

that after more than 2,000 tests over 40 years, we are finally going to negotiate a comprehensive test ban and then immediately begin more tests.

The real threat facing the world is not the lack of safety and reliability of nuclear stockpiles, it is the threat of the continued spread of nuclear weapons.

The French decision is a mistake for other reasons as well. The eight proposed tests will take place in the colony of French Polynesia far from the French homeland and without any regard for the feelings of the residents or the neighboring states. Australia, New Zealand, and nations all around Pacific Rim have condemned the decision.

Earlier this month, 2 days before the 50th anniversary of the bombing of Hiroshima, the Japanese Diet joined other Pacific nations in calling for France to stop the testing.

Studies repeatedly have detected contamination from the test site despite French claims to the contrary. Radioactive iodine, cesium 134, and plutonium all have leaked from the lagoon at the test site.

By ignoring the concerns of the natives and neighbors, France invokes the memory of the worst of the colonial period. The people of this region do not want their backyard used as nuclear test bed and waste dump.

The amendment offered by the distinguished Senator from Hawaii reflects the concerns of the citizens of his State, but also reflects the concerns of many others. I supported his amendment, and am pleased the Senate acted to add it to the Defense appropriations bill.

#### MESSAGES FROM THE PRESIDENT

Messages from the President were communicated to the Senate by Mr. Thomas, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate a message from the President submitting a nomination which was referred to the Committee on Labor and Human Resources.

(The nomination received today is printed at the end of the Senate proceedings.)

#### REPORT OF THE DISAPPROVAL OF THE BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995—MESSAGE FROM THE PRESIDENT—PM 76

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States: which was ordered to lie on the table:

*To the Senate of the United States:*

I am returning herewith without my approval S. 21, the "Bosnia and Herzegovina Self-Defense Act of 1995."

I share the Congress' frustration with the situation in Bosnia and am also appalled by the human suffering that is occurring there. I am keenly aware that Members of Congress are deeply torn about what should be done to try to bring this terrible conflict to an end. My Administration will continue to do its utmost with our allies to guide developments toward a comprehensive political settlement acceptable to all the parties. S. 21, however, would hinder rather than support those efforts. It would, quite simply, undermine the chances for peace in Bosnia, lead to a wider war, and undercut the authority of the United Nations (U.N.) Security Council to impose effective measures to deal with threats to the peace. It would also attempt to regulate by statute matters for which the President is responsible under the Constitution.

S. 21 is designed to lead to the unilateral lifting by the United States of the international arms embargo imposed on the Government of Bosnia and Herzegovina. Although the United States has supported the lifting of the embargo by action of the U.N. Security Council, I nonetheless am firmly convinced that a unilateral lifting of the embargo would be a serious mistake. It would undermine renewed efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the almost certain Americanization of the conflict.

The allies of the United States in the U.N. Protection Force for Bosnia (UNPROFOR) have made it clear that a unilateral lifting of the arms embargo by the United States would result in their rapid withdrawal from UNPROFOR, leading to its collapse. The United States, as the leader of NATO, would have an obligation under these circumstances to assist in that withdrawal, thereby putting thousands of U.S. troops at risk. At the least, such unilateral action by the United States would drive our allies out of Bosnia and involve the United States more deeply, while making the conflict much more dangerous.

The consequences of UNPROFOR's departure because of a unilateral lifting of the arms embargo must be faced squarely. First, the United States would immediately be part of a costly NATO operation to withdraw UNPROFOR. Second, after that operation is complete, the fighting in Bosnia would intensify. It is unlikely the Bosnian Serbs would stand by waiting while the Bosnian government received new arms and training. Third, under assault, the Bosnian government would look to the United States to provide arms and air support, and, if that failed, more active military support. Unilateral lift of the embargo would lead to unilateral American responsibility. Fourth, intensified fighting would risk a wider conflict in the Balkans with far-reaching implications for regional peace. UNPROFOR's with-

drawal would set back fresh prospects for a peaceful, negotiated solution for the foreseeable future. Finally, unilateral U.S. action under these circumstances would create serious divisions between the United States and its key allies, with potential long-lasting damage to these important relationships and to NATO.

