.S. SENATE,
COMMITTEE ON THE BUDGET,
Washington, D.C., September 14, 1983.

Hon. MARK O. HATFIELD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is to advise you of an adjustment in the spending totals allocated to your Committee under the First Budget Resolution for fiscal year 1984 (H. Con. Res. 91). This adjustment is made pursuant to section 2(c) of the First Budget Resolution dealing with reserve programs.

In accordance with section 302(a) of the Congressional Budget Act, the budget authority and outlay totals in the First Budget Resolution were allocated among the committees of the Senate. These allocations, contained in the statement of managers accompanying the conference report on the First Budget Resolution, excluded amounts set aside in a budget reserve for identified new initiatives in domestic programs.

Section 2(c) of the First Budget Resolution provides that the amounts in the budget reserve are to be allocated to the appropriate committees of the Senate upon enactment of authorizing legislation or at the point the Senate proceeds to consider entitlement or other direct spending legislation. The programs in the budget reserve and the amounts in the reserve fund for each program are set forth in the statement of managers accompanying the conference report on the First Budget Resolution.

On June 29, 1983, the Senate passed H.R. 3223, the agriculture, rural development, and related agencies appropriation bill for FY 1984. That bill both authorized and appropriated funds for a direct farm ownership loan program, one of the programs contained in the budget reserve. Because the appropriation bill authorized the program, your Committee should have received an adjustment in its section 302(a) allocation at the time the bill was ready to be considered by the Senate. However, this adjustment was not made because floor consideration of the bill occurred shortly after adoption of the First Budget Resolution, and the adjustment procedures had not yet been worked out. This letter contains the adjustment that should have been made at that time.

Further, on August 15, 1983, the President signed Public Law 98-77, an act to authorize appropriations for veterans job training, one of the programs contained in the budget reserve.

Based on the above two actions, the section 302(a) allocation to your Committee under the First Budget Resolution is hereby adjusted as follows:

[Dollars in millions]

	Fiscal year 1983		Fiscal year 1984	
	BA	O	BA	O
Original committee allocation	515,466	479,118	536,138	510,889
Adjustment for direct loans for farm ownership, operating, or economic emergency			75	75
Adjustment for veterans job training program			150	150
Adjusted committee allocation	515,466	479,118	536,363	511,114

The adjustment for the direct farm ownership loan program reflects the additional on-budget effect of the provision in the agriculture and related agencies appropriation bill. The adjustment for the veterans job training program is the amount authorized by Public Law 98-77.

Sincerely,

PETE V. DOMENICI,
Chairman.

Mr. President, yesterday the Budget Committee, exercising its ministerial reponsibility pursuant to section 2(c) of the first budget resolution for fiscal year 1984, made the first allocation of funds from the reserve for new initiatives in domestic programs that was established by the budget resolution. Today I report that allocation to the Senate as required by section 2(c) of the resolution.

As we make this first allocation, I think it would be useful to reiterate for the information of all Senators the procedures we have established for making allocations from the reserve fund. The procedures were set forth in letters to each applicable Senate committee on July 11, 1983.

The conference agreement on the first budget resolution for fiscal year 1984 (H. Con. Res. 91) established a budget reserve that was set aside for identified new initiatives in domestic programs, to be effective only upon the enactment of authorizing legislation or at the point the House or Senate proceeded to consider entitlement or other direct spending legislation. The dollar amounts in the reserve fund were withheld from the section 302(a) "crosswalk" allocations to House and Senate committees pending the enactment of authorizing legislation or consideration of direct spending legislation.

The statement of managers accompanying the conference report on House Concurrent Resolution 91 described the programs which may be funded from the reserve and indicated the amount of budget authority and outlays for each program that is contained in the reserve fund. Mr. President, I ask unanimous consent that copies of the reserve fund discussion in the statement of managers and the reserve fund language in the budget resolution be included in the RECORD at the end of my remarks.

The Budget Committees of the House and Senate have the ministerial task of adjusting the section 302(a) allocations to House and Senate committees, in the manner set forth in the budget resolution and the statement of managers, as action occurs on the new initiatives identified in the reserve. Here is how the process will work in the Senate.

First. In the case of a reserve fund program established through authorization of appropriations, the section 301(a) allocation to the Appropriations Committee will be increased when the legislation is signed into law by the President.

Second. In the case of a reserve fund program established through entitlement or other direct spending legislation, the section 302(a) allocation to the relevant authorizing committee will be increased when the legislation is ready to be considered on the Senate floor. If the legislation subsequently fails to be enacted into law, the section 302(a) allocation to the authorizing committee will be reduced accordingly. If the legislation is subsequently enacted into law and involves an entitlement that is funded through annual appropriations, the section 302(a) allocation to the Appropriations Committee will be increased when the law is signed by the President.

Third. There may be circumstances where a reserve fund program is enacted into law through means other than the regular legislative processes described above. In that event, the Budget Committee will make every effort to assure that the appropriate committee receives the proper increase in its section 302(a) allocation. For example, in the case of a reserve fund program established through the appropriations process—that is, the appropriation bill itself authorizes the program—the section 302(a) allocation to the Appropriations Committee would be increased when the appropriation bill was ready to be considered on the Senate floor. If the appropriation bill subsequently failed to be enacted into law, the section 302(a) allocation to the Appropriations Committee would be reduced accordingly.

Fourth. The amount of increase in a committee's section 302(a) allocation will be the dollar level for the reserve fund program that is contained in the legislation or the dollar level for that program that is contained in the reserve fund, whichever is less. No allocation will be increased by an amount greater than the amount contained in the reserve fund.

Fifth. Committees receiving increases in their section 302(a) allocations are not required to file amended section 302(b) reports.

I might add, Mr. President, in regard to the last rule, that revised section 302(b) reports are not required be-

cause the reserve fund allocations are related to the specific programs identified in the budget resolution statement of managers and in the absence of any revised section 302(b) report the amounts would simply be added to the existing suballocations that the receiving committee has already reported to the Senate. For example, the revised allocation to the Appropriations Committee that I have reported to the Senate today involves two programs—one within the jurisdiction of the Agriculture subcommittee and the other within the jurisdiction of the HUD subcommittee—and the increases would be added to the section 302(b) allocations to those subcommittees that the full committee reported to the Senate on July 14. Of course, if a committee wishes to revise its suballocations, it can file a revised section 302(b) report at any time.

The information follows:

RESERVE FUND DISCUSSION IN STATEMENT MANAGERS

RESERVE FUND

The House resolution provided budget authority and outlays for several new initiatives in domestic programs.

The Senate amendment provided for some, but not all, of these new initiatives.

The conference substitute establishes a procedure whereby a reserve is set aside for identified programs to be effective only upon the enactment of the authorizing legislation.

The conferees have agreed to reserve from allocation to committees a specified amount of budget authority and outlays for fiscal years 1983 and 1984. The statement of managers describes what programs can be funded from the reserve amount and at what levels. The budget aggregates and functional categories, as listed below, are set forth including the amounts reserved from allocation and excluding the amounts reserved from allocation.

The section 302(a) allocation of the Appropriations Committee is to be increased when the authorization for a program assumed in the reserve fund is enacted. The section 302(a) allocation of a committee reporting new entitlement legislation or direct spending legislation assumed in the reserve fund is to be increased when the legislation is reported. In the Senate, this allocation would occur when the Senate "moves to proceed" or "proceeds to consideration" of the specific legislation. The spending ceiling pursuant to section 311(a) of the Budget Act will not reflect the reserve fund until the allocation has actually been made to a committee, at which point the spending ceiling would be adjusted respectively. Any adjustment to a committee's 302(a) allocation for a particular program shall not exceed the amount for that program set forth in the statement of managers. The Budget Committees will perform the ministerial task of reporting to their respective Houses any adjustment to a committee's 302(a) allocation or the spending ceiling which would be triggered under the reserve fund procedure. The identified programs which may be funded from the reserve fund are described below and the amount of budget authority and outlays reserved for such programs is set forth in the following table:

FUNCTION 350: AGRICULTURE

(a) A program to provide loan foreclosure relief to farmers.

(b) A program to provide direct loans for farm ownership, operating, or economic emergency programs.

FUNCTION 370: COMMERCE AND HOUSING CREDIT

A program to provide emergency mortgage foreclosure relief to aid unemployed homeowners facing foreclosure on their conventional or VA guaranteed mortgages.

FUNCTION 450: COMMUNITY AND REGIONAL DEVELOPMENT

(a) A program to improve the nation's physical infrastructure.

(b) A program to provide a National Industrial Development Bank (NIDB) to provide credit guarantees for critical private sector investments.

FUNCTION 500: EDUCATION, TRAINING, EMPLOYMENT AND SOCIAL SERVICES

An economic recovery program to provide jobs for the long-term unemployed.

FUNCTION 550: HEALTH

A program to provide health insurance and benefits for unemployed workers and their families.

FUNCTION 600: INCOME SECURITY

(a) An extension of Federal supplemental compensation benefits for the long-term unemployed in fiscal year 1984.

(b) Additional funding to increase benefits or expand eligibility for the food stamp program.

FUNCTION 700: VETERANS BENEFITS AND SERVICES

A program to provide job training and retraining for veterans who have been unemployed for an extended period of time.

RESERVE FUND SUMMARY

[In millions of dollars]

Function/program title	Fiscal year—							
	1983		1984		1985		1986	
	BA	O	BA	O	BA	O	BA	O
Function 350:								
Loan foreclosure relief to farmers	250	250	500	500				
Direct loans for farm ownership, operating, or economic emergency	200	200	100	100				
Function 370: Emergency mortgage foreclosure relief to aid the unemployed	760	50		200		350		160
Function 450:								
Physical infrastructure program			75	75	2,500	750	2,500	1,325
National Industrial Development Bank			50	50	100	100	50	50
Function 500: Economic recovery program	4,500	4,500	3,500	3,500				
Function 550: Health insurance and benefits for the unemployed	350	350	2,000	2,000	1,650	1,650		
Function 600:								
Extension of federal supplemental compensation benefits for the long term unemployed			1,500	1,500				
Increased benefits and expanded eligibility for food stamp program			450	450	450	450	450	450
Function 700: Veterans job training program			150	150	150	150		
Total	6,060	5,350	8,325	8,525	4,850	3,450	3,000	1,985

RESERVE FUND LANGUAGE IN H. CON. RES. 91

RESERVE PROGRAMS

SEC. 2. (a) The following amounts of new budget authority and budget outlays for fiscal year 1983 and fiscal year 1984 are hereby reserved by the Congress for subsequent allocation to committees under section 302(a) of the Congressional Budget Act of 1974 for the functions and programs listed in the Statement of Managers, accompanying this resolution:

Fiscal year 1983:

(1) New budget authority, $6,060,000,000.

(2) Outlays, $5,350,000,000.

Fiscal year 1984:

(1) New budget authority, $8,325,000,000.

(2) Outlays, $8,525,000,000.

(b) In the House of Representatives:

(1) Upon the enactment of any legislation referred to in subsection (a) which requires an appropriation, or upon enactment of an appropriation for such purpose before the authorizing legislation is enacted, the Committee on the Budget is authorized and directed to report to the House a revised allocation of new budget authority and budget outlays for fiscal years 1983 and 1984 to the Committee on Appropriations reflecting the content of such legislation; and

(2) When one or more committees, other than the Committee on Appropriations, report legislation only referred to in subsection (a) providing new spending authority defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, or providing new budget authority, or when the Committee on Rules reports a resolution providing for consideration of such legislation which has not been reported by a committee, the Committee on the Budget is authorized and directed to report to the House a revised allocation of such new spending authority for fiscal years 1983 and 1984 to the appropriate committee reflecting the content of such legislation: *Provided, however,* That if such legislation is rejected by either House, the Committee on the Budget is authorized and directed to report to the House a similar reduction in the appropriate allocation.

(c) In the Senate:

(1) Upon the enactment of any legislation referred to in subsection (a) which requires an appropriation, the Committee on the Budget is directed to report to the Senate a revised allocation of new budget authority

and budget outlays for fiscal years 1983 and 1984 to the Committee on Appropriations or any other appropriate committee reflecting the content of such legislation insofar as it relates to the programs referred to in subsection (a); and

(2) When the Senate moves to proceed or proceeds to consider legislation referred to in subsection (a) providing new spending authority as defined in section 401(c)(2)(C) of the Congressional Budget Act of 1974, or providing new budget authority, the Committee on the Budget is directed to report to the Senate a revised allocation of such new spending authority for fiscal years 1983 and 1984 to the appropriate committee reflecting the content of such legislation insofar as it relates to the programs referred to in subsection (a) above: *Provided, however,* That if such legislation is rejected by either House, the Committee on the Budget is directed to report to the Senate a similar reduction in the appropriate allocation.

(d) Any revised allocation reported to the House or Senate pursuant to subsection (b) or (c) of this section shall be considered to be the allocation made pursuant to section 302(a) of the Congressional Budget Act of 1974 for purposes of sections 4 and 5 of this resolution and section 401(b)(2) of such Act. The adjustments made pursuant to those sections for each program shall not exceed the amounts provided for such program as set forth in the statement of managers.

(e) For the purposes of section 311(a) of the Congressional Budget Act of 1974, the appropriate levels of new budget authority and budget outlays for fiscal years 1983 and 1984 shall be considered to be the following:

Fiscal Year 1983 Budget Authority $877,200,000,000.

Fiscal Year 1983 Budget Outlays $807,400,000,000.

Fiscal Year 1984 Budget Authority $919,500,000,000.

Fiscal Year 1984 Budget Outlays $849,500,000,000.

Provided, however, That if a revised allocation is made pursuant to subsection (b) or (c) then such levels shall be similarly adjusted in any report pursuant to such subsections to reflect the revised allocation.●

APPROPRIATIONS STATUS REPORT

● Mr. DOMENICI. Mr. President, I believe it would be useful as we return from recess to bring up to date the tables on fiscal year 1984 appropriation bills that I have inserted in the RECORD over the past several weeks as individual appropriation bills have been considered on the Senate floor.

I ask to print in the RECORD at the end of my remarks a summary table and a table on each of the 10 appropriation bills for fiscal year 1984 that have been reported to or passed by the Senate or enacted into law.

These tables reflect the section 302(b) allocations to subcommittees made by the Appropriations Committee on July 14, as adjusted for the reserve fund allocations I have just reported, and they include a few minor technical changes that bring all of the information fully up to date.

