

COATS] was added as a cosponsor of S. 878, a bill to amend the Internal Revenue Code of 1986 to reduce mandatory premiums to the United Mine Workers of America Combined Benefit Fund by certain surplus amounts in the fund, and for other purposes.

## SENATE JOINT RESOLUTION 31

At the request of Mr. HATCH, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of Senate Joint Resolution 31, a joint resolution proposing an amendment to the Constitution of the United States to grant Congress and the States the power to prohibit the physical desecration of the flag of the United States.

## SENATE JOINT RESOLUTION 34

At the request of Mr. SMITH, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of Senate Joint Resolution 34, a joint resolution prohibiting funds for diplomatic relations and most-favored-nation trading status with the Socialist Republic of Vietnam unless the President certifies to Congress that Vietnamese officials are being fully cooperative and forthcoming with efforts to account for the 2,205 Americans still missing and otherwise unaccounted for from the Vietnam war, as determined on the basis of all information available to the United States Government, and for other purposes.

## SENATE CONCURRENT RESOLUTION 3

At the request of Mr. SIMON, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of Senate Concurrent Resolution 3, a concurrent resolution relative to Taiwan and the United Nations.

## SENATE RESOLUTION 128—RELATIVE TO BOSNIA-HERCEGOVINA

Mr. SPECTER (for himself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

## S. RES. 128

Whereas Article I, Section 8 of the United States Constitution provides that Congress shall have the sole power to declare war;

Whereas the Senate adopted S. Res. 330 on August 11, 1992, which stated that it was the sense of the Senate that no United States military personnel shall be introduced into combat or potential combat situations without clearly defined objectives and sufficient resources to achieve those objectives: Now, therefore, be it

*Resolved*, That the President is not authorized to use the United States Ground Forces in Bosnia-Herzegovina unless—

(1) the use of United States ground forces in Bosnia-Herzegovina is authorized in advance by Congress; or

(2) the deployment of forces of the United States ground forces into Bosnia-Herzegovina is vital to the national security interests of the United States (including the protection of American citizens in Bosnia-Herzegovina), there is not sufficient time to seek and receive Congressional authorization, and the President reports as soon as practicable to Congress after the initiation of the deployment, but in no case later than 48 hours after the initiation of the deployment.

Mr. SPECTER. Mr. President, I have sought recognition to submit a resolution which would prohibit the President from using ground forces in Bosnia without prior consent of the Congress because, in my view, there is ample time for the Congress of the United States to deliberate on this matter and to make a decision. And such a resolution, I submit, is necessary as a constitutional matter to preserve the constitutional prerogatives of the Congress and really to stop further erosion by the executive branch.

The events of the past week in Bosnia and Herzegovina have been very, very disturbing, as they have been for the better part of 2 to 3 years now. As I have said on the floor of the U.S. Senate in the past, it is my view that the mission of the U.N. peacekeepers was realistically Mission Impossible because there was no peace to keep. In the past I have supported the resolutions and the amendments on the floor of the U.S. Senate to lift the arms embargo so that the Bosnian Moslems could defend themselves in accordance with article 51 of the U.N. Charter.

We have had the position taken by the President in a speech last week at the Air Force Academy where he has said that U.S. forces would be used to relocate U.N. peacekeepers, sent on a temporary basis. But we know, as a practical matter, what happens when there is temporary action taken.

There has been consistent analysis of the terrain in Bosnia, and fighting of a ground war there is on absolute marsh and swamp, and we are realistically unable to undertake that without assurances that it is to be done on a limited basis.

It is my view that, before there ought to be an entry by the United States of our own ground forces, we ought to have an exit plan as well; that, realistically viewed, the United States does not have vital national interests at stake there on this state of the record; that before even consideration ought to be given there ought to be a comprehensive plan; and that there ought to be a detailed statement as to what the European participation would be because it is much more in their interest than ours. These matters ought to be submitted—Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will come to order.

Mr. SPECTER. There ought to be a comprehensive plan, we ought to know exactly what has happened, and the matter ought to be deliberated upon and voted upon by the Congress of the United States.