S. 21 would undermine the progress we have made with our allies and the United Nations in recent weeks to strengthen the protection of the safe areas in Bosnia and improve the provision of humanitarian assistance. NATO has agreed to the substantial and decisive use of air power to protect Gorazde, Sarajevo, and the other safe areas. The U.N. Secretary General has delegated his authority to the military commanders on the ground to approve the use of air power. The British and French, with our support, are deploying a Rapid Reaction Force to help open land routes to Sarajevo for convoys carrying vital supplies, strengthening UNPROFOR's ability to carry out its mission. These measures will help provide a prompt and effective response to Serb attacks on the safe areas. This new protection would disappear if UNPROFOR withdraws in response to the unilateral lifting of the embargo.

Events over the past several weeks have also created some new opportunities to seek a negotiated peace. We are actively engaged in discussions with our allies and others on these prospects. Unilaterally lifting the arms embargo now would jeopardize these ongoing efforts.

Unilaterally disregarding the U.N. Security Council's decision to impose an arms embargo throughout the former Yugoslavia also would have a detrimental effect on the ability of the Security Council to act effectively in crisis situations, such as the trade and weapons embargoes against Iraq or Serbia. If we decide for ourselves to violate the arms embargo, other states would cite our action as a pretext to ignore other Security Council decisions when it suits their interests.

S. 21 also would direct that the executive branch take specific actions in the Security Council and, if unsuccessful there, in the General Assembly. There is no justification for bringing the issue before the General Assembly, which has no authority to reconsider and reverse decisions of the Security Council, and it could be highly damaging to vital U.S. interests to imply otherwise. If the General Assembly could exercise such binding authority without the protection of the veto right held in the Security Council, any number of issues could be resolved against the interests of the United States and our allies.

Finally, the requirements of S. 21 would impermissibly intrude on the core constitutional responsibilities of the President for the conduct of foreign affairs, and would compromise the ability of the President to protect vital

U.S. national security interests abroad. It purports, unconstitutionally, to instruct the President on the content and timing of U.S. diplomatic positions before international bodies, in derogation of the President's exclusive constitutional authority to control such foreign policy matters. It also attempts to require the President to approve the export of arms to a foreign country where a conflict is in progress, even though this may well draw the United States more deeply into that conflict. These encroachments on the President's constitutional power over, and responsibility for, the conduct of foreign affairs, are unacceptable.

Accordingly, I am disapproving S. 21 and returning it to the Senate.

WILLIAM J. CLINTON.

THE WHITE HOUSE, August 11, 1995.

#### 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 Mr. STEVENS (for himself and Mr. FRIST):

S. 1181. A bill to provide cost savings in the medicare program through cost-effective coverage of positron emission tomography (PET); to the Committee on Finance.

By Mr. LEVIN:

S. 1182. A bill entitled the "Burt Lake Band of Ottawa and Chippewa Indians Act of 1995"; to the Committee on Indian Affairs.

By Mr. HATFIELD (for himself, Mr. PACKWOOD, Mr. D'AMATO, Mr. CAMPBELL, Mr. SPECTER, Mr. SANTORUM, and Mr. STEVENS):

S. 1183. A bill to amend the Act of March 3, 1931 (known as the Davis-Bacon Act), to revise the standards for coverage under the Act, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. ASHCROFT:

S. 1184. A bill to provide for the designation of distressed areas within qualifying cities as regulatory relief zones and for the selective waiver of Federal regulations within such zones, and for other purposes; to the Committee on Governmental Affairs.

By Mr. PRESSLER:

S. 1185. A bill to authorize the Secretary of the Interior to enter into an agreement with the State of South Dakota providing for maintenance, operation, and administration by the State, on a trial basis during a period not to exceed 10 years, of 3 National Park System units in the State, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURNS:

S. 1186. A bill to provide for the transfer of operation and maintenance of the Flathead Irrigation and Power Project; and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI:

S. 1187. A bill to convey certain real property located in Tongass National Forest to Daniel J. Gross, Sr., and Douglas K. Gross, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANTORUM (for himself, Mr. LUGAR, and Mr. BROWN):

S. 1188. A bill to provide marketing quotas and a price support program for the 1996 through 1999 crops of quota and additional peanuts, to terminate marketing quotas for the 2000 and subsequent crops of peanuts, and

to provide a price support program for the 2000 through 2002 crops of peanuts, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DEWINE (for himself and Mr. GRAHAM):

S. 1189. A bill to provide procedures for claims for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products; to the Committee on the Judiciary.

