

to do it the right way, which would be to say to all Americans we are going to give a \$500-per-child tax credit, which the Republicans proposed and which the President proposed, which the Democrats and Republicans voted for, but that tax credit will not be denied the people just because they paid a payroll tax rather than an income tax.

This conference in the next couple of days can do this right or it can do it wrong. I hope they will listen to the voices of some in this country who say, if you are going to give a tax cut, pay some attention to the needs of the middle-income earners in this country who deserve a tax cut, yes, based on income taxes paid, but also based on the higher sales tax they pay every day as they go to work and work hard to support their families.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HUTCHINSON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Mr. President, what is the pending business?

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 955, making appropriations for foreign operations, export financing, related programs for the fiscal year ending September 30, 1998, and for other purposes.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 955) making appropriations for foreign operations, export financing, related programs for the fiscal year ending September 30, 1998, and for other purposes.

The Senate proceeded to consider the bill.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, my friend and colleague, Senator LEAHY, the ranking Democrat on the subcommittee, is detained down at the White House for the time being. I see his colleague, Senator DORGAN, standing in for him. We will, while Senator DORGAN is here, by mutual agreement, take care of several managers' amendments here at the outset of the discussion of this year's foreign operations bill.

There are a list of eight managers' amendments, which I will refer to and then send to the desk en bloc.

There is the McConnell-Leahy amendment requiring a report on the management of the Russia enterprise fund and prohibiting establishment of a private-public entity to manage the defense enterprise fund activities; a Leahy amendment establishing credit authority for AID; a Leahy amendment allowing funds to be transferred to the Export-Import Bank for NIS activities; a Leahy technical corrections amendment to section 571; a McConnell-Leahy amendment providing authorities to DSAA for the costs associated with the transfer of EDA to Central and East European countries and use of less expensive commercial transport and stockpiles in Thailand and Korea; a McConnell-Leahy amendment providing DSAA authority to obligate funds upon apportionment; a McConnell-Leahy amendment to provide a date for the report on Ukraine; and a Leahy amendment with a technical change on page 92.

#### AMENDMENTS NOS. 876 THROUGH 883, EN BLOC

Mr. MCCONNELL. Mr. President, I send eight amendments to the desk and ask that they be considered en bloc.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], proposes amendments numbered 876 through 883, en bloc.

The amendments are as follows:

#### AMENDMENT NO. 876

(Purpose: To improve the performance of enterprise funds)

On page 27, line 15 insert the following new sections:

(Q) None of the funds appropriated under this heading or in prior appropriations legislation may be made available to establish a joint public-private entity or organization engaged in the management of activities or projects supported by the Defense Enterprise Fund.

(R) 60 days after the date of enactment of this Act, the Administrator of AID shall report to the Committees on Appropriations on the rate of obligation and risk and anticipated returns associated with commitments made by the U.S. Russia Investment Fund. The report shall include a recommendation on the continued relevance and advisability of the initial planned life of project commitment.

#### AMENDMENT NO. 877

At the appropriate place in the bill, insert the following:

#### DEVELOPMENT CREDIT AUTHORITY

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans and loan guarantees in support of the development objectives of the Foreign Assistance Act of 1961 (FAA), up to \$10,000,000, which amount may be derived by transfer from funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961 and funds appropriated by this Act under the heading "Assistance for Eastern Europe and the Baltic States", to remain available until expended: *Provided*, That of this amount, up to \$1,500,000 for administrative expenses to carry out such programs

may be transferred to and merged with "Operating Expenses of the Agency for International Development": *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to development credit authority) of the Foreign Assistance Act of 1961, as added by section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this paragraph: *Provided further*, That direct loans or loan guarantees under this paragraph may not be provided until the Director of the Office of Management and Budget has certified to the Committee on Appropriations that the Agency for International Development has established a credit management system capable of effectively managing the credit programs funded under this heading, including that such system (1) can provide accurate and timely provision of loan and loan guarantee data, (2) contains information control systems for loan and loan guarantee data, (3) is adequately staffed, and (4) contains appropriate review and monitoring procedures.

#### AMENDMENT NO. 878

On page 20, line 14, after the word "paragraph" insert the following: "*Provided further*, That up to \$22,000,000 made available under this heading may be transferred to the Export Import Bank of the United States, and up to \$8,000,000 of the funds made available under this heading may be transferred to the Micro and Small Enterprise Development Program, to be used for the cost of direct loans and loan guarantees for the furtherance of programs under this heading: *Provided further*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974".

#### AMENDMENT NO. 879

On page 97, line 5, strike the words "between the United States and the Government of Indonesia".

On page 97, line 6, insert a comma after the word "sale" and strike the word "or".

On page 97, line 7, after the word "transfer" insert ", or licensing".

On page 97, line 7, after the word "helicopter" insert "for Indonesia entered into by the United States".

#### AMENDMENT NO. 880

On page 102, line 9, after the word "1998.", insert the following:

#### EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN COUNTRIES

SEC. 575. Section 105 of Public Law 104-164 (110 Stat. 1427) is amended by striking "1996 and 1997" and inserting "1998 and 1999".

SEC. 576. ADDITIONAL REQUIREMENTS RELATING TO STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES.

(a) VALUE OF ADDITIONS TO STOCKPILES.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by inserting before the period at the end the following: "and \$60,000,000 for fiscal year 1998".

(b) REQUIREMENTS RELATING TO THE REPUBLIC OF KOREA AND THAILAND.—Section 514(b)(2)(B) of such Act (22 U.S.C. 2341h(b)(2)(B)) is amended by adding at the end the following: "Of the following: "Of the amount specified in subparagraph (A) for fiscal year 1998, not more than \$40,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$20,000,000 may be made available for stockpiles in Thailand.".

SEC. 577. DELIVERY OF DRAWDOWN BY COMMERCIAL TRANSPORTATION SERVICES.

Section 506 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318) is amended—

(1) in subsection (b)(2), by striking the period and inserting the following: “, including providing the Congress with a report detailing all defense articles, defense services, and military education and training delivered to the recipient country or international organization upon delivery of such articles or upon completion of such services or education and training. Such report shall also include whether any savings were realized by utilizing commercial transport services rather than acquiring those services from United States Government transport assets”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) For the purposes of any provision of law that authorizes the drawdown of defense or other articles or commodities, or defense or other services from an agency of the United States Government, such drawdown may include the supply of commercial transportation and related services that are acquired by contract for the purposes of the drawdown in question if the cost to acquire such commercial transportation and related services is less than the cost to the United States Government of providing such services from existing agency assets.”.

AMENDMENT NO. 881

On page 34, line 21, after the word “Act” insert the following: “: *Provided further*, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a)”

AMENDMENT NO. 882

On page 24, line 9 insert after the word “resolution” the following: “*Provided further*, That the Secretary shall submit such determination and certification prior to March 31, 1998.”

AMENDMENT NO. 883

(Purpose: To require the withholding of assistance to any country granting sanctuary to any person indicted by the International Criminal Tribunal for Rwanda)

On page 92, line 16, strike “is authorized to” and insert “shall”.

On page 92, line 21, strike “should” and insert “shall”.

Mr. BIDEN. Mr. President, I am pleased the managers of the bill will accept my amendment to the foreign operations appropriations bill. My amendment will apply the same standards for sanctions on countries that harbor Rwandan indicted war criminals as are applied to countries that provide sanctuary for individuals indicted by the Yugoslav war crimes tribunal.

As the bill is currently written, with the exception of certain types of humanitarian assistance, no foreign aid can be given to any country that provides sanctuary to individuals indicted by the Yugoslav war crimes tribunal. But for those individuals indicted by the Rwandan war crimes tribunal, the bill contains only a discretionary authority to withhold aid.

Mr. President, the United States was a cosponsor of the U.N. Security Council resolution which authorized the establishment of the Rwandan war crimes tribunal. Accountability for the 500,000 people killed in the 1994 genocide is an integral part of any effort for reconciliation and reconstruction in

Rwanda, much like the Truth Commission in South Africa.

Mr. President, my amendment is not without precedent. The foreign operations bill 2 years ago restricted foreign assistance to countries that harbored both Rwandan and Yugoslav indicted war criminals. I believe this was the right standard, and to do anything less sends the wrong message on war crimes. If we say we are against war crimes in Yugoslavia, we should also equally say we are against war crimes in Rwanda. I don't believe that there's one Senator who doesn't share this belief—but it is important that we say so.

My amendment makes a strong statement of support for the Rwandan tribunal and for the cause of human rights in Africa.

Mr. MCCONNELL. Mr. President, it is my understanding that these have been approved by the Democrats.

Mr. DORGAN. Mr. President, if the Senator will yield, Senator LEAHY is detained. On his behalf, I am here to say that the amendments have been approved, and he is either a sponsor or a cosponsor with Senator MCCONNELL.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 876 through 883), en bloc, were agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I am pleased to bring the fiscal year 1998 foreign operations, export promotion, and related programs appropriations bill to the Senate for consideration today. I might say at the outset that we anticipate finishing this bill tonight. There are very few amendments of which I am aware and, hopefully, we can mirror the speed with which the Department of Defense appropriations bill and the energy and water appropriations bill were completed.

Senator LEAHY and I have worked closely together to produce a bill which effectively serves vital international U.S. political and economic priorities with the \$13 billion allocated to our subcommittee.

Let me point out right up front that while the bill stands at \$13 billion, we are funding \$13.2 billion on programs; the difference is due to the Budget Committee's treatment of arrears at international financial institutions.

For the first time in more than a decade, the foreign operations account actually experienced an increase. We can thank Senator STEVENS for understanding how important it is to have international options short of sending in U.S. troops. I might just say, Mr. President, on that point, there are a number of our colleagues who are particularly enthusiastic about the defense option, and I am among them. On the other hand, being able to engage

overseas without the use of troops is frequently, always, less dangerous and, many times, less expensive.

For the better part of the last 3 years, Senator LEAHY and I have warned that the United States would pay long-term consequences if we continued the pattern of shortsighted gains made by reducing foreign assistance.

Finally, the administration listened. I want to commend Secretary Albright for making an increase in the 150 account her first and foremost priority. The nearly \$1 billion increase arrested a devastating decade-long decline.

I think it is important to put this increase in perspective. Measured against foreign aid's peak year of 1985, our resources have dropped nearly 60 percent. Since 1990, we have seen a 40-percent reduction. Keep in mind that those cuts have occurred in times when the United States established assistance programs to help strengthen and stabilize more than two dozen new, emerging democracies.

As we welcome Poland, Hungary, and the Czech Republic into NATO, thereby expanding European stability and security arrangements, we should all remember it was the United States economic and security assistance that helped make this possible.

Just taking a look, Mr. President, at the chart here behind me, my colleagues will notice that in 1985, in billions, the foreign operations account was \$28.2 billion. A mere 12 years later, it was \$12.2. And what we are seeing this year, after a decline of \$28.2 to \$12 billion, is an increase back up to \$13.4 billion.

I will argue, as I did a few moments ago, that given the new responsibilities to the new emerging democracies, that this increase this year in the 150 account is entirely appropriate.

The aspirations, ingenuity, and determination of the citizens of these countries—particularly in Central Europe—combined with American grants, loans, exchanges, training, and equipment to build democratic institutions, strong free markets, and responsible military partners makes a lot of sense.

Obviously, this effort should be continued. The combination of an increase in the foreign assistance allocation, along with progress made by emerging European democracies, have made this a key transition year—one in which we have an opportunity to initiate support for new priorities while ending or establishing clear performance benchmarks in countries where U.S. support is not fulfilling political or economic expectations.

In this context, let me review some of the bill's highlights.

In title I, we have increased export promotion support over the administration's request. We have fully funded the Trade and Development Agency and the Overseas Private Investment Corporation, and to compensate for dismal forecasting at the Eximbank, we

have increased the funding there as well.

No one is more pleased than I am that there is a new team directing the Bank's important work. However, the new Chairman arrives in with the news that the Bank expects to have to carry over into 1998 nearly \$400 million in planned or possible 1997 projects because of a shortfall in available funding. At a time when everyone recognizes that exports are key to American economic growth, we need to support Exim's vital mission. While the administration asked for \$632 million, we have provided \$700 million to support American business as they venture into tough emerging markets.

Title II provides funding for all bilateral programs, including development assistance activities, programs in the new independent states and Central and Eastern Europe, disaster aid, the Peace Corps, international narcotics control, and a consolidated fund which covers nonproliferation, demining, antiterrorism, IAEA activities, and related programs.

Within this title, there are a number of provisions which reflect the committee's new emphasis of building on success and objectively recognizing and reversing failures.

Nowhere is this more evident than in the Middle East. I will not spend a great deal of time at this point on the issue of Egypt's record over the last 2 years. Let me simply say that funding for both Egypt and Israel has always been provided in the context of the Camp David accords and a national commitment to serving the interests of peace.

Leading a renewal of the Arab economic boycott of Israel, rejecting President Clinton's plea to participate in the peace summit, and actively opposing the Hebron agreement between Israel and the Palestinians are a few reasons why Egypt no longer seems to share our commitment to regional stability and peace. To send a signal that improvements are expected if aid is to continue to flow, the committee did not earmark funds for Egypt.

In contrast, King Hussein has taken enormous risks to advance peace, and the committee reflected its support for this effort by substantially increasing economic and security assistance to Jordan. Egypt and Jordan define the basic tenet of this bill: Aid is not an entitlement program. It must be earned, and it must be deserved.

The NIS offers other examples of this approach. For several years the Senate has earmarked funds for Ukraine. Now I believe it is time to assess results. Although Ukraine has made remarkable progress in passing a constitution and introducing a new currency, I think it is time to register our concerns that corruption and the slow pace of reforms may defeat the relevance and impact of our assistance.

As in the past, we have earmarked \$225 million, making clear we still believe in Ukraine's strategic importance

and support the constitutional and economic changes which have been achieved. However, to leverage improvements and accelerate the pace of reforms, 35 percent of the aid package is withheld until the Secretary of State certifies progress has been made combating corruption, and moving forward with key economic and political policy changes.

Russia offers another example of where aid must better serve United States interests. For the past 2 years, the bill has included language linking the provision of aid to the termination of Russia's nuclear cooperation with Iran—a provision always watered down by the administration. With elections around the corner, the administration's argument last year was simple: If we cut off aid, they said, we undermine the election chances of the only people who are committed to ending this lethal program.

Well, we all know the reformers won the election last year, and, unfortunately, the nuclear program is still around. Only now it is expanded, and the Russians are not only collaborating with Iran on a nuclear powerplant. They are working together on a missile technology program. This year a waiver allowing aid to continue—no matter what the Russians do with Iran—is simply out of the question.

Consistent with our effort to take aid off autopilot, the bill also includes language addressing the crisis in Cambodia. In our opening hearing this year, the administrator of AID referred to Cambodia as a democratic success story, a view echoed by the Secretary of State in our closing hearing. Persistent allegations of close collaboration between Cambodia's leadership and major regional drug traffickers were dismissed in that hearing, as were alarming accounts of the two prime ministers arming themselves for a resumption of civil war.

As we all know, a few short weeks ago the committee report called attention to this rapidly deteriorating situation and conditioned assistance of all further aid on progress in four key areas. The Secretary had to certify the government had taken steps to: First, end political violence and intimidation of opposition candidates; second, establish an independent election commission; third, protect voters and election participants by establishing laws and regulations guaranteeing freedom of speech and assembly; and, fourth, eliminate corruption and collaboration with narcotics dealers.

Mr. President, however elusive that goal now seems, each of these steps remains important to the future of democracy in Cambodia. With the coup engineered by Hun Sen last week, I intend to further modify these conditions as we proceed forward with this bill today.

Turning to title III, the committee has provided over \$3.3 billion in security assistance, loans and grants and support for international peacekeep-

ing. While this level reflects a slight reduction of the administration's request, we were able to provide an increase in aid to Jordan and an increase in support for Lithuania, Estonia, and Latvia.

Let me speak for a moment to the case of the Baltic countries. I know I am joined by many of my colleagues who believe the Baltic nations should be the next nations on the list of NATO entrants. Having never recognized their domination by the Soviet Union during the cold war, I think it is a serious mistake for the administration to now bow to Russian demands that the Baltic nations be excluded from NATO. In effect, the administration's policy relegates the Baltic States to the Russian sphere of influence, a perverse reversal of political fortune and a mistake of historic proportions.

These nations are ready, willing, and able to make a meaningful military and political contribution to NATO's mission. The funding we have provided will strengthen and deepen the Baltic ties to NATO by facilitating the completion of a civilian military regional airspace control system, an important step toward membership. This funding reflects a strong view that Latvia, Lithuania, and Estonia deserve to be integrated into a stable European security structure and have earned our political commitment and continued support for NATO admission.

Finally, let me turn to title IV in the bill, which provides funding for the international financial institutions. Although we have reduced the administration's request, we have been able to meet virtually all current-year obligations as well as make substantial progress on past obligations incurred by this administration.

I want all of my colleagues to know that we have once again withheld funds for IDA until the Secretary of the Treasury certifies that the interim trust fund has removed all procurement restrictions imposed which exclude American contractors.

I want the members of both the trust fund and IDA to be on notice that these restrictions must be gone before this legislation is enacted or I cannot support full funding for IDA in conference.

The last section of the bill is devoted to general provisions. One in particular is worth noting because it is in keeping with the principles we have developed to end aid as an entitlement program.

When the Dayton agreement was signed, each party pledged to support the International Tribunal's efforts to arrest and prosecute war criminals. Today, 66 indicted fugitives remain at large—with potentially many more under sealed indictment.

These are not bandits in hiding living in fear of capture. These outlaws continue to work and wander the streets and, in some cases, such those of Radovan Karadic and Ratko Mladic, they continue to exercise real power.

