

Some foreign governments have been quite open about the importance they attach to obtaining U.S. commercial secrets. Former French Intelligence Director Pierre Marion, for example, was quoted in a recent Foreign Affairs article as saying about the French-United States relationship: "In economics, we are competitors, not allies. America has the most technical information of relevance. It is easily accessible. So naturally your country will receive the most attention from the intelligence services."

It is important to emphasize that no one country can be singled out for engaging in economic espionage. While there are a handful of well-publicized incidents involving a few countries, the problem is actually much more widespread. FBI tells us that 23 countries are being actively investigated and that there has been a 100 percent increase in the number of investigative matters relating to economic espionage in the United States during the past year—from 400 to 800. Thus, this bill is not aimed at any one country, or even a handful of countries. It is designed to address a widespread threat from a broad spectrum of countries, including traditional counterintelligence adversaries and traditional allies.

Last year, the Congress included in the Intelligence Authorization Act for fiscal year 1995 a requirement that the President submit an annual report on the activities of foreign governments to obtain commercial secrets from U.S. companies and how the U.S. Government counters this threat. The Intelligence Committee received the first report in July 1995, accompanied by a classified annex.

According to the report, prepared by the National Counterintelligence Center in coordination with relevant agencies, "economic and technological information is often not specifically protected by Federal laws, making it difficult to prosecute thefts of proprietary technology or intellectual property. Law enforcement efforts instead must rely on less specific criminal laws—such as espionage, fraud and stolen property, and export statutes—to build prosecutable cases." At our request, the FBI has provided some examples of the difficulties caused by this patchwork of laws.

According to the Bureau, there have been three specific declinations of prosecution over the past year. In the first, passage to a foreign power of proprietary economic information was declined for lack of a specific statute. In the second case, the unauthorized disclosure of a confidential U.S. Trade Representative document was not prosecuted because the document was not considered to contain "national defense information" as required by the espionage statute. In a third case, a foreign government-owned corporation attempted to use its position of power after a merger to gain access to proprietary economic information despite a specific prohibition in the sales agree-

ment which would have provided for a "Chinese wall" between the foreign government corporation and the information. Again, the U.S. Attorney declined to prosecute because of the lack of a specific statutory basis. These examples do not include cases that were not fully investigated because of the lack of adequate statutory basis.

A legal review by the Administration has shown that there is currently no specific criminal statute that would apply to many of the 800 cases involving 22 foreign countries currently being investigated.

The National Counterintelligence Center Report states that "the aggregate losses that can mount as a result of [Foreign economic espionage] efforts can reach billions of dollars per year constituting a serious national security concern." Determining the full qualitative and quantitative scope and impact of economic espionage is difficult. Industry victims have reported the loss of hundreds of millions of dollars, lost jobs, and lost market share. However, U.S. industry may in fact be under-reporting these occurrences because of the negative impact publicity of a loss could have on stock values and customers' confidence, as well as the risk of broader exposure of the trade secret itself.

The industries that have been the targets in most cases of economic espionage, according to this report, include those "of strategic interest to the United States because they produce classified products for the Government, produce dual use technology used in both the public and private sectors, and are responsible for leading-edge technologies, critical to maintaining U.S. economic security."

Mr. President, these are complex issues and I do not assume that this bill represents the perfect solution. However, I believe this bill represents a reasonable and carefully tailored approach to addressing an issue of tremendous importance. ●

ADDITIONAL COSPONSORS

S. 332

At the request of Mr. CONRAD, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 332, a bill to provide means of limiting the exposure of children to violent programming on television, and for other purposes.

S. 743

At the request of Mrs. HUTCHISON, the names of the Senator from Hawaii [Mr. INOUE] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 743, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes.

S. 793

At the request of Mr. SIMPSON, the names of the Senator from Michigan

[Mr. LEVIN] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 793, a bill to amend the Internal Revenue Code of 1986 to provide an exemption from income tax for certain common investment funds.

