

troops to battle with equipment that we have not made the fullest effort to subject to operationally realistic testing?

Mr. President, I urge the conferees of the Defense Authorization Act to remove the provisions eliminating the Office of Operational Test and Evaluation. If they are unable to remove that provision, I will encourage my colleagues in the Senate to vote against the authorization bill. The safety of our servicemen and women requires our full support.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin [Mr. FEINGOLD] is recognized.

Mr. FEINGOLD. Mr. President, I rise today to make a brief statement about Senator KASSEBAUM which I know she prefers I wouldn't, but which she will have to endure as a price of her retirement. It is, of course, a statement of tribute to her service in the U.S. Senate, and an expression of deep personal regret that she has decided to retire.

Many of my colleagues and the major papers are rightfully highlighting Senator KASSEBAUM's legislative accomplishments and her many courageous, nonpartisan positions. But I want to focus my comments on her role in United States-Africa relations. I have had the immense pleasure of working with her in the past year as the ranking member on the Subcommittee on African Affairs, of which she has been an active member since 1981, and of course now chairs. For me, Senator KASSEBAUM's deep commitment, genuine expertise, and tremendous leadership on Africa have been one of the most inspiring influences I have had while in the Senate.

In many ways, the fact that she chose Africa as one of her specializations says so much about what kind of legislator she is. As our colleague from Illinois, Senator SIMON, often reminds us, though well-known and admired in Africa, Senator KASSEBAUM surely got few votes in Kansas for advocating Africa's interests. It certainly is not glamorous to travel to many of the places in Africa she has visited. And she certainly does not get the limelight often accorded foreign policy experts as a leader on United States-Africa issues. However, she has made a commitment to the region because it is the right thing to do: because there are complex issues in Africa that call out for American attention, and there have been too few voices in Congress that have cared about the United States-Africa relationship. She has grappled with the difficult issues, such as the genocide in Rwanda, the failing transition to democracy in Nigeria, the small window of opportunity to consolidate peace in Liberia, the reconstruction of Angola, the tragedy in Sudan, and so much more. Senator KASSEBAUM can always be counted on to address these issues, and then to work persistently to shape intelligent and active U.S. policies. This commitment exemplifies the

principle, integrity, and keen sense of responsibility that have characterized her entire career.

But Senator KASSEBAUM also stands out for her bipartisan—even nonpartisan—approach. While working wonderfully as a team player, she also has the strength to be independent when her principles are at stake. That is one of the reasons she has been so effective. For example, in 1986 Senator KASSEBAUM broke with a Republican President and led the vote to impose sanctions on the racist apartheid regime of South Africa. This, of course, was the defining moment that changed United States policy from constructive engagement to isolation of the regime, which eventually brought down apartheid, and gave birth to majority rule in South Africa.

She has presided over our subcommittee in the same nonpartisan manner. While the Foreign Relations Committee may seem entangled in bitter partisan battles, the Subcommittee on African Affairs has functioned actively and smoothly under Senator KASSEBAUM's leadership, demonstrating what bipartisanship can accomplish when reason prevails and pettiness and politics are set aside. For me, it has been a wonderful opportunity to learn about Africa, and I think it has also enabled the subcommittee to do its job as a policymaker. Senator KASSEBAUM has given me faith that in spite of all the rancor and partisan bickering, it is still possible in the Senate to reach across the aisle and work together.

These are some of the attributes that have made Senator KASSEBAUM a great Senator. But she is also a joy to work with because she is such a delightful and gracious person. As much as I enjoy the subject matter, I think her kindness and dedication have helped sustain my active interest in Africa, and make it an enjoyable experience.

It will certainly be a more lonely process without her. Mr. President, I will value the next several months, working with her and learning from her. I will sorely miss her in the next session.

I yield the floor.

#### OPERATIONAL TEST AND EVALUATION

Mr. PRYOR. Mr. President, today, I rise in the Senate to voice my very strong opposition to the actions being considered by the House Senate conference committee on the Defense authorization bill.

Mr. President, I have been informed, with some of my colleagues, and I am very sorry I did not get to listen to all of the remarks of my good friend and colleague and partner in this issue, Senator ROTH of Delaware, we have been informed that the conference committee is now considering turning back the clock on 12 years of progress in the war against \$600 hammers, \$1,000 toilet seats, guns that do not shoot, bombs that do not explode, and planes

that do not fly. I believe what is at stake are the lives of our men and women who serve this country in the Armed Forces.