Section 573 ends assistance to regional authorities refusing to cooperate in the international effort to bring

these fugitives to justice. Peace in Bosnia cannot be sustained if the Tribunal fails to complete its task. Stability and economic growth depend on the repatriation of refugees consistent with the Dayton agreement—and those refugees will not return to communities which continue to be terrorized and intimidated by war criminals.

Section 573 bans aid to countries which have not cooperated in the arrest of war criminals. Waiver authority is granted to the President for a period of 6 months, if he certifies that a country has turned over a majority of war criminals. However, at the end of the 6 months, aid can only continue if the President certifies that all war criminals have been arrested.

The provision exempts democracy building, demining and humanitarian programs in an effort to afford the administration some carrots as it attempts to encourage compliance.

But, this should not be seen as a door which will be opened wider creating more exemptions and weaker standards. Let us be clear on a single point: after more than \$400 million in U.S. aid, we need to implement and enforce the moral reckoning which only the Tribunal can offer. Only justice can bridge the deep divides which continue to fracture the former Yugoslavia.

Let me conclude by once again emphasizing that the increase in the 150 account represents both an opportunity and an obligation to more effectively serve American international interests. We can only accomplish this purpose if we end aid as an entitlement program. I believe this bill sets us on the right course and I encourage my colleagues to support it.

AMENDMENTS NOS. 885, 886, AND 887

Mr. MCCONNELL. As an indication of how quickly we should be able to move this bill, I see that my friend and colleague from Oregon is here ready to offer an amendment, and before I yield the floor for that purpose, I will offer an amendment to earmark aid to Egypt for myself and Senator LEAHY, Senator STEVENS, and Senator BYRD.

I am also going to send to the desk two amendments on Cambodia.

So, Mr. President, I am sending to the desk three amendments at this time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for himself, Mr. LEAHY, Mr. STEVENS, and Mr. BYRD, proposes an amendment numbered 885.

The Senator from Kentucky [Mr. MCCONNELL], for himself and Mr. LEAHY, proposes an amendment numbered 886.

The Senator from Kentucky [Mr. MCCONNELL], for himself and Mr. LEAHY, proposes an amendment numbered 887.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 885

(Purpose: To provide assistance to Egypt)

On page 17, line 14, strike the number "\$2,585,100,000" and insert in lieu thereof, "\$2,541,150,000".

On page 17, line 20, after the word "later:" insert: "Provided further, That not less than \$815,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance may be provided, with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years."

On page 33, line 26, strike the number "\$3,265,000,000" and insert in lieu thereof "\$3,308,950,000".

On page 34, line 3, after the word "Israel" insert: ", and not less than \$1,300,000,000 shall be made available for grants only for Egypt."

AMENDMENT NO. 886

(Purpose: To restrict aid to Cambodia)

On page 11, line 14, strike all after the word "Of" through page 12, line 13, ending with the number "1997." and insert in lieu thereof the following: "None of the funds appropriated by this Act may be made available for activities or programs in Cambodia until the Secretary of State determines and reports to the Committees on Appropriations that the Government of Cambodia has: (1) not been established in office by the use of force or a coup d'etat; (2) discontinued all political violence and intimidation of journalists and members of opposition parties; (3) established an independent election commission; (4) protected the rights of voters, candidates, and election observers and participants by establishing laws and procedures guaranteeing freedom of speech and assembly; and (5) eliminated corruption and collaboration with narcotics smugglers: *Provided*, That the previous proviso shall not apply to humanitarian programs or other activities administered by nongovernmental organizations: *Provided further*, That 30 days after enactment of this Act, the Secretary of State, in consultation with the Director of the Federal Bureau of Investigation, shall report to the Committees on Appropriations on the results of the FBI investigation into the bombing attack in Phnom Penh on March 30, 1997."

AMENDMENT NO. 887

(Purpose: To restrict aid to Cambodia)

On page 96, line 20, strike all after the word "Cambodia" through page 97, line 2, ending with the word "smugglers." and insert in lieu thereof the following: "has: (1) not been established in office by the use of force or a coup d'etat; (2) discontinued all political violence and intimidation of journalists and members of opposition parties; (3) established an independent election commission; (4) protected the rights of voters, candidates, and election observers and participants by establishing laws and procedures guaranteeing freedom of speech and assembly; and (5) eliminated corruption and collaboration with narcotics smugglers."

Mr. MCCONNELL. I ask that all three of those amendments be temporarily set aside.

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

Mr. MCCONNELL. Now, Mr. President, I yield the floor.

AMENDMENT NO. 888

Mr. SMITH of Oregon addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. SMITH], for himself, Mr. NICKLES, Mr. THOMAS, Mr. HUTCHINSON, and Mr. GORTON, proposes an amendment numbered 888.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following new section, and renumber the remaining sections accordingly:

**SEC. . TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERNMENT OF RUSSIA SHOULD IT ENACT LAWS WHICH WOULD DISCRIMINATE AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION.**

None of the funds appropriated under this Act may be made available for the Government of Russian Federation unless the President determines and certifies in writing to the Committee on Appropriations and the Committee on Foreign Relations of the Senate that the Government of the Russian Federation has enacted no statute or promulgated no executive order that would discriminate, or would have as its principal effect discrimination, against religious minorities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a signatory, including the European Convention and the 1989 Vienna Concluding Document of the Conference on Security and Cooperation in Europe.

Mr. SMITH of Oregon. Mr. President, a few weeks ago, on the Fourth of July, as Americans were celebrating their cherished freedoms upon which this country was founded, the Russian Federation passed a bill which, if signed into law, would restrict freedom of religion in that country in a lamentable way.

This bill is ironically titled, "On Freedom of Conscience and on Religious Associations." It first passed the lower house of the Russian Duma in late June.

The bill would, among other things, limit the activities of foreign missionaries and grant unregistered religious groups significantly fewer rights than accredited Russian religious organizations such as the Russian Orthodox Church, Islam, Judaism, and Buddhism.

Mr. President, this bill awaiting signature now on President Yeltsin's desk would severely limit the very existence of what Russia terms "new faiths." These "new faiths" include many Protestant faiths—Evangelicals, fundamentalists, Pentecostals, SDA's, Jehovah's Witnesses, Mormons, and even the Catholic Church. These faiths will be persecuted as religious minorities under this proposed law.

Congress has already taken a number of steps to send signals to President

Yeltsin about this bill. Many Members of both Houses have signed letters to President Yeltsin and to President Clinton. From the Vatican to former President Jimmy Carter, the reaction to this law has been strong and unwavering.

I rise today to send an even stronger signal. My amendment would withhold funds appropriated in the foreign operations bill to Russia unless the President of the United States determines and verifies in writing to the Congress that the Government of Russia has enacted no statute that would discriminate against religious minorities in the Russian Federation.

Mr. President, I realize, as do all Senators, that Russia is a sovereign country. We cannot tell Russia what to do as a country. We can, however, elect not to send foreign aid to a country that would discriminate against religious beliefs in so fundamental a way.

This will be the clearest and strongest message that can be sent to President Yeltsin. Should he decide to enact into law this discrimination, we then will send no American funds, none of our taxpayers' hard-earned moneys, to that country in the fiscal year of 1998.

In the modern world, for most religions, the kind of deprivation of status that the Russian bill would enact, should it become law, is a major encroachment upon religious freedom.

Many international agreements have already been signed that require signatories to guarantee religious freedom. For example, sections of the Vienna Concluding Document of the Conference on Security and Cooperation in Europe commits participating States in the Helsinki process to grant religious freedom as part of their Constitution.

Mr. President, the Russian Federation is a signatory to that Vienna document. Furthermore, the bill on President Yeltsin's desk would not only violate this and other international agreements; it would also violate Russia's own Constitution which guarantees religious freedoms we as Americans have come to hold as so dear and so fundamental. I know some might argue, Mr. President, that we should not take these kinds of actions; that we are trying to help Russia build democracy, and we are and want to do those things, but I would say to them that religious freedom is the cornerstone of democracy. Indeed, a democratic foundation without that cornerstone of religious freedom is a democracy that is built upon sand.

I hope that all Senators will join me in sending a strong signal to President Yeltsin that American dollars will not find their way to support any country that treats religious freedom in such a manner.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment there is not.

Mr. McCONNELL. Mr. President, I just walked back in the Chamber. I am not quite sure—

Mr. SMITH of Oregon. Mr. President, I call for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment there is not.

Mr. McCONNELL. Mr. President, let me say that we will get a sufficient second for a vote on this amendment. I am told by the Democratic Cloakroom that it would be permissible to have a couple of votes around 12:30, and it is my plan to have a vote on the Smith amendment at about 12:30.

I also understand under the previous agreement we are to vote on final passage on energy and water in juxtaposition to that vote.

Mr. President, is that correct?

The PRESIDING OFFICER. The vote on final passage will follow the first vote on this bill. That is correct.

Mr. McCONNELL. So, Mr. President, why don't I ask unanimous consent that we have a vote on the Smith amendment at 12:30.

Mr. President, I withhold.

Mr. President, we may have the ability to get the yeas and nays now. I ask for the yeas and nays on the Smith amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. McCONNELL. Mr. President, let me say again we are not going to set the time for the Smith amendment now until we have had further consultation with the Democratic Cloakroom, but in all likelihood there would be two votes at 12:30, one on the Smith amendment and the other on final passage of energy and water.

AMENDMENT NO. 889 TO AMENDMENT NO. 888

Mr. SMITH of Oregon. Mr. President, I send a substitute amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

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

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

Mr. McCONNELL. Mr. President, the pending business now is the second-degree amendment of the Senator from Oregon?

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. SMITH], for himself and Mr. NICKLES, proposes an amendment numbered 889 to amendment No. 888.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:

**SEC. . TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERNMENT OF RUSSIA SHOULD IT ENACT LAWS WHICH WOULD DISCRIMINATE AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION.**

None of the funds appropriated under this Act may be made available for the Government of Russian Federation unless the President determines and certifies in writing to the Committee on Appropriations and the Committee on Foreign Relations of the Senate that the Government of the Russian Federation has enacted no statute or promulgated no executive order that would discriminate, or would have as its principal effect discrimination, against religious minorities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a signatory, including the European Convention and the 1989 Vienna Concluding Document of the Conference on Security and Cooperation in Europe.

This section shall become effective one day after the enactment of this bill.

Mr. SMITH of Oregon. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SMITH of Oregon. 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. HUTCHINSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Without objection, it is so ordered.

The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I would like to voice my support for the Smith amendment prohibiting foreign assistance to the Government of Russia, should it enact laws that would discriminate against religious minorities and religious faiths in the Russian federation. As you eloquently pointed out, on July 4, and ironically on July 4, as we celebrated our precious freedoms in the United States the Russian Federal Assembly gave final approval to a bill which would seriously undermine religious freedom in Russia.

I was in Poland just 1 week ago, representing the Senate at an international conference, the Sixth Annual Session of the Parliamentary Assembly of the Organization for Security and Cooperation in Europe. At this conference, I had the opportunity to chair a bilateral meeting with the Speaker of the Russian Duma and we discussed this bill at length.

In that bilateral meeting were a number of deputies from the Russian Duma. I found that their concept of rights and freedoms were strikingly in contrast to our concept of freedoms, as embodied in our Constitution and in our American tradition. Repeatedly, as we discussed the proposed law that the Russian Duma at that point had already voted on—the upper body had

not yet at that point voted on it—it was clear that they viewed religious freedom, and in fact all rights, as being that which could be granted by the Government as opposed to our concept, embodied in our Constitution and our founding documents, that those rights and those freedoms are unalienable and endowed by our Creator—given by God. Therefore, as viewing rights as being something given by the Government, they saw no problem in removing the unlimited, unfettered right to freedom of religion.

I was alarmed at the attitude and the intransigence that we found, not only from the Speaker of the Duma but the deputies who were present, and their concept. They said, and I paraphrase but very close to what was said in this bilateral meeting, that we must protect naive Russians from cults—cults being a broad definition to include all of the so-called new faiths. Of course, Russia today is experiencing a tremendous renewal of religious faith. In, I think, a misguided effort to protect the Orthodox Russian Church, this law has been proposed. I said very frankly and very bluntly—and may I say Congressman CLEMENT from Tennessee, Congressman DINGELL from Michigan, and a number of other Members of the U.S. Congress were present during this bilateral meeting and echoed my sentiments—that this law proposed, passed by the Duma, now pending before President Yeltsin, is antithetical to and irreconcilable with a true concept of liberty and religious freedom.

Among the provisions in this bill that are most alarming is the requirement that religious groups list all of their numbers, their names, their addresses, a requirement that a commission be established—a commission of state experts—to review the doctrines and practices of groups applying for registration. It is unimaginable in this country, in which we have so enshrined the concept of religious freedom. There is a requirement under this bill that a religious group be in existence for 50 years in order to receive “all Russian” status, creating a division between religious associations and groups which could create a multitier religious hierarchy of different denominations. And then in this bill is a requirement that would deny for a 15-year period legal status to new religious groups, which could include those groups that refused to register under the Communist regime. Without legal status, these religious groups could not rent public space for services, they would find it difficult to conduct any financial activity, invite foreigners to Russia, or set up a church school for children.

There is no justifiable reason to divide religious organizations into two categories, one with full rights and privileges and the others with limited rights, limited privileges. This new Russian law discriminates against religious faiths by establishing a hierarchy of religious groups under the law and denying legal status to communities of believers.

When similar legislation threatened religious freedom in Russia only 4 years ago, Members of the House, Members of this body, the Senate, joined together in an urgent appeal to Boris Yeltsin to veto that legislation. Courageously, President Yeltsin stood firm. He refused to sign that bill into law.

Now we have an opportunity, thanks to the amendment of Senator SMITH of Oregon, to send a strong message to Russia that we will take concerted action to preserve this essential human right. This is potentially the greatest retreat on religious freedom and human rights since the fall of the Soviet Union, and it is an ominous sign about the future of that Republic. We must forcefully signal our grave concern by passing the Smith amendment. I hope my colleagues in the U.S. Senate will join with Senator SMITH of Oregon in sending that signal to the Government of Russia, and add encouragement and solidarity with the people of the Russian Republic.

I yield the floor.

Mr. HATCH. Mr. President, I wish to rise and join my colleagues in supporting the Smith amendment to the fiscal year 1998 foreign operations bill that would cut assistance to the Government of the Russian Federation if it enacts the onerous bill passed by the Duma last month entitled “On Freedom of Conscience and Religious Association.”

Mr. President, this bill passed by the Duma is about restricting freedom of conscience and prohibiting the freedom of conscience. It is a major step backward for democracy and human rights in Russia. It takes Russia away from the West and the institutions that protect an individual’s freedom of religion.

The bill passed by the Duma—promoted by an unholy alliance of Communists and Populists whose responsibility to the country appears to focus on restricting its citizens’ ability to practice any faith they choose.

The measures in the bill are deeply objectionable. A few points are worth mentioning:

Religious groups must register with the government by 1998. In a blatant act of discrimination, the bill assigns different religions to different categories that will afford them different sets of rights.

For a religion to be deemed a religious organization, it will have to demonstrate that they have officially existed in Russia for at least 15 years. This means that the religion would have had to register under Communist dictator Leonid Brezhnev, at a time when the Soviet Union was officially atheistic and officially repressive to the pursuit of faith.

Religious groups not deemed in the official, first category of “religious organizations” would have greatly restricted rights. They would have no legal status. Members would have to be individually and officially registered. They groups could not rent public

space for services, own property, conduct financial activity, invite foreigners to Russia, or set up church schools.

To register as a “religious organization,” a religious group would have to (a) be sponsored by a Russian religious organization, (b) undergo a 15-year registration period, and (c) have “authenticity” determined by a commission of state experts, who would review a faith’s doctrine for admissibility. This state bureaucracy could deny registration to faiths on a wide range of practices, such as advocating nonmedical forms of healing, monasticism, conscientious objection, and proselytizing to minors.

Mr. President, the Duma bill on restricting religious rights is contrary to international conventions signed by Russia, including the Helsinki Treaty of 1989, which states:

[Participating states] will take effective measures to prevent and eliminate discrimination against individuals of communities on grounds of religion or belief in the recognitions, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life; and

[participating states] will grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of the States, recognition of the status provided for them in their respective countries.

But if the Russian Government wishes to ignore its treaty obligations—which, from our record of arms control agreements, we must recognize is not a unique development—it is still shocking that the Duma egregiously ignores the Russian Constitution, which states:

The state guarantees the equality of rights and freedoms regardless of sex, race, nationality, language, origin, property and official position, place of residence, attitude to religion, convictions, membership in public associations, as well as other circumstances. Banned are all forms of limitations of human rights on social, racial, national, language or religious grounds. (Art. 19)

It is indeed of great concern to me, Mr. President, that the Duma sees fit to legislate restrictions on individual rights at a time when Russian society is greatly suffering. Michael Specter of the New York Times recently wrote about the alarming downward spiral in the health of the Russian population. In that article, Specter notes that per capita alcohol consumption is the highest in the world; that Russia has a wider gap in life expectancy between men and women than in any other country; that of the nations of Asia, America, and Europe, Russia’s mortality rate is ahead of only Afghanistan and Cambodia; and that the death rate among working Russians today is higher than a century ago. And the indicators are getting worse: the mortality rate for Russian men between 40 and 49 years of age increased by over 50 percent between 1990 and 1995. The reporter concluded: “An astonishing drop in life expectancy for Russian men over the past decade, combined with one of the lowest birthrates on earth, has turned Russia into a demographic freak show.”

Mr. President, we can expect yelping from the supporters of this bill in the Duma. Delighted to frustrate President Yeltsin's every move, they will claim that international opprobrium against this bill is infringing on Russia's sovereignty. This is not a question of Russia's sovereignty, Mr. President. The calls and letters President Yeltsin has received from political and religious leaders around the world declare our concerns about the freedom of individual conscience in Russia, concerns their elected body should share, not patronize.