We have seen an erosion of constitutional authority of the U.S. Congress as the sole agent which is authorized to involve the United States in war. We fought a war in Korea without constitutional authorization. We fought a war in Vietnam without constitutional authorization. And these matters ought to come to the Congress unless

there is an emergency, and on the face of the resolution which I have proposed the President could use the deployment of forces if there is a situation "vital to the national security interests of the United States, including the protection of American citizens in Bosnia and Herzegovina where there is not sufficient time to seek and receive congressional authorization," and then the President report as soon as practical to the Congress of the United States.

When the use of force was authorized in the Gulf, that was done only after the matter was brought to the floor of the U.S. Congress, the U.S. Senate. We had extensive debate going on on this floor on January 10, 11, and 12, 1991 when there was a resolution passed by the Senate authorizing the use of force by a 52-to-47 vote, and a similar resolution of authorization was passed by the House of Representatives.

But until and unless the Congress makes that decision reflecting the will of the American people, it is my view that there ought not to be the use of ground forces in Bosnia.

## AMENDMENTS SUBMITTED

## COMPREHENSIVE TERRORISM PREVENTION ACT

## FEINSTEIN AMENDMENT NO. 1202

Mrs. FEINSTEIN proposed an amendment to amendment No. 1199, proposed by Mr. HATCH, to the bill (S. 735) to prevent and punish acts of terrorism, and for other purposes; as follows:

On page 152, strike line 6 through line 17 on page 153, and insert the following:

SEC. . STUDY AND REQUIREMENTS FOR TAGGING OF EXPLOSIVE MATERIALS, AND STUDY AND RECOMMENDATIONS FOR RENDERING EXPLOSIVE COMPONENTS INERT AND IMPOSING CONTROLS ON PRECURSORS OF EXPLOSIVES.

(a) the Secretary of the Treasury shall conduct a study and make recommendations concerning—

(1) the tagging of explosive materials for purposes of detection and identification;

(2) whether common chemicals used to manufacture explosive materials can be rendered inert and whether it is feasible to require it; and

(3) whether controls can be imposed on certain precursor chemicals used to manufacture explosive materials and whether it is feasible to require it.

In conducting the study, the Secretary shall consult with other Federal, State and local officials with expertise in this area and such other individuals as shall be deemed necessary. Such study shall be completed within twelve months after the enactment of this Act and shall be submitted to the Congress and made available to the public. Such study may include, if appropriate, recommendations for legislation.

(b) There are authorized to be appropriated for the study and recommendations contained in paragraph (a) such sum as may be necessary.

(c) Section 842, of title 18, United States Code, is amended by inserting after subsection (k), a new subsection (l) which reads as follows:

"(1) It shall be unlawful for any person to manufacture, import, ship, transport, receive, possess, transfer, or distribute any explosive material that does not contain a tracer element as prescribed by the Secretary pursuant to regulation, knowing or having reasonable cause to believe that the explosive material does not contain the required tracer element."

(d) Section 844, of title 18, United States Code, is amended by inserting after "(a) through (i)" the phrase "and (l)".

(e) Section 846, of title 18, United States Code, is amended by designating the present section as "(a)," and by adding a new subsection (b) reading as follows: "(b) to facilitate the enforcement of this chapter the Secretary shall, within 18 months after the enactment of this Act, promulgate regulations for the addition of tracer elements to explosive materials manufactured in or imported into the United States. Tracer elements to be added to explosive materials under provisions of this subsection shall be of such character and in such quantity as the Secretary may authorize or require, and such as will not substantially impair the quality of the explosive materials for their intended lawful use, safety of these explosives, or have a substantially adverse effect on the environment."

(f) The penalties provided herein, shall not take effect until ninety days after the date of promulgation of the regulations provided for herein.

#### SMITH AMENDMENT NO. 1203

Mr. HATCH (for Mr. SMITH) proposed an amendment to amendment No. 1199 proposed by Mr. HATCH, to the bill, S. 735, supra; as follows:

On page 12, line 6, strike "25 years." and insert the following: "25 years; provided, however, that the damages to property that were caused, or would have been caused if any object of the conspiracy had been accomplished, must exceed, or must be reasonably estimated to exceed, \$25,000."