The tables follow:

SUMMARY OF SENATE APPROPRIATIONS ACTION TO DATE FOR FISCAL YEAR 1984 AS OF SEPT. 12, 1983

(In millions of dollars)

Appropriations subcommittee/status	President's request		Senate 302(b) allocation [1]		Current status [2]		Current status over (+)/under(−) President's request		Current status over (+)/under(−) 302(b) allocation	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Agriculture (P)	34.5	22.2	35.6	23.1	35.4	23.3	+0.9	+1.0	−0.1	+0.2
Commerce (R)	9.8	10.9	10.9	11.4	10.6	11.4	+.8	+.5	−.3	
Defense			254.2	227.9						
District of Columbia (P)	.6	.6	.6	.6	.6	.6				
Energy-Water (E)	14.7	14.8	14.9	14.7	14.4	14.6	−.3	−.2	−.5	−.1
Foreign Operations			12.1	9.8						
HUD-Independent (E)	49.8	58.0	57.8	58.2	56.3	58.6	+6.5	+.6	−1.4	+.4
Interior (R)	6.6	8.3	8.3	9.3	7.8	8.8	+1.1	+.5	−.5	−.5
Labor-HHS			107.5	109.0						
Legislative Branch (E)	1.5	1.5	1.5	1.5	1.5	1.5				
Military Construction (P)	8.7	7.3	7.3	7.1	7.2	7.1	−1.4	−.2	−.1	
Transportation (E)	10.9	25.0	10.9	25.4	10.9	25.4		+.4		
Treasury (R)	11.5	11.3	11.9	11.8	11.9	11.8	+.4	+.5		
Unassigned to subcommittees			2.9	1.3						
Totals to date			536.3	511.1			+8.0	+3.1	−2.9	

[1] Includes reserve fund allocations made on September 14, 1983.
[2] Enacted, Senate-passed, or Senate-reported.
Note: Details may not add to totals due to rounding. Status code: R—reported to Senate; P—passed Senate; E—enacted.

AGRICULTURE SUBCOMMITTEE SPENDING TOTALS—SENATE-PASSED BILL

[In billions of dollars]

	Budget authority	
	Fiscal year 1984	Outlays
Outlays from prior-year budget authority and other actions completed	0.4	1.8
H.R. 3223, as passed by the Senate [1]	34.2	21.0
Possible later requirements:		
Food stamps	.1	
Child nutrition	.4	.1
Women, infants, and children feeding program	.3	.3
Adjustment to conform mandatory programs to first budget resolution assumptions	+.1	+([2])
Subcommittee total	35.4	23.3
Subcommittee 302(b) allocation [1]	35.6	23.1
House-passed level	35.3	23.2
President's request	34.5	22.2
Subcommittee total compared to:		
Subcommittee 302(b) allocation	−.1	+.2
House-passed level	+.1	+.1
President's request	+.9	+1.0

[1] Includes $75,000,000 budget authority and outlays for loan program included in reserve fund.
[2] Less than $50,000,000
Note: Details may not add to totals due to rounding.

COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES SUBCOMMITTEE SPENDING TOTALS—SENATE-REPORTED BILL

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed	0.1	2.4
S. 1721, as reported in the Senate	10.3	8.8
Possible later requirements: SBA business loan investment fund	.3	.3
Adjustments to conform mandatory programs to first budget resolution assumptions	−([1])	−.1
Subcommittee total	10.6	11.4
Subcommittee total 302(b) allocation	10.9	11.4
House-reported level	11.0	11.7
President's request	9.8	10.9
Subcommittee total compared to:		
Subcommittee 302(b) allocation	−.3	
House-reported level	−.4	−.3
President's request	+.8	+.5

[1] Less than $50,000,000.
Note: Details may not add to totals due to rounding.

DISTRICT OF COLUMBIA SUBCOMMITTEE SPENDING TOTALS—SENATE-PASSED BILL

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed		([1])
H.R. 3415, as passed by the Senate	0.6	.6
Subcommittee total	.6	.6
Subcommittee 302(b) allocation	.6	.6
House-passed level	.5	.5
President's request	.6	.6
Subcommittee total compared to:		
Subcommittee 302(b) allocation	+.1	+.1
House-passed level	+([1])	+([1])
President's request		

[1] Less than $50,000,000.
Note: Details may not add to totals due to rounding.

ENERGY AND WATER DEVELOPMENT SUBCOMMITTEE SPENDING TOTALS—PUBLIC LAW 98–50

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed		6.8
H.R. 3132, enacted July 14, 1983 (Public Law 98–50)	14.4	7.9
Adjustment to conform mandatory programs to first budget resolution assumptions		−.1
Subcommittee total	14.4	14.6
Subcommittee 302(b) allocation	14.9	14.7
Senate-passed level	14.3	14.6
House-passed level	14.3	14.5
President's request	14.7	14.8
Subcommittee total compared to:		
Subcommittee 302(b) allocation	−.5	−.1
Senate-passed level	+.1	+(1)
House-passed level	+.2	+.1
President's request	−.3	−.2

[1] Less than $50,000,000.

Note: Details may not add to totals due to rounding.

HUD-INDEPENDENT AGENCIES SUBCOMMITTEE SPENDING TOTALS—PUBLIC LAW 98–45

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed		23.0
H.R. 3133, enacted July 12, 1983 (Public Law 98–45)	55.8	34.9
Possible later requirements:		
Veterans compensation COLA		.1
General revenue sharing	.4	.4
Veterans job training program	.2	.2
Adjustment to conform mandatory programs to first budget resolution assumptions	−.1	−(1)
Subcommittee total	56.3	58.6
Subcommittee 302(b) allocation [2]	57.8	58.2
Senate-passed level	54.6	59.4
House-passed level	59.5	58.8
President's request	49.8	58.0
Subcommittee total compared to:		
Subcommittee 302(b) allocation	−1.4	+.4
Senate-passed level	+1.7	−.8
House-passed level	−3.2	−.2
President's request	+6.5	+.6

[1] Less than $50,000,000.

[2] Includes $150,000,000 budget authority and outlays allocated from reserve fund for veterans job training.

Note: Details may not add to totals due to rounding.

INTERIOR AND RELATED AGENCIES SUBCOMMITTEE SPENDING TOTALS—SENATE-REPORTED BILL

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed		3.4
H.R. 3363, as reported in the Senate	7.6	5.3
Possible later requirements: Forest firefighting	.1	.1
Adjustment to conform mandatory programs to first budget resolution assumptions	+(1)	−.1
Subcommittee total	7.8	8.8
Subcommittee 302(b) allocation	8.3	9.3
House-passed level	8.6	9.3
President's request	6.6	8.3
Subcommittee total compared to:		
Subcommittee 302(b) allocation	−.5	−.5
House-passed level	−.8	−.5
President's request	+1.1	+.5

[1] Less than $50,000,000.

Note: Details may not add to totals due to rounding.

LEGISLATIVE BRANCH SUBCOMMITTEE SPENDING TOTALS—PUBLIC LAW 98–51

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed	(1)	0.2
H.R. 3135, enacted July 14, 1983 (Public Law 98–51)	1.5	1.3
Subcommittee total	1.5	1.5
Subcommittee 302(b) allocation	1.5	1.5
Senate-passed level	1.5	1.5
House-passed level	1.5	1.5
President's request	1.5	1.5
Subcommittee total compared to:		
Subcommittee 302(b) allocation	(1)	(1)
Senate-passed level	(1)	(1)
House-passed level	(1)	(1)
President's request	(1)	(1)

[1] Less than $50,000,000.

Note: Details may not add to totals due to rounding.

MILITARY CONSTRUCTION SUBCOMMITTEE SPENDING TOTALS—SENATE-PASSED BILL

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed		4.7
H.R. 3263, as passed by the Senate	7.2	2.4
Subcommittee total	7.2	7.1
Subcommittee 302(b) allocation	7.3	7.1
House-passed level	7.0	7.0
President's request	8.7	7.3
Subcommittee total compared to:		
Subcommittee 302(b) allocation	−.1	
House-passed level	+.2	+.1
President's request	−1.4	−.2

Note: Details may not add to totals due to rounding.

TRANSPORTATION SUBCOMMITTEE SPENDING TOTALS—PUBLIC LAW 98–78

[In billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed		15.7
H.R. 3329, enacted Aug. 15, 1983 (Public Law 98–78)	10.9	9.7
Adjustment to conform mandatory programs to first budget resolution assumptions	(1)	(1)
Subcommittee total	10.9	25.4
Subcommittee 302(b) allocation	10.9	25.4
Senate-passed level	10.8	25.4
House-passed level	11.3	25.6
President's request	10.9	25.0
Subcommittee total compared to:		
Subcommittee 302(b) allocation		
Senate-passed level	+.1	+(1)
House-passed level	.4	.2
President's request	+(1)	+.4

[1] Less than $50,000,000.

Note: Details may not add to totals due to rounding.

TREASURY, POSTAL SERVICE, GENERAL GOVERNMENT SUBCOMMITTEE SPENDING TOTALS—SENATE-REPORTED BILL

[in billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
Outlays from prior-year budget authority and other actions completed		0.4
S. 1646, as reported in the Senate	11.9	11.4
Total for Treasury, Postal Service, General Government Subcommittee	11.9	11.8

TREASURY, POSTAL SERVICE, GENERAL GOVERNMENT SUBCOMMITTEE SPENDING TOTALS—SENATE-REPORTED BILL—Continued

[in billions of dollars]

	Fiscal year 1984	
	Budget authority	Outlays
First budget resolution 302(b) allocation	11.9	11.8
House-reported level	12.0	12.0
President's request [1]	11.5	11.3
Total compared to:		
First budget resolution 302(b) allocation		
House-reported level	−.1	−.2
President's request	+.4	+.5

[1] Adjusted to show comparable treatment of national defense stockpile fund.

Note: Details may not add to totals due to rounding.●

JOINT LEADERSHIP COMMISSION OF THE CONGRESSIONAL AWARD

● Mr. WALLOP. Mr. President, the Speaker, the House minority leader, the Senate majority and minority leaders, as members of the Joint Leadership Commission of the Congressional Award, have recently appointed several distinguished Americans to the Congressional Award Board of Directors.

Senator BAKER appointed Nicholas F. Brady, chairman and managing director of Dillon Reed & Co., Inc., of New Jersey; Colby H. Chandler, chairman and chief executive officer of Eastman Kodak Co., Rochester, N.Y.; Anthony John O'Reilly, president and chief executive officer of H. J. Heinz Co., Pittsburgh, Pa.; Michael R. Quinlan, president and chief operating officer of McDonald's Corp. of Illinois; Ambassador Phillip V. Sanchez, executive vice president of the Woodside Consulting Group, Woodside, Calif., and Sanford I. Weill, president of American Express Co. of New York.

Senator BYRD appointed Shirley A. Chisholm, professor at Mount Holyoke College and former Member of Congress; Cathy Lee Crosby, president, CLC Productions, Inc., Beverly Hills, Calif.; Donald R. Keough, president and chief executive officer of the Coca-Cola Co. in Atlanta, Ga.; and S. Lee Kling, chairman of Landmark Bancshares Corp., St. Louis, Mo.

The Speaker appointed Christopher Fairfield Edley, president and chief executive officer of the United Negro College Fund; Douglas Andrew Fraser, president emeritus of the International Union of United Automobile, Aerospace and Agricultural Implement Workers of America; Joseph J. Gouthro, psychologist, Atlantic Highlands, N.J.; Juanita Morris Kreps, former Secretary of Commerce; and Henry Viscardi, Jr., president emeritus of the Human Resources Center and the National Council of the Handicapped who also serves on the House Committee on Science and Technology Advisory Board.

Representative MICHEL appointed Curtis Leroy Carlson, chairman and president of Carlson Companies of Minneapolis, Minn.; the Honorable Gerald R. Ford, 38th President of the United States; Allen Harold Neuharth, chairman and president of Gannett Co. of Rochester, N.Y. and C. William Verity, former chairman and director of Armco Inc. of Middleton, Ohio.

These illustrious men and women will join the founding board members in their work with the Congress to establish the Congressional Award program across our country. Their challenge is great and they will represent the Congress well.

W. Clement Stone, founding chairman, and John G. McMillian, chairman, have made an invaluable contribution to our country through their leadership and service on the Congressional Award National Board. I thank them and their colleagues for their continuing efforts to give all our young people an opportunity to earn recognition from Congress for initiative, achievement and voluntary public service.

The Congressional Award is a formal partnership between Congress and the private sector. Its purpose is to recognize and encourage the positive achievements of our Nation's youth in voluntary service and personal development activities.

The educational thrust of the Congressional Award is to motivate youth to undertake voluntary public service; to acquire job, citizenship and leadership skills and to foster an understanding of, and an appreciation for, the values that make America a strong and free democracy.

Like several of my distinguished colleagues, I am working with the Board to establish a voluntary Congressional Award Council in my district, so that my young constituents will have the opportunity to earn their Bronze, Silver, and Gold Congressional Awards. I urge all my colleagues to join with us and actively support this call to service in the national interest.

I am honored to submit the biographies of the newly appointed members of the National Board of the Congressional Award for printing in the CONGRESSIONAL RECORD, and I commend them for their exemplary public service.

The material follows:

NAMES AND BIOGRAPHICAL INFORMATION OF SENATOR BAKER'S APPOINTEES

Nicholas Frederick Brady, is Chairman and managing director of Dillon Read & Company, Inc.

Mr. Brady served as a member of the United States Senate from New Jersey where he served on the Senate Armed Services Committee and the Banking, Housing and Urban Affairs Committee.

Born in New York City, Mr. Brady was graduated from Yale University and earned an MBA from the Harvard Business School. He is also Chairman of the Executive Committee of Purolator, Inc., and a director of NCR Corporation and NL Industries.

Mr. Brady serves as a trustee of Rockefeller University and is a member of the National Board of the Smithsonian Associates.

Colby Hackett Chandler, is Chairman and Chief Executive Officer of Eastman Kodak Company, Rochester, New York.

A graduate of the University of Maine and M.I.T., Mr. Chandler is a civic leader active with business and charitable concerns such as the Industrial Management Council, United Way of Greater Rochester, University of Rochester and Rochester Institute of Technology. He also serves on the boards of directors of The Continental Group, Inc., Ford Motor Company, J.C. Penney Company, Inc., M.I.T. Corporation and the National Organization on Disability.

Anthony John O'Reilly is President and Chief Executive Officer of H. J. Heinz Company, the international food processing company whose products are made in 15 countries and marketed in 150 nations.

Born in Dublin, Ireland, Dr. O'Reilly was graduated from University College, Dublin and earned his Ph.D. from the University of Bradford, England. Prior to joining Heinz as Senior Vice President, North America and the Pacific, he served as the managing director of the Irish Dairy Board, where he expanded the distribution of the country's dairy products throughout the world.

Dr. O'Reilly is a director of Mobil Corporation, Bankers Trust New York Corporation and Bankers Trust Company. Overseas he is Chairman of Independent Newspapers Ltd., Ireland's largest publishing group.

He is an internationally known rugby player, and represented Ireland 29 times and the British Lions team 10 times. Dr. O'Reilly serves on the boards of Notre Dame University, Duquesne University, the University of Pittsburgh, Rockefeller University, New York and the Associates of the Graduate School of Business Administration, Harvard University.

Michael R. Quinlan, is President and Chief Operating Officer of McDonald's Corporation, and President, McDonald's U.S.A., and a member of McDonald's board of directors.

Mr. Quinlan received his Bachelor of Science and Master of Business Administration degrees from Loyola University of Chicago. He serves on the Board of Directors of Good Samaritan Hospital and is a trustee of Loyola University .

Ambassador Phillip V. Sanchez, is Executive Vice President of The Woodside Consulting Group.

In February of 1971, the President of the United States appointed him as an Assistant Director of the Office of Economic Opportunity. Seven months later he was named National Director of the O.E.O., thus becoming the highest ranking Spanish-speaking appointee in the history of the U.S. Government. In March of 1983, he was named U.S. Ambassador to the Republic of Honduras where, in 1974, he directed the massive relief operations that followed Hurricane"Fifi" and was awarded that nation's highest decoration, "The Order of Morazan."