S. 953

At the request of Mr. CHAFEE, the names of the Senator from Pennsylvania [Mr. SPECTER], the Senator from Missouri [Mr. ASHCROFT], the Senator from Pennsylvania [Mr. SANTORUM], the Senator from Louisiana [Mr. BREAU], the Senator from Maryland [Mr. SARBANES], the Senator from California [Mrs. FEINSTEIN], and the Senator from California [Mrs. BOXER] were added as cosponsors of S. 953, a bill to require the Secretary of the Treasury to mint coins in commemoration of black revolutionary war patriots.

S. 1093

At the request of Mr. REID, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 1093, a bill to prohibit the application of the Religious Freedom Restoration Act of 1993, or any amendment made by such act, to an individual who is incarcerated in a Federal, State, or local correctional, detention, or penal facility, and for other purposes.

S. 1095

At the request of Mr. MOYNIHAN, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 1095, a bill to amend the Internal Revenue Code of 1986 to extend permanently the exclusion for educational assistance provided by employers to employees.

S. 1219

At the request of Mr. MCCAIN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1219, a bill to reform the financing of Federal elections, and for other purposes.

S. 1271

At the request of Mr. CRAIG, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1271, a bill to amend the Nuclear Waste Policy Act of 1982.

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 1271, *supra*.

S. 1392

At the request of Mr. BAUCUS, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1392, a bill to impose temporarily a 25-percent duty on imports of certain Canadian wood and lumber products, to require the administering authority to initiate an investigation under title VII of the Tariff Act of 1930 with respect to such products, and for other purposes.

S. 1439

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1439, a bill to require the consideration of certain criteria in decisions to relocate professional sports teams, and for other purposes.

S. 1519

At the request of Mr. DOLE, the names of the Senator from Alaska [Mr. STEVENS], the Senator from Michigan [Mr. ABRAHAM], the Senator from New Hampshire [Mr. SMITH], and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 1519, a bill to prohibit United States voluntary and assessed contributions to the United Nations if the United Nations imposes any tax or fee on United States persons or continues to develop or promote proposals for such taxes or fees.

S. 1534

At the request of Mr. HATFIELD, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1534, a bill to amend the Public Health Service Act to provide additional support for and to expand clinical research programs, and for other purposes.

S. 1541

At the request of Mr. LUGAR, the names of the Senator from Utah [Mr. HATCH], the Senator from Missouri [Mr. BOND], the Senator from Oklahoma [Mr. INHOFE], the Senator from Indiana [Mr. COATS], the Senator from Kentucky [Mr. McCONNELL], the Senator from Michigan [Mr. ABRAHAM], the Senator from Missouri [Mr. ASHCROFT], and the Senator from Idaho [Mr. KEMPTHORNE] were added as cosponsors of S. 1541, a bill to extend, reform, and improve agricultural commodity, trade, conservation, and other programs, and for other purposes.

At the request of Mr. CHAFEE, his name was added as a cosponsor of S. 1541, *supra*.

AMENDMENT NO. 3184

At the request of Mr. STEVENS, his name was added as a cosponsor of amendment No. 3184 proposed to S. 1541, a bill to extend, reform, and improve agricultural commodity, trade, conservation, and other programs, and for other purposes.

At the request of Mr. CHAFEE, his name was added as a cosponsor of amendment No. 3184 proposed to S. 1541, *supra*.

SENATE RESOLUTION 219—TO DESIGNATE GREEK INDEPENDENCE DAY

Mr. SPECTER (for himself, Mr. SIMON, Mr. DOLE, Mr. LAUTENBERG, Mrs. BOXER, Mr. COCHRAN, Mr. HEFLIN, Ms. MIKULSKI, Ms. SNOWE, Mr. GRASSLEY, Mr. THURMOND, Mr. GLENN, Mr. BRADLEY, Mr. KENNEDY, Mr. KERRY, Mr. REID, Mr. MACK, Ms. MOSELEY-BRAUN, Mr. SARBANES, Mrs. FEINSTEIN, Mr. COHEN, Mrs. MURRAY, Mr. BIDEN, Mr. PRESSLER, Mr. LEVIN, Mr. THOMAS, Mr. DODD, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 219