On page 7, at the end of line 17, add the following: "provided, however, that the damages to property must exceed \$25,000;"

#### PRESSLER (AND DASCHLE) AMENDMENTS NOS. 1204-1205

Mr. HATCH (for Mr. PRESSLER for himself and Mr. DASCHLE) proposed two amendments to amendment no. 1199 proposed by Mr. HATCH, to the bill, S. 735, supra; as follows:

##### AMENDMENT NO. 1204

At the appropriate place, insert the following:

#### SEC. . DESIGNATION OF CARTNEY KOCH MCRAVEN CHILD DEVELOPMENT CENTER.

##### (a) DESIGNATION.—

(1) IN GENERAL.—The Federal building at 1314 LeMay Boulevard, Ellsworth Air Force Base, South Dakota, shall be known and designated as the "Cartney Koch McRaven Child Development Center".

(2) REPLACEMENT BUILDING.—If, after the date of enactment of this Act, a new Federal building is built at the location described in paragraph (1) to replace the building described in the paragraph, the new Federal building shall be known and designated as the "Cartney Koch McRaven Child Development Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to a Federal

building referred to in subsection (a) shall be deemed to be a reference to the "Cartney Koch McRaven Child Development Center".

##### AMENDMENT NO. 1205

At the appropriate place, insert the following:

#### SEC. . FALSE IDENTIFICATION OF DOCUMENTS.

(a) MINIMUM NUMBER OF DOCUMENTS FOR CERTAIN OFFENSE.—Section 1028 of title 18, United States Code, is amended—

(1) in subsection (a)(3), by striking "five" and inserting "3"; and

(2) in subsection (b)(1)(B), by striking "five" and inserting "3".

(b) REQUIRED VERIFICATION OF MAILED IDENTIFICATION DOCUMENTS.—

(1) IN GENERAL.—Chapter 83 of title 18, United States Code, is amended by adding at the end the following:

#### § 1739. Verification of identification documents

"(a) Whoever knowingly sends through the mails any unverified information document purporting to be that of the individual named in the document, when in fact the identity of the individual is not as the document purports, shall be fined under this title or imprisoned not more than 1 year, or both.

"(b) As used in this section—

"(1) the term 'unverified', with respect to an identification document, means that the sender has not personally viewed a certification or other written communication confirming the identity of the individual in the document from—

"(A) a governmental entity within the United States or any of its territories or possessions; or

"(B) a duly licensed physician, hospital, or medical clinic within the United States;

"(2) the term 'identification document' means a card, certificate, or paper intended to be used primarily to identify an individual; and

"(3) the term 'identity' means personal characteristics of an individual, including age and nationality."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 83 of title 18, United States Code, is amended by adding at the end the following new item:

"1739. Verification of identification documents."

(c) CONFORMING AMENDMENT.—Section 3001(a) of title 39, United States Code, is amended by striking "or 1738" and inserting "1738, or 1739".

#### SPECTER AMENDMENT NO. 1206

Mr. HATCH (for Mr. SPECTER) proposed an amendment to amendment No. 1199 proposed by Mr. HATCH, to the bill, S. 735, supra; as follows:

On page 22, between lines 18 and 19 insert the following:

"(b) ASSISTANCE TO FOREIGN COUNTRIES TO PROCURE EXPLOSIVES DETECTION DEVICES AND OTHER SOPHISTICATED COUNTERTERRORISM TECHNOLOGY.—Subject to section 575(b), up to \$10,000,000 in assistance in any fiscal year may be provided to procure explosives detection devices or other sophisticated counterterrorism technology to any country facing an imminent danger of terrorist attacks that threaten the national interests of the United States or put United States nationals at risk."

On page 22, line 19, strike "(b)" and insert "(c)".