In 1975, Ambassador Sanchez received the "Distinguished Alumnus Award" from the American Association of State Colleges and Universities. In June 1976, he was named U.S. Ambassador to the Republic of Columbia. In May 1977, he was named "Distinguished Alumnus" by the Fresno State University Alumni Association.

In 1978, he and Mrs. Omar Bradley were awarded the first Doctor of Laws degrees conferred by the new University of Beverly Hills.

Sanford I. Weill, is President of American Express Company; a director of Firemen's Fund Insurance Company, and a director and chairman of the board of Shearson/American Express, Inc., both subsidiaries of American Express Company.

Mr. Weill co-founded the firm of Carter, Berlind, Potoma and Weill, a predecessor company to Shearson.

Mr. Weill is a graduate of Cornell University and Peekskill Military Academy. He has served on the boards and committees of various professional, educational and civil organizations throughout his career. Mr. Weill is a trustee of Brandeis University, vice chairman of the Advisory Council of Cornell University's Graduate School of Business Administration, and a member of the Board of Overseers of Cornell University Medical College. He is also on the Business Committee of the Museum of Modern Art, a director of the National Energy Foundation, and is a director of 20th Century Fox Film Corporation.

NAMES AND BIOGRAPHICAL INFORMATION OF SENATOR BYRD'S APPOINTEES

Shirley Anita Chisholm, former member of Congress from New York, author, and professor at Mount Holyoke College, South Hadley, Massachusetts. Nationally recognized for her human rights leadership and commitment to humanitarian causes.

Born in Brooklyn, New York, she is a graduate of Brooklyn College and Columbia University and has received numerous honorary degrees from many institutions, including Talladega College, University of Maine and Smith College. The former nursery school teacher and child care center director has served as an educational consultant to many organizations and institutions. She is a former assemblywoman to the New York State Legislature, and has served as an advisor or trustee to many civic and leadership groups across America.

Ms. Chisholm has been recognized as an Honorary Citizen of Kansas City, and received many national achievement and humanitarian awards from organizations such as the AFL-CIO, Yeshiva University, the Salvation Army, as well as the business community.

Cathy Lee Crosby, President, CLC Productions, Inc., and co-host of ABC-TV's "That's Incredible" program and star of several film and television projects is deeply concerned with the welfare of youth.

In 1980 she established the Get High on Yourself Foundation formed to create an alliance with an organized task force of corporations, individuals, groups and young people. Its purpose is to offer positive alternatives to drugs through a national awareness campaign and community effort that enables young people to participate actively in the solution to the problem.

Cathy Lee Crosby is also active in the efforts of the National Committee of the Special Olympics, the Children's Diabetes Foundation, the Heart Association and the Cystic Fibrosis Foundation.

Donald Raymond Keough, is the President and Chief Operating Officer of the Coca-Cola Company. All of the company's world wide operating units report to him.

Born in Maurice, Iowa, Mr. Keough joined Coca-Cola after graduating from Creighton University. Prior to being named president

of the Foods Division in 1971 he held a number of key marketing positions.

Mr. Keough is also a member of the board of directors of IBM World Trade Americas/Far East Corporation and is a trustee of the University of Notre Dame and a number of other educational institutions. He serves on the board of the National Conference of Christians and Jews and is a member of the American Council on Education's Business—Higher Education Forum.

S. Lee Kling, serves as Chairman of the Board and Chief Executive Officer of Landmark Bancshares Corporation, a holding company in St. Louis, Missouri. Mr. Kling also serves as Vice Chairman of the Board of the U.S. division of Reed Stenhouse, Inc., the international insurance broker.

Mr. Kling was born in St. Louis, Missouri. He attended the New York Military Academy, Cornwall-on-Hudson, New York and received his BSBA degree from Washington University, St. Louis.

From 1974-1977 Mr. Kling served as Finance Chairman of the Democratic National Committee and has served on a number of governmental advisory councils. He also serves on the boards of numerous corporations and civic and charitable organizations. He was co-chairman of the Citizen's Committee for the Ratification of the Panama Canal Treaties and represented the private sector as an economic advisor during the peace negotiations between Israel and Egypt.

Names and Biographical Information of the Speaker's Appointees

Christopher Fairfield Edley is the President and Chief Executive Officer of the United Negro College Fund. He is responsible for obtaining financial support for 42 of the nation's black private institutions of higher education.

Born in Charleston, West Virginia, Mr. Edley graduated from Howard University and Harvard Law School. Following a distinguished career in public service Mr. Edley served for 10 years as a program officer with the Ford Foundation. There he became involved in most of the major funding programs designed to promote minority rights and to improve public administration across our nation.

Mr. Edley has deservedly earned the respect of public and private sector leaders throughout our nation. He is also a member of the boards of directors of American Airlines, the Bowery Savings Bank and the Atlantic and Pacific Tea Company.

Douglas Andrew Fraser retired as President of the United Auto Workers International Union in 1983, and is now professor of labor studies at Wayne State University, a member of the boards of Chrysler Corporation and the National Bank of Washington.

He was born in Glasgow, Scotland and came to the United States when he was six years old. The family settled in Detroit and Mr. Fraser went to work as a metal finisher at the age of 18. He became active in UAW Local 227 and progressed rapidly through the union ranks; being elected International President in 1977. He achieved a historic breakthrough in union representation when he was elected to the board of directors of Chrysler, signifying the union's participation "so that workers may have a say in the corporate decision-making process."

Mr. Fraser is a member of many civic and community groups; he serves on the board of governors fo the United Way of America, is a member of the President's Commission for the Employment of the Handicapped, the Aspen Institute for Humanistic Studies and the Leadership Conference on Civil Rights.21Joseph J. Gouthro, Psychologist, Atlantic Highlands, New Jersey.

Mr. Gouthro teaches at the Center of Alcohol Studies, Rutgers University, New Jersey, and also conducts a clinical practice in psychological counseling. Mr. Gouthro has served on the National Advisory Council of the Congressional Award for three years and was one of the voluntary leaders in the development of the Congressional Award.

Juanita Morris Kreps is a distinguished educator and economist. She was the first woman to be appointed Secretary of Commerce in 1977.

Dr. Kreps was born in Lynch, Kentucky, and graduated from Berea and Duke Universities. She joined the faculty at Duke, becoming the professor of economics and Vice President of the University. She has served on the board of directors of the New York Stock Exchange and is currently a director of many public companies, including Eastman Kodak, R.J. Reynolds Industries, Citicorp, ARMCO, United Air Lines, J.C. Penny and A.T.&T.

Concerned with issues regarding the employment of women, Dr. Kreps is the author of many books on the subject and has received numerous awards for outstanding public service.

Dr. Henry Viscardi, Jr. is the President Emeritus of the Human Resources Center and National Council on the Handicapped. He serves as Chairman of the White House Conference on Handicapped Individuals and as a member of the Advisory Panel of the United States House of Representatives, Committee on Science and Technology, the Executive Committee of the President's Committee on Employment of the Handicapped and the President's Committee on Mental Retardation.

Dr. Viscardi is one of the world's most highly respected figures in the fields of rehabilitation and education. He has devoted his life to ensuring that severely disabled individuals have the opportunity to achieve their fullest potential regardless of the obstacles.

Born with only stumps for legs, Dr. Viscardi attended Fordham University, married and became the father of four daughters. Thirty years ago he gave up his job as personnel director of a textile firm and started Abilities, Inc., a company that was to prove that, given a chance, the physically handicapped can work efficiently in industry. Ten years later Dr. Viscardi fulfilled what he describes as his greatest dream of all, a school for physically disabled children "where each child would have the fullest opportunity to meet life on realistic terms, to learn, to grow, to build his future." His exemplary national service was recognized with the presentation of the 1983 Horatio Alger Award.

Names and Biographical Information of Representative Michel's Appointees

Curtis Leroy Carlson, is chairman and president of Carlson Companies Inc. an international business conglomerate that includes over 50 companies employing 30,000 people; it is one of America's largest privately-held corporations.

Born of immigrant parents in Minneapolis, Minn., Mr. Carlson started work when he was 11, operating a newspaper route and a newspaper stand that eventually helped him pay his own way through the University of Minnesota. After graduation he became a soap salesman. His rise in the business world began when he initiated a trading stamp specifically for food consumers. Today the Carlson Company is recognized as one of the business success stories of the 20th century and has earned Mr. Carlson the Horatio Alger Award among many other national and international tributes.

As a corporate, civic and community leader, Mr. Carlson was a charter member of the "Five Percent Club" which is made up of corporations that donate five percent of their domestic pre-tax earnings to charity.

Gerald R. Ford, 38th President of the United States, was born in Omaha, Nebraska and attended public schools in Grand Rapids, Michigan. He graduated from the University of Michigan and received an LL.B. degree from Yale University Law School.

After serving as an officer in the U.S. Navy in World War II, President Ford was elected to the U.S. House of Representatives in 1948, serving 25 years in the House. He was chosen Minority Leader by the Republican delegation in 1965.

Gerald Ford was nominated Vice President in 1973. He became President, on August 9, 1974 and served through January 20, 1977. He has received numerous honors for his outstanding private and public service to our nation. The most recent being his induction into the Horatio Alger Association of distinguished Americans.

Allen Harold Neuharth, is chairman and president of Gannett Company Inc., the nation's largest newspaper publisher and one of the nation's largest diversified information companies.

Born in Eureka, South Dakota, Mr. Neuharth began work at the age of 13 in a newspaper composing room to support his widowed mother and brother. He graduated from the University of South Dakota under the G.I. Bill and started his newspaper carreer as a reporter. Twenty years ago he joined Gannett, becoming president of the organization that has been described as one of America's five best managed companies.

Mr. Neuharth has been honored many times by members of his profession and by the newspaper industry, but the honor that he values most in the Horatio Alger Award which is given annually to men and women "who typify the results of individual hard work, honesty and the adherence to traditional ideals that made America a strong and free democracy".

C. William Verity, chairman emeritus of Armco Incorporated, is an active member of the board of directors and chairman of the executive and nominating committees.

Mr. Verity was born in Middleton, Ohio, graduated from Yale and worked in the advertising business before he joined Armco in 1940, where in 1965 he became president and chief executive officer.

Active in public, political and international affairs, Mr. Verity was appointed in 1981 by President Reagan to serve as chairman of the Task Force on Private Sector Initiatives. Its purpose was to encourage leaders in the private sector to accept responsibility for solving public needs through public/private sector partnerships.

Mr. Verity is also a director of Eli Lilly & Co., Chase Manhattan Bank, First National Bank of Southwest Ohio, Mead Corporation, Business International and Taft Broadcasting Company.●

THE PRAGUE SPRING ANNIVERSARY

● Mr. GLENN. Mr. President, in 1968, for a few brief but memorable months, the people of Czechoslovakia expressed their deep desire for national independence, political democracy, and economic reform. As we all know, their inspiring experience—the "Prague Spring"—came to a tragic end 15 years ago when at 11 p.m. on the evening of August 20, 1968, the forces of the Warsaw Pact launched an invasion of Czechoslovakia.

On this sad anniversary of the Soviet invasion, we in the West might be tempted to put the Czechoslovakia experience aside as just one more distant historical tragedy. We would do so at our own peril. The brutal suppression of Czechoslovakia is not only critical in its lessons for the West on Soviet behavior but contains an important message for the Atlantic Alliance.

In the third week of August 1968, Americans and Europeans were not only at ease during the traditional month of relaxation and vacation but also relaxed in their dealing with the Soviets—for 1968, despite the Vietnam war, was a banner year for détente. From politicians and musicians traveling East and West, to the Johnson administration's first major venture in strategic arms negotiations, to the June NATO meeting where the NATO foreign ministers invited the Soviets and their Warsaw Pact allies to negotiate about mutual and balanced force reductions in Europe, the sounds of détente were in the August air. And then came the invasion of Czechoslovakia with its aftermath of a Soviet appointed quisling—Gustav Husak—and the imposition of Soviet occupation forces—troops that remain until this day.

The Soviets have offered the usual array of excuses for their callous suppression of Czechoslovakia: The threat of counterrevolution, the subversive activity of the United States and West Germany, the dangers of revisionism.

The truth in Czechoslovakia in 1968 was quite another matter—as it was in East Germany in 1953, Hungary in 1956, and Poland in 1980: The Soviet Union's first priority is to maintain a political and military arm lock on its Warsaw Pact "allies" whatever the consequences for East-West relations or indeed relations with the world Communist movement. Izvestia would ask on August 24, 1968—"Can a country wrested from the socialist community really safeguard its genuine sovereignty?" Moscow has given the same hard answer consistently since 1945. The Soviet Union demands—and has been willing to pay whatever price in the terms of cordiality and détente with the West—much more than just "friendly governments" along its periphery; it insists on the imposition of Soviet values and standards on the states and people of Eastern Europe.

In the nuclear age more than ever, such a definition of Soviet absolute security is both obsolete and dangerous, and must be answered by the West with a clear message that there are costs to oppression in the East. The Soviet Union must be forced to understand that its crude and brutal means of controlling in Eastern Europe are in basic conflict with its efforts to affect political change in Western Europe.

One important lesson to be drawn from Czechoslovakia is that the Soviets must be told clearly and unequivocably that oppression in Eastern Europe has its price in movement on other East-West issues of interest to the Soviets. Surely the rigid Stalinist formula—"what's mine is mine, what's yours is negotiable"—belongs to an earlier era when the Soviet Union was weak and insecure.

In my view, a Soviet policy of seeking to decouple Western Europe from the United States on the one hand and suppress Eastern Europe on the other is unrealistic because the West cannot and will not discuss the future of Europe without discussing the future of Eastern Europe and Germany. All unrealistic and one-sided efforts must be understood and strongly resisted.

What we need, then, is a more creative and more energetic American foreign policy toward Eastern Europe which proceed on two levels: First, in the short run we must continue to encourage evolutionary, peaceful change by giving preferential treatment to those states in the region which respect human rights and those which try to distance themselves from at least some of the most disagreeable aspects of Soviet foreign policy (such as the invasion of Afghanistan). Second, our long-term goals must be achieved through negotiations with Soviet leaders. We do need patience and perseverance. And, about all, we must convince the Soviet Union that its own genuine security interests in the stability of Eastern Europe would be better served by friendly and independent governments which more closely reflect the aspirations of their peoples.

I believe in the possibility of negotiations because the persistent instability of Eastern Europe does not serve Soviet interests. For whenever the Soviet Union felt compelled to intervene in Eastern Europe—in East Berlin in 1953, in Hungary in 1956, and in Czechoslovakia in 1968—its relations with the West foundered, the prospects for genuine peaceful coexistence suffered a setback.

Mr. President, my call for a more active U.S. diplomatic effort on behalf of freedom, peace, and stability in Eastern Europe is also based on another lesson of the Czechoslovakian experience of 1968: That Soviet repression has not diminished the powerful political and social forces challenging Soviet authority in Eastern Europe. National self-consciousness and a yearning for independence have survived the suppression of 1968. The signs of it are still there in Prague and should be appreciated and applauded.

Mr. President, I recently had the opportunity to study the results of a comprehensive survey of public opinion in Czechoslovakia, Poland, and Hungary. The survey was conducted by no less than 10 prominent West European public-opinion institutes over a period of 2 years. The respondents, I might add, were all citizens of these three countries traveling abroad, not political refugees or emigres, and one of the questions they were asked was this: Which political party would you favor if free elections could be held again? I found the answers most instructive.

