

(4) The Contact Group, composed of representatives of the United States, Russia, France, Great Britain, and Germany, has since July 1994 maintained that in the event of continuing rejection by the Bosnian Serbs of the Contact Group's proposal for Bosnia and Herzegovina, a decision in the United Nations Security Council to lift the Bosnian arms embargo as a last resort would be unavoidable.

### SEC. 3. STATEMENT OF SUPPORT.

The Congress supports the efforts of the Government of the Republic of Bosnia and Herzegovina—

(1) to defend its people and the territory of the Republic;

(2) to preserve the sovereignty, independence, and territorial integrity of the Republic; and

(3) to bring about a peaceful, just, fair, viable, and sustainable settlement of the conflict in Bosnia and Herzegovina.

### SEC. 4. TERMINATION OF ARMS EMBARGO.

(a) TERMINATION.—The President shall terminate the United States arms embargo of the Government of Bosnia and Herzegovina, as provided in subsection (b), following—

(1) receipt by the United States Government of a request from the Government of Bosnia and Herzegovina for termination of the United States arms embargo and submission by the Government of Bosnia and Herzegovina, in exercise of its sovereign rights as a nation, of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina; or

(2) a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, to withdraw UNPROFOR from Bosnia and Herzegovina.

(b) IMPLEMENTATION OF TERMINATION.—The President may implement termination of the United States arms embargo of the Government of Bosnia and Herzegovina pursuant to subsection (a) prior to the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, but shall, subject to subsection (c), implement termination of the embargo pursuant to that subsection no later than the earlier of—

(1) the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina; or

(2) the date which is 12 weeks after the date of submission by the Government of Bosnia and Herzegovina of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina.

(c) PRESIDENTIAL WAIVER AUTHORITY.—If the President determines and reports in advance to Congress that the safety, security, and successful completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina in accordance with subsection (b)(2) requires more time than the period provided for in that subsection, the President may extend the time period available under subsection (b)(2) for implementing termination of the United States arms embargo of the Government of Bosnia and Herzegovina for a period of up to 30 days. The authority in this subsection may be exercised to extend the time period available under subsection (b)(2) for more than one 30-day period.

(d) PRESIDENTIAL REPORTS.—Within 7 days of the commencement of the withdrawal of UNPROFOR from Bosnia and Herzegovina, and every 14 days thereafter, the President shall report in writing to the President pro tempore of the Senate and the Speaker of the House of Representatives on the status and estimated date of completion of the withdrawal operation. If any such report includes an estimated date of completion of

the withdrawal which is later than 12 weeks after commencement of the withdrawal operation, the report shall include the operational reasons which prevent the completion of the withdrawal within 12 weeks of commencement.

(e) INTERNATIONAL POLICY.—If the Government of Bosnia and Herzegovina submits a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina or if the United Nations Security Council or the countries contributing forces to UNPROFOR decide to withdraw from Bosnia and Herzegovina, as provided in subsection (a), the President (or his representative) shall immediately introduce and support in the United Nations Security Council a resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina. The United States shall insist on a vote on the resolution by the Security Council. The resolution shall, at a minimum, provide for the termination of the applicability of United Nations Security Council resolution 713 to the government of Bosnia and Herzegovina no later than the completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina. In the event the United Nations Security Council fails to adopt the resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina because of a lack of unanimity of the permanent members, thereby failing to exercise its primary responsibility for the maintenance of international peace and security, the United States shall promptly endeavor to bring the issue before the General Assembly for decision as provided for in the Assembly's Uniting for Peace Resolution of 1950.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be interpreted as authorization for deployment of United States forces in the territory of Bosnia and Herzegovina for any purpose, including training, support, or delivery of military equipment.

(g) DEFINITIONS.—As used in this section—

(1) the term "United States arms embargo of the Government of Bosnia and Herzegovina" means the application to the Government of Bosnia and Herzegovina of—

(A) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 FR 33322) under the heading "Suspension of Munitions Export Licenses to Yugoslavia"; and

(B) any similar policy being applied by the United States Government as of the date of completion of withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, pursuant to which approval is denied for transfers of defense articles and defense services to the former Yugoslavia; and

(2) the term "completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina" means the departure from the territory of Bosnia and Herzegovina of substantially all personnel participating in UNPROFOR and substantially all other personnel assisting in their withdrawal, within a reasonable period of time, without regard to whether the withdrawal was initiated pursuant to a request by the Government of Bosnia and Herzegovina, a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, but the term does not include such personnel as may remain in Bosnia and Herzegovina pursuant to an agreement between the Government of Bosnia and Herzegovina and the government of any country providing such personnel.

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

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

The motion to lay on the table was agreed to.

Mr. WARNER addressed the Chair.