#### BROWN AMENDMENT NO. 1207

Mr. HATCH (for Mr. BROWN) proposed an amendment to amendment no. 1199

proposed by Mr. HATCH, to the bill, S. 735, supra; as follows:

At the appropriate place in the Hatch substitute, add the following new section—

#### "SEC. . SANCTIONS AGAINST TERRORIST COUNTRIES.

(a) PROHIBITION.—In conjunction with a determination by the Secretary of State that a nation is a state sponsor of international terrorism pursuant to 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) or 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), the Secretary of State, in consultation with the Secretary of Commerce, shall issue regulations prohibiting the following—

(1) The importation into the United States, or the financing of such importation, of any goods or services originating in a terrorist country, other than publications or materials imported for news publications or news broadcast dissemination;

(2) Except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)), the exportation from the United States to a terrorist country, the government of a terrorist country, or to any entity controlled by the government of a terrorist country, or the financing of such exportation, of any goods, technology (including technical data or other information subject to the Export Administration Act Regulations, 15 CFR Parts 768-799(1994)) or services;

(3) The reexportation to such terrorist country, its government, or to any entity owned or controlled by the government of the terrorist country, or any goods or technology (including technical data or other information) exported from the United States, the exportation of which is subject to export license application requirements under any U.S. regulations in effect immediately prior to the enactment of this Act, unless, for goods, they have been (i) substantially transformed outside the U.S., or (ii) incorporated into another product outside the United States and constitutes less than 10 percent by value of that product exported from a third country;

(4) except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)), any transaction, including purchase, sale, transportation, swap, financing, or brokering transactions, or United States person relating to goods or services originating from a terrorist country or owned or controlled by the government of a terrorist country;

(5) Any new investment by a United States person in a terrorist country or in property (including entities) owned or controlled by the government of a terrorist country;

(6) The approval or facilitation by a United States person or entry into or performance by an entity owned or controlled by a United States person of a transaction or contract:

(A) prohibited as to United States persons by subsection (3), (4) or (5) or

(B) relating to the financing of activities prohibited as to United States persons by those subsections, or of a guaranty of another person's performance of such transaction or contract; and

(7) Any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempting to violate, any of the prohibitions set forth in this section.

(b) DEFINITIONS.—For the purposes of this section:

(1) the term "person" means an individual or entity;

(2) the term "entity" means a partnership, association, trust, joint venture, corporation, or other organization;

(3) the term "United States person" means any U.S. citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States;

(4) the term "terrorist country" means a country the government of which the Secretary of State has determined is a terrorist government for the purposes of 69(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)), or 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) and includes the territory of the country and any other territory or marine area, including the exclusive economic zone and continental shelf, over which the government of the terrorist country claims sovereignty, sovereign rights, or jurisdiction, provided that the government of the terrorist country exercises partial or total de facto control over the area or derives a benefit from the economic activity in the area pursuant to international arrangements; and

(5) the term "new investment" means—

(A) a commitment or contribution of funds or other assets, or

(B) a loan or other extension of credit;

(6) the term "appropriate committees of Congress" means—

(A) the Banking and Financial Services Committee, the Ways and Means Committee and the International Relations Committee of the House of Representatives;

(B) the Banking, Housing, and Urban Affairs Committee, the Finance Committee and the Foreign Relations Committee of the Senate.

(c) **EXPORT/RE-EXPORT.**—The Secretary of the Treasury may not authorize the exportation or reexportation to a terrorist country, the government of a terrorist country, or an entity owned or controlled by the government of a terrorist country or any goods, technology, or services subject to export license application requirements of another agency of the United States government, if authorization of the exportation or reexportation by that agency would be prohibited by law.

(d) **RIGHTS AND BENEFITS.**—Nothing contained in this section shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(e) **WAIVER.**—The President may waive the prohibitions described in subsection (a) of this section for a country for successive 180 day periods if—

(1) the President determines that national security interests or humanitarian reasons justify a waiver; and

(2) at least 15 days before the waiver takes effect, the President consults with appropriate committees of Congress regarding the proposed waiver and submits a report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate containing—

(A) the name of the recipient country;

(B) a description of the national security interests or humanitarian reasons which require a waiver;

(C) the type and amount of and the justification for the assistance to be provided pursuant to the waiver; and

(D) the period of time during which such waiver will be effective.

The waiver authority granted in this subsection may not be used to provide any assistance which is also prohibited by section 40 of the Arms Control Export Control Act."

#### KERREY (AND OTHERS) AMENDMENT NO. 1208

(Ordered to lie on the table.)