Only 3 percent of the Czech and Slovak respondents, only 6 percent of the Polish respondents, and only 7 percent of the Hungarian respondents said they favored the Communist party. In all three countries, in fact the overwhelming majority would support such democratic parties as a "Democratic Socialist Party," a "Christian Democratic Party," or an "Agrarian Party."

And I was particularly gratified to learn that, despite decades of indoctrination, the young Czech and Slovak respondents included in the survey expressed the same political preferences. Like their elders—and like their relatives in Ohio I know so well—they want a free political order that respects their national cultures, customs, and traditions.

With the spirit and determination that is theirs, I am sure that one day we shall see such a free political order in Czechoslovakia. Let us work to see that it happens. It is clear to me, Mr. President, that we can best remember 1968 and the democratic spirit of the "Prague Spring," by dedicating ourselves to a sustained effort to place the unresolved problems of Eastern Europe on the agenda of East-West negotiations.●

OBER

● Mr. DURENBERGER. Mr. President, during the August recess I spent a few days fishing with my sons in northern Minnesota. I came away with my spirit refreshed and restored from the time spent with crystal-clear water and pine-scented air.

I want to take a moment today to thank my colleagues in the Senate, especially Senator MCCLURE, for their continued and unwavering support of funding for the Boundary Waters Canoe Area Wilderness Act—Public Law 95-495.

I think you will find it interesting, as I did, to read the article from the September 12, 1983, Minneapolis Star and Tribune, "'Ober' Boundary Waters' Friend, Creator of a Magic Island." It details a part of the history of preserving this magnificent wilderness. Ernest Oberholtzer, diagnosed as having only a year to live, drew strength and long life from the boundary waters area and dedicated that "borrowed" time to preservation of the wilderness.

We are indebted to Ober's vision and leadership and to the people that worked with him. The Senate's yearly support of the act continues this tradition. I request permission to reprint the article in its entirety.

The article follows:

[From the Minneapolis Star and Tribune, Sept. 12, 1983]

"OBER"—BOUNDARY WATERS' FRIEND, CREATOR OF A MAGIC ISLAND

(By Ted Hall)

RANIER, MINN.—He left a charming and challenging legacy, this Ernest Oberholtzer better known as "Ober" who was the torchbearer of the half-century crusade that rescued the Boundary Waters Canoe Area from the looters and persuaded a new generation that the alternative to treating our host-planet kindly is to perish with it. Like those other pioneer conservationists, Theodore Roosevelt, Gifford Pinchot, Aldo Leopold, Jay "Ding" Darling, Robert Marchall and John Collier, he believed that wilderness is a national treasure intended for a grander purpose than to be "conquered."

Ober came to the Minnesota-Ontario boundary waters area at the age of 25 to see for himself the country then being called our last frontier. The year was 1909 and he was fresh out of Harvard two years behind his class because of a long bout with rheumatic fever that his doctor told him had left about a year of life in his damaged heart. That remaining year, Ober promised himself, would be well spent, and he prepared for it by reading the journals of early travelers along the Minnesota-Canadian boundary waters, our oldest east-west highway still relatively unchanged.

From Ely he went into the boundary waters and stayed until ice began to glaze their sparkling surface. By now he was able to carry his canoe with only a few stops to regain his wind on the rougher, longer portages. By now he was thinking of the next summer—and summers far ahead. By now he was convinced that this simple, vigorous outdoor life in the north woods—the gentle, long exercise of paddling, the more vigorous workouts on the portages and, above all, the serenity of wilderness—was extending that year of grace predicted by the doctor. He worked that winter in a Chicago investment brokerage house, and when the spring winds blew in across Lake Michigan, he resigned his job and returned to the country that promised new life.

Ober had studied to be a landscape architect, a trade of little promise in a country already landscaped satisfactorily by a passing glacier, and he fell easily into another trade—that of writing about this new frontier that he now considered home. He learned the ways of the moose and of the still-primitive Ojibwa who welcomed his friendly curiosity about their rich, quiet culture and shared with him legends few white men had—or have since—heard. During his fourth year in the northland he traveled by canoe from Winnipeg to Hudson's Bay and back, a journey only one other white man had ever undertaken.

That winter of 1913 he lectured in England as the guest of the Royal Geographical Society, feeding his tales of the northland to audiences hungry for new knowledge of Indians and moose. That year of grace predicted by his doctor was far overdrawn and had become one of his humorous anecdotes.

By now he was spending winters as well as summers in this land that had given him life. He supervised the construction of a summer home on a Rainy Lake island for a former neighbor in his boyhood town of Davenport, Iowa. He managed a farm-resort summer community on another Rainy Lake island until its visionary owner lost courage and abandoned the project. He was briefly in charge of the marine machine shop and boatyard at Rainy Lake's port village of Ranier, and all the while he continued his canoe travels through the boundary lakes area in quest of new photographs of moose and old legends of the Ojibwa, by now his trusting friends.

Ober was on his 10th year of borrowed time when he staked out his own little silver of granite in this granite land. It was called Mallard Island, one of a picturesque group of five islands, and for the next 50 years this doomed man from Harvard made it his home and his lectern.

He made it, too, the headquarters for the battle to save the boundary waters, a battle that began in 1925 when Minneapolis lumber baron and papermill tycoon Edward Wellington Backus unveiled his grand plan to conquer the boundary waters wilderness for the service of his mills. He was in for a surprise, for when Ober raised the alarm the strongest response came from Backus' own seat of power—Minneapolis—where Winstons and Wintons and Heffelfingers and Heads and Kellys and Hubacheks and Pillsburys and Crosbys rallied to stake out the public's long-term interest in the boundary waters wilderness. "We preserve our masterpieces of art," they declared in their opening salvo, "Why not preserve also a few masterpieces of Primitive America?"

That was a good question and the answers came quickly from all over the country, and the Quetico-Superior Council was born. Its supporters included Gifford Pinchot, Kermit Roosevelt, Ernest Thompson Seton, Dan Beard, Margaret Culkin Banning, Stuart Chase, Irvin S. Cobb, John Collier, Dr. John H. Finley, Judge Kennesaw Mountain Landis, Arthur E. Morgan, John P. Marquand, Samuel Eliot Morison, Frederick Law Olmstead, Viljalmur Stefansson, Carl Sandburg and Stewart Edward White. Its work horses were Ober, as president and secretary; Frederick S. Winston, who manned the council's tiny office on the 12th floor of the Flour Exchange in Minneapolis; Charles S. Kelly and Frank Brooke Hubachek, whose law office, first in Minneapolis and later in Chicago, provided the follow-through on the legal and lobbying front, and Sewell Tappan Tyng, whose access to the White House made him the council's chief troubleshooter.

The long, wearing battle for the Quetico-Superior boundary waters has been well chronicled by Newell Searle in "The Fight for Quetico-Superior—A LLnd Set Apart," published by the Minnesota Historical Society. Let us simply note that through all that long battle, Ernest Oberholtzer's Mallard Island in Rainy Lake was the real headquarters—the touchstone—for the battle, and upon his death in 1977 at the age of 93 friends steered his island home into the foundation he had set up a dozen years earlier to carry on his quiet work as teacher, friend of wilderness and Indian, friend of art and literature and music and, above all, friend of all people.

The restoration of Ober's magic island to his shipshape standards is nearly completed and recently two dozen of his old friends and neighbors came to see again this special place and help plan its future. Already it has resumed Ober's hospitality to Indians and scholars and fellow-conservationists; to handicapped young adults, to writers and artists. Of this, the old friends and neighbors now approve.

And they offer good memories and good suggestions: Try to keep it the interesting "mix" of people that came there with Ober as their host, Winston Schmidt said. Use it, but use it the way Ober used it, he adds. Bud Schlick suggests that its use to help the Indian might be balanced by its use to help the white man learn from the Indian, a two-way street, and Jim Banks, one of Ober's many younger Indian friends and travel companions, agrees.

The conversation is lively and lasts until the witching hour when mosquitoes ride their brooms into battle. Keep it small and uninstitutional, we heard, and stay out of the involuntary restaurant-and-hotel role that would sap the Oberholtzer Foundation's meager income; consider it a sufficient role for the little foundation to perpetuate the magic spell of Ober's island and make that its contribution to a rattling world.

Thus it comes together, this legacy, Ober's dream for his Mallard Island pieced together by friends like these assembled on the deck of his house-boat-kitchen, friends who heard him say that it should be a place where tired musicians could come to restore themselves, a place where in a crowding world Indians could always come to camp, a place where writers could come to escape the maddening crowd, as did John P. Marquand and Sewell Tyng and John Bakeless and Kit Bakeless, a place where youth could take sights on a wider horizon. Ober's unending little university.

In the night that followed this gathering of Ober's friends, the summer waves applauded softly against the granite shore and the loons said Bravo. The northern lights danced a message, too, and that made it seem unanimous, this response to an evening's report on Ober's legacy, Ober's challenge.●

HISPANIC HERITAGE WEEK

● Mr. RIEGLE. Mr. President, Hispanic Heritage Week, being celebrated this week, provides all of us with the opportunity to acknowledge the special contributions made by Hispanic Americans to our society, and to recognize their many achievements. At the same time, we must reflect upon the work that still needs to be done in order to insure Hispanic Americans a place of equality in our society.

The Hispanic community is this Nation's fastest growing minority group. Its members are known for their self-pride, self-respect, and for their depth of human compassion. The social, economic, and political gains achieved by

Hispanic Americans deserve our commendation and respect.

It is clear that Hispanic Americans can have a real impact in shaping this country's future. First, however, there is much work to be done to provide these citizens with equality of opportunity in education, in housing, in the work force, and in every other sector of our society. While this Nation has sought to address past inequities by instituting such laws as the Voting Rights Act, fair housing laws, equal employment opportunity laws, and other civil rights legislation, we must continue the fight for equality.

Cultural diversity and pluralism have always been integral parts of the American heritage. While preserving those ethnic origins and traditions which distinguish the Hispanic culture from all other groups, we must also renew our pledge to do all that is necessary to insure that Hispanic Americans—and all of this country's minority citizens—have the skills and opportunities required to participate fully and equally in the affairs of the United States.

On this occasion I would like to pay special tribute to the community of 163,000 Hispanic Americans residing in my own State of Michigan. I salute their strong commitment to the family, their willingness to work hard for their livelihood, and the perseverance, patience, and determination with which they pursue their objectives. The contributions of Michigan's Hispanic community to our State and to the Nation are gratefully acknowledged and deeply appreciated.●

THE ADMINISTRATION'S VIEW—WATER PROJECT COST SHARING

● Mr. STAFFORD. Mr. President, a major issue that is now before the Congress concerns the question of cost sharing on water resources development projects. During the recess, I received a letter that discussed this policy from the Director of the Office of Management and Budget.

Because these questions are before our Subcommittee on Water Resources in its evaluation on S. 1739, and in order to help explain this situation to my colleagues in the Senate, I ask that a copy of Mr. Stockman's letter be printed at this point in the RECORD.

The letter follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., August 5, 1983.

HON. ROBERT T. STAFFORD,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of June 28, 1983, in which you requested clarification of the Administration's position on increased non-federal cost sharing on water projects. I understand how uncertainty could result from apparent differences between testimony of William Gianelli, Assistant Secretary of the Army (Civil Works), and the recent letter to you from Interior Secretary James Watt.

Secretary Watt's letter and Assistant Secretary Gianelli's testimony are not inconsistent. In his June 15 testimony dealing with S. 1031, Mr. Gianelli presented to you the curent thinking of the Administration. This interim policy will be applied until consensus is reached between the Administration and the Congress. When Mr. Watt spoke of establishing cost-sharing arrangements on a case-by-case basis, he was referring to the method of financing the non-federal share of construction costs. This is consistent with Mr. Gianelli's statement that long-term cost-sharing policies for flood control and irrigation will consider the ability of project sponsors to raise capital during the construction period. Where doing so would place an undue burden on them, a portion of the non-federal share could be federally financed, provided that repayment includes appropriate interest.

Secretary Watt's letter also stated that current repayment requirements would remain in effect. This statement reaffirmed the Administration's commitment to honor existing repayment contracts on facilities already under construction or completed. The new policy applies to all facilities which are not yet under construction and for which repayment contracts have not been signed.

Please contact me if you have further questions.

Sincerely,

DAVID A. STOCKMAN,
Director.●

MARCH FOR THE DREAM

● Mr. TSONGAS. Mr. President, on August 28, 1983, more than 250,000 people gathered at the Lincoln Memorial to commemorate the 1963 "March on Washington." Buses came from 347 cities across the country carrying pride, frustration, memories from the past and hope for the future. Twenty years after Dr. Martin Luther King, Jr., came to Washington and told America that he had a dream, thousands of individuals returned to reaffirm that dream and to tell this administration that for too many, it remains a dream deferred.

The demands and concerns of those who came to this city 20 years ago were so basic and so fundamental that the rightousness of the cause needed no justification. The theme of this year's march, "Jobs, Peace and Freedom," appeared more complex, but the message was simple: The freedom, economic security, and peaceful existence of all people is basic to the American way of life.

As Members of Congress, we have a responsibility to safeguard the dream. We must insure that the rights of all Americans are guaranteed and we cannot seek simple solutions to complex issues. We must eliminate obsolete laws from our statutes that deny women economic security. We must guarantee that the laws and regulations enacted to protect civil rights and promote equality are not ignored or undermined. Further, we must assure all citizens that our committment to arms control and peaceful coexistence with other nations is unquestionable. Jobs, peace, and freedom are fundamental to the American creed.

Mr. President, the 1983 march commemorates a moment in history and challenges us to make the dream a reality for all Americans. I congratulate the organizers of the march and I commend all those individuals who came to take part in history.●

VISTA VOLUNTEERS

● Mr. MATHIAS. Mr. President, I take this opportunity to commend the VISTA volunteers who have worked with a locally sponsored project in Baltimore, Md., called the Neighborhood Design Center, Inc. The Neighborhood Design Center is a nonprofit agency that has been providing architectural and planning assistance to low-income community groups since 1968.

In 1971, the first VISTA volunteers were assigned to NDC on a full-time basis to increase the capability of low-income people to improve the quality of their own lives. Together they helped with the design and completion of over 200 community projects, worth up to $25,000 annually. The volunteers' skills were augmented by professional planners and architects, as well as students from the University of Maryland, Morgan State University, the Community College of Baltimore, and the Maryland Art Institute.

Unfortunately, the Neighborhood Design Center was without VISTA volunteers from 1976 to 1981. Last year, however, NDC received VISTA support, which enabled the community to undertake a low-cost/no-cost weatherization and training program. The 1983 VISTA volunteers are once again contributing to the efforts of the Neighborhood Design Center for the community revitalization of the city of Baltimore. In behalf of the people of Baltimore, I give public recognition to the tremendous contributions VISTA volunteers have made and continue to make in the effective exchange of ideas and experience on which further exchanges can be built.●

U.S. AMBASSADORS

● Mr. GOLDWATER. Mr. President, in a recent edition of the Washingtonian magazine, published in the Nation's Capital, there appeared an article criticizing several U.S. Ambassadors. I happen to know two of these Ambassadors personally and I happen to have had more than just a casual opportunity to observe the work of both of them.