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was invested in the people;

Whereas the Founding Fathers of the United States of America drew heavily upon

the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas the founders of the modern Greek state modeled their government after that of the United States in an effort to best imitate their ancient democracy;

Whereas Greece is one of only three nations in the world, beyond the former British Empire, that has been allied with the United States in every major international conflict this century;;

Whereas 1996 will mark the historic first official state visit to the United States of an elected head of state of Greece;

Whereas these and other ideals have forged a close bond between our two nations and their peoples;

Whereas March 25, 1996 marks the 175th anniversary of the beginning of the revolution which freed the Greek people from the Ottoman Empire; and

Whereas it is proper and desirable to celebrate with the Greek people, and to reaffirm the democratic principles from which our two great nations were born: Now, therefore, be it

Resolved, That March 25, 1996 is designated as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy". The President is requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

• Mr. SPECTER. Mr. President, today I am submitting a resolution to designate March 25, 1996, as "Greek Independence Day: A Celebration of Greek and American Democracy."

One hundred and seventy-five years ago, the Greeks began the revolution that would free them from the Ottoman Empire and return Greece to its democratic heritage. It was, of course, the ancient Greeks who developed the concept of democracy in which the supreme power to govern was vested in the people. Our Founding Fathers drew heavily upon the political and philosophical experience of ancient Greece in forming our representative democracy. Thomas Jefferson proclaimed that, "to the ancient Greeks * * * we are all indebted for the light which led ourselves out of Gothic darkness." It is fitting, then, that we should recognize the anniversary of the beginning of their efforts to return to that democratic tradition.

The democratic form of government is only one of the most obvious of the many benefits we have gained from the Greek people. The ancient Greeks contributed a great deal to the modern world, particularly to the United States of America, in all areas of art, philosophy, science, and law. Today, Greek-Americans continue to enrich our culture and make valuable contributions to American society, business, and government.

It is my hope that strong support for this resolution in the Senate will serve as a clear goodwill gesture to the people of Greece with whom we have enjoyed such a close bond throughout history. Similar resolutions have been signed into law each of the past several years, with overwhelming support in both the House of Representatives and the Senate. Accordingly, I urge my Senate colleagues to join me in supporting this important resolution. •

SENATE RESOLUTION 220—IN RECOGNITION OF RONALD REAGAN'S 85TH BIRTHDAY

Mr. DOLE (for himself, Mr. DASCHLE, and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 220

Whereas, February 6, 1996 is the 85th Birthday of Ronald Wilson Reagan;

And Whereas, Ronald Reagan was twice elected by overwhelming margins as President of the United States;

And Whereas, Ronald Reagan is loved and admired by millions of Americans, and by countless others around the world;

And Whereas, Ronald Reagan, with the leadership of his wife, Nancy, led a national crusade against illegal drugs;

And Whereas, Ronald Reagan's eloquence united Americans in times of triumph and tragedy;

And Whereas, the thoughts and prayers of the Senate and the country are with Ronald Reagan in his courageous battle with Alzheimer's Disease; Therefore, be it

Resolved, That the Senate of the United States extends its birthday greetings and best wishes to Ronald Reagan.

Section 2 That the Secretary of the Senate shall transmit a copy of this resolution to Ronald Reagan.

SENATE RESOLUTION 221—TO AUTHORIZE TESTIMONY BY FORMER SENATE EMPLOYEE

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 221

Whereas, the plaintiff in *Margaret C. Carlson v. Mike Eassa, et al.*, No. MDA 7203, a civil action pending in the Superior Court of California, County of Monterey, is seeking testimony through submission of a declaration by Amy L. Silvestri, a former employee of the Senate on the Staff of Senator William V. Roth, Jr.;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Amy L. Silvestri is authorized to submit a declaration in the case of *Margaret C. Carlson v. Mike Eassa, et al.*, except concerning matters for which a privilege should be asserted.

SENATE RESOLUTION 222—TO AUTHORIZE THE PRODUCTION OF DOCUMENTS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 222

Whereas, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs conducted an investigation