Mr. KERREY (for himself, Mr. D'AMATO and Ms. MIKULSKI) submitted an amendment intended to be proposed by them to amendment No. 1199, proposed by Mr. HATCH, to the bill, S. 735, supra; as follows:

At the appropriate place in the pending substitute amendment No. 1199, insert the following:

#### SEC. . AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR THE DEPARTMENT OF THE TREASURY.

(a) **IN GENERAL.** There are authorized to be appropriated for the activities of the Bureau of Alcohol, Tobacco and Firearms, to augment counter-terrorism efforts—

(1) \$20,000,000 for fiscal year 1996;

(2) \$20,000,000 for fiscal year 1997;

(3) \$20,000,000 for fiscal year 1998;

(4) \$20,000,000 for fiscal year 1999; and

(5) \$20,000,000 for fiscal year 2000.

(b) **IN GENERAL.** There are authorized to be appropriated for the activities of the United States Secret Service, to augment White House security and expand Presidential protection activities—

(1) \$62,000,000 for fiscal year 1996;

(2) \$25,000,000 for fiscal year 1997;

(3) \$25,000,000 for fiscal year 1998;

(4) \$25,000,000 for fiscal year 1999; and

(5) \$25,000,000 for fiscal year 2000.

#### FEINSTEIN AMENDMENT NO. 1209

Mrs. FEINSTEIN proposed an amendment to amendment No. 1199, proposed by Mr. HATCH, to the bill, S. 735, supra; as follows:

At the appropriate place in the amendment, insert the following new section:

#### SEC. . PROHIBITION ON DISTRIBUTION OF INFORMATION RELATING TO EXPLOSIVE MATERIALS FOR A CRIMINAL PURPOSE.

(a) Section 842 of title 18, United States Code, is amended by adding at the end the following new section:

"(1) It shall be unlawful for any person to teach or demonstrate the making of explosive materials, or to distribute by any means information pertaining to, in whole or in part, the manufacture of explosive materials, if the person intends, or knows that such explosive materials or information will likely be used for, or in furtherance of, an activity that constitutes a Federal criminal offense or a criminal purpose affecting interstate commerce."

(b) Section 844 of title 18, United States Code, is amended by designating section (a) as subsection (a)(1) and by adding the following new subsection:

"(a)(2) Any person who violates subsection (1) of section 842 of this chapter shall be fined

under this title or imprisoned not more than twenty years, or both."

#### NOTICE OF HEARING

##### COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding a hearing on Thursday, June 8, 1995, beginning at 9:30 a.m., in room 485 of the Russell Senate Office Building on S. 436, a bill to improve the economic conditions and supply of housing in native American communities by creating the Native American Financial Services Organization, and for other purposes.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO COL. RAYMOND W. O'KEEFE, U.S. ARMY

• Ms. SNOWE. Mr. President, today I would like to congratulate Col. Raymond W. O'Keefe, a native son of Maine, who retired from the U.S. Army on June 1, 1995, after a distinguished career of faithful service to our Nation spanning 26 years. Throughout those 26 years of service, Ray O'Keefe exemplified the true spirit of the United States cavalryman: "honor was his guide, resourcefulness his strength, and a passion for duty was his chief characteristic."

Colonel O'Keefe was commissioned through the Reserve Officers' Training Corps as a second lieutenant in the Regular Army following his graduation from the University of Maine at Orono in June 1969. Over the course of his career, Colonel O'Keefe served in a variety of challenging troop and staff assignments in the United States, Germany, Korea, and Vietnam. Following completion of the Armor Officer's Basic Course at Fort Knox, then-Lieutenant O'Keefe reported for duty with the 1st Squadron, 17th Cavalry, assigned to the elite 82nd Airborne Division, at Fort Bragg, NC. Lieutenant O'Keefe practiced his craft and honed his skills while serving in a variety of positions at the troop level.

He arrived in Pleiku, in the Central Highlands of Vietnam, in December of 1971, and assumed command of D Troop, 17th Cavalry, the Ia Drang Valley, sight of one of the first large battles of the war, was only thirty miles distant. One of the last major fights of the war, the Easter Offensive in March,