First, Ambassador Mark Austad, our representative in Norway, is doing an excellent, outstanding job in that country. I can personally attest to this after having made a recent trip there on Senate business. I spoke to members of their Government, Norwegian military, and business at many levels and found nothing but great praise for him. Mr. Austad, naturally, was concerned about the article and he wrote Mr. John McClean relative to it. In the interest of fairness, I would like to have a copy of this letter and a copy of an article, "The Best Diplomacy," written in February 1983, be made a part of my remarks at this point.

Also, I ask that an article relative to Mr. Austad from another publication be printed at this point together with an article translated from a Norwegian paper.

The documents follow:

EMBASSY OF THE
UNITED STATES OF AMERICA,
Oslo, Norway, Aug. 1, 1983.

MR. JOHN MCCLEAN,
Chicago Tribune, Washington, D.C.

DEAR MR. MCCLEAN: As a follow-up to our recent telephone conversation, I hereby submit a few more thoughts on your recent article in the Washingtonian magazine. As I mentioned, I feel you did me a severe injustice. What you can do about it, I do not know. Hopefully, you are a fair and honest human being. I will have to leave it to you how to correct your erroneous report.

I can only assume you were "spoon fed" those falsehoods by someone who resents my standing up for our country. The very thing for which you commend your select Ambassadorial group is that for which you condemn me. I have disagreed with the State Department when I needed to, and I have spoken up when the U.S. Government is getting unfairly vilified in the media or by the "out" party.

Let me take your article point by point. I was not reappointed to Norway. I served hard and faithfully in Finland. As a result, I am proudly and humbly the only U.S. Ambassador ever to receive their so-called knighthood or the Order of the White Rose. I'm told my successors still have a problem with the record I made. (If you want evidence, please call the Finnish Ambassador to Washington who knew my work. You should know him anyway.)

As you know, there are very few political appointees who get a second go-round. I did not work for Ronald Reagan's election. I never gave five cents toward it. On the contrary, I worked hard for John Connally.

I'm told there were more applicants for Norway than any other post. One had raised five million dollars for the Senate election committee and was strongly supported by Laxalt, Baker, etc. I don't know why I was called, but it was my life's dream and I joyously accepted.

I suppose my language capability helped, my knowledge of the country, and my past record must have played a part. At any rate, I am here and working my head off trying to do a job.

The second error: "His wide-ranging attack on the Norwegian media and government." Truth: I have done neither! Shortly after arrival, I journeyed to the frozen north to witness first hand several thousand 19-year old U.S. Marines slogging through waist-deep miserable slush, snow and ice—sleeping 15 to a tent, on hard boards, facing stupifying 15° below temperatures, with frost bite the norm. They were eagerly giving all they had to prepare for NATO's defense of Norway. A small Social Democratic group led by a known strong leftist voted 39 to 38 urging the U.S. to stay out of Norway because we were involved in El Salvador. When queried by reporters, I made two simple observations. One, I did not feel it represented the people of Norway; two, I quoted Emerson, addressing the 39, saying, "Be careful what you want, you may get it."

All hell broke loose led by the Social Democrats all over the land. Several responsible papers apologized later (Arthur Burns was twice as strong in a similar situation a few days earlier). A day later, accompanied by the Norwegian Chief of Defense, I was accused of stepping over a Labor group waiting as standbys on a SAS flight. I arrived late and took my seat. The Social Democratic paper jumped on me again. The next day they apologized as SAS provide them with a confirmed reservation made two weeks earlier. My problems with the Labor Party stemmed from a predecessor labeling me as a ultra rightist. They were waiting for me! As a broadcaster, in 30 years I never once took part in politics.

Error three: "He recently assailed the nation's news media for lopsided reporting on Central America." Truth: I did criticize the reporting but never publicly. (It was recently divulged that two Norwegian reporters were graduates of a training camp in Cuba and are regarded as communists. Mind you, they are now regarded on television as Latin American experts).

Error four: "He and his aids complained directly to two papers about their reporters in the U.S." Truth: Your informant complained to me personally about this on a visit I made to the U.S. with King Olav. I hadn't heard of it, but said I would check it out. I did, and my Press Attaché was right. I, however, had had no part in it. It happened prior to my arrival. The fellow who obviously fed you some of your material is known as perhaps the most anti-U.S. reporter in Scandinavia. I have yet to see anything but venom about the U.S. come from his reporting. Now he has misled you.

Error five: "He has created a backlash against the U.S. in a country which didn't have a hint of anti-Americanism before." Truth: This is the most idiotic-ridiculous charge of all. Norway during Vietnam and early El Salvador days was a scene of regular demonstrations. While I was in Finland in 1974-77, Norway was, next to Sweden, a hotbed of anti-Americanism. Surely you must question the veracity of your quoted Norwegian diplomat to make such a preposterous charge. I urge you to question his politics and motives. It might help.

That is five errors in as many paragraphs.

Let me brag a bit.

—I have collected two million kroner to send Norwegian doctors, nurses and technicians to the United States to study heart surgery—a major problem in Norway.

—I am in the process of building a national memorial grove to peace in memory of the first American to die in World War II. It happened in Dombas, Norway. I will at the same time recognize 100 other Americans who were buried in Norwegian soil.

—I have travelled the country over many times, claiming President Reagan called me to be Ambassador to Norway—not Oslo. I take my country team en masse usually sponsored by local papers. We see labor union leaders, business people, speak at schools, visit the home guard, see factories and hospitals. We have made about a dozen such visits this year alone.

—I am making a full-length 16 MM film on my mission to Norway in conjunction with the National Geographic Society. I made a similar film on Finland and showed it to over six million Americans in lecture halls and on television. An Ambassador's main job is reporting. Believe me, this technique is unorthodox, but it works!

I am enclosing some material to back up my claims. Hopefully you will take note and try to right a wrong I just don't deserve. As final proof, you will be welcome to come to this Embassy in spite of the harm you have done me. None of your victims were from Washington and do not feel the impact of a well-read magazine in my beloved old home town. I do and it unfairly smarts!

Yours truly,

MARK E. AUSTAD,
Ambassador.

[Aftenposten, Feb. 14, 1983]

THE BEST DIPLOMACY

(By Elisabeth Engesland)

The setting for the presentation of the American Ambassador Mark Evans Austad's "Heart Fund" was indeed catchy and festive. The recipient were the National Association and The Norwegian Council for Cardiovascular Diseases, and the presentation took place in Klingenberg movie theater in Oslo. The United States Air Force Concert Band in Europe gave a fine concert for a full movie hall, and the audience numbered many of the contributors to the fund. The band played many good, old Glenn Miller tunes, catchy rock rhythms and Sousa marches.

The "Heart Fund" which is now approaching two million Norwegian kroner, was presented to the grateful chairman of cardiovascular diseases, Prof. Dr. Med. Per Lund-Johansen and the chairman of the National Association for Popular Health, Dr. Med. Liv Storstein.

I hope that the "Heart Fund" will give new hopes to many Norwegian heart patients, said Ambassador Austad who received much applause for his speech in Norwegian. He also expressed great optimism regarding the possibilities of the Norwegian/American heart project. We will all benefit from this exchange of expertise and ideas provided by this project, said Ambassador Austad. He added that there is a great distance between the ususal diplomatic activities such as politics, economy and culture, and the initiative for the establishment of a heart fund.

But perhaps this is the best type of diplomacy in the long run, said the American ambassador who expressed his heartfelt thanks to all the contributors, the American Cultural Attaché, Mr. Terry Kneebone, and to Aftenposten for their cooperation in the establishment of the fund.

Both the Chairman of the Council for Cardiovascular Diseases, Professor Per Lund-Johansen, and Dr. Med. Liv Storstein from the National Association for Public Health, thanked the Ambassador most sincerely and presented him with both a gift and flowers. The gift was most appropriate, a reproduction of Edvard Munch's "The Girl with the Heart." We regret that we can't give you the original, said Per Lund-Johansen. It was not for sale.

This is the first time the ambassador of a foreign country takes the initiative to any-

thing like this. Such an initiative is unique and will benefit many Norwegian heart patients because the newest treatment methods will now be made available to Norwegian health personnel, said the grateful recipients. A very promising start for this year's cardiovascular drive starting 1 March.

As part of the program, Ambassador Austad gave a glass bear to two prominent American doctors, Dr. Floyd D. Loop who is a heart surgeon, and Dr. John R. Kramer who is a cardiologist. Both are from Cleveland, Ohio. They got this gift for their willingness to participate in the presentation and in an American/Norwegian meeting at Rikshospitalet on Monday.

The omnipresent Erik Bye acted as the master of ceremonies, and as he himself said after the first part of the concert: This was so much fun that I might join the army again.

The following companies and individuals have contributed to the Heart Fund: Amoco Norway Oil Company, ARCO Norway, Inc., Bergen Bank, Kreditkassen, Coca Cola Norge A/S, Conoco Norway Inc., Den norske Creditbank, Esso Norway Inc., Fellesbanken A/S, Mr. Bjornar Fredriksen, Gjensidige Norsk Skadeforsikring/Livsforsikringsselskapet Gjensidige, J. L. Tiedemanns Tobaksfabrik, Mr. Paul Jensen, Mr. Asbjorn Larsen, Lautitz Kloseter, Manufacturers Hanover Trust Company, Mobil Exploration Norway Inc., Northwest Orient Airlines, Olav Thon, Phillips Petroleum Company Norway, Royal Caribbean Cruise Line, Selvaag Bygg, Sev. Dahl Assurance kontor A/S, Storebrand Insurance Company Ltd., Sverre Ditlev Simonsen & Co., Tenneco Norge, Torvald Klaveness & Co., A/S Wilh. Wilhelmsen Enterprises Ltd. The total amount is now approaching two million kroner. One has also received four round trip tickets Oslo/Phoenix, Arizona.

ON THE JOB: AMBASSADOR AUSTAD IS ALL HEART, NORWEGIANS ARE SAYING

(By Barnett B. Lester)

Ambassador Mark Evans Austad, 66, a veteran of two heart bypass operations, has helped raise $238,000 to enable Norwegian heart specialists, nurses and technicians to come to the United States to study. Norwegian newspapers are hailing Mr. Austad's efforts as "the best diplomacy." And they refer to the "Austad fund," to which Norwegian and American business firms have been making contributions. The International Heart Foundation in Phoenix and Cleveland Clinic have offered to serve as hosts for the Norwegians in the program.

Mr. Austad, a former Mormon missionary in Norway, presented the check to the Norwegian Council for Heart and Cardiovascular Diseases. He said he was motivated by his "personal debt to heart specialists."

The ambassador is also a former radio and TV commentator and a former vice president for Metromedia in Washington. He was chairman of the 1968 presidential inaugural ball and vice chairman for the 1972 inaugural. And he has traveled widely. Heart specialists have helped him to maintain his busy schedule.

So when Norwegian cardiologists told him, shortly after his arrival in Oslo last year, that there was "a major need" to have medical personnel spend time with their American colleagues, to learn the latest methods for treating severe cases, the ambassador decided to make a personal appeal for contributions.

The heart fund is only one of his incursions into public diplomacy. When he served as U.S. envoy to Finland, 1975-77, he traveled around the country with a 16-mm Bolex camera and personally filmed a 75-minute travelogue, "An American Ambassador's Mission to Finland." It was shown on Finnish television and at the National Geographic Society's lecture series here in Constitution Hall.

"For my efforts (as a cameraman), I was forced to pay some frighteningly high costs." Mr. Austad recalled. "While skimobiling across Lake Inari, to film ice-fishing, the 40-below-zero cold froze my eyeballs, blinding me for more than a week. Also, pike sport-fishing in the middle of the Finnish archipelago cost me a badly mangled left thumb; a rescue helicopter was forced to pick me up and drop me close to a surgeon's scalpel for repair. Then, filming a Finnish icebreaker cutting through eight feet of Baltic ice on a blustery Arctic day left me with a camera trigger finger so cold I couldn't feel the button. But because it worked so well in Finland. I'm doing another film—on Norway."

Mr. Austad, who is cameraman, scriptwriter and narrator, added: "This oil-rich, vital, northern wing of NATO—this land of unending vistas—makes a cameraman ecstatic with the possibilities."

AMBASSADOR IN DRAMMEN

The Ambassador will be tickled over this editorial. I'll translate, since it is unprecedented. (Monday 5.2. p. 3) Headline: Not Only Austad.

"There are many countries that call themselves democratic. If you are in doubt whether a person comes from a democratic country, just ask him whether the people in that country have the right to chose."

It was the American Ambassador in Norway, Mark Evands Austad, who said this to students at the Drammen High School recently. News reports from the meeting say the students were quite impressed with the open and humorous ambassador. He has asked for tough questions, and he got them: Why is Reagan's defense budget so high, why cuts are made in the social sector? What the CIA have to do with the murder in Chile? How come Sweden and Finland manage outside NATO?

Such confrontations are useful. We have a suggestion to the Soviet Ambassador in Norway: Shouldn't he also visit the high schools and expose himself to a round of tough questions? Such a confrontation would be very useful, especially for those who love to mention the two superpowers in the same breath and practically with the same characterization.

MARK EVANS AUSTAD, NORWAY

The Mark Evans Show, which aired on Washington television in the 1950s, hasn't played so well in Norway, where Mark Evans Austad is on his second tour as U.S. ambassador. A champion of Republican causes, he was first appointed to the post by President Ford and returned to it by President Reagan.

Austad had first-hand experience in his host country—he served in Norway as a missionary of the Church of the Latter Day Saints from 1936 to 1939. He became a radio broadcaster in Washington in the late 1940s, was the Morning Man with WTOP in the '50s, and had been a vice president of Metromedia Inc. since 1958.

Unfortunately, Austad's media exposure has not been limited to Washington. He has received plenty in Norway, too—not for his diplomatic skill, but for his wide-ranging attacks on the Norwegian media and government. He recently assailed that nation's news media for its reporting of U.S. involvement in Central America. He and his aides complained directly to two newspapers about their reporters in the United States. And his public criticism of the Norwegian government for failing to send observers to last year's elections in El Salvador caused a row throughout the country, eliciting extensive media comment and a debate in the Norwegian parliament.

Effectively representing U.S. policy is an ambassador's primary job, but Austad's broadsides, as one diplomat in Norway puts it, have created a backlash against the U.S. in a country "which didn't have a hint of anti-Americanism before."

Mr. GOLDWATER. Because of Arizona's close proximity to Mexico, as well as my own personal knowledge, I know the reaction of the people in that country to Ambassador James Gavin. Not only is he doing an outstanding job, he is well liked and respected, and I hope he will continue in that position for a long time.

I can say that both of these men are doing a good job and articles such as appeared in the Washingtonian should not be printed without more research.●

THE REPUBLIC OF SOUTH AFRICA

● Mr. EAST. Mr. President, the Republic of South Africa is surely one of the world's most controversial societies and governments, yet few informed persons doubt the strategic and economic importance of South Africa to the United States, the rest of Africa, or indeed the free world in general. For years, the term and institution "apartheid" has been the source of controversy and misunderstanding in this country and others about the nature of the Republic of South Africa, and these misunderstandings have led to serious errors in the formulation of our policy toward and relationship with South Africa.

Mr. Anthony Lejeune, in an article in the London Daily Telegraph of August 16, 1983, knowledgeably discusses the history of apartheid and its meaning in South African history and politics. I commend Mr. Lejeune's article to my colleagues as a means of understanding the background to one of the most important and difficult foreign policy issues of our time. I ask that the article be printed in the RECORD.