U.S. assistance is not an entitlement. It is a demonstration of our support for the emergence of democracy in a land cursed by communism for most of this decade. If Russia turns back to the night of authoritarianism, we should not squander our resources, Mr. President.

In the past 2 weeks, we have seen the announcement of the historic enlargement of NATO. The Russian Government opposed this, somewhat disingenuously, I believe, because its concerns were not reflecting the concerns of the Russian people, who are much more concerned with poverty, disease, and rampant crime and their Duma's incessant political posturing, than they are of an alliance that has no historic record of aggression.

Among those in the West, there were several groups of thinkers who supported this move. Perhaps they could be referred to as idealists and realists. The idealists hold a sense of optimism that believes that the enlargement of NATO is an expansion of democratic societies, which, history has shown, have a lesser tendency to go to war with each other. Certainly the history of NATO is clearly that of a defensive collective organization committed solely to its own defense.

The realists focused on an unpredictable future and a geopolitical vacuum. This temporal and spatial approach, traditional geopolitics, warns that we do not know the ultimate evolution of the Russian state. It argues that there is little historical experience of democracy in Russia.

The idealists focus on the internal aspects of NATO and the expansion of democracies. To idealists, the solution to Russia's concerns about NATO would occur when Russia is seen to have fully demonstrated its evolution to rule by democratic institutions. Because would NATO need to defend against such a Russia?

I would like to think of myself as an idealist, Mr. President. And I support the enlargement of NATO because I welcome Hungary, the Czech Republic, and Poland to the family of democratic nations. Their membership in NATO will work to preserve their democratic accomplishments.

But the developments in Russia—in particular this bill against religious freedom by the Duma—cloud my optimism. If Russia turns away from democracy in favor of an ill-considered

exercise in demagogic politics, the realists, who fear a future authoritarian Russia and seek to prepare for it, will have their views confirmed.

Mr. President, I have long supported Boris Yeltsin. In fact, when he first came to the United States in the late 1980's, I was among the few who said, to the Republican administration at the time: "You're focusing on the wrong guy, Gorbachev. This is the man to watch, and this is the man to back." Since then, I have strongly approved every time President Yeltsin stood bravely for democracy in Russia. When he stood on that tank in defense of Russia's nascent democracy, my prayers were with him.

I expect that President Yeltsin will veto this bill. That will make this legislation that we will pass today merely a demonstration that this body will stand for religious freedom in Russia. I will stand and applaud him when he vetoes this bill.

But if this bill becomes law in Russia, Mr. President. Our support for democracy in Russia has been dealt perhaps a fatal blow. We should not waste our funds promoting democratic development on a government that turns away from democracy. And if President Yeltsin signs the bill against religious rights, Mr. President, I will pray for Russia.

Mr. BINGAMAN. Mr. President, I rise today to explain why I cannot support Senator SMITH's amendment to the foreign operations appropriations bill, S. 955, which we are debating here today.

I believe that Senator SMITH and others in this Chamber who vote in favor of this amendment have good intentions, but this amendment is not structured in a manner that I can support. This amendment would prohibit the United States from issuing foreign aid to the Government of Russia should it enact laws which would discriminate against minority religious faiths in the Russian federation. On the surface, this is a very well intentioned effort.

I understand and completely support the fundamental importance and right of religious freedom, a constitutionally protected right in our Nation, as I also appreciate the importance of other freedoms that we hold dear in the United States such as the freedom of speech and freedom to assemble.

However, Russia and many other nations have not organized their nations to provide the same degree of freedoms that our Nation provides. This is not an excuse for other countries; it is just simple fact. To tie our Nation's foreign aid decisions too closely to legislative outcomes in other countries—even absolutely egregious ones like the Russian law which recently passed the Duma restricting recognized faiths to those recognized by the former Soviet Union before 1984, including Orthodox Christianity, Islam, Buddhism, and Judaism—can have serious unintended consequences and disrupt national security objectives of our Nation. Through legislative actions such as

this one which we are considering today, we can actually trigger the enactment of outrageous laws in other nations which could seriously damage the existing freedoms that citizens in other nations have.

We should realize that many other nations—including Israel, Egypt, Turkey, and other recipients of United States aid—would lose that aid if held to the same standard that we are proposing for Russia. Perhaps this is something that we should discuss here. But my sense is that we don't want a single measuring stick—and that today, we are focusing on Russia in a rather knee-jerk fashion. Russia needs to hear our concerns about religious freedoms, and I feel that we should pursue this matter and communicate United States objections to this Russian law in the many different arenas available to us in our engagement with Russia. However, this vehicle—as it is constructed—is not appropriate and could send matters in a negative rather than positive direction.

I think that the most important item left out of the drafting of this amendment is a national security waiver, which would permit the President to waive the provisions of this bill in cases where American national security were at stake. If this provision had been included, I may have viewed this amendment more positively.

Again, I believe firmly in the innate human right to worship as each individual sees fit. However, in my opinion, not only is this particular foreign aid provision an inappropriate vehicle to send that message abroad but it also ties the hands of the President in the execution of foreign policy and fails to allow for waivers which may very well be in the national security interests of the United States.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I commend the distinguished occupant of the Chair, the Senator from Oregon, for an excellent amendment. I was in the Senate when we started the Russian aid program. I would say to Senator SMITH and Senator HUTCHINSON, who spoke so eloquently in behalf of this amendment, the whole Russian aid program was predicated on the notion that we were going to have a Russia based on the principles of democracy, free speech and freedom of religion—the fundamental underpinnings of our Western society, led by the United States many years ago when we were largely alone in establishing these principles; that the new Russia, at least in those very basic respects, was going to be not dissimilar to the United States on these fundamental freedoms. And, as an enthusiastic supporter of Russian assistance, both in the beginning and since, I can tell you that is not assistance without stipulation. It is not assistance no matter how you act.

As I said in my opening statement, this foreign aid bill this year, if it

stands for anything, it stands for the notion that foreign assistance is not an entitlement. It is not something you get automatically this year because you got it last year. Foreign assistance is designed to promote American interests abroad. Foreign assistance is the only way that the Government directly impacts overseas, other than sending in the troops, which is expensive and dangerous. But, with the less than 1 percent of our budget that we devote to this activity, we must use it in a way that promotes American values as well as American interests.

So, the distinguished Senator from Oregon and Senator HUTCHINSON, who has spoken in his behalf in support of this amendment, have it exactly right. You have it exactly right. This is the sort of action that ought to jeopardize the Russian aid program. We ought not to be giving assistance to a country that, as a result of direct government initiative in what purports to be a democracy, is seeking to grant religious favoritism to certain kinds of religions at the expense of the others.

So, I commend the Senator from Oregon, Senator SMITH, for this outstanding amendment. I intend to support it. Again, I might say, we are hopeful that a vote on this amendment will occur around 12:30. That is not something I can announce yet, but we are hopeful it will occur around 12:30.

I would say to my colleague from Oregon, does he wish additional time to discuss the amendment?

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

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

Mr. GORTON. Mr. President, what is the status of the bill?

The PRESIDING OFFICER. There are several amendments pending to S. 955.

AMENDMENT NO. 893

(Purpose: To express the sense of the Senate regarding the eligibility for NATO membership of Estonia, Latvia, and Lithuania)

Mr. GORTON. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for himself, Mr. DURBIN, and Mr. MCCONNELL, proposes an amendment numbered 893.

Mr. GORTON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING ESTONIA, LATVIA, AND LITHUANIA.**

It is the sense of the Senate that Estonia, Latvia, and Lithuania—

(1) are to be commended for their progress toward political and economic reform and meeting the guidelines for prospective NATO members;

(2) would make an outstanding contribution to furthering the goals of NATO and enhancing stability, freedom, and peace in Europe should they become NATO members; and

(3) upon complete satisfaction of all relevant criteria should be invited to become full NATO members at the earliest possible date.

Mr. GORTON. Mr. President, last week the United States joined with our European allies to invite three nations to join the North Atlantic Treaty Organization [NATO]. Hungary, Poland, and the Czech Republic are deserving of this invitation. I congratulate them on their achievements and look forward to a strong and lasting relationship with the people of these nations.

Today I offer an amendment with my colleague, Senator DURBIN, and the distinguished chairman of the subcommittee, Senator MCCONNELL, to ensure that NATO expansion does not stop here. The Madrid summit was only the first step in our efforts to see to it that the nations of Eastern Europe and the former Soviet Union are brought firmly into democracy's camp. Further expansion of NATO is essential if democratic and economic reforms are to continue and if communism is to be eliminated entirely from the European Continent.

My amendment expresses the sense of the Senate that Estonia, Latvia, and Lithuania should be invited to join NATO at the earliest possible date. These three tiny nations, perched between the Baltic Sea and the northwestern border of Russia, have made remarkable strides since they gained independence from the Soviet Union in 1991. Estonia, Latvia, and Lithuania have all made significant progress toward the NATO requirements of irreversible democracy, free market economies, and civilian-controlled militaries. They have even participated in NATO's Partnership for Peace initiative by supplying troops to NATO peacekeeping efforts. The Baltic nations have requested and deserve consideration for full NATO membership.

From a history wrought with foreign interventions that tore them from their rightful place in the European mainstream and subjected them to the heavy hand of communism, the Baltics have emerged from the economic and political darkness to embrace democracy and the free market with unsurpassed vigor. If these nations are ever to continue on the road to democracy and economic reform, they must feel secure from the possibility of future foreign domination. The United States and NATO have an important role to play in providing that necessary security.

Having traveled to Estonia twice in the past 5 years, I have a very personal interest in its entry into NATO. The people of Estonia, much like their Baltic neighbors, have been under foreign rule throughout history. They were ruled by Germans in the 13th century, Swedes in the 16th and 17th centuries, Tsarist Russia in the 19th century, and the Soviet Union after World War II. With the end of Soviet domination, Estonians and their neighbors in Latvia and Lithuania are looking to the West for confirmation of their right to independence.

Unfortunately, the subject of NATO expansion to Estonia, Latvia, and Lithuania has become highly controversial. Many in the United States national security community believe the Baltics, lying so close to Russia and within the area Yeltsin considers to be Russia's sphere of influence, should not be considered for NATO membership. Out of fear of isolating Russia, the United States and our European allies may forsake the three tiny nations that did so much to promote the collapse of the Soviet Union and the eradication of communism throughout Eastern Europe. Now is the time for the United States to take decisive action to rectify the past and protect the Baltics from any future foreign irredentism.

Future NATO membership for Estonia, Latvia, and Lithuania is essential to their safety and prosperity. Security concerns will take precedence over continued democratic and economic reforms if the Baltics continue to exist, unprotected, in the shadow of an increasingly nationalistic Russia.

We must be vigilant, Mr. President, in our efforts to extend NATO's reach to all democratic nations in Europe who cannot protect themselves. If we leave these nations exposed to the risk of foreign invasion and influence, the gains we made in expanding democracy and freedom across the globe will be vulnerable to erosion.

The United States must continue to set an example for the world as a promoter and protector of democratic freedom. As victors in the cold war, we have never had a greater opportunity than this to show democracy's enemies that we have the courage and the will to stand firm against them. We should embrace this historic opportunity and bring every nation deserving of NATO membership into democracy's fold, even those nations closest to the heart of Russia.

The people of Estonia, Latvia, and Lithuania have been out in the cold long enough. They should be commended for the great strides they have made already toward the requirements for NATO membership and would make an outstanding contribution to stability, freedom, and peace in Europe as NATO members. It is time the West welcome them into NATO with open arms.

I thank Senator MCCONNELL and Senator DURBIN for cosponsoring this important amendment, and I urge my colleagues to vote "yes" on inclusion of the Baltics in NATO.

Mr. President, to reiterate, this amendment was proposed by myself and by the distinguished Senator from Illinois, [Mr. DURBIN], as an add-on a week or so ago to the defense authorization bill and was accepted by the Senate unanimously at that point.

The Senator from Illinois and I, and I believe, with the happy assent of the manager of the bill, Senator MCCONNELL, are presenting it, once again, in the glorious aftermath of last week's meeting of the North Atlantic Treaty Organization in Madrid.

At that meeting, the Czech Republic, Poland, and Hungary were admitted to NATO. Several other nations who are applicants to NATO were not admitted but were put at least on the road toward meeting the qualifications for entrance into the North Atlantic Treaty Organization. Slovenia and Romania were put more or less at the front of that parade. But in Madrid, there were also represented the three small Baltic nations of Estonia, Latvia and Lithuania, small nations that have been independent for only a relatively short period during their long history.

Unlike the other applicants for the North Atlantic Treaty Organization, these three nations were, in fact, occupied by and incorporated into the Soviet Union from 1940, with a pause for German occupation, until just a very few years ago when they, once again, obtained their independence. None of those countries has any goal greater than being recognized as a part of the West, as being free countries, both politically and economically. No set of nations has been more oppressed by their neighbors than these three nations. None, I think, has a greater dedication to freedom, to liberty, to democracy, and to free markets.

This amendment simply states that we hope that these countries will be carefully considered for the North Atlantic Treaty Organization at such time as they have met all of its qualifications. The North Atlantic Treaty Organization, of course, was formed originally simply for the defense of the West, a task which was overwhelmingly successful. But as we note the response in the three countries about to be admitted, we find that the goals are psychic every bit as much as they relate to any kind of military defense. It ratifies the choices that these three new applicants made to be democracies, to be a part of the West, to care to attempt to catch up, to join what we consider to be the free and democratic world.

Exactly those same feelings are found in the other applicant countries, exactly those feelings are found in the Baltics.

This amendment is a modest way to encourage those three small nations to continue to move in the right direction

by stating to them that when they are fully qualified, they will become members of NATO. On behalf of my cosponsors and myself, I urge the adoption of the amendment.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I commend my friend and colleague from Washington, Senator GORTON, for this amendment. As the Senator knows from previous discussions, I share his view that if we were establishing the parade, the next countries at the front of the parade clearly ought to be the Baltic countries. As a matter of fact, as my friend from Washington knows, we included in the bill \$20 million in grants and loans to the three Baltic countries, just as we provided financial assistance last year to Poland, Hungary and the Czech Republic in order to help them upgrade their militaries in order to seek to achieve a level of acceptance for admission to NATO.

So I think the amendment of the Senator from Washington, of which I am a cosponsor, is an excellent addition to this debate, and I completely share his views. The countries are most worthy for admission to NATO. We have recognized their independence throughout the cold war. They are doing an awful lot of things correctly. These countries are making enormous progress, and some have argued that they have done every bit as well as Hungary, Poland and the Czech Republic, if not even better.

So I commend my friend from Washington for his amendment. I think it is an excellent amendment.

Mr. GORTON. I thank the Senator from Kentucky for his kind remarks.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. MCCONNELL. Mr. President, does the Senator from Washington hope to get a recorded vote on this?

Mr. GORTON. No, a voice vote will be sufficient.

The PRESIDING OFFICER. If there is no further discussion or debate on the amendment, the question is on agreeing to the amendment proposed by the Senator from Washington.

The amendment (No. 893) was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## PRIVILEGE OF THE FLOOR

Mr. MCCONNELL. Mr. President, I ask unanimous consent to permit Lesley Carson, a fellow working with the minority side of the Foreign Operations Subcommittee, to have floor privileges during the pendency of this bill.

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

## AMENDMENT NO. 885

Mr. MCCONNELL. Mr. President, one of the managers' amendments we will be voting on—actually approving on a voice vote at some point during the debate—relates to our friends in Egypt. I want to make a few observations about the current relationship between the United States and Egypt.

Since the Camp David accords were signed in 1979, United States foreign assistance to Egypt has topped \$42 billion. While some progress has been made in the last 16 years, I think it is important to point out the obvious, which is Egypt's role has changed and changed significantly.

Let me review the record so there is a better sense of why the bill reported from the committee did not include the longstanding earmark for Egypt.

First and foremost, Senator LEAHY and I tried this year to get our aid program off autopilot. Our domestic agencies and programs have been put through the budget ringer to determine where we could reduce spending. Foreign aid obviously should not be exempted from this critical appraisal. As we conducted this review, we established very simple tests for evaluating performance. Does the program serve U.S. interests in stability, democracy, and market economies? Are U.S. resources well invested and well spent?

The basic principle which has guided the provision of support in the Middle East has been a shared commitment to the Camp David accords and the promotion of peace. Unfortunately, Egypt's record over the last 2 years indicates a shift away from that commitment.

Let me begin by referring to a letter sent by 25 Senators to President Mubarak last July following an Arab summit convened in Cairo.

I ask unanimous consent that the letter and the communique issued at the summit be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. MCCONNELL. Mr. President, let me just quote from the letter. The Senators said in that letter:

We are concerned that the communique issued at the end of the summit compromises prospects to advance negotiations with the new, democratically elected government of Israel. We believe that limiting or conditioning options for peace discussions with the newly elected government of Israel before its policies have been officially formulated damages prospects for peace. Threats from countries of the Arab League to "reconsider steps taken in the context of the peace process, in relation to Israel!" do little to enhance successful negotiations. . .

The letter went on:

We are especially troubled that a leader of your stature created a forum, including Libya and Sudan, which question Israel's right to exist.

Inviting Libya and Sudan to Cairo to condemn Israel is not the kind of initiative which serves peace or, for that matter, should be rewarded with another \$3 billion.

The July Cairo summit was followed in late September 1996 by an escalation in tension between Israelis and Palestinians over the so-called tunnel crisis. When violence erupted in the streets, President Clinton called upon Prime Minister Netanyahu, Chairman Arafat, King Hussein, and President Mubarak to come to Washington to negotiate a solution. Every leader came except Mubarak. Every leader had as much to gain and certainly a great deal to lose if the discussions failed. Every leader knew there were costs associated with a high-profile summit which might not relieve tensions.