Mr. President, I am speaking today of the very useful and most critical role of the Office of the Director of Operational Test and Evaluation in the Pentagon and the effort underway in the conference committee to totally annihilate and to eliminate this office.

As I address the Senate this afternoon, the conference committee on the DOD authorization bill is now deliberating over whether to repeal the bipartisan legislation written by myself, along in 1983 with Senator ROTH, Senator KASSEBAUM, Senator GRASSLEY, and others, that created the independent weapons testing office.

This legislation this is now known as section 139 of title X establishes the Operational Testing Office that currently Mr. President, oversees, evaluates, and reports on the results of tests conducted on our new military hardware.

This Office was designed to report directly to the Secretary of Defense with this independent assessment of the weapons being tested, procurement, and combat use. The job of this Office has been to help make good weapons better and to help keep weapons that do not work out of the hands of our soldiers and sailors.

It has saved the taxpayers billions of dollars by exposing many troubled systems before they become costly dinosaurs and disasters. The ultimate contribution, I think, of the Operational Testing Office has been the lives it has saved by helping to ensure that our Armed Forces are not sent into combat with weapons that are faulty and do not work and will fail in an operational environment.

Support for this Office, Mr. President, has always been bipartisan. For example, former Defense Secretary Dick Cheney said that the independent weapons testing "saved more lives" during Operation Desert Storm than perhaps any other single initiative. Current Defense Secretary William Perry has recently described this Office as "The conscience of the acquisition process."

Earlier this year, I was extremely shocked to learn that the House National Security Committee recommended repealing section 139 of title X, thereby eliminating this Office.

Because of what we consider to be a very irresponsible initiative in the House of Representatives, Senator ROTH and myself sponsored a bipartisan sense-of-the-Senate resolution voicing the Senate's full support for the Testing Office and our strong objection to repealing its charter. This resolution passed the Senate unanimously during consideration of the defense authorization bill in August in 1995.

We were recently notified that the conference committee apparently is disregarding the sense-of-the-Senate

resolution by refusing to remove from its conference report the language that would kill operational weapons testing in the Pentagon.

This news is disheartening, indeed, Mr. President. Repealing the law that established independent weapons testing would be an irresponsible, unthinkable course, and dangerously shortsighted. If this Office's charter is revoked, countless American lives will be at risk. Furthermore, the entire system by which we acquire new weapons will be pushed back to the dark ages. We will undoubtedly be bringing back the unthinkable conflict of interest of the students grading their own exams, when it comes to evaluating the results of critical weapons testing.

Last Friday, after learning that the Testing Office was, indeed, in jeopardy and in danger of being eliminated, Senator ROTH, Senator GRASSLEY and myself sent a letter to Chairman THURMOND and to Chairman SPENCE, expressing our outrage over the apparent desire to repeal section 139 of title X. In this letter, Mr. President, we call on the conferees to maintain our legislation that created the Operational Testing Office.

Mr. President, I ask unanimous consent that a copy of this letter that we sent to Chairman THURMOND and to Chairman SPENCE be printed in the RECORD directly following my remarks.

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

(See exhibit 1.)

Mr. PRYOR. I gladly join my good friends from the other side of the aisle in voting our strong bipartisan support for independent weapons testing. This Office has always enjoyed support from each side of the aisle. I hope it always will. It was created in this spirit. I certainly hope that it does not die under a cloud of partisanship.

I would like my views to be known clearly and publicly before the conferees conclude their deliberations on the Defense authorization bill. I know they will take heed of the remarks of my colleague and good friend, Senator ROTH, who just delivered his eloquent speech on the floor of the Senate with regard to this issue.

If this conference report comes to the Senate, Mr. President, with language that revokes the charter of our weapons testing office, I will strongly oppose the conference report and I will ask it be rejected by the entire U.S. Senate.

As we prepare to send American troops into Bosnia, it would be wrong—absolutely, totally wrong—to eliminate the most important checks and balances in the military procurement chain that has proven to save time, money, and most importantly, the lives of our fighting forces. The American taxpayers, the American men and women in uniform, deserve much better.

I thank the Chair for recognizing me. I yield the floor.

# EXHIBIT 1

U.S. SENATE,

Washington, DC, December 1, 1995.