The article follows:

[From the London Daily Telegraph, Aug. 16, 1983]

PRETORIA DOESN'T INTEND TO GO THE WAY OF RHODESIA

Apartheid is a liberal invention; that is, it was liberal doctrine which caused apartheid to be invented. If the modern world had been satisfied with Cecil Rhodes's prescription of "equal rights for all civilised men," there might have been much argument

about degrees of civilisation but it would not have been considered necessary to devise a scheme under which everybody, however uncivilised, could participate in the processes of government.

The word "apartheid," like the word "fascism," is used so often, outside South Africa, as a mere term of abuse that its real meaning tends to be obscured: but no one can understand modern South Africa who does not appreciate, imaginatively, that, far from being the invention of wicked men to keep the blacks down, apartheid was the invention of godly men trying to find a way in which the blacks could safely be given political opportunity.

It was an attempt, by no means uningenious, to satisfy two incompatible requirements. The first, which in any other period of human history would have been taken for granted, is that the heartland of South Africa must remain in civilised hands; must, in effect, be controlled by the people who created it as it is today, making it as European as though its were part of Surrey. The second, peculiarly modern, requirement is that the relatively uncivilised black majority must all, immediately, be given votes. How to reconcile these propositions? Answer: split the territory up so that everybody has a vote somewhere, but the whites are not swamped and no black tribe dominates another.

In practice, this neat scheme raises huge, probably fatal, difficulties, about which we all know. Some of them conspicuously the problem of detribalised urban blacks, seem never to have been properly thought out: but when Dr. Verwoerd said on British television, after South Africa had been forced from the Commonwealth, that "apartheid means good neighbourliness," he was perfectly sincere. His failure to understand the derision which that remark would cause was entirely characteristic of the Afrikaners' lack of sophistication, the illusions they had about how the Western world could be persuaded to see South Africa.

Conversely, the outside world has not approached the real intractable core of the situation with much intellectual honesty. The Afrikaners admittedly don't make it easy; they are stiff, self-absorbed and very bad at public relations. For us in Britain there is an added difficulty. Our personal connections tend to be with English-speaking South Africans, most of whom still resent the Afrikaners' political dominance.

Almost every article about South Africa discusses how soon "the end of white rule" will come. Even friendly comments justify a call for better relations, whether sporting or commercial, on the grounds that this will "accelerate the process of change" and "encourage progress towards equal suffrage." And they usually begin with a disclaimer: "Although no supporter of apartheid. . . ."

Just suppose (let us try, for once, to see the matter through Afrikaner eyes) that every foreign comment on Britain began with the disclaimer: "Although no supporter of democracy . . .", and went on to discuss how pressure could best be applied to bring about a radical change in the British constitution and way of life. We might object. The Afrikaners resent such interference far more.

The crucial episode in their history was the Great Trek; which was undertaken, not so much because they resented particular edicts of the British administration in the Cape, but because they regarded any alien interference as unendurable. What the advocates of indiscriminate universal suffrage are trying to force on them now goes beyond mere interference. It would be total catastrophe, national suicide. Better again to trek away from an uncomprehending world.

The English-speaking South Africans, without the isolationist psychology of the trek-Boers, realise much better how the outside world thinks. Apartheid has never been their solution to the problem. But they are no more willing than the Afrikaners to sacrifice on the altar of universal suffrage everything they have built up. They too look northwards, at what is happening in decolonised black Africa, appalled. In Natal, where so many of them live, the flood of Rhodesian refugees constitutes a daily reminder. They would be prepared to accept change, but not suicide: and, although they talk about it endlessly, they have no clear solution to the dilemma.

Substantial changes have already occurred over the two decades during which I have been visiting southern Africa. The everyday indignities or discrimination between black and white, so-called "petty apartheid" (which is in no way intrinsic to the main scheme), have greatly diminished. What has changed much less is the gulf between Afrikaners, and English-speaking South Africans. You still hardly ever meet an Afrikaner on an English-speaking dinner table or an English-speaker in an ordinary Afrikaner home.

Politically the gap may have narrowed a little, because the United party, to which most English-speakers owed allegiance, collapsed. ("The Opposition would have splintered," the then Prime Minister John Vorster once said witheringly, "if jellies could.") It died from lack of purpose. Some, though not most, English-speakers now openly support the Nationalist party. Many see the best available hope in the constitutional reforms now being pushed through by Mr. Botha's Government. As the recent by-elections showed, Mr. Botha needs to be more wary of assault from conservative Afrikaners than from progressive English-speakers.

Of course, the greatest change has been in the external factors of South Africa's position. Portugal's abandonment of her African empire and the protracted fall of Rhodesia removed not only a political and military cordon sanitaire, but a whole structure of tripartite co-operation. At the same time, the South Africans have come, though not completely, to realise that world opinion cannot be appeased and that the Western Powers wil not help them.

This has been a hard lesson because, to the South Africans, it seems so unreasonable. They see themselves as the beleaguered defenders, not only of Western values, but of Western interests, of the West's mineral supplies and the sea routes round the Cape.

When the South Africans advanced into Angola in support of the anti-Communist forces there, they believed they had a promise of some kind of backing from America: but the promise, if it ever existed, was not kept. For a while they stopped helping and supplying the Rhodesians, because they thought an acceptable deal was obtainable through Dr. Kissinger: but nothing happened, except that the Rhodesians, left almost without ammunition for several weeks, felt bitter. In South-West Africa (or Namibia) a carefully balanced constitution was worked out, which has been allowed to crumble, because the South Africans have continued to seek international approval, even at some risk to their own security.

But nothing they do gains them any measure of respectability in the eyes of the outside world. Nor will it; because the only thing which the modern world will accept is the one thing they cannot offer—the one-man, one-vote system which would mean, as it has meant for the Rhodesians, the loss of their country.●

EDUCATION IN OUR NATION

● Mr. TSONGAS. Mr. President, at long last the Nation has focused its attention on education, recognizing the irrefutable stake we all have in its quality.

When the President's Commission on Excellence in Education released the report "A Nation at Risk," the country was jolted into the realization that the continued prosperity and advancement of our Nation, is contingent upon a superior education system. I for one embraced the Commission's findings and I continue to hail the discussion, attention and commitment generated by this report. I believe, however, that education is a multifaceted issue and whereas this report serves as a catalyst for discussion and planning, it reflects only one side of the issue.

Carol Doherty, president of the Massachusetts Teachers Association, focuses on another perspective of education in our Nation. I would like to share her views, which were recently published in the Massachusetts Teachers Association's newsletter, with my colleagues.

Mr. President, I ask that this article be printed in the RECORD.

The article follows:

[From the Massachusetts Teachers Association Newsletter]

COMMISSION REPORT MERITS (A LITTLE) PRAISE

(By Carol Doherty)

Bravo to the federal government and to anyone else who has at long last made public education the number one priority in the nation.

As educators we have always carried that banner. Now it is high time the "thought leaders" in our nation held up their end.

The plaudits end here, however. Although the National Commission on Excellence in Education report, "A Nation at Risk," is worth reading, we must be cautious in our embrace of its content. It is worth careful analysis, and close scrutiny coupled with an understanding of the current educational climate. Above all, it requires questioning of its implications for long-term educational reform in order to make the report meaningful and effective in reaching its goal.

Like so many other reports of the same nature, it takes a broad, sweeping approach to viewing public education. It makes recommendations that on first reading may seem sensible but on careful consideration may prove to be inapplicable or inappropriate for each school system, each classroom.

The report is so intent on uncovering the shortcomings of public education that it overlooks mention of education's accomplishments.

—Consider that as recently as 1970, only 37 percent of our children went to nursery school or kindergarten. Today, it is 57 percent.

—Consider that in 1960 our high school dropout rate was 39 percent. Today it is 14 percent.

—Consider that college enrollment has jumped from 3 million in 1960 to 12 million today.

These facts can hardly be construed as "an unthinking act of unilateral educational disarmament," a somewhat horrifying phrase that the report used to describe our nation's schools.

In 20 years the number of people graduating from college has doubled, and we are turning out more engineers than ever before—despite what you read.

Add to this the facts that many children are now getting a head start on language and math in kindergarten; that as many women as men now attend college; that we have made enormous strides in integrating our schools, in serving the handicapped, and in providing bilingual education to hundreds of thousands of children who otherwise would have been left by the wayside.

The report uses "facts" that are open to challenge, such as, "An international comparison of student achievement completed a decade ago reveals that on 19 academic tests American students were never first, or second, and in comparison with other industrialized nations, were last seven times."

The report fails to mention that in America these tests were done on about 78 percent of our 17-year-old population, while in other countries only about 20 percent of that same population was tested.

A more accurate presentation of the test results suggests a very different picture from the supposed disaster. On the combined reading comprehension and interpretation scores, for example, U.S. 14-year-olds compared favorably with those of any other nation. Only Finland and New Zealand scored higher. The 14-year-old results are significant, because in the countries tested, nearly 90 percent of the population at that age is still in school.

When 17-year-olds are compared, the results are different; the U.S. is surpassed by New Zealand, England, Finland, and Sweden. But the remarkable fact here is that nearly 78 percent of American youngsters complete high school, while the European standard is about 20 percent. In other words, as Ralph Tyler, director emeritus of the Center for Advanced Behavioral Studies, has put it, "From these data it appears that the American educational system enables nearly three-fourths of our youth to attain the literacy that most other nations only achieve with a very select group."

I raise these points to reinforce the suggestion that we need to approach the hand bearing educational reform proposals with caution. It is not enough for us to reject what is placed before us, without proposing alternatives. We must take the leadership for school reform. We are the education practitioners. We know best what will or will not work. We are not naive enough to believe that all is well, but we realize that a balanced view must accompany any notion of change.

We can provide that balanced view, but we must also respond vigorously to the challenge placed before us.

We must call for curriculum reform for all students, with an ambitious statewide core curriculum. We must call for the educational programs, the staffing, and the financial reform that will be necessary to make curriculum reform a reality. We must call for uniformly high expectations and support for schools across the whole Commonwealth, and for the students and teachers in these schools.

This is an ambitious undertaking, but it is critical to the future of public education. It is not beyond our capacity to develop a convincing, sophisticated, and educationally powerful analysis of education across the state.

As the MTA Long-Range Plan makes clear, the goals that one proposes for education are crucial. They will determine not only the nature of school policy and practice but the nature of reform as well.

We must create a vision of what public education should be like in a democratic society, and struggle to make that vision real. No other force in society is powerful or committed enough to do that job.

Bravo to the federal government for providing us with the perfect opportunity to take the lead.●

● Mr. GOLDWATER. Mr. President, the National Science Board Commission on precollege education in math, science, and technology deserves my highest praise for tackling a difficult problem from all vantage points and providing "a detailed, specific plan for making this country's elementary and secondary math, science, and technology education the world's finest by 1985." The report to the American people provides a plan of action which has specific solutions, a process to determine Federal and State outlays, a set target date, and a set of national goals.

The report outlines bold approaches for change through an eight point strategy, which meshes the needs and talents of diverse groups without sacrificing the integrity or the resolve of States and local school boards, to determine for themselves the best methods to meet the goals with public and private sector participation through educational partnerships.

This report, like few others, truly epitomizes the American spirit of resourcefulness and determination. But more importantly, it reiterates the responsibility of all States to provide their school districts with equal educational opportunities for all students, irrespective of their race, gender, ethnic background or socioeconomic status. I am very pleased with the concrete and workable solutions presented in the report which would allow all students and teachers the opportunities to reach their potential for greatness. It is only when all individuals are given equal educational opportunities that a society can begin to reap the rewards of its efforts in laying the groundwork. The report, "educating Americans for the 21st century." Is an excellent foundation for the groundwork to start. I cannot urge my colleagues strongly enough to read this report and to let the rebuilding on our educational system begin. I see the Commission's solutions touching off a chain reaction, as they indicated, whereby improvements will be made in the social sciences, in English and in the foreign languages, too. Also, I request that President Reagan establish the Council on Educational Financing, as recommended by the Commission, so that the implementation process can be initiated in the very near future. In closing, I would be remiss, if I did not mention that two school districts and an academic excellence program in Arizona were listed as exemplary in their efforts in the educational arena. They were MESA Public School District which has an academic magnet program that has sent 96 percent of its graduates to college—11 national merit scholars in 1981. Also, Arizonans should be proud that the State has a six-point program for academic excellence in precollege math, science, and technology. The program includes higher State university admission requirements; math and science centers at the State universities; summer institutes for teacher training; a computer literacy requirement for precollege teacher certification; and the use of industry mathematicians and scientists in the classroom.●

QUORUM CALL

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

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

KOREAN AIR LINES RESOLUTION

Mr. PERCY. Mr. President, first I should like to comment on the resolution that was adopted and to once again say to all of the Senators who cooperated in making it possible, even though they might have held differing views from my own and from that of the leadership of the Senate, they acted with dispatch. They expressed their point of view. They cast their votes, and they let this resolution be adopted and it will be signed by the President tonight, a remarkable accomplishment within 24 hours to have both the House of Representatives, with a unanimous vote, and the Senate equally to send a message to the world that we stand together with the President of the United States in the actions that he has taken.

I would like to pay particular tribute to you, Mr. President, because with the background that you have, with the writings that you have made of your 7½ years experience as a prisoner of war in Vietnam, for you to have

given the magnificent comments that you did, when it would have been easily possible for you to have voted against the President on several of these resolutions—and there might have been many that would have followed you and you might alone have been able to frustrate the effort to show unity in this action—it was your words that meant so much to so many of us. And so I am deeply grateful to you.

VISIT TO THE SENATE BY VISITORS OF THE AMERICAN ENTERPRISE INSTITUTE FROM 20 NATIONS

Mr. PERCY. At this time, Mr. President, I should like to introduce to the Presiding officer, the Senator from Alabama (Mr. DENTON) and through this loudspeaker system to every Senator and staff member that is listening tonight, probably the most distinguished group that I have had the privilege of introducing to the Senate in my 16 years in this great body.

The American Enterprise Institute, under the leadership of Dr. Robert Goldwin, director of AEI's Bicentennial Constitution Project, who has been a lifetime friend of mine, and, in a sense, my first teacher in constitutional law and constitutional practices, has sponsored a Conference on the Writing of Constitutions that has brought together the founding fathers of some 20 countries around the world. The Chief Justice of the United States, the Honorable Warren E. Burger, is the honorary chairman of the conference. These visitors are the James Madisons, the George Washingtons, the Thomas Jeffersons of their countries. By helping write their country's constitution, each has helped the spread and deepening of democracy around the world with great, lasting effect. This wonderful group has been enjoying the rare opportunity of meeting in the U.S. Supreme Court building to deliberate about and share with each other their experiences of constitutionalism.

It was interesting that they were here having a reception in the Senate Mansfield Room, the room named after our respected and beloved former majority leader and now present Ambassador to Japan, when the vote was being held on the final passage of the resolution in the Senate involving a crisis in world relations, and when, in the majority leader's office, a meeting was being held between the majority and minority leadership of the Senate and the executive branch of Government headed by the chief of staff for the President, James Baker, to work out the continued presence of American forces as a part of the multinational force in Lebanon.