Only President Mubarak decided it was not worth his time or effort to continue a crucial dialogue with the simple objective of salvaging the peace process. After refusing to participate in this summit, President Mubarak decided to convene another Arab roundtable. In March of this year, he called together the Arab League in Cairo where the foreign ministers passed a resolution which is worth taking a look at. The text read:

The Council recommends as follows: (1) stopping all normalization steps which have been taken with Israel in the framework of the current peace process, and halting all dealings with it, including closing offices and missions. . . and (2) Suspending Arab participation in the multilateral talks and continuing to maintain the primary Arab boycott and reactivating it against Israel.

Mr. President, this is not a resolution of peace. We should see this just for what it was as described by the Arab League's Secretary General, "binding" and an open declaration of hostility.

This summit was followed by a crisis in negotiations over the redeployment of Israeli troops in Hebron. There is no question that the Egyptian leadership consistently and actively worked against a resolution of each contentious issue. From hot pursuit to the use of the Shuhada Road, the message from Cairo was provocative and counterproductive.

Finally, and of most alarm, is Egypt's relationship with Libya. I mentioned the invitation to the Cairo summit. That is just the tip of the iceberg. President Mubarak ended a recent visit to Tripoli announcing the goal of establishing \$1 billion in annual trade and a free trade zone, a goal made all the more interesting when contrasted with the current level of \$82 million in annual trade with Israel. \$1 billion in trade with Libya, \$82 million in trade with Israel.

Let us remember that Libya is the target of tough U.N. sanctions which imposed an air, arms, and diplomatic

embargo in 1992 when Qadhafi failed to extradite two terrorists linked to the Pan Am bombing which killed 270 people. The sanctions were extended when Libya failed to cooperate in the investigation into the bombing of a French airliner which killed 171 passengers.

Sanctions against Libya are not the peculiar position of the United States; they are a matter of international consensus—international consensus—that is, with the exception of Egypt.

In May, President Mubarak denounced the embargo because, in his words, it has "gone on for too long." He also challenged international charges that Libya has a chemical weapons capability. Not so, says Mubarak.

As recently as January, when I joined Senator STEVENS and a number of other Members on a trip to the Middle East, we heard the Defense Minister describe Libya as a country undergoing economic reforms and political liberalization and a key security ally. This was the Egyptian Defense Minister discussing Libya.

This Egypt-Libya relationship is probably why families of Pan Am 103 victims have called my office to express their support for removing Egypt's \$3 billion earmark.

Mr. President, I have chronicled the collapse of Egypt's role in the peace process not to incite but to invite change. We have had a successful partnership with Egypt which has certainly endured difficulties and setbacks, but they have been on the whole temporary and intermittent.

For 18 months we have seen a significant shift in the wrong direction in Egyptian policies. We have moved from a road of periodic bumps into a long, deep policy ditch, which we must find our way out of.

Eliminating the earmark was intended to send the signal that our support will not continue no matter what choices Egypt makes. We will not sustain an ally, and advocate of Libya. It makes no sense to offer assistance to opponents of the peace process.

I am convinced the message has been heard. Coincidental with the Senate action, we have seen senior Egyptian officials resume constructive and active efforts to advance the peace process. I am satisfied, as I am sure the Israeli leadership is, that Cairo has resumed the crucial role we know it has, and can play to stabilize the region and secure a durable peace.

Because I believe good faith is being restored, and the goals of the Camp David agreement are once again being served, I will be supporting an amendment, which in fact I have already offered, which will earmark the requested level of funds for Egypt.

But let me just repeat, Mr. President, our assistance to the countries abroad is not an entitlement. This is not something you get every year based upon having gotten it last year. American assistance is geared to behavior. It is my hope that the Egyptians are back

on track and willing to resume being a constructive partner in the Middle East peace process. Clearly, Mr. President, that is the key to continued U.S. assistance to Egypt.

EXHIBIT 1

U.S. SENATE,

Washington, DC, July 26, 1996.

His Excellency, MOHAMMAD HOSNI MUBARAK, *President of the Arab Republic of Egypt.*

DEAR PRESIDENT MUBARAK: We are writing to express our deep dismay about the communique issued at the Cairo summit.

It had been our hope that heads of state and representatives of Arab countries attending the June 21, 1996 Cairo summit would refrain from statements directed against the new Israeli government that might create an atmosphere in the region unfavorable to a continuation of the peace process.

We are concerned that the communique issued at the end of the summit compromises prospects to advance negotiations with the new, democratically elected government of Israel. We believe that limiting or conditioning options for peace discussions with the newly elected government of Israel before its policies have ever been officially formulated damages the prospects for peace. Threats from countries of the Arab League to "reconsider steps taken in the context of the peace process, in relation to Israel" do little to enhance successful negotiations, and instead may undermine efforts to reach a comprehensive peace in the region.

We are especially troubled that a leader of your stature created a forum for Arab League countries, including Libya and the Sudan, which question Israel's right to exist. In light of the past leadership role the Egyptian government has played, we had hoped that Egypt would reach out to the new, democratically elected government in a way that would advance the peace process.

Peace in the Middle East Peace can only be expanded if the Arab countries remain engaged with Israel in the pursuit. We urge the government of Egypt and other members of the Arab League to work toward that goal.

Sincerely,

Mitch McConnell, Barbara A. Mikulski, James Inhofe, Carol Moseley-Braun, Frank R. Lautenberg, Alfonse M. D'Amato, Daniel K. Inouye, Bob Smith, Don Nickles, Joseph I. Lieberman, Paul Wellstone, John D. Rockefeller, Charles E. Grassley, Tom Harkin, Connie Mack, Dirk Kempthorne, Larry Pressler, Phil Gramm, Orrin G. Hatch, Rod Grams, Christopher S. Bond, Arlen Specter, Jon Kyl, Thad Cochran, Olympia J. Snowe.

PARTIAL TEXT OF FINAL ARAB SUMMIT STATEMENT

CAIRO, June 23.—Following is a partial text of the final statement issued by the Arab summit which ended in Cairo on Sunday.

In response to the kind invitation of his excellency President Mohamed Hosni Mubarak, President of the Arab Republic of Egypt, their majesties, excellencies, highnesses, presidents and emirs of Arab states convened a summit conference in Cairo in the period Safar 5 to 7, 1417, which coincided with June 21 to 23, 1996.

With pan-Arab responsibility as their starting point, the Arab leaders affirmed that achieving comprehensive and just peace in the Middle East requires that Israel withdraw from all occupied Palestinian land, including Arab Jerusalem, and enable the Palestinian people to exercise their right to self-determination and set up an independent Palestinian state with Arab Jerusalem as its

capital, considering that the Palestinian question is the essence of the Arab-Israeli conflict. The Arab leaders also demanded complete Israeli withdrawal from the Syrian Golan to the line of June 4, 1967, and complete and unconditional Israeli withdrawal from south Lebanon and the western Bekaa to the internationally recognized borders, in implementation of Security Council resolutions 242, 338 and 425, and the principle of land for peace. On this basis they call for the resumption of negotiations on all the tracks.

"The commitment of the Arab states to pursue the peace process to achieve just and comprehensive peace is a goal and strategic choice to the achieved under the umbrella of international legitimacy and it requires a reciprocal commitment, confirmed by Israel seriously and without ambiguity, and action to complete the course of peace, restoring rights and occupied land and guaranteeing balanced and equal security for all the states in the region, in accordance with the principles agreed at the Madrid conference, especially the principle of land for peace and the assurances submitted to the parties. The Arab leaders assert that any violation on Israel's part of these principles and the fundamentals on which the peace process started, or backtracking on commitments, undertakings and agreements which have been reached in the framework of this process, or procrastination in implementing them would lead to a setback in the peace process, with all the dangers and repercussions that this implies, taking the region back to the cycle of tension, which would force all the Arab states to reconsider the steps that have been taken towards Israel in the framework of the peace process, full responsibility for which Israel alone would bear.

In order to make the peace process succeed on the Syrian, Lebanese and Palestinian tracks, the Arab leaders call on the sponsors of the peace process, the European Union, Japan, the non-aligned states, other interested states, the United Nations and international organisations and institutions to work to ensure that Israel does not violate the fundamentals of the peace process, fulfills the undertakings to which it has given a commitment, whether related to the agreements on the transitional stage or to the final status negotiations \* \* \* and to continue to provide the necessary political and economic support to the Palestinian people and their National Authority. In this context the Arab leaders said the Israeli blockade imposed on the Palestinian people must be ended.

The Arab leaders affirm their support for Lebanon as it faces constant Israeli attacks on its territory, peace and sovereignty and asked the international community to ensure an immediate and unconditional cessation of these attacks.

The Arab leaders affirm that Israel must join the Nuclear non-proliferation Treaty and submit all its nuclear installations to the system of international inspection.

The Arab leaders express their solidarity with the sisterly state of Bahrain and their complete support for the measures it has taken to strengthen security and stability. They expressed their strong condemnation of interference in the internal affairs of the state of Bahrain, affirmed that they stand with it against any threatening attempts from any party whatsoever and call on Iran to respect the sovereignty of the state of Bahrain, in the framework of mutual respect and good neighbourly relations, by prevent-

ing any acts of sabotage which target the state of Bahrain, in the interests of security and stability in the region.

The Arab leaders expressed their hope that the traditional Arab-Turkish relations and joint interests will continue, and in this context they expressed their concern at the Turkish-Israeli military agreement and call on Turkey to reconsider this agreement to avoid anything that would affect the security of Arab states.

The Arab leaders reaffirm their commitment to the need to preserve the unity of Iraq and their opposition to any policies or measures which affect its territorial integrity and threaten its borders and national unity. They demand that the Iraqi government commit itself not to adopt any aggressive policies designed to provoke its Arab neighbors and to finish implementing all the relevant Security Council resolutions \* \* \*

All this is the right way to bring an end to the sanctions imposed on Iraq and create the right atmosphere for it to regain its role in the Arab regional system.

The Arab leaders believe that the Arab League's proposal to hold an impartial and just trial of the two (Lockberbie) suspects by Scottish judges under Scottish law in The Hague, with the necessary guarantees for them \* \* \* represents an appropriate practical solution leading to an end to the crisis. They call on the three Western states to take a positive attitude towards this proposal \* \* \*

At the same time as the Arab leaders condemn attempts to pin the charge of terrorism on legitimate national resistance, they condemn all forms of acts of terrorism, sabotage and anarchy of which a number of states are victims.

It was agreed that: His Excellency President Mohamed Hosni Mubarak, President of the Arab Republic of Egypt, as chairman of the present summit, will carry out the necessary contacts and consultations with the Arab leaders and the Secretary General of the League of Arab States to follow up and agree on holding the next summit.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator ABRAHAM be added as a cosponsor to the Egypt amendment which I was just discussing, which is No. 885.

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

Who seeks time? Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, let me begin today by thanking the managers of this bill, Senator MITCH MCCONNELL and Senator LEAHY, for their leadership in bringing this bill to the floor so quickly. They have had a very tough job managing the foreign assistance programs that are undertaken by our country. In this bill what they have produced merits the support of every Member of the Senate.

Mr. President, at the committee meeting, several Members, including myself and Senator BYRD, were not comfortable with the deletion of the earmark for assistance to Egypt. We certainly do understand Senator

MCCONNELL's position. We were together in Cairo at the meetings that he mentioned. But after consulting with the subcommittee chairman, Mr. MCCONNELL, we decided the best way to proceed was to come to the floor and have a discussion.

I want to now call up the amendment No. 885 that is before the Senate, at the desk, as I understand it. I ask unanimous consent it be in order to consider that at this time.

The PRESIDING OFFICER. The Senator has the right to call up amendment No. 885 for consideration. That is now the pending question.

Mr. STEVENS. I want to thank those who have cosponsored this amendment, in particular Senator MCCONNELL. It is a managers' amendment and will restore the balance in the allocation of funds for our partners in the Middle East process.

Egypt has had problems. We all know that. And yet it stands out as one of our Nation's most important global allies. It really is the bedrock of our engagement with the Arab world. Simply put, Mr. President, there would have been no Middle East peace process without commitment of Egypt and the personal leadership that was displayed by President Sadat, and then by President Mubarak.

I say this not just as an advocate of the peace process but as a Senator who has traveled many times to the Middle East. I have witnessed Egypt's evolving role. During the gulf war, Senator INOUE and I made two trips to that region, one at the request of the President of the United States, to assess what was happening with regard to our military plans, and to meet with our key allies. We found, then, in President Mubarak, a friend and a leader who aligned his great nation with the alliance, and when he did, he brought the rest of the Arab world along. In the years since the gulf war, Egypt has remained at the center of our Nation's efforts to maintain calm in the gulf area and to advance the peace process.

As Senator MCCONNELL said, earlier this year, we had a delegation that went to Israel, Jordan, Gaza, Egypt, Kuwait and Saudi Arabia. Mr. President, at each stop I became more aware of and convinced of trying to do everything we can to assure the continuation of our 20-year partnership with Egypt in the peace process.

Now, the things that Senator MCCONNELL mentioned did happen. But late this spring President Mubarak came to Washington and met with our President and congressional leaders. In those talks he again showed his personal enthusiasm and dedication to the peace process. It was very evident, as was his determination to keep Egypt engaged in that process.

Based upon the continuum of the track record of Egypt's support for the peace process, and my personal experience working with Egypt on so many vital national security interests, and we do have others, Mr. President, beyond the peace process itself, I believe

it is imperative that we show the equity in the identification of funds for foreign assistance once again this year. Maintaining a strong and economically developing Egypt is an essential piece of this Nation's total Middle East strategy.

I believe President Clinton summarized the current state of relations of Egypt very well during President Mubarak's visit early this year. President Clinton said:

Since the Camp David Accords in 1979, Egypt has been a powerful force for peace in the Middle East. That has continued to be true through the last 3½ years—a time of extraordinary progress towards peace and repeated challenges. Now, as Israel and the Palestinians embark on the difficult task of permanent status negotiations, as we look to revive negotiations between Israel and Syria, and then bring Lebanon into the process to complete the circle of peace, we know that Egypt's leadership will be vital to finish the job.

That is President Clinton's statement earlier this year about Egypt.

After 20 years of commitment and investment in this effort, this is just not the time to put at risk all that we have achieved. I welcome the support of the other cosponsors of this amendment and I am sure there are other Members who share our concern that our ties to Egypt remain strong and we continue to foster and support this alliance.

This is not to say that Egypt should not listen to the words that Senator MCCONNELL has delivered here this morning and to the statements he made in the committee. I believe we are all grateful to Senator MCCONNELL for his willingness to work with us in this matter. If there is to be any change in our status with regard to Egypt in this process, I believe it must be done on a bipartisan basis with the President involved. At this time I am hopeful that will never have to happen but, as a matter of fact, the modification of this bill before the Senate, I think, that shows our willingness to go back to the process that has been followed in the past, I hope, will make a significant contribution to the Middle East peace process and will help us advance the interests of the United States there and in other regions with Egypt's support and collaboration.

I do, however, believe there are reasons for us to make sure everyone understands, as Senator MCCONNELL said, that the provisions of support from this bill are not an entitlement. These are funds that are dealt with on an annual basis by our Government, the Senate and the House, the full Congress, as part of that process. It is my judgment that it has been a bipartisan process that has included both the executive and congressional leaders and leadership in the past and I think it should continue that way again this year.

I do hope that our friends in Egypt—and I don't have to hope, Mr. President, I know they have heard Senator MCCONNELL's statement, and I know they are aware that there have been questions raised, but based upon this

continuum that has taken place, the friendship and cooperation and the important contributions that Egypt has made to the attainment of our goals in the Middle East, I have offered this amendment with my friends. It is a managers' amendment. I do ask that the Senate consider this amendment now.

The PRESIDING OFFICER. Is there further debate on the amendment offered by the Senator from Kentucky?

The question is on agreeing to the amendment.

The amendment (No. 885) was agreed to.

Mr. MCCONNELL. I move to reconsider the vote.

Mr. STEVENS. I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, let me again thank Senator MCCONNELL and Senator LEAHY and their very capable staff for all the work they have done, and to once again urge the Senate cooperate with these managers of this bill the way it has with those who managed the defense bill and energy and water bill.

We are working and striving hard to get the bills to conference before we go to August recess. I would like all of them to go to conference, if possible, before August.

Mr. MCCONNELL. I just say to my friend and colleague before he leaves, we are optimistic we can finish this bill today. We are speeding in that direction.

Mr. STEVENS. I am here to assist.

AMENDMENT NO. 889

Mr. NICKLES. Mr. President, I wish to speak in favor of the amendment of Senator SMITH of Oregon, which would try to protect religious liberty in Russia. I want to compliment my colleague from Oregon for this amendment. In my opinion, it is probably one of the most important amendments we will debate, certainly on this bill—maybe this Congress.

Unfortunately, and I guess most of my colleagues are aware of this fact, the Russian Duma overwhelmingly voted to place restrictions on religious freedom in Russia, freedoms that were both won after the collapse of communism and guaranteed by the 1993 Russian Constitution. The overwhelming vote by the Duma is a tremendous step backward for Russia and for its people.

The legislation approved by the Duma would place severe restrictions on religions not recognized by the government in 1982, a time when the Soviet Government was in power, a time characterized by religious persecution and official atheism. In 1982, as I understand it, the only four religions recognized by the Russian Government were the Russian Orthodox church, Judaism, Islam, and Buddhism.

As I understand this legislation, it would deny religions that entered Russia after 1982 the right to rent or own

property, the right to employ religious workers, the right to produce religious literature, maintain a bank account, or conduct charitable and educational activities. According to an article that appeared in the June 24 edition of the Washington Post, it would sharply restrict the activities of foreign missionaries in Russia.