Hon. STROM THURMOND,  
Chairman, Senate Armed Services Committee,  
SR 228, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to voice our strenuous objection to an action the defense authorization conference committee is considering that would jeopardize independent operational and live-fire weapons testing in the Department of Defense. We believe that what is at stake are the lives of our men and women who serve in the armed forces.

As you know, the conference committee is currently discussing various measures to streamline the Office of the Secretary of Defense (OSD). We are aware that the conference committee is considering repealing section 139 of Title 10. Repealing Section 139 would eliminate the authority of the Director, Operational Test and Evaluation (DOT&E) to oversee, evaluate, and report on the operational worth of weapons prior to their production and procurement by the U.S. government.

The DOT&E office was created 12 years ago with strong bipartisan support. Its existence has been critical to Congressional and Pentagon efforts to promote a "fly-before-you-buy" approach to the multi-billion dollar arena of military acquisitions.

Section 139 of Title 10 is the foundation upon which this important contribution to DOD procurement is based. Since its enactment, this provision has saved time, money, and most importantly, the lives of our soldiers and sailors who must rely on tested, proven weapons. We truly believe that any decision by the conference committee to repeal section 139 would result in many unintended consequences.

Eliminating this office would not eliminate the requirement to conduct testing under realistic operational conditions. However, it would raise the question as to who would be responsible for approving test plans and for providing independent evaluations of testing. This uncertainty would be costly indeed.

We appreciate the conferees' desire to streamline the Office of the Secretary of Defense. However, the Federal Acquisition Streamlining Act recently enacted by Congress merged live-fire testing with the operational testing function. Thus, independent testing oversight has already been streamlined. Furthermore, the DOT&E office is already one of the smallest in the Pentagon bureaucracy.

This directorate has proven itself as one of the most important checks and balances in the DOD procurement system. Its value has been lauded by our two most recent Secretaries of Defense. After Operation Desert Storm, former Defense Secretary Dick Cheney said that the vigorous, independent testing oversight put in place by Congress "saved more lives" than perhaps any other single initiative. Current Defense Secretary Perry recently described the DOT&E as "the conscience of the acquisition process."

In August, the U.S. Senate unanimously approved a Sense of the Senate resolution that stated clearly the Senate's opposition to repealing section 139 of Title 10. We continue to believe that repealing the law that guides independent weapons testing is wrong and dangerously shortsighted.

Clearly the question facing Congress is do we care more about reducing the size of OSD or protecting the lives of our service men and women. We firmly believe that if the provisions repealing section 139 are not removed, Congress will be putting countless lives at risk in the name of reducing a handful of billets.

We urge you to continue the bipartisan Congressional support for independent testing by deleting from your conference report any provisions that would repeal section 139 of Title 10.

Thank you for your consideration of this urgent matter.

Sincerely,

WILLIAM V. ROTH, Jr.  
CHARLES E. GRASSLEY.  
DAVID PRYOR.

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

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

## FLAG DESECRATION CONSTITUTIONAL AMENDMENT—MOTION TO PROCEED

The Senate continued with the consideration of the motion to proceed.

Mr. BINGAMAN. Mr. President, I wanted to just add some information for my colleagues about some of the ambassadors that I have been discussing this morning and so far today about the qualifications of these people. These are individuals that have been nominated by the President. There are 18 of them that are presently pending in the Foreign Relations Committee. They are an outstanding group of nominees.

I was just provided with more detailed information about what they have been doing in their careers and why they are considered by the President to be qualified for these important positions. So I thought I would go through some of that information so that any Senator who has a doubt about the qualifications of any nominee would hopefully have that doubt put to rest. I do not know many of these people myself, but I would like to at least put in the RECORD the information about them.

Mr. President, going down the list, the President's nominee to Sri Lanka is Mr. Peter Burleigh, who is presently the Deputy Assistant Secretary of State for Personnel. He is a career appointee in the Department of State. He has been with the Department of State now for some substantial period of time. He was a Peace Corps volunteer before that. He has a very distinguished résumé which we will include in the RECORD.

The second of these nominees is the President's nominee for APEC, Asia-Pacific Economic Cooperation. This person, Sandra Kristoff, is now the coordinator in that position, and she is being nominated by the President for the rank of Ambassador in that same position—again, a very distinguished career of involvement in foreign policy and trade related issues.

The third on this list is John Malott, who has been nominated by the President as the Ambassador to Malaysia.