By Mr. DEWINE (for himself and Mr. GLENN):

S. 1190. A bill to establish the Ohio & Erie Canal National Heritage Corridor in the State of Ohio, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PRYOR:

S. 1191. A bill to provide for the availability of certain generic human and animal drugs, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. KERRY (for himself, Mr. PELL, and Mr. INOUYE):

S. 1192. A bill to promote marine aquaculture research and development and the development of an environmentally sound marine aquaculture industry; to the Committee on Commerce, Science, and Transportation.

By Mr. HARKIN:

S. 1193. A bill to reduce waste and abuse in the Medicare program; to the Committee on Finance.

By Mr. AKAKA (for himself and Mr. LOTT):

S. 1194. A bill to amend the Mining and Mineral Policy Act of 1970 to promote the research, identification, assessment, and exploration of marine mineral resources, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DOMENICI:

S. 1195. A bill to provide for the transfer of certain Department of the Interior land located in Grant County, New Mexico, to St. Vincent DePaul Parish in Silver City, New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAIG:

S. 1196. A bill to transfer certain National Forest System lands adjacent to the Townsite of Cuprum, Idaho; to the Committee on Energy and Natural Resources.

By Mr. MACK (for himself, Mr. FRIST, Mr. D'AMATO, Mr. SHELBY, Mr. ABRAHAM, Mr. SANTORUM, Mr. DEWINE, and Mr. FAIRCLOTH):

S. 1197. A bill to amend the Federal Food, Drug, and Cosmetic Act to facilitate the dissemination to physicians of scientific information about prescription drug therapies and devices, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. COATS (for himself and Mr. GREGG):

S. 1198. A bill to amend the Federal Credit Reform Act to improve the budget accuracy of accounting for Federal costs associated with student loans, to phase-out the Federal Direct Student Loan Program, to make improvements in the Federal Family Education Loan Program, and for other purposes; to the Committee on Labor and Human Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1199. A bill to amend the Internal Revenue Code of 1986 to permit tax-exempt financing of certain transportation facilities; to the Committee on Finance.

By Ms. SNOWE (for herself and Ms. MIKULSKI):

S. 1200. A bill to establish and implement efforts to eliminate restrictions on the enclaved people of Cyprus; 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 Mrs. BOXER:

S. Res. 163. A resolution to require the Select Committee on Ethics of the Senate to hold hearings in any case involving a Senator in which the committee determines that there is substantial credible evidence which provides substantial cause to conclude that a violation within the jurisdiction of the Select Committee has occurred; to the Select Committee on Ethics.

By Mr. DOLE (for himself and Mr. DASCHLE):

S. Res. 164. A resolution expressing the sense of the Senate that America's World War II veterans and their families are deserving of this nation's respect and appreciation on the 50th anniversary of the end of the war in the Pacific; considered and agreed to.

By Mr. PACKWOOD (for himself and Mr. MOYNIHAN):

S. Res. 165. A resolution commending the 60th anniversary of the Social Security Act; considered and agreed to.

By Mr. DOLE (for himself, Mr. LIEBERMAN, and Mr. HELMS):

S. Res. 166. A resolution expressing support for cooperation between the Governments of Croatia and Bosnia and Herzegovina; to the Committee on Foreign Relations.

By Ms. SNOWE (for herself, Ms. MOSELEY-BRAUN, Mr. D'AMATO, and Mr. SARBAKES):

S. Con. Res. 25. A concurrent resolution concerning the protection and continued viability of the Eastern Orthodox Ecumenical Patriarchate; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. STEVENS (for himself and Mr. FRIST):

S. 1181. A bill to provide cost savings in the Medicare Program through cost-effective coverage of positron emission tomography (PET); to the Committee on Finance.

##### THE MEDICARE PET COVERAGE ACT OF 1995

Mr. STEVENS. Mr. President, in our quest for a balanced budget, it is incumbent on Congress to mobilize every weapon at its disposal.

This is particularly true in Federal health care programs, which are targeted by the budget resolution for the lion's share of spending reductions.

Accordingly I am introducing today for myself and Senator FRIST the Medicare PET Coverage Act of 1995.

Regrettably this is one major cost reduction option that we are ignoring. This is the utilization of positron emission tomography (PET) to reduce the Nation's health care costs by avoiding unnecessary surgery.

Positron emission tomography (PET) is the latest advance in diagnosing diseases such as breast cancer, colon cancer, lung cancer, brain cancer, heart disease, and epilepsy.

Today, PET is emerging from its 20 year research and clinical research phase to widespread clinical use. With respect to Medicare alone, this would provide a net savings of approximately \$1 billion a year.