I hope my colleagues are aware of this. I was not aware of it until my colleague from Oregon mentioned it to me. I cannot believe that the Duma would pass something by such an overwhelming vote that would deny religious opportunities to the Russian people. Maybe one of the most important of all liberties is the right to worship as one would choose. It is guaranteed by the 1993 Russian Constitution. Yet they would pass legislation basically grandfathering four established religions, but outlawing other religions, such as the Mormon church, the Roman Catholic Church, and untold other numbers of minority religions in Russia.

The Reverend Gleb Yakunin, an orthodox priest, said in a news report carried by the June 24 edition of the London Times, that the bill was "openly discriminatory" and "The bill is effectively aimed at reinstating Soviet religious policy."

I believe the reverend's statement is true. I believe putting restrictions on the religions that have recently entered Russia will have the same effect of not allowing many people to practice their religions. If religions are unable to carry out charitable activities, how can members of various churches practice their religion?

Christian missionaries who are following the admonition of Christ would not be allowed to do so in Russia. Many remember when Billy Graham went to Russia several years ago. He had an overwhelming reception. Would foreign missionaries not be allowed? Would people that gather be allowed to reproduce materials? I think the reproduction of materials would be banned under the bill that was passed by the Duma. Hopefully, Mr. Yeltsin will not sign this bill. I think it is extremely important he not sign this bill.

According to Lawrence Uzzell, Moscow representative of the Keston Institute, which studies religious life in Russia and Eastern Europe, of the 102 Catholic priests and 112 nuns serving in Russia, all but a handful are foreigners. In fact, Mr. Uzzell reports that a Catholic priest in Belgorod was recently told he could not celebrate mass there because his parish is a foreign religious organization.

I think this report confirms what I suspected, that this bill passed by the Duma would not only put restrictions on these religions, but have the effect of denying the opportunity to many to practice their religion.

So I want to thank my colleague from Oregon for his amendment. Again, it may be one of the most important amendments.

What is the effect? It says no money under this bill, the foreign operations bill, will go to Russia if President Yeltsin signs this bill into law or if it becomes law, or if he issues an executive order that will ban religious freedom as guaranteed under the Russian Constitution.

I think it is a very appropriate amendment. Some people will argue this is too heavy of a hammer. I think we need to get their attention. What they are doing by outlawing many religions, basically most Christian religions and organizations, banning those, outlawing those from Russia, I think, would be a terrible, terrible thing to happen to the Russian people. They should not be forced into any religion. We should certainly encourage religious choice and opportunity for all the Russian people.

Some will say, what is the effect of this amendment? This amendment says no economic assistance will be going to Russia if the President signs this bill or if he issues an executive order which will ban religious freedom in Russia. How much economic assistance does Russia receive? I think last year it was \$90-some million, and the President requested \$195 million in this bill. It is not earmarked, so we don't have the specific amount. Would this tie the President's hands? This would give real leverage to the administration to tell Russia, this should not become law.

We need to respect individual religious liberty in Russia and not allow—and certainly not encourage—religious liberty to be trampled. I believe we should use what economic forces we have to ensure this doesn't happen. We don't have to give this economic assistance to Russia. We haven't done it for years. We just started a couple of years ago. Many of the programs that we are funding in the foreign ops bill are worthy programs, where we encourage democracy, encourage free enterprise. That is very positive. But we don't have to do it.

Maybe we should tell them if they are going to pass this kind of bill, we are not going to do it. If they are going to pass a bill in Russia to deny Baptists the opportunity to distribute materials or to have employees in Russia, then maybe we should not be giving them economic assistance. Maybe we need to use a heavy hammer to get their attention that this is very serious.

One of the most important freedoms we have, protected by our first amendment, is religious freedom. It is also protected in the Russian Constitution. We should encourage the Russian Government to protect religious freedom, not take it away. So, yes, this is an amendment that has a heavy hammer. It says we are not going to give economic assistance.

I noticed a memo from the administration in opposition to this amendment, which says our assistance money is used to reduce the number of nuclear weapons and improve security over nu-

clear materials in Russia. We are not touching that. That is covered by the DOD bill. I encouraged the Senator from Oregon to consider putting it on that bill because I wanted to get their attention early. President Yeltsin hasn't signed this bill—our friend, President Clinton's friend, George Bush's friend. He hasn't signed the bill yet. We want to get his attention before it is too late. This is the proper bill. So it doesn't have anything to do with Nunn-Lugar money, or national defense. It does have some money in there for economic assistance.

As I mentioned, the President's request is about \$190 million. We probably won't fully fund it. But we don't have to fund it at all if they are going to pass a bill denying religious freedom and opportunity for the Russian people.

So I compliment my colleague from Oregon for an outstanding amendment. I hope we will have an overwhelming vote, maybe 100 to 0, in spite of what the memo says. Let us have a 100 to 0 vote to show that we believe very strongly that religious freedom is very important and we are willing to put it on the line that we will fight to help protect religious freedom throughout the world and certainly in Russia.

So, Mr. President, I compliment my colleague from Oregon. I hope all my colleagues will support this amendment.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I ask unanimous consent that the pending amendment be set aside.

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

#### AMENDMENT NO. 894

(Purpose: To provide conditions for funding North Korea's implementation of the nuclear framework agreement)

Mr. MURKOWSKI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI] proposes an amendment numbered 894.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in Title II, insert the following "Provided further, That funds appropriated under this heading to the Korean Peninsula Economic Development Organization (KEDO) may only be obligated if the Secretary of State certifies and reports to the Congress that during the fiscal year the military armistice agreement of 1953 has not been violated by North Korea."

Mr. MURKOWSKI. Mr. President. At 10:40 a.m. Tuesday morning along the

demilitarized zone between North and South Korea, North Korean soldiers exchanged heavy gunfire with South Korean troops. This is accurately described as the most serious clash on the Korean Peninsula since a North Korean submarine full of special forces went aground off South Korea's coast last September.

According to news reports, 14 North Korean soldiers crossed the military demarcation line and traveled 70 meters into the DMZ. South Korean border guards used a loudspeaker to order the North Koreans back. When the North Koreans failed to respond, South Korean soldiers fired some 200 warning shots in the air.

The North Koreans responded by firing their rifles at the South Korean soldiers, who then directed fire at the North Koreans using rifles and machine guns. North Korean soldiers returned fire. And although reports are in dispute, it appears there was at least one mortar round fired by the North Koreans.

The firefight lasted for over 1 hour before the North Koreans stopped firing and withdrew.

Mr. President. Why do I come to the floor and talk about an artillery exchange thousands of miles away? There are several good reasons why Americans should pay attention to what is going on on the Korean Peninsula.

First, I don't need to remind my colleagues that I am talking about the DMZ where 37,000 American troops stand guard across from a 1.1 million man North Korean army.

Second, according to a GAO report that I requested last year, the United States has sent over 115 million taxpayer dollars in combined food aid and to support the Korean Economic Development Organization [KEDO], which is tasked with sending heavy fuel oil to North Korea and carrying out other activities under the agreed framework signed in October 1994.

Just yesterday, the administration announced that the United States will donate an additional \$27 million worth of surplus grain to North Korea.

And today, in the foreign operations appropriations bill, there is an additional \$44 million appropriated for KEDO, subject to certain conditions that Senator MCCAIN and I added to last year's appropriation bill.

Now \$200 million may be a small price to pay to achieve peace on the Korean Peninsula, and I am not arguing about the money per se. But if there was ever a case of a recipient biting the hand that feeds it—it is North Korea.

Incident after incident—from the submarine incursion to this latest round of gunfire—is dismissed as "not intentional" or not "serious" enough to derail U.S. assistance under the agreed framework. After the North Korean submarine landed on South Korean shores, our administration asked for "both sides to show restraint." I was outraged that we asked our South

Korean allies to "show restraint" when it was their country that had been invaded by commandos.

I understand that right now the administration is preparing a response to this latest violation of the Military Armistice Agreement. And true to form, the administration is asking once again that this issue not be "blown out of proportion". Not blown out of proportion?

I think we should be outraged at North Korea's continued belligerent actions that are clearly designed to intimidate. The South Koreans did nothing wrong today, unless you think defending one's borders and shooting in self-defense is wrong. I hope the administration's statement recognizes that reality and does not even implicitly agree with the North Korean foreign ministry propaganda claiming that their soldiers were acting in self-defense.

That is why in offering this amendment, Mr. President, I would condition further funding—this is the important part of the amendment—on a certification from the President that North Korea has not violated the Military Armistice Agreement of 1953.

Although I have very strong reservations about the agreed framework, which I have expressed on this floor from time to time, and particularly because North Korea does not have to submit to inspections that were required 5 years ago, for several more years—and this is in association with the construction of the light water reactors that Japan, the United States, and South Korea are assisting in—I have supported continued funding for KEDO, subject to specific conditions that are spelled out in the bill. But I now believe that these conditions should be expanded to ensure that North Korea belligerency comes to an end.

If the North Koreans want economic assistance from the United States, they are going to have to learn that their troops and munitions ought to stay on their side of the border. Their people, unfortunately, don't have enough to eat. Many of them are starving. We continue to help them with food assistance and humanitarian assistance. Yet, they continue to use their military to provoke those who would help them.

I think it is time for the administration to stop appeasing this tyrannical and barbaric government that has brutalized the people of North Korea for more than 45 years. We, in effect, are supporting a government that would probably fall by its own weight. I am not suggesting that it is not a very dangerous situation with the 1.1 million men in arms. I am not suggesting that the regime isn't dangerous, in the sense of being very unpredictable. But they have to get the message that they can't bite the hand that feeds them. We continue to assist North Korea even while that Government continues a very aggressive posture.

If the administration cannot certify North Korean compliance with this amendment, I think financial assistance must come to an end. If the President can make the necessary certification that the North Koreans have not violated the Military Armistice Agreement of 1953, I certainly would not stand in the way of meeting our commitments to KEDO. But I think the North Koreans should certainly get the message that they simply cannot continue to operate under the theory that anything goes with regard to its commitment to KEDO.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. I say to my friend from Arizona, if I could just propound a unanimous-consent request, then I will yield the floor.

It is my understanding it has been cleared on the other side of the aisle for there to be a vote on the Smith amendment at 2 o'clock. It is my understanding, based upon a previous agreement, that would also trigger a vote on final passage on the energy and water appropriations bill.

Therefore, if I am correct about that, I ask unanimous consent that a vote on the Smith amendment occur at 2 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. I remind my colleagues there will be two votes, back to back, at 2 o'clock, one on the Smith amendment and one on final passage of energy and water.

I yield the floor.

Mr. MURKOWSKI. Mr. President, it is my intention to ask for the yeas and nays on my amendment that is pending.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. MURKOWSKI. It is my intention to ask for the yeas and nays on my pending amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I am working and my staff is working with the Senator from Alaska right now so that I can cosponsor this important amendment regarding Korea. We have some details we would like to iron out as to the language of the amendment that I am confident we can agree on.

Mr. President, we all know that there has been another North Korean-initiated altercation in the demilitarized zone that separates it from the South.

According to preliminary reports, a small number of North Korean soldiers entered South Korea and refused an order from the South to withdraw. When the North Korean soldiers ignored the verbal warning, the South Korean soldiers fired warning shots, to

which the North responded with a mortar and artillery barrage.

My reason for bringing this up is to ensure this latest event involving North Korea is placed squarely in its proper context. On Monday, the Clinton administration announced that it is doubling the amount of food assistance it intends to supply to Pyongyang to alleviate some of the suffering from the famine resulting primarily from 50 years of totalitarian rule and exacerbated by intense flooding. I am not here to argue against providing food to starving people; I am here to reiterate the futility of expecting humanitarian gestures to the most belligerent regime in the world to beneficially affect its behavior.

Nobody knows what is going on inside the minds of North Korea's leaders, especially the presumed head of government, Kim Jong Il. So thoroughly closed off to the outside world as the North Korean Government has been since its post-World War II inception, that details on its inner workings have been more elusive than for the Soviet Union during its most closed and totalitarian period. One incontrovertible fact remains, however: North Korea has an extraordinarily consistent pattern of alternating minor and manipulative gestures of goodwill with acts of terror and provocation toward its South Korean neighbor unseen anywhere else in the world.

To illustrate this pattern of provocation and terror, I ask unanimous consent to submit for the RECORD this list of such individual acts spanning the period 1958 to March of this year.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,  
THE LIBRARY OF CONGRESS,  
Washington, DC, March 27, 1997.

To:

From: Rinn S. Shinn, Analyst in Asian Affairs, Foreign Affairs and National Defense Division.

Subject: History of North Korean Terrorist Activities.

The following chronology is in response to your request for historical information on terrorist activities carried out by the North Korean government in the past decades. For the purpose of this chronology, we have agreed that the scope of "terrorist activities" should be expanded to cover broadly defined other provocative acts and beyond "the last 20 years" you indicated in your request.

I should add that the chronology is selective. From 1954 to 1992, North Korea infiltrated a total of 3,693 armed agents into South Korea. According to data compiled by a South Korean government agency, 2,345 infiltrators were captured; 1,130 killed; and 218 surrendered. The peak years of North Korean infiltration were 1967 and 1968, accounting for a total of 743 agents (167 captured; 553 shot to death; and 23 surrendered). Incidence of infiltration has decreased sharply since 1987 but has not stopped completely (Vantage Point, November 1995, p. 17). If you need further assistance or have questions, please call me.

CHRONOLOGY OF MAJOR PROVOCATIVE ACTS BY  
NORTH KOREA

Date, activities.

02/1958—North Korean agents hijacked to Pyongyang a South Korean airliner flying from Pusan to Seoul; 2 American pilots and 24 passengers were released in early March but 8 other passengers remained in the North.

01/1968—a 31-number commando team, disguised as South Korean soldiers and civilians, reached within 500 yards of President Park Chung Hee's office/residence complex (The Blue House) before they were intercepted by South Korean police; 29 commandos were killed and one committed suicide; one who was captured revealed that their mission was to kill President Park and other senior government officials.

01/1968—Two days after the commando attempt on President Park, North Korea seized the U.S. intelligence ship Pueblo with a crew of 83 officers and men off Wonsan in international waters outside the 12-mile limit claimed by North Korea; the crew was finally released in 12/1968, but not the ship.

10/1968—130 sea-borne commandos infiltrated the Ulchin and Samchok areas on the eastern coast of South Korea; 110 were killed, 7 were captured, and 13 fled.

04/1969—North Korea shot down an unarmed U.S. EC-121 reconnaissance plane over international waters, resulting in the loss of 31 lives.

06/1969—North Korea agents infiltrated Huksan Island off the west coast; 15 were shot to death.

12/1969—North Korea hijacked a South Korean airliner with 50 persons aboard to Pyongyang; in February 1970, it released all but 11 of the crew and passengers but detained 17 passengers, 1 pilot, and 2 stewardesses and seized the aircraft. The 11 are reportedly still detained in North Korea, along with some 450 other South Koreans abducted by North Korea in the past decades.

03/1970—From 1970 to 1995, North Korea provided sanctuary to 9 members of a Japanese radical leftwing "Red Army" group who had hijacked a Japanese Boeing 707 airliner to Pyongyang.

04/1970—Three North Korean infiltrators were shot to death at Kumchon, Kyonggido, south of the Demilitarized Zone (DMZ) separating the two Koreas.

06/1970—A powerful bomb exploded, demolishing the main gate to National Cemetery (South Korea's equivalent of Arlington Cemetery), before President Park's scheduled visit to the place. The incident was linked to North Korean elements.

01/1971—A North Korean attempt to hijack a South Korean Airline F-20 passenger plane flying from Seoul to Sokcho on the east coast was foiled.

08/1974—President Park Chung Hee's wife was killed during another attempt on his life. A member of a pro-North Korean group in Japan who entered Seoul as a tourist fired several shots at Park at a major public function; Park escaped unhurt, but the First Lady was hit by stray bullets and died several hours later.

09/1975—Two North Korean infiltrators were intercepted at Kochang, Cholla Pukdo; one was shot to death.

06/1976—Three North Korean infiltrators were shot to death in the eastern sector south of the DMZ.

08/1976—A group of North Korean soldiers, wielding axes and metal pikes, attacked a U.S.-South Korean tree-trimming team in a neutral area inside the DMZ at Panmunjom, killing 2 U.S. army officers and wounding 4 American enlisted men and 5 South Korean soldiers. In a message to UN Commander General Richard G. Stillwell, North Korea's Kim Il Sung described the incident as "regrettable" without admitting North Korean responsibility for what the U.S. government condemned as a "vicious and unprovoked murder" of the officers.

07/1977—A North Korean attempt to abduct a South Korean couple (Yoon Jong-hee and wife) failed in Paris.

02/1978—Actress Choi Eun-hee and her film-director husband Shin Sang-ok were kidnapped in Hong Kong and taken to Pyongyang. The couple escaped in 1986 while on a filming assignment in Vienna.

06/1979—A South Korean student Ko Sang-moon was abducted by North Koreans in the Netherlands.

07/1979—A North Korean attempt to abduct Han Yong-gil, an employee of the Korea Trade-Investment Promotion Agency (KOTRA), failed in France.

03/1980—Three North Koreans tried to infiltrate the South across the estuary of Han River; all were killed.

11/1980—Three North Korean infiltrators were shot to death at Whenggando, Cholla Namdo, South Korea.

12/1980—Three North Korean agents were shot to death off the coast of Kyongsang Namdo, South Korea.

03/1981—Of three North Korean infiltrators at Kumhwa, Kangwondo, one was shot to death.

06/1981—A North Korean spy boat was sunk off the coast of Sosan, Chungchong Namdo; 9 agents were shot to death and one was captured alive.

07/1981—One North Korean agent was shot to death in the upper stream of Imjin River, while trying to cross the river.

05/1982—Two North Korean infiltrators were spotted on the east coast; one was shot to death.

08/1982—Police in Canada uncovered a North Korean plot to assassinate President Chun Doo Hwan during a visit to that country.