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

Mr. WARNER. Mr. President, I just wish to echo the many accolades I have heard paid to the distinguished majority leader for his leadership on this issue over a period of years. He has been unwavering in his determination, together with our distinguished colleague, the junior Senator from Connecticut, Mr. LIEBERMAN, with strong staff support provided by Mira Baratta, who has worked on this tirelessly now for years, Randy Scheunemann, Ron Marks, John Lilley, of the staff of Senator LIEBERMAN, and Mrs. Ansley on my staff. Together, we have been able to present this in a very fair and objective and nonpartisan way.

I wish to extend my appreciation to those staff members and the distinguished majority leader and the Senator from Connecticut.

### RYAN WHITE CARE REAUTHORIZATION ACT

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. DOLE. Mr. President, I call for the regular order with respect to S. 641.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 641) to reauthorize the Ryan White CARE Act of 1990, and for other purposes.

The Senate resumed consideration of the bill.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand from the leader and from the clerk, we are now on the reauthorization of the Ryan White bill; am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. Mr. President, I see the chairman of the Labor and Human Resources Committee here. We are prepared to move along in terms of the amendments.

We had opening statements and discussion on last Friday.

I see my friend and colleague from California, who wishes to address the Senate on this issue. But I would like to indicate at least to our side that we are prepared to consider amendments. This measure has been on the calendar for some period of time. We have some 63 cosponsors.

We are, as we have said, prepared to deal with various amendments, and we hope we will have some brief comments in terms of whatever people's views are about the legislation and then we can get down to dealing with the amendments.

So I would yield the floor at this time.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise today in strong support of the Ryan White CARE Reauthorization Act, and in so doing I would very much like to thank the Labor and Human Resources Committee.

I would like to thank its distinguished chairman, the Senator from Kansas, and the ranking member, the Senator from Massachusetts. And I must say, to the credit of this committee, this reauthorization bill is reported to the full floor unanimously.

Mr. President, Ryan White affects 42 cities—7 in my State—and all 50 States. It costs \$630 million, and it provides 350,000 people with services they would not be able to get, otherwise, outside of a hospital. It has dramatically reduced the overall cost of the health care delivery system.

Let me give you some examples of how Ryan White funding has helped communities in my State. In California, through use of its Ryan White title II funds, the State has reported a 50-percent reduction in hospital stays resulting in over \$21 million in cost savings.

In San Francisco, Project Open Hand delivers a meal to 1,200 homebound people every day. This is accomplished through the efforts of 2,400 volunteer drivers and food preparers.

In Los Angeles, the AIDS Health Care Foundation, which is the largest AIDS organization in California, annually serves approximately 2,400 people living with HIV and AIDS at outpatient clinics. Last year it provided a final home to over 250 hospice residents.

In San Diego, the AIDS Foundation uses its Ryan White funding to provide a full range of outpatient clinical and social services to people with AIDS.

Let me say that, increasingly, the majority of new cases served under the Ryan White Act are in rural areas. Increasingly they are women, they are minorities, and they are children. And I think the lesson in this is that AIDS really knows no gender or sexual orientation. It is a real and major threat, and, as such, this act is very important in its treatment.

Mr. President, I am one who has had quite a bit of experience with AIDS. I would like to take a few moments to tell you what it was like before there was a Ryan White CARE Act. As mayor of San Francisco during the 1980's, I had many challenges. But none was more serious or severe than the emergence of the AIDS epidemic. I remember my first meeting on this subject as if it were yesterday. I think it was 1981. I was told in a meeting in the mayor's office that there was a rumor of a so-called gay cancer which had as one of its symptoms purple skin lesions. I called our director of public health and asked him to look into it. He called the Centers for Disease Control in Atlanta

and learned that New York and Los Angeles were reporting a similar syndrome that was appearing in gay men.

At the time, we had no idea what we were dealing with. We did not know whether this was caused by a virus, a bacteria, or something else. We did not know how widely spread the epidemic had become or that hemophiliacs, Haitians, and intravenous drug users were already infected. We certainly did not know that it had originated in Central Africa, and that it would impact millions of people, and that it was sweeping through sub-Saharan Africa long before it reached this hemisphere.

But one thing I did know. We were dealing with something that was deadly. And it is my belief that as an elected official, when one learns of a threat to the public health, one has a responsibility to act. By the end of that first year, there were 76 diagnosed cases in San Francisco. We had allocated \$180,000 for the first AIDS program in the Nation. By the time I left office in 1988, January, we were spending approximately \$20 million a year, more than the rest of the cities in the country combined and, for most of the time, more than the State of California.

There was no Ryan White program then. But I can tell you that I certainly could have used it. We had to fund all those services from the city budget—the first AIDS prevention programs, the first AIDS housing programs, the first preliminary AIDS research efforts, which were pioneered at San Francisco General Hospital by Dr. Paul Volberding, and others. We opened the first AIDS ward. I broke that ribbon. We funded hospice care as well as a full range of support services.