American Marines serving side by side with military personnel of France and Italy are there for the purpose of keeping peace, keeping a country from being further divided, and trying to bring about peace in one of the most vitally important areas of the world. And yet we face a constitutional question involving the War Powers Act, involving a recent Supreme Court decision on the veto power of the Congress, and we are resolving this by attempting to work together. I trust we shall find a way to work together in the framework of the Constitution and the War Powers Act so that we have accord just as we reached accord earlier this afternoon on the issue of the Korean Air Lines flight 007. So it is a momentous time for our visitors to be here and for us to pay great tribute to them.

I will make additional remarks concerning this rare group of constitutionalists from around the world, and about the program of the American Enterprise Institute that has brought them together for the first time. I should say, here though, that AEI's Constitution Project is designed to prepare the Nation for a thoughtful observance of the 200th anniversary of the writing of the Constitution of the United States in 1987. The project has been supported, in part, by a grant from the National Endowment for the Humanities and this international conference on the writing of Constitutions has been supported, in part, by the U.S. Information Agency and the Agency for International Development.

Mr. President, I should like to and that these visitors are but a part of a very large delegation attending this conference from 20 countries. The members who are not parliamentarians have been seated in the gallery. The members who were invited to the floor are members of the parliaments of their respective countries; and in accordance with the rules of the Senate, they are accorded the privilege of the floor because of that status.

RECESS

Mr. PERCY. Mr. President, I ask unanimous consent to recess for 2 minutes so that they might have the pleasure of shaking hands with you and you might have the pleasure and honor of shaking hands with the founding fathers of the constitutions of their respective countries.

There being no objection, the Senate, at 6:39 p.m., recessed until 6:41 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. DENTON).

QUORUM CALL

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

The PRESIDING OFFICER. (Mr. DENTON). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF TIME FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended to the hour of 7:15 p.m. under the same terms and conditions.

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

Mr. BAKER. I yield the floor, Mr. President.

APPLICATION OF SECTION 4(a)(1) OF WAR POWERS RESOLUTION TO PRESENT CIRCUMSTANCES IN LEBANON

Mr. BYRD. Mr. President, the Democratic Caucus met today and, with a quorum present, adopted a joint resolution, which I shall introduce shortly.

That joint resolution finds that section 4(a)(1) of the war powers resolution applies to the present circumstances in Lebanon.

I introduce this resolution on behalf of myself, Mr. EAGLETON. Mr. KENNEDY, Mr. SARBANES, Mr. CHILES, Mr. DIXON, and Mr. PELL.

So, Mr. President, I send the joint resolution to the desk and ask for its printing in the RECORD and that it be appropriately referred.

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

Mr. BYRD. Mr. President, I ask that the resolution be read, even though it is being offered for appropriate referral.

The PRESIDING OFFICER. The clerk will read the joint resolution.

The legislative clerk read as follows:

S.J. RES. 163

A joint resolution (S.J. Res. 163) finding that section 4(a)(1) of the War Powers Resolution applies to the present circumstances in Lebanon.

Whereas United States Armed Forces have been deployed in Lebanon since September 1982 as participants in a Multinational Peacekeeping Force at the request of the Government of Lebanon;

Whereas since August 28, 1983, United States Armed Forces have been introduced into hostilities and into situations where imminent involvement in hostilities is clearly indicated by the circumstances;

Whereas as a result of having been introduced into such hostilities, four United States Marines have been killed and numerous others have been wounded as a result of hostile fire in Lebanon since August 28, 1983;

Whereas such events have required that United States Armed Forces return hostile

fire in Lebanon as a matter of necessary and essential self-defense;

Whereas on September 13, 1983, the Department of State announced that United States Marines in Lebanon have been authorized to "use firepower—their own and offshore firepower—in defense of the Marines, the other members of the multinational force and the Lebanese armed forces, if they (are) under attack and if that attack would endanger the Marines or the multinational force"; and

Whereas United States Armed Forces in Lebanon are receiving hostile fire pay as a result of the judgment of the area commander that the circumstances so warrant: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, As of August 28, 1983, United States Armed Forces in Lebanon were introduced "into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances," within the meaning of section 4(a)(1) of the War Powers Resolution (Public Law 93-148).

Mr. BYRD. Mr. President, if the majority leader will allow me to impose further on his time, I wish to state that this action is not intended to be viewed as a partisan action.

We feel that, under the Constitution and under the war powers resolution, Congress has a very clear role. We feel that section 4(a)(1) has been triggered and that future actions, which are open to the Congress under the war powers resolution, depend, in considerable measure, on the triggering of 4(a)(1). We think that 4(a)(1) has been triggered by events. We certainly would want to continue to work with the administration and we would want to work with our friends on the other side of the aisle, not in a partisan manner but in a manner which comports with the proper role of the Congress under the War Powers Act.

I thank the majority leader.

Mr. BAKER. I thank the minority leader.

Mr. President, the minority leader, in his characteristically considerate way, advised me in advance that he intended to offer this resolution for a prompt referral and showed me a copy of it.

I share with him the hope that we can still exercise a degree of cooperation in bringing to this problem a bipartisan solution. I thank him for his courtesy in giving me a copy of the resolution.

Mr. BYRD. Mr. President, I ask unanimous consent that the war powers resolution in its entirety be printed in the RECORD.

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

1. WAR POWERS

A. WAR POWERS RESOLUTION

(Public Law 93-148 [H.J. Res. 542], 87 Stat. 555, 50 U.S.C. 1541-1548, passed over President's veto November 7, 1973)

JOINT RESOLUTION Concerning the war powers of Congress and the President.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This joint resolution may be cited as the "War Powers Resolution".

PURPOSE AND POLICY

Sec. 2. (a) It is the purpose of this joint resolution to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.

(b) Under article I, section 8, of the Constitution, it is specifically provided that the Congress shall have the power to make all laws necessary and proper for carrying into execution, not only its own powers but also all other powers vested by the Constitution in the Government of the United States, or in any department or officer thereof.

(c) The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces.

CONSULTATION

Sec. 3. The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and after every such introduction shall consult regularly with the Congress until United States Armed Forces are no longer engaged in hostilities or have been removed from such situations.

REPORTING

Sec. 4. (a) In the absence of a declaration or war, in any case in which United States Armed Forces are introduced—

(1) into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances;

(2) into the territory, airspace of waters of a foreign nation, while equipped for combat, except for deployments which relate solely to supply, replacement, repair, or training of such forces; or

(3) in numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation;

the President shall submit within 48 hours to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth—

(A) the circumstances necessitating the introduction of United States Armed Forces;

(B) the constitutional and legislative authority under which such introduction took place; and

(C) the estimated scope and duration of the hostilities or involvement.

(b) The President shall provide such other information as the Congress may request in the fulfillment of its constitutional responsibilities with respect to committing the Nation to war and to the use of United States Armed Forces abroad.

(c) Whenever United States Armed Forces are introduced into hostilities or into any situation described in subsection (a) of this section, the President shall, so long as such armed forces continue to be engaged in such hostilities or situation, report to the Congress periodically on the status of such hostilities or situation as well as on the scope and duration of such hostilities or situation, but in no event shall he report to the Congress less often than once every six months.

CONGRESSIONAL ACTION

Sec. 5. (a) Each report submitted pursuant to section 4(a)(1) shall be transmitted to the Speaker of the House of Representatives and to the President pro tempore of the Senate on the same calendar day. Each report so transmitted shall be referred to the committee on foreign Affairs of the House of Representatives and to the Committee on Foreign Relations of the Senate for appropriate action. If, when the report is transmitted, the Congress has adjourned sine die or has adjourned for any period in excess of three calendar days, the Speaker of the House of Representatives and the President pro tempore of the Senate, if they deem it advisable (or if petitioned by at least 30 percent of the membership of their respective Houses) shall jointly request the President to convene Congress in order that it may consider the report and take appropriate action pursuant to this section.

(b) Within sixty calendar days after a report is submitted or is required to be submitted pursuant to section 4(a)(1), whichever is earlier, the President shall terminate any use of United States Armed Forces with respect to which such report submitted (or required to be submitted), unless the Congress (1) has declared war or has enacted a specific authorization for such use of United States Armed Forces, (2) has extended by law such sixty-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. Such sixty-day period shall be extended for not more than an additional thirty days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of United States Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces.

(c) Notwithstanding subsection (b), at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution.

CONGRESSIONAL PRIORITY PROCEDURES FOR JOINT RESOLUTION OR BILL

SEC. 6. (a) Any joint resolution or bill introduced pursuant to section 5(b) at least thirty calendar days before the expiration of the sixty-day period specified in such section shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, as the case may be, and such committee shall report on such joint resolution or bill, together with its recommendations, not later than twenty-four calendar days before the expiration of the sixty-day period specified in such section, unless such House shall otherwise determine by the yeas and nays.

(b) Any joint resolution or bill so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents), and shall be voted on within three calendar days thereafter, unless such house shall otherwise determine by yeas and nays.

(c) Such a joint resolution or bill passed by one House shall be referred to the committee of the other House named in subsection (a) and shall be reported out not later than fourteen calendar days before the expiration of the sixty-day period specified in section 5(b). The joint resolution or bill so reported shall become the pending business of the House in question and shall be voted on within three calendar days after it has been reported, unless such House shall otherwise determine by yeas and nays.

(d) In the case of any disagreement between the two Houses of Congress with respect to a joint resolution or bill passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such resolution or bill not later than four calendar days before the expiration of the sixty-day period specified in section 5(b). In the event the conferees are unable to agree within 48 hours, they shall report back to their respective Houses in disagreement. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than the expiration of such sixty-day period.

CONGRESSIONAL PRIORITY PROCEDURES FOR CONCURRENT RESOLUTION

Sec. 7. (a) Any concurrent resolution introduced pursuant to section 5(c) shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, as the case may be, and one such concurrent resolution shall be reported out by such committee together with its recommendations within fifteen calendar days, unless such House shall otherwise determine by the yeas and nays.

(b) Any concurrent resolution so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) and shall be voted on within three calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

(c) Such a concurrent resolution passed by one House shall be referred to the committee of the other House named in subsection (a) and shall be reported out by such committee together with its recommendations within fifteen calendar days and shall thereupon become the pending business of such House and shall be voted upon within three calendar days, unless such House shall otherwise determine by yeas and nays.

(d) In the case of any disagreement between the two Houses of Congress with respect to a concurrent resolution passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such concurrent resolution within six calendar days after the legislation is referred to the committee of conference. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than six calendar days after the conference report is filed. In the event the conferees are unable to agree within 48 hours, they shall report back to their respective Houses in disagreement.

INTERPRETATION OF JOINT RESOLUTION

Sec. 8. (a) Authority to introduce United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances shall not be inferred—

(1) from any provision of law (whether or not in effect before the date of the enactment of this joint resolution), including any provision contained in any appropriation Act, unless such provision specifically authorizes the introduction of United States Armed Forces into hostilities or into such situations and states that it is intended to constitute specific statutory authorization within the meaning of this joint resolution; or

(2) from any treaty heretofore or hereafter ratified unless such treaty is implemented by legislation specifically authorizing the introduction of United States Armed Forces into hostilities or into such situations and stating that it is intended to constitute specific statutory authorization within the meaning of this joint resolution.

(b) Nothing in this joint resolution shall be construed to require any further specific statutory authorization to permit members of United States Armed Forces to participate jointly with members of the armed forces of one or more foreign countries in the headquarters operations of high-level military commands which were established prior to the date of enactment of this joint resolution and pursuant to the United Nations Charter or any treaty ratified by the United States prior to such date.

(c) For purposes of this joint resolution, the term "introduction of United States Armed Forces" includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an immiment threat that such forces will become engaged, in hostilities.

(d) Nothing in this joint resolution—

(1) is intended to alter the constitutional authority of the Congress or of the President, or the provisions of existing treaties; or

(2) shall be construed as granting any authority to the President with respect to the introduction of United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances which authority he would not have had in the absence of this joint resolution.

SEPARABILITY CLAUSE

Sec. 9. If any provision of this joint resolution or the application thereof to any person or circumstances is held invalid, the remainder of the joint resolution and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

Sec. 10. This joint resolution shall take effect on the date of its enactment.

Mr. BYRD. Mr. President, if the majority leader will allow me to impose further on his time, I wish to state that this action is not intended to be viewed as a partisan matter. Quite to the contrary, it is intended to reflect what I believe to be an accurate statement of fact which can be supported by a great many Senators on both sides of the aisle. That fact, simply stated, is that the circumstances in which our marines now find themselves in Lebanon are hostilities within the meaning of section 4(a)(1) of the war powers resolution. Further, we believe it should be obvious to anyone who looks at the situation that those marines are clearly involved in a situation where imminent involvement in hostilities is clearly indicated by the circumstances within the meaning of that same section.

Those conclusions which I have just stated, are so clear, so obvious, and so evident that we believed that it made abundant good sense for us all to stand up and say so by the introduction of this joint resolution. And I think the facts are so clear to the Members of this body that they should all be willing to say so by passing this resolution.

The importance of our taking this position is prompted by the language of the war powers resolution itself. For, if these "hostilities" exist, or if the "situation" exists whereby "imminent involvement in hostilities is clearly indicated by the circumstances," then section 4(a)(1) of the war powers resolution has been triggered. And if section 4(a)(1) has been triggered, that in turn then triggers the applicability of section 5(b) of the war powers resolution.

Section 5(b) clearly states that in order for our troops to remain in Lebanon beyond 60 days from the beginning of the hostilities situation—or an additional 30 days in certain circumstances—then the Congress must enact specific authorization which permits that deployment.

Mr. President, I am not suggesting that this joint resolution is a necessary ingredient in the operation of the war powers resolution. Nor am I suggesting that the only way the War Powers Act applies is if and when this resolution is enacted. As a matter of fact the war powers resolution is self-executing. And by that I mean that it is the events—the hostilities themselves—which trigger the operation of the war powers resolution. So it is not this resolution which triggers the war powers resolution. It is our position that the President should have sent us a report under section 4(a)(1) of war powers resolution, as that resolution requires him to do. The President did not send us that kind of a report. But the war powers resolution was drafted very carefully by my colleagues more than a decade ago to make sure that any President would not be able to nullify the operation of the war powers resolution by simply not sending the required report. The war

powers resolution makes clear that its operation is also triggered if a 4(a)(1) report was required to be submitted. That language—"required to be submitted"—appears in section 5(b). And that section—section 5(b)—is the one which says that the Congress must authorize the use of the troops for any time after 60 (or 90) days from the date when the report was required to have been submitted.

And let me say, Mr. President, that all this is not simply legal mumbo-jumbo. This is the law of our land. This law, the war powers resolution was passed by the Congress of the United States. It was passed by a super-majority in both Houses. It was passed overwhelmingly. It was passed in an override of a veto by the President of the United States. And this is the law which makes it clear that the Congress of the United States must be involved in the decision to send our men and women off to fight wars on foreign soil. We, the Congress, are a part of that process. This is the only way the people of this country, acting through their elected representatives can have their say about what is considered by most to be the most important and significant decision our Government is ever called upon to make.

So I am pleased to offer this resolution on behalf of the Democratic Conference, and I hope that my colleagues on the other side of the aisle will agree with what we have done and will support us in our conclusion about the situation which now exists in the country of Lebanon.