10/1983—The explosion of a powerful bomb, several minutes before President Chun was due to arrive to lay a wreath at the Martyr's Mausoleum in Rangoon, Burma (Myanmar), killed 17 senior South Korean officials and injured 13 who were accompanying President Chun, then on the first leg of a six-nation Asian tour. Among the killed were; presidential chief-of-staff and another senior presidential assistant; deputy prime minister/minister of economic planning; three cabinet members including foreign minister; 3 deputy ministers; and South Korean ambassador to Burma. The bomb was intended for President Chun. Based on initial findings, Seoul accused Pyongyang of masterminding the mass assassination, an accusation North Korean leader Kim Il Sung dismissed as a "preposterous slander." President Chun termed the mass assassination as "a grave provocation not unlike a declaration of war," and warned the North that "should such a provocation recur, there would be a corresponding retaliation in kind." Two suspects arrested and tried in the Rangoon Divisional Court turned out to be a North Korean army major and captain. On November 4, Burma broke off diplomatic relations with North Korea. In 02/84, the Burmese Supreme Court sustained the death penalty handed down by the lower court.

09/1984—A North Korean agent killed 3 residents of Taegu, South Korea, and committed suicide.

10/1984—A North Korean spy ship was chased off the coast of Pusan, South Korea, but eluded capture.

01/1998—A North Korean attempt to abduct a South Korean citizen (Yoon Taek-shik) failed in Hong Kong.

08/1997—Lee Chae-hwan, a South Korean student enrolled in an American school, was abducted by North Koreans while on a visit to a European country.

11/1987—A bomb planted by two North Korean terrorists on a Korean Airline Boeing 707 exploded in midair over the Andaman Sea

off the coast of Burma. 115 passengers were aboard the flight from Baghdad to Seoul. One of the terrorists, who was taken into custody in Bahrain, confessed to the crime, was tried, and convicted in a Seoul court.

03/1990—Another North Korean tunnel dug under the DMZ was discovered; this was the fourth one uncovered since the mid-1970s.

05/1992—Three North Koreans, wearing South Korean uniforms, were shot to death at Cholwon, Kangwondo, south of the DMZ.

10/1992—A North Korean 400-member spy ring in South Korea, directed by Lee Son-sil (a Political Bureau candidate member of the Central Committee of Pyongyang's ruling Korean Workers (Communist) Party), was uncovered by South Korea's Agency for National Security Planning. The Agency announced that the agents had infiltrated through South Korea's coastlines.

03/1993—North Korea announced its intention to withdraw from the Nuclear Non-Proliferation Treaty rather than yield to the International Atomic Energy Agency's demands for a "special inspection" of two suspected nuclear waste storage sites at Yongbyon, North Korea.

12/1993—Vice Marshal Choe Kwang, Chief of the General Staff of the North Korean military (and defense minister, 1995-96), declared at a major state function that the military "has the heavy and honorable task of reunifying the fatherland *with guns* [emphasis added] in the nineties without fail," thereby revealing not so subtly North Korea's alternative to its oft-proclaimed policy of "peaceful reunification."

03/1994—For the first time in more than two decades, North Korea issue a threat of war in an inter-Korean meeting in Panmunjom. In response to Seoul's chief delegate mentioning the possibility of UN sanctions against the North for its refusal to accept full international nuclear inspections, Pyongyang's chief delegate reportedly shot back: "Seoul is not far away from here. If a war breaks out, Seoul will turn into a sea of fire." The "sea of fire" threat rattled South Koreans, already concerned about Pyongyang's perceived attempt to cultivate a "madman" image as "a new psychological negotiating tactic" designed "to blackmail the US into granting concessions, including diplomatic recognition, the lifting of trade sanctions and the supply of aid for its tottering economy."

06/1994—A North Korean attempt to abduct a South Korean professor, Lee Jin-sang, from an Ethiopian university in Addis Ababa was foiled.

08/1994—North Korea's foreign ministry declared: "We will never allow the [special] inspection of the military sites at the expense of our sovereignty in order to receive light-water reactors. Another conflict cannot be avoided, if they [South Korean and Japanese authorities] continue trying to complicate matters, citing the 'special inspection' that we have never allowed and cannot allow in the future either." (The North Korean-U.S. "agreed framework" of October 1994 to the contrary, North Korea continues to maintain that the special inspection is out of question—a portent of what might be called "a special inspection crisis" several years down the road or around 2003).

05/1995—North Korean patrol boat fired on a South Korean fishing vessel, killing three South Korean fishermen; North Korea released 5 other fishermen in December 1995 through Panmunjom.

06/1995—North Korean soldiers threatened the captain of a South Korean vessel with harm in a North Korean port unless he hoisted the North Korean flag while the vessel was there to deliver a South Korean humanitarian rice shipment to the North.

07/1995—A team of three North Korean agents abducted a South Korean missionary,

the Reverend An Sung-un, in southern Manchuria and transported him to North Korea. Reverend An currently remains in the North.

08/1995—North Korea seized a South Korean rice delivery vessel and arrested its crew in a North Korean port after a South Korean crewman took photographs from the ship. The ship was released in 12 days after the South Korean government sent a message to the North, expressing "regret" over the photographing incident.

10/1995—Two armed North Koreans were intercepted at the Imjin River just south of the DMZ; one was shot to death and the other escaped (This incident happened at a time when South Korea was sending humanitarian rice aid to North Korea).

10/1995—Two North Korean agents were intercepted at Puyo, about 100 miles south of Seoul; one was shot to death and the other was taken alive. The captured agent disclosed that he had infiltrated into South Korea two months earlier, with a mission to contact anti-government dissidents and politicians and the organization of underground cells.

04/1996—A total of four hundred North Korean troops crossed the military demarcation line of the DMZ at Panmunjom and elsewhere in violation of the Korean armistice agreement, after Pyongyang's unilateral announcement that it no longer would abide by the terms of the armistice.

05/1996—Seven North Korean soldiers crossed the military demarcation line into the southern half of the DMZ, facing South Korean defensive positions just south of the DMZ, but withdrew when South Korean troops fired warning shots.

05/1996—Five North Korean naval patrol craft crossed into South Korean territorial waters off the east coast in an area designated as South Korean waters under the armistice accord but withdrew after four hours of a standoff with South Korean naval vessels. A similar three-hour incursion by three North Korean craft in the same area occurred on June 14, 1996.

07/1996—A North Korean spy was captured in Seoul after posing as a Filipino professor for 12 years. Chung Su Il (alias: Mohammed Kansu), 62, told police that "scores, perhaps hundreds" of North Korean spies were operating in the South.

09/1996—A disabled North Korean submarine was spotted bobbing off the shore near the city of Kangnung. Twenty six North Korean military personnel landed on the east coast from the submarine that was found to be on an espionage/reconnaissance mission. Eleven of the infiltrators were shot to death by North Koreans; 13 others refused to surrender and were killed; one was captured and one escaped. During the South Korean hunt for the infiltrators, North Koreans killed 11 South Korean military personnel and civilians and wounded five others.

10/1996—Choi Duk Keun, a South Korean diplomat, was murdered in Vladivostok, Russia, following a North Korean threat to "retaliate" for the submarine incident. Circumstantial evidence initially pointed to North Korean complicity in the murder, and later autopsy results showed that poison found in Choi's body was the same type of poison carried by North Korean infiltrators from the grounded submarine in September.

02/1997—In Seoul, South Korea, Lee Han-yong was assassinated by two hit men believed to be North Korean agents. Nephew of North Korean leader Kim Jong Il's former wife, Song Hye-rim, Lee had defected to the South in 1982. The shooting took place three days after Hwang Jan-yop, a high ranking North Korean party official, walked into the South Korean consulate in Beijing to defect to the South—a possible warning to Hwang and other would-be defectors to the South.

After being in coma, Lee died a week later in a Seoul hospital.

03/1997—Japan's daily newspaper Sankei Shimbun, based on an interview with a former South Korean agent An Myong-chin (who defected to South Korea in September 1993), reported that in 1977, Megumi Yokota, a 13-year-old Japanese school girl was abducted in Niigata City to North Korea for use as a teaching aide at a North Korean school for spy training. Japanese authorities disclosed that An's description of the girl matched the profile of a girl reported missing in Niigata, Japan.

Mr. MCCAIN. Mr. President, it is a list worthy of Stalin, the butcher of millions of his own people and the Soviet leader who installed Kim Jong-Il's father, Kim Il Sung, in power following the end of the Second World War. This list includes numerous instances of North Korean agents infiltrating the South to conduct assassinations, with the most recent occurring last February; causes of agents kidnapping ordinary Japanese citizens off of the beaches of their own country as well as South Koreans, who are smuggled to North Korea for imprisonment and interrogation; armed soldiers crossing the border between the two countries to provoke fire fights, such as apparently occurred this morning; special forces infiltrating the South through tunnels dug beneath the DMZ; and the naval incursions, most recently the September 1996 submarine that was grounded off the South Korean coast with the ensuing loss of considerable life due to the will of the North Korean commandoes who debarked from the sub not to be taken alive.

I highly recommend my colleagues take a few minutes to review this list. It is the ultimate commentary on the nature of the North Korean regime. It is a window into the soul of that country's rulers. It is a warning against misjudging the North's periodic gestures of goodwill that are inevitably, at most, tactical responses to their own self-induced social calamities or continued efforts at undermining the relationship between South Korea and the United States.

Mr. President, I now want to discuss the bill very briefly itself.

Mr. President, I appreciate the opportunity to address the Senate on the subject of the fiscal year 1988 foreign operations appropriations bill. As has been noted numerous times by Members of this body, the end of the cold war had the unwelcome effect of creating a vacuum into which all manner of ethnic, religious, and territorial conflict has been permitted to emerge. In addition, the continuous problems of combating famine, disease, and other problems afflicting many nations of the world ensures that the global responsibilities of the executive and legislative branches of the Government remain substantial, particularly relative to the resources available with which to address them.

It is for these reasons that we owe it to the American public and to those less fortunate than ourselves around

the world that we act as responsibly as possible when allocating these scarce resources. That is why I continue to oppose the practices of adding to the bill funds for programs of questionable merit and of earmarking for specific institutions without regard for broader U.S. national security interests.

As an elected representative from a State with considerable agricultural interests, I am fully aware of the importance of properly administered agricultural programs. Do we honestly expect, however, the American public to adopt a less confrontational posture vis-a-vis their elected representatives when we continue to earmark funds for the International Fertilizer Development Center in Alabama. Not only does the bill before us earmark \$3 million for the center, this amount represents a 50-percent increase over fiscal year 1996. Is the chemical makeup or molecular structure of fertilizer changing so much that we need to actually increase appropriations for the Fertilizer Development Center?

As usual, although admittedly to a lesser extent than in years past, the bill recommends or directs funding for specific universities, including the University of Hawaii for the training of health and human service professionals; the University of Northern Iowa for teacher education in Slovakia; and George Mason University, also for health care. Montana State University continues to fare well in foreign operations appropriations bills. In the past, it has received funding for pest control. This year, it is supposed to receive funds for crop eradication, specifically opium poppy, coca, and marijuana. Laudable goals, but why the earmark? I do not question the value of some of these programs; I do question whether they require or deserve funding from the U.S. Treasury or cannot be competed among contending institutions and organizations.

Other recommendations and earmarks of questionable merit included in this bill are \$15 million for the Office of Women in Development, which is hardly necessary with simple instructions to our own Agency for International Development; \$500,000 for the U.S. Telecommunications Training Institute for communications and broadcast training; and \$15 million over 5 years for the International Foundation for Education and Self-Help, which trains teachers and bankers. I was also interested to see in the report accompanying this bill a recommendation to AID that it work with Science and Technology International to further development of the advanced airborne hyperspectral imaging system, which is intended to facilitate the monitoring of environmental degradation and disaster mitigation and aid in the protection of wetlands and management of littoral regions. Does any of this overlap with the \$60 million the bill earmarked for the Global Environment Facility.

Once again, I applaud the goal, but question whether we should be specifying programs, directly or indirectly, without the benefit of a competitive process or adequate knowledge of whether similar capabilities are already or imminently available in the private sector. I further note that this is the second bill this week to include funding for this program: The Defense appropriations bill included \$2 billion for the advanced airborne hyperspectral imaging system.

I have already referred to funding for agricultural programs in the bill that warrants skepticism. With funding also directed toward the Farmer-to-Farmer Program and the Soils Management Collaborative Research Support Program, I wonder whether it isn't time to take a closer look at the proliferation of programs to determine whether they are all necessary or overlap in function.

Finally, Mr. President, I would like to briefly address the Buy-America provisions of the bill. The American public understandably abhors active participation by its Government in encouraging U.S. companies to relocate to foreign countries where labor and materials are cheaper. Section 538 of the bill addresses this concern. Paragraph (b) of this provision may go too far, however, with the ultimate impact of impeding economic growth where it is seriously needed while degrading the benefits that accrue to the American economy through free trade. Specifically, the paragraph in question prohibits the use of funds for the purpose of,

... establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety law of that country do not apply, in part or in whole, to activities carried out with that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States.

The Presidential certification process established by this provision will create, I suspect, the same problems as do other certifications processes. As countries evolve over decades and centuries and economies reflect that evolution through industrialization and service-oriented dominance, and as free trade policies account for substantial proportions of economic growth, inevitably jobs are lost in certain areas. It has never been any different. We have also seen the benefits to the very people we purport to help of free market economic zones in countries with otherwise centrally controlled economies. It is such zones that facilitate the greatest economic growth and that are more prone to exhibit liberal social and political transformations consistent with our own national values. To adopt a provision designed to impede such progress is not in our national interest.

There is room for improvement in this bill that I hope will occur when the Appropriations Committees of the respective Houses of Congress meet in conference. It is discouraging to see

the practice of earmarking continue. At least, though, the long-term trend has been in the right direction.

Mr. President, I ask unanimous consent that a list of programs in the bill that I find objectionable be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OBJECTIONABLE PROGRAMS IN THE FOREIGN OPERATIONS APPROPRIATION BILL FOR 1998: TITLE II—BILATERAL ECONOMIC ASSISTANCE PROGRAMS WITH FUNDS EARMARKED

	<i>In millions</i>
American Schools and Hospitals: American University in Beirut, Lebanese American University, Hadassah Medical Organization, Feinberg Graduate School in Israel, and Johns Hopkins University (Bologna, Italy, China) .....	\$15.0
U.S. Telecommunications Training Institute .....	0.5
University Development Assistance Programs: University of Hawaii, University of Northern Iowa, and George Mason University .....	2.0
International Fertilizer Development Center .....	3.0
International Foundation for Education and Self-Help: Human resource development in sub-Saharan Africa .....	15.0

PROGRAMS FOR WHICH THE COMMITTEE RECOMMENDS FUNDING

Advanced Airborne Hyperspectral Imaging System: Monitors Wetlands and Littoral Zones.

Farmer-to-Farmer: Overseas Cooperative Assistance Program, specifically in former Soviet Union.

Pushchino Project: Promotes economic development in South Central Russia.

Mongolia: Academy of Natural Sciences in Philadelphia, PA, to provide technical advice on infrastructure development.

Biological Control of Illicit Drug Crops: Research at Montana State University in the development of plant pathogens.

Pulsed Fast Neutron Analysis: Supports joint funding for this technology.

COMMERCE AND TRADE

Sec. 513. Restricts funds for testing in connection with the growth or production in a foreign country of an agricultural commodity which would compete with commodities grown in the United States.

Sec. 514. Restricts funds for foreign production or extraction of any commodity or mineral for export if its surplus on the world market will cause substantial injury to United States producers of the same, or similar commodity.

Sec. 538. Restricts funds that would provide any financial incentive to a business in the United States considering relocating outside of the United States if it is likely to reduce the number of employees in the United States.

Mr. McCAIN. I thank my friend, Senator MURKOWSKI, from Alaska for proposing an amendment that has to do with the very serious situation in Korea, and frankly the part of America's foreign policy that I think is deserving of significant criticism. I think history will show that this entire issue of North Korea has been mishandled by this administration.

Mr. President, I yield the floor.

Mr. ROBERTS addressed the Chair.

The PRESIDING OFFICER (Mr. COATS). The Senator from Kansas.

Mr. ROBERTS. Mr. President, I have a unanimous consent on behalf of the leader.

Before I make that unanimous consent request, I would like to thank the Senator from Arizona and the Senator from Alaska in reference to the amendment concerning our policy with North Korea. Senator MCCAIN has pointed out the situation that now exists with another flare-up of hostilities on the DMZ between South Korea and North Korea.

Some time ago—about 4 months—I was privileged to take part in a delegation with Senator STEVENS, Senator STEVENS, Senator DOMENICI, Senator INOUE, Senator COCHRAN, and myself were the first American congressional delegation allowed into North Korea.

We went to North Korea with a specific purpose. We know that country is hard hit by a famine, and that the situation is very real. We wanted to encourage the North Koreans, in cooperation with Ambassador Richardson, the State Department and the administration, to participate in the four-party peace talks.

Since I have had the privilege of being the former chairman of the House Agriculture Committee and serve on the Agriculture Committee here in this body, I wanted to encourage the North Koreans to explore every opportunity for normal trading relations—that is, to explore the possibility of commercial trade and third-party agreements that would alleviate their situation.

I think we made some progress. I think we tried to make our point that these kind of negotiations, these kind of contacts, would certainly open up new doors of cooperation only to find out, however, that now just at the time the administration is announcing a doubling of the humanitarian food assistance to North Korea we see another repeat of these hostilities.

I remember well in meeting with the South Korean Government officials when South Korea sent a ship full of grain and other food shipments to the North. The North simply confiscated the ship, took down the South Korean flag, raised the North Korean flag, took all of the personnel involved, and had them incarcerated for about 10 days, and then finally let those folks go back to South Korea. That to me is not a very willing partner in an effort to relieve any kind of famine.