San Francisco's response became known as the model AIDS program. Health officials from around the world came to observe it. And many returned home to replicate it. Make no mistake about it, it was hard. But if I had it to do over again, I would do it again. And if I do nothing else in my public life, creation of that model will be among my proudest achievements.

Last year it was learned that San Francisco was actually experiencing a decline in the number of new AIDS cases. This was very encouraging. As far as I know, San Francisco is the only major city on the planet that has experienced a decline in its AIDS case-load. When I read in the New York Times that the decline was attributable to one thing, the prevention program put into place in the early 1980's, I felt an affirmation of the principle which I stated earlier, which I will state again. As an elected official, when one learns of a threat to the public health, one has a responsibility to act.

Having said that, a lot of cities have sustained devastating losses. No city has been harder hit than my own, a city just 7 miles square, renowned for its beauty and its people. It is a city where 2 percent of its entire population has been claimed by AIDS, and 4 per-

cent of its remaining population is estimated to be infected with the HIV. More than 50,000 young Californians have died from AIDS, approximately the same number as all Americans who died in Vietnam. Almost five times that many young Americans have died from AIDS.

While my colleagues on both sides of the aisle have recounted the alarming statistics with which we have become all too familiar, I believe that America has become numbed by the statistics of AIDS. I am reminded of a statement made in a different context: "A single death is a tragedy; a million deaths are a statistic." That is all too true when it comes to AIDS.

The young man for whom this legislation is named gave the disease a face and a name to which every American could relate. Ryan White, a youngster, with his courage in fighting prejudice, helped this Nation begin to understand that AIDS knows no boundaries. Many years before the world came to know the name of Ryan White, there were also other names. There were names and faces that will be with many of us in this Chamber for a long, long time. For me, I lost many friends. I can tell you that I have lost many friends, and could recount a long litany of tragedy and suffering.

Let me tell you about two because they are recent deaths. The first is police officer Ray Benson whose funeral I attended just a few weeks ago. Ray became a San Francisco police officer in 1980 when I was mayor. And during the next 12 years he became the model police officer. He displayed conspicuous gallantry that personifies the risk of police officers daily when they report to duty. He received many awards during the course of his tenure, most recently the Medal of Valor for his actions while arresting a narcotics suspect. At the time he sustained serious wounds which required more than a 100 stitches in his face. But he shielded his fellow officers from the suspect's knife. Officer Ray Benson was a friend of mine. When I last saw him, his vision was failing, but his same strong spirit stood out. Ray's death from AIDS is but the most recent loss I have personally known.

I would like to mention just one other name and, due to the time constraints, I will stop. That name is Brad Wilson.

Brad was my scheduler during my campaign for Governor of California and my Senate campaign until he became too sick. He grew up in the Ozarks, graduated from the University of Chicago with top honors, and received his law degree from New York University.

After receiving an AIDS diagnosis, Brad fought for 6 more years, struggling to maintain his dignity and working as much as possible until 2 months before his death. In his final days, this brilliant young attorney, 39, was unable to care for himself in any

way. Morphine was administered intravenously to deaden the pain caused by a brain infection, but he maintained his dignity until the end.

Three of his last visitors at home were my daughter and her husband who took with them my 5-month-old granddaughter to boost his spirits. Both Brad and Ray were able to avail themselves of the services provided by the Ryan White CARE Act, and for this I am forever grateful.

I mention these two names as a very personal example of the loss, but they are but two more names out of almost 250,000 who have died from AIDS in the United States. Ryan White's death proved that AIDS is an equal opportunity killer, and there should be no room for prejudice or discrimination toward those it strikes for, in truth, it can strike anyone.

I urge my colleagues to support this bill, with Ryan White's memory in mind, as well as the memory of each and every American who has died from AIDS.

I thank the Chair. I yield the floor.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I thank the Senator from California, Senator FEINSTEIN, for a very powerful statement. The reasons that she laid out as to why there should be support for this legislation, I think, will particularly help, and I appreciate her comments.

The Senator from North Carolina, Senator HELMS, had some amendments that he wished to offer. Senator BYRD has requested about 10 minutes as in morning business. I think as long as Senator HELMS is not here, I am prepared to offer an amendment as soon as Senator BYRD finishes, if, indeed, Senator HELMS is not here. But I think he is ready to go as well.

I ask unanimous consent that Senator BYRD be allowed to speak as in morning business.

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

Mr. BYRD. Mr. President, I thank the very distinguished Senator from Kansas, my friend, Senator KASSEBAUM, for her courtesy and kindness.