This is an area where continued discussions with the administration are agreeable. I can only reiterate what I think is obvious and what I have said before. The President of the United States must be willing to recognize that the war powers resolution is the law of the land and he must follow it. And he must, as a result, tell the Congress what it is he wants. If he wants to keep our Armed Forces in Lebanon for a longer period of time, he must tell the Congress how much time he needs. And he must tell the Congress what the mission of the troops will be.

I am confident that the Senate wants to support the President in a bipartisan spirit and in the interests of the Nation. I want to support our President where our national security and vital foreign policy interests are involved. And I look forward to the President's expression of the precise nature of the support he is seeking.

JAMES A. MILLER

Mr. BAKER. Mr. President, there are two or three brief matters that we can take care of by unanimous consent.

Before I do that, I would like to indulge in a brief personal moment to say that a valued member of my staff is going to leave tomorrow. He is a young man who has served me well and whom I will miss greatly. He leaves to pursue other objectives or goals.

I am speaking of Jim Miller, James A. Miller, who will soon depart this city and find his way to Oxford University in England where he will pursue literary and academic interests for the next several months. I wish him well in that endeavor.

I am sure that the British will do nothing to stultify the remarkable talents that already reside in that young man's head.

Jim Miller came to me on the recommendation of a great columnist, George Will. He has worked for George Will on occasion and quickly demonstrated his own facility for the language, his own sure grasp of information, both as an associate of George Will and then later on my own staff.

Some may recall that over the last several months I have usually tried to present a poem for the edification of my colleagues and those who read the CONGRESSIONAL RECORD.

I wish to acknowledge now publicly that Jim Miller has been instrumental and most helpful in the selection of those poems and prompting me to see that they begin each week, as a symbol of his sensitive spirit and his understanding of the broad spectrum of the needs of mankind. He would urge that I offer that bit of poetry every week in the hope that it would soothe our jangled nerves and civilize our legislative proceedings a bit.

For his contribution to the Senate, Mr. President, I thank him. For his bright and promising future, I am confident, and I know my colleagues join me in wishing him well.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, in a moment we are about to go out until Monday. There are two or three brief items that can be disposed of.

Before I get to them, I would like to propound a unanimous-consent request to deal with the adjournment of the Senate from today until Monday. I have consulted with the minority leader on this request, and I will now state it for his consideration and that of other Senators.

AUTHORITY FOR CERTAIN ACTION DURING ADJOURNMENT

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate convenes on Monday, September 19, 1983, that it does so pursuant to adjournment; that the reading of the Journal be dispensed with, that no resolutions come over under the rule; that the call of the calendar be dispensed with, and, following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business not to exceed 1 hour in length in which Senators may speak for not more than 10 minutes in length, provided further that the morning hour be deemed to have expired.

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

ORDER FOR ADJOURNMENT UNTIL MONDAY, SEPTEMBER 19, 1983

Mr. BAKER. Now, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 12 noon on Monday, September 19, 1983.

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

Mr. BAKER. Mr. President, I further ask unanimous consent that during the adjournment of the Senate until that time, that the Secretary of the Senate be authorized to receive messages from the House, and that the Vice President and the President pro tempore be authorized to sign all newly enrolled bills and joint resolutions.

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

AMENDMENT OF VOLUNTEERS IN THE PARK ACT

Mr. BAKER. Now, Mr. President, calendar order No. 351, S. 864 on the calendar of business, is cleared for action by unanimous consent on this side. Might I inquire of the minority leader if he is in a position to consider that bill?

Mr. BYRD. Mr. President, I am pleased to state to the majority leader that the item has been cleared on this side.

Mr. BAKER. Mr. President, I thank the minority leader.

Mr. President, I ask that the Chair lay before the Senate S. 864.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 864) to amend the volunteers on the Parks Act of 1969, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

The Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources with an amendment on page 1, after line 6, insert the following:

SEC. 2. Section 307 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2766; 43 U.S.C. 1737) is amended by adding at the end thereof the following new subsections:

"(d) The Secretary may recruit, without regard to the civil service classification laws, rules, or regulations, the services of individuals contributed without compensation as volunteers for aiding in or facilitating the activities administered by the Secretary through the Bureau of Land Management.

"(e) In accepting such services of individuals as volunteers, the Secretary—

"(1) shall not permit the use of volunteers in hazardous duty or law enforcement work, or in policymaking processes or to displace any employee; and

"(2) may provide for services or costs incidental to the utlization of volunteers, including transportation, supplies, lodging, subsistance, recruiting, training, and supervision.

"(f) Volunteers shall not be deemed employees of the United States except for the purposes of the tort claims provisions of title 28, United States Code, and subchapter 1 of chapter 81 of title 5, United States Code, relating to compensation for work injuries.".

So as to make the bill read:

S. 864

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Volunteers in the Parks Act of 1969 (84 Stat. 472; 16 U.S.C. 18j) is amended by changing the comma after the word "Act" to a period and striking out the remainder of the section.

SEC. 2. Section 307 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2766; 43 U.S.C. 1737) is amended by adding at the end thereof the following new subsections:

"(d) The Secretary may recruit, without regard to the civil service classification laws, rules, or regulations, the services of individuals contributed without compensation as volunteers for aiding in or facilitating the activities administered by the Secretary through the Bureau of Land Management.

"(e) In accepting such services of individuals as volunteers, the Secretary—

"(1) shall not permit the use of volunteers in hazardous duty or law enforcement work, or in policymaking processes or to displace any employee; and

"(2) may provide for services or costs incidental to the utilization of volunteers, including transportation, supplies, lodging, subsistance, recruiting, training, and supervision.

"(f) Volunteers shall not be deemed employees of the United States except for the purposes of the tort claims provisions of title 28, United States Code, and subchapter 1 of chapter 81 of title 5, United States Code, relating to compensation for work injuries.".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FLOWER DISPLAYS IN THE CHAMBER FOR DECEASED SENATORS

Mr. BAKER. Mr. President, the minority leader and I had a discussion some days ago about providing floral arrangements or flowers in the Senate Chamber in connection with the death of our late colleague, Senator Jackson.

At that time, by unanimous consent, the standing orders of the Senate were waived in order to permit a floral arrangement.

I now send to the desk a resolution for myself and for the distinguished minority leader dealing with this subject and ask that it be reported.

The PRESIDING OFFICER. Is there objection? Without objection, the resolution will be stated.

The legislative clerk read as follows:

S. RES. 221

Resolved, That notwithstanding the resolution of the Senate of February 24, 1905, upon the death of a sitting Senator, the Majority Leader and the Minority Leader may permit a display of flowers to be placed upon the desk of the deceased Senator on the day set aside for eulogies.

Mr. BAKER. Mr. President, I ask for the immediate consideration of the resolution.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

Without objection, the resolution (S. Res. 221) is considered and agreed to.

Mr. BAKER. I thank the Chair.

S. 1850—CONTRACT MEDICAL SERVICES IN PUERTO RICO

Mr. BAKER. Mr. President, there is one other matter to be dealt with, if the minority leader is in a position to consider it at this time.

I would propose, by unanimous consent, if the minority leader does not object, to introduce and place on the calendar a bill by Mr. SIMPSON, for himself, Mr. CRANSTON, Mr. STAFFORD, Mr. DENTON, Mr. RANDOLPH, Mr. MATSUNAGA, and Mr. DECONCINI to amend title 38 of the United States Code to extend for 1 year the authority of the Veterans' Administration to provide certain contract medical services in Puerto Rico and the Virgin Islands.

Mr. BYRD. Mr. President, there is no objection on this side.

Mr. BAKER. Mr. President, I make that request.

The PRESIDING OFFICER. Is there objection? Without objection, the bill will be placed on the calendar.

Mr. SIMPSON. Mr. President, both the House- and Senate-passed versions of H.R. 2920, dealing primarily with Veterans' Administration health care programs, contain a provision to extend for 1 year the legislative authority for non-service-connected contract care in Puerto Rico and the Virgin Islands. This provision is set forth in section 108(a) of the Senate bill as passed by the Senate on June 28, 1983, and in section 5 of the House bill, as passed by the House on May 23, 1983. The present authority will expire on September 30, 1983, and, unfortunately, it does not now appear possible to complete the House/Senate negotiations on the differences between the two versions of H.R. 2920 in time for us to have a compromise bill enacted into law by October 1 of this year.

Accordingly, I am introducing today a clean bill containing nothing but this provision. I should point out that expeditious consideration of this bill is not only necessary; it is appropriate as well. There is no need for a referral to the Veterans' Affairs Committee, which I chair, since the issue has already been addressed in committee hearings, and a committee report has been filed—Senate Report No. 98-145—containing an explanation of and the justification for this provision. Also, the bill is noncontroversial: its mother bill, H.R. 2920, passed both the House and Senate without a record vote, and I am aware of no objection having been raised to this particular provision in either forum.

Finally, we expect to have the cooperation of the House Veterans' Affairs Committee in seeking the enactment of this provision and we believe that enactment can be accomplished by September 30.

Mr. President, on behalf of myself and the cosponsors of this bill, including the distinguished ranking minority member of the Veterans' Affairs Committee (Mr. CRANSTON), and Senators STAFFORD, DENTON, RANDOLPH, MATSUNAGA, and DECONCINI, I urge my colleagues to support this legislation, and therefore avoid a lapse in this authority which both Houses have already agreed to extend.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I have nothing further to address to the Senate. May I inquire of the minority leader if there is further business that he wishes to conduct?

Mr. BYRD. I thank the majority leader.

UNEMPLOYMENT INSURANCE BENEFITS

Mr. BYRD. Mr. President, for some time now we have known that our unemployment system has not been working as Congress intended. We have States with unemployment as high as 15 percent that are eligible for only the minimum number of weeks of benefits available under the Federal

supplemental compensation bill, and are not eligible at all for extended benefits. Furthermore, at a time when 27 States have total unemployment above 9 percent—the incontrovertible proof that we have not emerged from the most serious episode of unemployment since the Great Depression—only two States are eligible for the middle tier of unemployment benefits which Congress intended to be available to States with moderate to severe unemployment.

We have known intuitively that one of the major reasons for this is the use as the State eligibility and benefit duration determinent in both the Federal supplemental compensation program and the extended benefit program of the insured unemployment rate or IUR.

The IUR measures only a portion of unemployment in a State—those unemployed workers who are receiving State basic unemployment benefits. It does not count those receiving extended benefits. It does not count those receiving Federal supplemental compensation. It does not count those who have been unable to find work for so long that they have exhausted all available benefits. And it does not count the unemployed who, because unemployment insurance payroll taxes were never paid on their behalf, never were a part of the UI system. Nor does it count those unemployed who for other reasons failed to ever qualify for unemployment insurance. The degree of the IUR's undercounting of unemployment ironically and destructively gets more severe as the average duration of unemployment increases in a State—the very time when States most need the additional benefits the IUR makes or fails to make available in the State. The degree of undercounting also is high just after States reach peak unemployment and unemployment begins to recede—such as is the case in the majority of States today.

On Friday of last week, the Brookings Institution published a study by scholar Gary Burtless concerning the inadequacy of the IUR. That study points out that the discrepancy between the total unemployment rate and the IUR has increased sharply since 1980.

One distressing result to which the IUR inadequacy contributed is that, after adjusting for inflation, the average jobless worker received 40 percent less in unemployment benefits in 1982 than in 1976. And a far greater percentage of the unemployed in 1982 received no unemployment benefits in 1975: In 1982 only 45 percent received any benefits compared to 78 percent who received some benefits in 1975.

In today's edition of the Washington Post appeared an editorial on this subject, Mr. President, entitled "The Wrong Yardstick." It concludes, based on Mr. Burtless' study, that the insured unemployment rate is no longer a reliable indicator of the need for extra help for the jobless and that improvements are in order.

Mr. President, I ask unanimous consent that the editorial be placed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BYRD. Mr. President, the Congress must recognize this deficiency and move rapidly to correct it. I have introduced legislation which contains one remedial approach; others on both sides of the aisle have introduced various other remedial approaches. I recognize there is no alternative currently known and available which is seen to be perfect or nearly perfect. And so the data and UI program experts must continue to seek a better measure of the need of a State's unemployed workers for UI benefits beyond those in the basic State programs. But in the meantime, we must immediately select and commence using the best alternative currently available.

I want to urge the Finance Committee, which intends, as I understand it, to mark up UI legislation next week, to both require a concentrated study to determine a better measure of need for additional benefits than those measures now available, and to authorize use of the best currently available alternative in the meantime.

EXHIBIT 1

THE WRONG YARDSTICK

How severe was the recent recession? By standard counts of total unemployment, the answer is: very severe. Total monthly unemployment, as measured by the Bureau of Labor Statistics, neared 11 percent, and the bureau estimates that in 1982 one out of three workers suffered some sort of employment problem. But by another measure of unemployment, the insured unemployment rate, things weren't all that bad. This discrepancy is of keen interest, because it is the lower of the two measures that currently determines in substantial part how much additional help the government provides to the jobless.

Many unemployed people are not eligible for unemployment benefits because they have not worked long enough to qualify, have used up all their benefits or have quit or been fired. As a result, the insured unemployment rate is always lower than the total rate. But a recent study by Brookings Institution economist Gary Burtless points out that the discrepancy has increased sharply since 1980, for reasons that are not all readily explainable.

Although the 1982 recession hit a larger portion of experienced industrial workers—who would normally be expected to qualify most readily for benefits—the jobless received much less government help than in the last severe recession. Mr. Burtless calculates that, after adjusting for inflation, the average jobless worker received 40 percent less in unemployment benefits in 1982 than were paid out in 1976. Partly that's because the Reagan administration persuaded Congress to cut back sharply on the rules for providing extended benefits under state programs and was much less generous in providing special federal benefits. And longer stretches of unemployment meant that more of the unemployed ran through their benefits before they found jobs.

These and other policy and administrative changes cannot fully account for the fact that a far lower portion of those reporting unemployment in the BLS's monthly surveys appear to have qualified for regular unemployment benefits. Mr. Burtless concludes, sensibly, that the insured unemployment rate is no longer a reliable indicator of the need for extra help for the jobless. More reliable information can come only from improving the BLS's monthly surveys of total unemployment. Continuity in data collection methods is useful, but when important questions affecting social policy remain unanswered, improvements are in order.

Mr. BYRD. I thank the majority leader. I have no further business on this side.

PROGRAM

Mr. BAKER. Mr. President, let me now state the program for the Senate on Monday and next week.

Mr. President, when the Senate completes its business today, it will stand in adjournment until the hour of 12 noon, September 19. After the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business of not more than 1 hour in length in which Senators may speak for not more than 10 minutes each.

At the conclusion of the time for the transaction of routine morning business, the Senate will resume consideration of the unfinished business, which is the Interior appropriations bill. It is anticipated that votes will occur on the Interior appropriations bill on Monday. It is hoped that that matter can be dealt with to completion and passage during the day on Monday.

A number of other items will be dealt with during the week. The week is expected to be a full week and a number of items, many of them controversial, will be placed before the Senate.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 19, 1983

Mr. BAKER. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate now stand in adjournment until Monday next.

The motion was agreed to and, at 7:20 p.m., the Senate adjourned until Monday, September 19, 1983, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate September 15, 1983:

COMMISSION ON CIVIL RIGHTS

Linda Chavez Gersten, of the District of Columbia, to be Staff Director for the Commission on Civil Rights, vice Louis Nunez, resigned, to which position she was appointed during the last recess of the Senate.