Quite frankly, when we were in North Korea they were conducting a military exercise at the time that we were there, and wasting, as far as I am concerned and any other observer, valuable dollars that could have been provided to their own people who are suffering. This is a repressive regime—a theocracy, if you will—that is punishing their senior citizens and their very young—putting them through a famine at the same time that they are asking us for this kind of assistance.

Question: Will these funds go to the purpose that it should go to, or will they go to simply reinforce a very repressive military?

These are questions that should be answered. And I think with the latest flare-up on the DMZ Senator MURKOWSKI and Senator MCCAIN have made an excellent amendment, and I hope we would consider it and I hope it will be improved.

UNANIMOUS-CONSENT AGREEMENT—S. 1004

In behalf of the leader, I ask unanimous consent that the bill, S. 1004, be considered read a third time, that the vote on passage occur as under the original consent, and additionally the bill not be engrossed, that it remain at the desk pending the receipt of the House companion measure; I further ask unanimous consent that when the House companion measure is passed pursuant to the previous order, the passage of S. 1004 be vitiated and that S. 1004 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DORGAN addressed the Chair.

Mr. DORGAN. Mr. President, I ask unanimous consent that Matthew Goldenberg, Danette Lince, Joshua Spellman, and Katherine Ruth be given floor privileges today.

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

Mr. MURKOWSKI. Mr. President, I have an amendment pending, and I had asked for the yeas and nays some time ago. There was a question, and I would like to again ask for the yeas and nays on my amendment on North Korea.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MURKOWSKI. I thank the Chair and I thank my colleague.

Mr. LEAHY. Mr. President, because of a meeting with the President and the Vice President, I was unable to be here for the opening of this bill, and I did want to make note of a couple items.

First, I do commend my friend from Kentucky, Senator MCCONNELL, who has put together a bill which I believe both parties, both Republicans and Democrats, can and should support. I should note that last year the foreign operations bill passed the Senate by a vote of 93 to 7, which is pretty darned good for such a piece of legislation. This year's bill I think will pass by an even higher margin.

I thank the chairman of the full committee, Senator STEVENS, and the senior Democrat on the committee, Senator BYRD, for providing us with an allocation that has made it possible to fund many of the administration's foreign policy priorities, in fact, most of the priorities of Members of the Senate, and that is extremely important as we go into conference with the other body.

For the past 3 years, Senator MCCONNELL and I and Senator LUGAR and others have argued that U.S. leadership costs money. Senator MCCONNELL has fought efforts in the House to cut funding for programs that are vital to U.S.

foreign policy and national security. I think all of us owe him a debt of gratitude for that. I take the attitude, which is the attitude of all Vermonters ahead of me, that in foreign policy matters especially we should try to develop bipartisanship. The distinguished senior Senator from West Virginia and the distinguished senior Senator from Alaska did that in developing the allocation in this bill. While I am the only Member of my party ever to be elected from the State of Vermont, I look back to distinguished predecessors as Senators from Vermont who always tried to develop that bipartisanship in foreign policy. This bill appropriates additional funds for development assistance in microenterprise, health and education, agriculture, and many other activities supported strongly on both sides of the aisle—a special fund for combating infectious diseases. I think the distinguished chairman of the subcommittee for that.

This is an area that I was particularly concerned about. We have seen an alarming increase in TB and other diseases that were once thought to be under control, new viruses like Ebola. These pose a threat to America. You might ask what American interest is there in that in a foreign aid bill. It is very simple. These funds will help monitor and combat these diseases. A microbe does not stop at a border and get a visa before it moves on to the next country. Microbes and viruses, diseases, some of the most horrendous diseases known in our lifetime, traveled freely across borders.

In an era where a Member of Congress does much traveling, we see how people can be, for example, in Kenya and be back in Washington in a matter of long hours, but it is possible to travel that way, sometimes perhaps arriving even a few minutes later than they might have liked, but being able to arrive.

I should note for the RECORD that this reflects sort of a private joke between the distinguished Presiding Officer, my good friend, and myself. But the point is people do travel and, unlike the old days when you looked at a different continent one would never visit, now we go back and forth, and diseases do, too.

My wife, who works as a registered nurse, sees far, far more patients with TB today than she had seen a decade ago. We see far more diseases that we thought had disappeared popping up again. What we want to do is have money in here to help us monitor countries where these diseases are coming up, help the world organizations most involved in this to isolate and quarantine and help eradicate diseases before they travel into our country or other countries.

I also appreciate what has been done to fund IDA. Even though it is \$950 million, it is close to and goes a long way toward meeting our past commitments. The same goes for UNICEF, a favorite organization of mine, and other U.N.

agencies. We were able to provide \$60 million for the global environment facility. The GEF plays a central role in protecting international waters and biodiversity, replacing ozone depletion. It is a step in the right direction. I would like to see a United States contribution to the African Development Fund. I would like to see more funds for voluntary peacekeeping, disaster relief programs.

There were some hard choices. I point out to people that most programs that did not receive full funding, and they are relatively few, were distributed fairly evenly across the various accounts here.

I have other areas of concern, and I will speak to those when the time comes.

I say only this in closing, Mr. President. We have a tremendous opportunity to influence economic and political events around the world, but diplomacy costs money. It is money to support programs that will in a very real way determine what kind of world our children's grandchildren live in. We are the most powerful nation in the world, the greatest democracy history has ever known, and we have a responsibility to the rest of the world because of that. We do not live in isolation, and this bill helps us say that.

Mr. President, I do not see others seeking the floor, so 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise to speak to the legislation now pending before the Senate on three topics that are much different in nature, but I think reflect the diversity of the subject matter of this important legislation.

NATO ENLARGEMENT ASSISTANCE

At the outset, let me join with my colleague, Senator GORTON of Washington, who has offered a sense-of-the-Senate amendment in his name and mine, asking that Lithuania, Latvia, and Estonia be invited to become full NATO members at the earliest possible date. I have addressed this issue before on the State Department authorization, and it was adopted by the Senate in similar form.

The amendment states the sense of the Senate that Lithuania, Latvia, and Estonia are to be commended for their progress toward political and economic reform and meeting the guidelines for prospective NATO members; that these three countries would make an outstanding contribution to furthering the goals of NATO and enhancing stability, freedom, and peace in Europe should they become NATO members; and they should be invited to become full NATO

members at the earliest possible date. The recent NATO summit in Madrid resulted in the member nations inviting Poland, Hungary, and the Czech Republic to join NATO. This was a dramatic breakthrough. I think it signaled the end of the cold war and a new era in the world, with those who had been our adversaries for literally decades now to become our allies. We are seeking, with this amendment, Senator GORTON and myself, to increase that number of new NATO members by at least three, by including the Baltic nations.

I can tell you from recent visits to Lithuania that they feel this is the single most important foreign policy challenge which they face. They want to make it clear that they look to the West; they share our values. They are interested in this type of NATO arrangement, which is not offensive in strategy but, rather, seeks peaceful resolutions, and they are hopeful that this will create a new era of opportunity for them.

This amendment is consistent with current laws and programs, and I believe that it is one the administration can embrace. It is clearly not only in our best interests in the United States, but certainly in the best interests of the Baltic States, which are still in a very precarious position.

I thank my colleague Senator GORTON for offering this sense-of-the-Senate resolution on our mutual behalf, and I am also grateful to the managers of the bill for having adopted it.

#### INTERNATIONAL FAMILY PLANNING

Mr. President, I might go on to say there is another aspect of this bill which is critically important for the future, not only of the United States, but of the world. I rise in support of the funding in this legislation for international family planning. I can't think of a single issue more threatening to the future and stability of our world than the present trends of population increase. The world's population increases by about a quarter of a million people every single day, and 95 percent of the world's population growth is in less developed countries. In 1950, the world's population was 2.5 billion; today it is 5.8 billion. In 1950, the average life expectancy worldwide was 46 years; today, it is 65 years.

By the year 2040, if current trends continue, the world's population will double. The danger of overpopulation, the problems that come with it—poverty, hunger and disease—will not go away if we simply ignore them. We can and we must address these problems by providing family planning assistance to the poorest people in the world.

And family planning works. Mr. President, 30 years ago the average couple in the world had six children. Today, the average couple in the world has four. International family planning is about giving people around the world, especially in the world's poorest countries, the ability to decide the size of their own families. International family planning is about eradicating

poverty, hunger and disease. It is not about abortion. It is about preventing abortion. It is estimated that unwanted pregnancies lead to 50 million abortions every year—abortions that might have been prevented by family planning.

International family planning literally saves the lives of children and their mothers by increasing the time between births and helping women to avoid high-risk pregnancies. It is estimated that preventing closely spaced births and pregnancies to very young mothers can save the lives of 3 million babies a year. That would be a 25 percent reduction in worldwide child mortality.

International family planning makes it possible for poor nations to provide better nutrition, health care and education.

About 6 years ago, I joined my House colleague, the late Congressman Mike Synar of Oklahoma, on a trip to Bangladesh. It was an amazing educational experience. One of the poorest countries in the world, Bangladesh seems to be living under a dark cloud. If there is a natural disaster to occur, it is usually occurring in Bangladesh. And these poor people who eke out a living are often victimized by these disasters.

Congressman Synar and I went into the back country where the roads end and we had to get out of the 4-wheel-drive and start hiking to a little village where we literally met with 50 women and their children who were part of a project known as the Grameen Bank, a fascinating experiment in credit for poor people which has now caught on worldwide.

After this meeting, one of the women came up to me and, through an interpreter, spoke to me. She was holding a small baby in her arms, and she said to me that she wanted to tell me something. I asked what it was, through the interpreter. She wanted to tell me that, because of family planning and also because of the UNICEF and United Nations effort to save the lives of small children in developing countries, she and her husband had decided to have no more than three children. It was a dramatic admission on her part to a pale-skinned stranger from a country she had literally never heard of.

Those of us who think the money that is invested in this legislation doesn't do any good should take the time to visit those parts of the world where it literally means life or death. For her, it meant the baby in her arms would survive. In these countries, with their poor health conditions, many times unsanitary water would result in children with dysentery and other intestinal problems who literally died for lack of hydration. The rehydration therapy, as simple and cheap as it is, saves these lives and gives these mothers the hope that they don't need to have six children to have three survivors. And that, many times, is the driving force behind large families in poor countries.

So I hope those who are supporting this legislation, as I am, understand that its investment and commitment to international family planning and also the children's program is money well spent, not just for the humanitarian purposes which I have outlined but for very selfish reasons, for the future of the United States. If we start to stabilize world population, we can also help to stabilize political situations and hope as well that we will bring that kind of quality of life around the world that we enjoy in most parts of the United States today.

#### SCHOOL OF THE AMERICAS

Mr. President, the final issue which I will address in this moment on the floor is in relation to an amendment which I am prepared to offer today but will not. It is an amendment which has been considered time and again in the House but has not been considered in the Senate. I had thought that it was time to call up this amendment, but after discussions with my colleagues we have decided to wait until next year's appropriations bill to address it.

What I am speaking to is a project known as the School of the Americas. The School of the Americas was established over 50 years ago to provide military education and training to military personnel of Central America, South America, and the Caribbean countries. Given the breakup of the Soviet Union, the training provided at this school is no longer appropriate to the long-term goals of the United States or Latin America. This school at Fort Benning, GA, has been a training ground for thousands of individuals who have been brought in from the militaries of Central and South America and the Caribbean and trained to become more proficient in their military ways.

We acknowledge the Army has tried to make changes at the School of the Americas by updating curricula and improving the selection process for students and the quality of teachers. Despite these efforts, it is my belief that the School of the Americas should be closed. It is an element in this bill which I do not support. It serves no strategic purpose.

In the post-cold-war era, we need to strengthen civilian institutions in Latin America, not the militaries. And the school cannot overcome its horrendous history and its past links to numerous military personnel who have committed human rights atrocities. These admissions are an embarrassment to the United States and to our reputation as a leader in promoting human rights throughout the world.

The training manuals at this school as late as 1991 contained instruction in torture and extortion. Imagine, U.S. taxpayers' dollars spent at this facility in Georgia, at a U.S. military base, to train foreign military leaders in torture and extortion. It is incomprehensible.

No one has been held accountable for the fact that the U.S. Army was teaching training techniques which clearly

violated U.S. Army policy. The School of the Americas has trained leaders in tactics to violate human rights and has done so knowingly and deliberately. It is well documented that this school's graduates have planned and participated in severe cases of human rights abuses during the history of this institution.

Listen to this roster of graduates from the School of the Americas, funded by taxpayers' dollars: Panamanian dictator and drug dealer Manuel Noriega; 19 Salvadoran soldiers linked to the 1989 murder of 6 Jesuit priests, their housekeeper and her daughter; El Salvador death squad leader Roberto D'Aubuisson; Argentinian dictator Leopoldo Galtieri; 3 of the 5 officers involved in the 1980 rape and murder of 4 United States churchwomen in El Salvador; and 10 of the 12 officers responsible for the murder of 900 civilians in the El Salvadoran village, El Mozote.

Victims of these abuses often are the most vulnerable of the country, the poor and Roman Catholic religious who spoke out in defense of peace and social justice. Given that the training manuals used at the school advocated torture, blackmail and other forms of coercion, the atrocities committed by these graduates are predictable results. The United States needs, in this post-cold war era, to find a better way to moderate the abuses of Latin American militaries. Clearly, the School of the Americas is not the answer.

I think it is clear that this school needs to be closed. If an alternative needs to be opened, let us restructure it consistent with our own human rights values. I will not be offering the amendment today which would close this institution, but I want to make it clear to my colleagues in the Senate and those who are listening to this debate, that we will continue to monitor the School of the Americas, that we will continue to make certain that they know we are watching what they do and the graduates they send to lead the militaries of foreign nations. And we will insist, at every step of the way, that this School of the Americas pursue policies that are consistent with the best interests and policies of the United States.

Mr. President, at this point, I yield the remainder of my time.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 895

(Purpose: To restore to United States citizens and residents the right of travel to Cuba)

Mr. BINGAMAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 895.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

SEC. . TRAVEL TO CUBA.

(a) PROHIBITION.—The President shall not restrict travel to Cuba by United States citizens or other persons subject to the jurisdiction of the United States, except in the case in which the United States is at war, where armed hostilities are in progress in or around Cuba, or where there is imminent danger to the public health or the physical safety of the United States travelers to Cuba.

(b) SUPERSEDES EXISTING LAW.—This section supersedes any other provision of law.

(c) DEFINITION.—For purposes of this section the term "United States" includes the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

Mr. BINGAMAN. Mr. President, the amendment I have just sent to the desk is a very simple amendment that would provide that the President shall not restrict travel to Cuba by United States citizens and other people who are lawfully subject to the jurisdiction of the United States, except in circumstances where we are at war or where there are armed hostilities in or around Cuba, or where there is imminent danger to public health or physical safety of United States travelers in Cuba.

My own view is that our policy today, toward Cuba, is a holdover from the cold war. It is an anachronism. It is out of step with the sentiments of the American people. And it is certainly out of step with the best interests of our own country.

We have gotten into a situation where the only attention that is given to our relations with Cuba is that every 6 months the President comes forward and once again waives certain extraterritorial provisions that were part of the Helms-Burton Act that was passed last year; and at the same time that it waives those provisions, it assures Members of Congress and the Cuban-American community that it plans to maintain a posture of tough sanctions against Cuba. So any efforts that might be undertaken to promote a constructive and humanitarian engagement with Cuba, or at least some level of humanitarian assistance to those in need in Cuba, all of that has been put aside and lost, unfortunately, in our discussion of Cuban-American relations.

When the Helms-Burton Act passed the Congress, Walter Russell Mead wrote an article in the New Yorker that I think sums things up pretty well. He said:

Fidel Castro has survived the enmity of nine American Presidents. In concert with his enemies in South Florida, he retains a hypnotic ability to induce stupidity in Yankee policymakers. That seems unlikely to change until the U.S. Government gets

around to taking control of its Cuba policy away from a small, self-interested lobby group.

Mr. President, I share Mr. Mead's views on this anachronistic stance that we continue to take toward Cuba.

In my opinion, the one reason that Castro has remained entrenched and has survived nine American Presidents is that he continues to be able to point to the United States as a menacing foreign presence and to call upon the Cuban people to withstand the hardships that they have to withstand because of bad intentions and actions by America, as he would have it.

If people, including so many of my distinguished colleagues across the aisle and on the Democratic side, believe in the value of Radio Marti and TV Marti, our broadcasting operations in Florida, which are intended to inform Cubans about the way of life in the United States and our freedoms and our liberties, then certainly increasing contact by allowing travel by Americans to Cuba would do even more. I think it is important that the administration and others realize that the Helms-Burton Act and this 6-month clock on issuing a waiver on the worst provisions of that act not be allowed to serve as the be all and the end all of our Cuban policy.

On June 19 of this year, I joined Senator DODD and a great many other Senators in writing to the President urging that direct flights to Cuba for the purpose of humanitarian assistance be permitted. The subject of that letter is not the subject of my amendment today. I cite that as one example of an effort to improve constructive relations between ourselves and Cuba and to assist in humanitarian needs that are real.

I do believe that one of the least justifiable aspects of our policy toward Cuba today is the restrictions that we place on travel by U.S. citizens and U.S. residents to that country. The right to travel is a constitutional right. It is one that the courts have recognized. It is one that we, as a country, have recognized and that we only interfere with where there is a national security reason or some overriding national interest that requires that we interfere with that free right of travel.

I attended a conference, Asia Pacific Forum, 2 weeks ago at the Kennedy School in Boston. There were some Chinese leaders there and some Korean leaders and some Japanese leaders, and I was struck by the story that I heard from one of the Chinese leaders, the head of the Chinese delegation. He had been one of those singled out for abuse during the cultural revolution when that occurred in China a couple of decades ago.