#### ELIMINATE THE DUAL KEY

Mr. BYRD. Mr. President, today's New York Times reports that the United Nations Secretary General, Mr. Boutros Boutros-Ghali, would "veto NATO airstrikes." Secretary of State Christopher has written to me to clarify the decisions that were made in Brussels. In his letter, Secretary Christopher has stated that "the North Atlantic Council approved detailed planning for the use of substantial NATO airpower to deter or respond to Bosnian Serb attacks on the U.N. safe area of Gorazde. These plans include a broader range of options for command-

ers, who for the first time will have the ability to use NATO airpower within a wide geographic area against a variety of targets which may pose a threat to the safe area." Secretary Christopher goes on to say that "Of equal importance, NATO military authorities were instructed to formulate plans for protecting other safe areas, particularly Bihac, on the basis of the new approach adopted for Gorazde . . . These steps, which confirm decisions taken in London, reflect unanimous Allied endorsement of the substantial change to the dual key previously in effect."

Reinforcing Secretary Christopher's letter, the Secretary General just released a statement that delegates the authority for airstrikes to the military commanders on the ground. In his press statement, the Secretary General says, "on the question of the 'dual key,' the relevant Security Council resolutions call for close coordination between the United Nations and NATO on the use of NATO air power and this is reflected in the NATO decision. In order to streamline decisions taking within the U.N. chain of command when the use of air power is deemed to be necessary, the Secretary General has decided to delegate the necessary authority in this respect to his military commanders in the field." Mr. President, this is consistent with the North Atlantic Council decision agreed upon last night, and is a major step forward.

As a result of a meeting conducted last Friday in London and implemented by the North Atlantic Council of NATO last night in Brussels, NATO has made a decision to take new, positive action in Bosnia to deter and retaliate against Bosnian Serb aggression against at least the U.N.-designated safe areas of Gorazde and Sarajevo. Already, French and British troops have taken action to forcefully reopen the ground route for humanitarian supplies into Sarajevo. The NATO military command is establishing the command and control links and decisionmaking rules to guide NATO operations in Bosnia in fulfillment of the decisions so recently made. The new decisionmaking process would eliminate the veto that has been exercised regularly by U.N. political authorities, frustrating timely and strong alliance action. The Secretary General has agreed with this decision.

This is an important new development, a vital change in the military equation. It is critical to the success of alliance military operations in Bosnia.

Our NATO allies have come to this consensus partially at the behest of the United States, which has urged more forceful action against the Bosnian Serb forces. This decision to retaliate, which has been forcefully communicated to the Bosnian Serb military commander by a trio of United States, United Kingdom, and French generals, commits NATO to punishing and disproportionate airstrikes against any Bosnian Serb military facility or for-

mation anywhere in Bosnia, including Serb headquarters and command and control centers, should the Bosnian Serbs attempt to overrun Gorazde.

The need to make these decisions and these threats credible requires the elimination of the "dual key" to authorizing airstrikes. This "dual key" process, which has required both NATO and U.N. political authorities to authorize airstrikes, has gutted the effectiveness of previous NATO airstrikes undertaken to punish the Serbs for actions against U.N. protection forces or Bosnian civilians. The decisionmaking process has been far too slow, and has been burdened with added requirements to notify the targets of the intended strike, to strike at prearranged times, and to strike at targets that do not disproportionately punish the Serbian forces. These restrictions are militarily foolish, and serve only to set up NATO forces as targets for Serb anti-aircraft fire as they come in over preannounced targets at specified times. Allied air power in Bosnia has been reduced to a farce by the misguided political calculations of U.N. civilian officials.

These restrictions do not pertain to the retaliation that has been outlined for NATO. NATO retaliatory airstrikes will be swift, unannounced, and directed at targets of NATO's choosing, encompassing any Bosnian Serb military facility or formation. These strikes will be disproportionate and massive, rather than the pinpricks that have been conducted in the past. NATO has resolved to continue, to punish the Serbs even if they resort again to such dastardly tactics as using U.N. personnel or civilians as human shields to protect their military facilities. Regarding military action in the face of hostage-taking, the presumption outlined in the NATO decision is that operations will go forward.

According to the North Atlantic Council decisions last night, the strikes will take place when NATO and U.N. military commanders—military commanders, not civilian authorities—determine that Serb preparations pose a threat to Gorazde. The chain of command stops at the military level, not at the political level, according to the North Atlantic Council decision document.

Under the "dual key" process, U.N. civilians are allowed to make military decisions, which does not and has never made military sense. Once a decision has been made by civilian authorities to carry out airstrikes, military commanders should be, and must be, trusted to carry out that decision in the most effective manner, and in a manner that best protects their striking forces. NATO commanders must be given the freedom of action to make good military judgments, to strike at targets that pose the greatest danger to NATO, and to strike at targets that will inflict the greatest damage to the Serb forces. This is what is necessary to let the Serb forces know that this