He was taken from his hometown, from Beijing, at that time where he was a prominent leader in the university, and he was sent to a very remote part of China and forced to work there. He worked in a factory for 10 years during the cultural revolution in a very

lowly position. At the end of the cultural revolution, he was allowed to take a more responsible position and, once again, begin to demonstrate and use his talents, but he stayed in that factory for an additional 5 years after the 10 years that was required during the cultural revolution.

I asked, "Why did you stay in that part of China? Why didn't you come back to Beijing?"

He said, "I didn't have a permit. I wasn't permitted to travel." You couldn't just travel. You weren't permitted, at that time at least, to travel in China without a permit.

Mr. President, that refusal to allow people to travel is characteristic of Communist, authoritarian regimes. It is not characteristic of the United States. It should not be our policy to keep American citizens and American residents from traveling, except where national security requires it. Clearly, there is no national security justification for us continuing to prevent travel to Cuba by Americans today.

Let me also just point out this restriction against travel is an invitation to abuse. We have a lot of people in business in this country, in Canada, in Mexico and in various nearby countries who make it their business to facilitate travel to Cuba by United States citizens.

We made a little search of the Web. You are supposed to search the Web whenever you want to find out anything these days. So we got on the Internet. Here is a provision, *Intra Kensington Travel*. It says: "Cuba travel for U.S. citizens. U.S. citizens holding valid passports are welcomed as visitors to Cuba for purposes of tourism. Many U.S. citizens visit Cuba each year for this purpose."

This is what the advertisement on the Web said: "When you arrive in Cuba, ensure that your passport is not stamped. Instead, have the Cuban immigration officials stamp a separate sheet of paper and be sure to bring this with you, so your passport won't be stamped. To avoid difficulty with U.S. Immigration and Customs authorities, do not return to the United States with any evidence that you have ever visited Cuba. This would include cigars, rum, souvenir T-shirts, postcards, tourist information and other items."

Mr. President, this restriction is not enforceable. It is being abused. It is an embarrassment to a great nation like ours that we have this restriction in our law. I believe strongly that we should eliminate it. The amendment I sent to the desk would do that.

Let me also say, though, for purposes of reality in the Senate, that we have had a vote on this amendment before, essentially this same amendment. Former Senator Simon from Illinois offered this same amendment in the last Congress. I supported his efforts. I am sad to report that we only received 25 votes for the effort to eliminate these restrictions.

So this year, Mr. President, I would like to offer a different amendment and

see if we can't get more support. Let me, at this point, Mr. President, withdraw my amendment and send another amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The Senator has a right to withdraw his amendment.

The amendment (No. 895) was withdrawn.

#### AMENDMENT NO. 896

(Purpose: To provide for Cuban-American family humanitarian support and compassionate travel)

Mr. BINGAMAN. Mr. President, I send another amendment to the desk and ask that it be considered.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 896.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

#### SEC. . PROTECTION OF HUMANITARIAN EFFORTS.

Notwithstanding any provision of law to the contrary,

(1) no person subject to U.S. law as it pertains to expenditures of money in Cuba shall be prohibited from sending to his or her parent, sibling, spouse, or child currently residing in Cuba small amounts of money (not to exceed \$200 per month) to be used for the purchase of basic necessities, including food, clothing, household supplies, rent, medicines, and medical care;

(2) each person subject to U.S. law as it pertains to expenditures of money in Cuba in relation to travel to Cuba shall be free to travel without limitation for periods not to exceed 30 days per any one trip to attend to a medical emergency involving, or to attend the funeral of, such person's parent, sibling, spouse, or child; and

(3) the United States government shall not be prohibited from participating in humanitarian relief efforts of multilateral organizations of which the United States is a member, where such humanitarian relief efforts are made in the aftermath of a natural disaster on the island of Cuba.

Mr. BINGAMAN. Mr. President, let me describe the second of these amendments. It says, and I will just read it. It is very short. It says:

Notwithstanding any other provision of law to the contrary,

(1) no person subject to U.S. law as it pertains to expenditures of money in Cuba shall be prohibited from sending to his or her parent, sibling, spouse or child currently residing in Cuba small amounts of money (not to exceed \$200 per month) to be used for the purchase of basic necessities, including food, clothing, household supplies, rent, medicines and medical care;

That is the first part.

The second part:

(2) each person subject to U.S. law as pertains to expenditures of money in Cuba in relation to travel to Cuba shall be free to travel without limitation for periods not to exceed 30 days per any one trip to attend to a medical emergency involving, or to attend the funeral of, such person's parent, sibling, spouse or child . . .

Mr. President, the third part of this amendment says that:

(3) the United States Government shall not be prohibited from participating in humanitarian relief efforts of multilateral organizations of which the United States is a member, where such humanitarian relief efforts are made in the aftermath of a natural disaster on the island of Cuba.

So this amendment that is now pending before the Senate would do these three things: It would allow a modest amount of funds to be sent by a U.S. citizen or resident to their family, for purposes of basic necessities—food, clothing, supplies, rent, medicines, and medical care—not to exceed \$200 per month.

Second, it would provide this opportunity to return to Cuba for up to 30 days, again, by someone who has a relative, a parent or a sibling or a spouse or a child still in Cuba. And third, it would allow the United States Government to participate in humanitarian relief efforts if there is a natural disaster on the island of Cuba, and participate in those relief efforts through multilateral organizations, not unilaterally, but through multilateral organizations.

None of these provisions threaten the national security of the United States. These are extremely modest ways that we can enhance the person-to-person contact and humanitarian assistance which can begin to take United States-Cuban relations in a positive direction.

None of these provisions violate the spirit of the economic embargo that we have had in place these 35 years, although I must acknowledge that I think that economic embargo at this stage in our history is a mistake. None of what I am proposing here interferes with that economic embargo. None of these provisions help Castro to galvanize his public against the United States. They may very well help erode the support that he has been able to maintain during this last 35 years because of the failed policy that we have pursued during that entire period.

So I urge my colleagues to support this amendment. I believe it is a worthwhile amendment and one that would move us in a positive direction.

Mr. President, we are coming on the end of this entire century and millennium, and sooner or later we need to become realistic about the fact that this other nation, Cuba, is 90 miles from our border, and we need to try to develop a more constructive relationship.

This provision would help Cuban-American citizens in particular, but would begin to move us toward a constructive relationship. I urge its support, and I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, is there a vote scheduled at 2?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Does the Senator wish to speak on this amendment?

Mr. BROWNBACK. Not on this amendment. I have a separate amendment I want to propose that the managers have agreed to. It is a sense-of-the-Senate resolution.

Mr. STEVENS. I would like to speak for a couple of minutes—I know the Senator is seeking recognition—on the Smith of Oregon amendment before the vote at 2.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

AMENDMENT NO. 889

Mr. STEVENS. Mr. President, I support the Smith amendment, and I remind the Senate that at the time of the great upheaval in the Soviet Union, when the tanks rolled into Red Square, there was a group of people that was prodemocracy from throughout the world which carried Bibles into that square and literally handed them out to the drivers of the tanks which were coming into Red Square, supposedly to dislodge the new government.

While I was chairman of the Presidential prayer group one year, I asked our former great symphony director, Rostropovich, to come and tell about his experience there. He told us of these people coming into the square and handing out those Bibles.

What is happening now in Russia is a direct reversal of the open-door policy for those people who believe that freedom of religion is an international freedom. I do believe that the Senate should go on record in support of the Smith amendment today. That is why I urge its adoption at this time.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Thank you very much, Mr. President.

AMENDMENT NO. 892

(Purpose: To express the sense of the Senate regarding the targeting of assistance to support the economic and political independence of the countries of the South Caucasus and Central Asia)

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the pending amendments be set aside so I can call up amendment No. 892.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 892.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING SUPPORT FOR COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA.**

Congress makes the following findings:

(1) The ancient Silk Road, once the economic lifeline of Central Asia and the South

Caucasus, traversed much of the territory now within the countries of Armenia, Azerbaijan, Georgia, Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

(2) Economic interdependence spurred mutual cooperation among the peoples along the Silk Road and restoration of the historic relationships and economic ties between those peoples is an important element of ensuring their sovereignty as well as the success of democratic and market reforms.

(3) The development of strong political and economic ties between countries of the South Caucasus and Central Asia and the West will foster stability in the region.

(4) The development of open market economies and open democratic systems in the countries of the South Caucasus and Central Asia will provide positive incentives of international private investment, increased trade, and other forms of commercial interactions with the rest of the world.

(5) The Caspian Sea Basin, overlapping the territory of the countries of the South Caucasus and Central Asia, contains proven oil and gas reserves that may exceed \$4,000,000,000,000 in value.

(6) The region of the South Caucasus and Central Asia will produce oil and gas in sufficient quantities to reduce the dependence of the United States on energy from the volatile Persian Gulf region.

(7) United States foreign policy and international assistance should be narrowly targeted to support the economic and political independence of the countries of the South Caucasus and Central Asia.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the policy of the United States in the countries of the South Caucasus and Central Asia should be—

(1) to promote sovereignty and independence with democratic government;

(2) to assist actively in the resolution of regional conflicts;

(3) to promote friendly relations and economic cooperation; and

(4) to help promote market-oriented principles and practices;

(5) to assist in the development of infrastructure necessary for communications, transportation, and energy and trade on an East-West axis in order to build strong international relations and commerce between those countries and the stable, democratic, and market-oriented countries of the Euro-Atlantic Community; and

(6) to support United States business interests and investments in the region.

(c) DEFINITION.—In this section, the term “countries of the South Caucasus and Central Asia” means Armenia, Azerbaijan, Georgia, Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

Mr. BROWNBACK. Mr. President, this will just take a minute or two, because the managers have agreed to this particular amendment.

I know Senator SMITH has a very important amendment that we are going to be voting on, which I support. I think he is in an absolute right position to be stating in this amendment what our aid should be based on.

I rise today to bring to the Senate's attention in a sense-of-the-Senate resolution another strategic important region of the world that is also being impacted by where it sits locationwise.

And these are countries that are traversed by the Old Silk Road.

The PRESIDING OFFICER. The Senator will suspend.

VOTE ON AMENDMENT NO. 889

The PRESIDING OFFICER. The Chair states that under the previous

order the vote now occurs on amendment No. 889 offered by the Senator from Oregon. The yeas and nays have been ordered.

Mr. McCONNELL. Mr. President, I understand that the Senator from Kansas is only asking for a few minutes.

Mr. BROWNBACK. That is correct.

Mr. McCONNELL. I ask unanimous consent that the Senator from Kansas be given 5 minutes, and then the votes commence then.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. LEAHY. Reserving the right to object, and I will not object, if we are going to do that, the distinguished Senator from Virginia wanted an equal amount of time.

Mr. McCain. I object.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to amendment No. 889. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Montana [Mr. BURNS] is necessarily absent.

I further announce that, if present and voting, the Senator from Montana [Mr. BURNS] would vote “yea.”

The PRESIDING OFFICER (Mr. GREGG). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 4, as follows:

[Rollcall Vote No. 178 Leg.]

YEAS—95

Abraham	Feinstein	Mack
Akaka	Ford	McCain
Allard	Frist	McConnell
Ashcroft	Glenn	Mikulski
Baucus	Gorton	Moseley-Braun
Bennett	Graham	Moynihan
Biden	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Breaux	Gregg	Reed
Brownback	Hagel	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Roberts
Campbell	Helms	Rockefeller
Chafee	Hollings	Roth
Cleland	Hutchinson	Santorum
Coats	Hutchison	Sarbanes
Cochran	Inhofe	Sessions
Collins	Inouye	Shelby
Conrad	Jeffords	Smith (NH)
Coverdell	Johnson	Smith (OR)
Craig	Kempthorne	Snowe
D'Amato	Kennedy	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thomas
Dodd	Kyl	Thompson
Domenici	Landrieu	Thurmond
Dorgan	Lautenberg	Torricelli
Durbin	Leahy	Warner
Enzi	Levin	Wellstone
Faircloth	Lieberman	Wyden
Feingold	Lott	

NAYS—4

Bingaman	Kerrey
Byrd	Lugar

NOT VOTING—1

Burns

The amendment (No. 889) was agreed to.

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

Mr. McCONNELL. I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Is the SMITH underlying amendment now the pending business?

The PRESIDING OFFICER. The question is on final passage of the energy and water appropriations bill, under a unanimous consent.

Mr. BYRD. Mr. President, I had hoped to speak briefly before this last vote to explain my reasons for voting against the amendment. This is a politically sensitive vote, and I did not have the opportunity to explain in advance.

I am sympathetic to the concerns of Senator SMITH with regard to religious minorities in Russia or anywhere else. The effect of the law recently passed by the Russian Duma is to discriminate against any religious group not recognized by the Soviet Government in 1982, which has the effect of recognizing the rights only of Orthodox Christianity, Islam, Judaism, and Buddhism. This represents an onerous act of discrimination against religious minorities within the Russian Federation.

I note that if the same standard included in the Smith amendment was applied to all other nations, we would be forced to terminate our foreign aid to other key United States allies, including Israel, Egypt, and Turkey. These nations, along with others, could not pass the test included in the Smith amendment. This amendment, therefore, discriminates against one nation, even while it claims that discrimination is its concern. Just as Russia should apply one standard in the case of all religions, so should the United States apply one standard in the distribution of foreign aid with all other nations.

Finally, I would note that there are other diplomatic methods that can be used to deal with this problem. When the United States was concerned about Jewish emigration from the Soviet Union, we were able to greatly increase such emigration by using quiet diplomacy. As soon as the Congress enacted laws publicly attacking the Soviets on this matter, emigration was sharply reduced. The Smith amendment could well have the same effect, and would only make matters worse for religious minorities in Russia, as Nationalist elements in the Duma may react in anger to this action.

I am not a strong advocate of foreign aid. I don't carry a brief for Russia, and as far as believing that religion should not be discriminated against, I don't think anyone in this Chamber would feel more strongly than I. But let me read to Members what the annual State Department report on human rights states in its report concerning Israel.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status.

Under the complex mixture of laws and regulations that apply to the territories, Palestinians are disadvantaged under Israeli

law and practices compared with the treatment received by Israeli settlers. This includes discrimination in residency, land and water use, and access to health and social services.

Reading from the same United States State Department report, concerning religious minorities in Israel:

In civic areas where religion is a determining criterion, such as the religious courts and centers of education, non-Jewish institutions routinely receive less state support than their Jewish counterparts. The status of a number of Christian organizations with representation in Israel has heretofore been defined by a collection of ad hoc arrangements with various government agencies. Several of these organizations are negotiating with the Government in an attempt to formalize their status.

Attempts to establish meaningful negotiations are ongoing.

Another paragraph, under the subject of—this is very fine print, and I have some difficulty reading it—“National/Racial/Ethnic Minorities.” The State Department report says:

The government—

Meaning the Israeli government—

does not provide Israeli Arabs, who constitute 18 percent of the population, with the same quality of education, housing, employment, and social services as Jews. Government efforts to close the gaps between Israel's Jewish and Arab citizens have resulted in an estimated 180 percent increase in resources devoted to Arab communities between 1992 and 1996. Nevertheless, significant differences remain.

Now, Mr. President, I felt that Senators ought to know my reason, and I certainly want my constituents to know my reason, for voting against this amendment. I wanted to call to the attention of the Senate the problem here in rushing to vote on matters that we don't clearly understand when we come to the well to vote. And I have that problem as much as anybody. But it seems to me there is some inconsistency here in handing out foreign aid—the American taxpayers' money.

If foreign aid is going to be used as an enforcer of human rights, then we ought to be consistent. That is all I am saying. If we are going to be consistent, my colleagues, remember that you may be asked one day to cut off aid to Israel, or to cut off aid to Turkey. Senators know that I have fought battles on this floor here in support of Turkey, and so I am not saying this with any animus whatsoever toward the recipient countries; that is not it. I am just calling attention to the fact that we voted, in this amendment, to apply an “enforcer,” if I may use that term, concerning human rights, and it is not an enforcer tool that we apply consistently across the board against our friends. I don't know how we can defend votes like this to the American people.

I feel as strongly as anyone about religion. I am not of the religious right and I am not of the religious left. I don't claim even to be a good man. My Scripture tells me that no man is good—but this is another matter. And I hope that Senators know that we don't

even have a waiver provision in this amendment. I should think that there ought to be a waiver—a national security waiver. The President should have an opportunity to waive this provision under certain conditions. That is not in this amendment. What I am saying, I certainly don't say critically of the author of the amendment. My sentiments, I am sure, are much like his in the overall. But I think we make the mistake when we vote without really understanding what we are voting on in a matter of this kind. This is a very politically sensitive matter. It is pretty difficult to explain your vote against this kind of an amendment—pretty difficult.

Finally, I note that there are other diplomatic methods that can be used to deal with this problem. When the United States was concerned about Jewish immigration from the Soviet Union, we were able to greatly increase such immigration by using quiet diplomacy. As soon as the Congress enacted laws publicly attacking the Soviets on that matter, immigration was sharply reduced.

The Smith amendment could well have the same effect, and would only make matters worse for religious minorities in Russia, as nationalist elements in the Duma may react in anger to this action.

Mr. President, that is the explanation of my vote.

I yield the floor.

VITIATION OF YEAS AND NAYS ON AMENDMENT  
NO. 888

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the yeas and nays be vitiated on amendment No. 888, as now amended.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senators HELMS, D'AMATO, HATCH, and BENNETT be added as cosponsors to the Smith amendment.

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

#### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. The question now is on the energy and water appropriations bill, S. 1004.

The yeas and nays have not been requested.

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. REID. Mr. President, I am grateful for the work by so many to reach conclusion on this most important appropriation bill.

Senator DOMENICI has been a real partner and I appreciate his openness with me and my staff.