

naturally suspicion or fear of the unknown and usually the worst is imagined. I believe this is unwarranted, especially when one considers the currently available options in these types of military situations.

Think of 1993 in Somalia. The U.S. lost 18 soldiers and somewhere between 500 and 1,000 Somalis were killed on the streets of Mogadishu. The Somalis used children as human shields, and our military was forced to fire on angry crowds of civilians, some civilians having automatic rifles and grenades.

Peacekeeping operations are not void of lethal threats. Oftentimes our military is confronted with armed civilians or situations where unarmed, defenseless civilians are intermixed and indistinguishable from persons possessing lethal means.

Regardless of the new Administration's approach to involvement of the U.S. military in non-traditional operations, I believe these types of missions will continue to be a staple of our military's daily operations for a long time to come. Further, these missions often involve situations that render U.S. soldiers vulnerable or threaten the lives of innocent civilians.

I believe that the applications of directed energy technologies in these and other operations can provide a more humane and militarily effective approach. Active denial technology is merely one device on a list of research and development endeavors currently underway by the Pentagon's Joint Non-Lethal Weapons Program.

I would encourage my colleagues to get briefed on the mission and projects in the Non-Lethal Weapons Program. Further, I believe that the tunability of microwave and laser technologies will offer a palette of readily available options to address operational needs in both traditional and non-traditional military operations, and I fully support further funding of research in this area.

TRIBUTE TO ARMY SERGEANT PHILLIP FRELIGH

Mr. HUTCHINSON. Mr. President, I rise today to extend my sympathies to the families and loved ones of those killed during the recent Naval training exercise in Kuwait. Of the five U.S. military personnel killed in the accident, Sergeant Phillip Freligh, whom I intend to pay tribute to today, was from my home state of Arkansas.

Army Sgt. Phillip Freligh, of Paragould, AR, graduated in 1993 from Greene County Tech and enlisted in the Army later that same year. He attended jump training and was assigned to the 82nd Airborne Division. He then was trained as a bomb specialist and was assigned to the 734th Explosive Ordnance Division in White Sands, NM and was on a six month deployment in Kuwait when the accident occurred.

I want to express my deepest regret and sympathies to the family and friends of Sgt. Freligh as well as the

families of all the servicemen who lost their lives in this tragic accident. We owe it to all of our brave servicemen and those who serve with them to do our best to uncover the cause of this tragedy, and to do our utmost to prevent it from happening again. Theirs is a dangerous profession, and this tragic accident reminds us of the debt we owe to those who serve. I join the President, Secretary Rumsfeld, and my colleagues in saluting the courage, commitment and sacrifice of these servicemen.

STEPHANIE BERNSTEIN'S ADDRESS ON PAN AM FLIGHT 103

Mr. KENNEDY. Mr. President, on Friday, March 16, Stephanie Bernstein, who lost her husband on Pan Am flight 103 over Lockerbie, Scotland, addressed a conference on the future of Libyan-American relations hosted by the Woodrow Wilson International Center for Scholars, the Atlantic Council, and the Middle East Institute.

Ms. Bernstein's remarks are insightful and show, in very real human terms, the pain suffered by the Lockerbie families. They also demonstrate the need for the U.S. and the international community to keep the pressure on Qadhafi until he accepts responsibility for the actions of Libya's intelligence officer, tells what the Government of Libya knows about the bombing and compensates the families of the victims for this horrible tragedy.

I urge my colleagues to read Ms. Bernstein's remarks as we consider the reauthorization of the Iran-Libya Sanctions Act.

I ask unanimous consent that her statement be printed in the RECORD.

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

REMARKS OF STEPHANIE L. BERNSTEIN—CONFERENCE ON U.S.-LIBYAN RELATIONS AFTER THE LOCKERBIE TRIAL: WHERE DO WE GO FROM HERE?

MARCH 16, 2001.

I would like to thank the Atlantic Council, the Middle East Institute, and the Woodrow Wilson Center for inviting me to participate in this conference.

I have been asked to talk from my perspective as someone whose life has been profoundly and permanently altered by the actions of the government of Libya. I am not a diplomat or a politician, but an average citizen of a country, 189 of whose citizens were brutally murdered on December 21, 1988. The impact of this savage act of mass murder was described in eloquent terms by the Lord Advocate of Scotland during his remarks to the Scottish Court just prior to its sentencing of the defendant, Megrahi, who was found guilty of murder on January 31, 2001:

"More than 400 parents lost a son or daughter; 46 parents lost their only child; 65 women were widowed; 11 men lost their wives. More than 140 children lost a parent and 7 children lost both parents."

I would like to tell you briefly about one of the 270 people who was murdered in the Lockerbie bombing. My husband, Mike Bernstein, was an ordinary person who died an extraordinary death. His dreams were simple: he wanted to guide his children into adult-

hood. He wanted to grow old with his wife. He wanted to do work which brought him satisfaction and which made the world a better place than he found it. He graduated with distinction and high honors from the University of Michigan, and received his law degree from the University of Chicago, where he was an associate editor of the Law Review. Mike was the Assistant Deputy Director of the Office of Special Investigations at the U.S. Department of Justice. This office finds, denaturalizes, and deports persons from the United States who participated in Nazi atrocities during World War II. Mike left two children, ages 7 and 4, a wife, a mother, and countless friends. He was 36 years old.

Over the last 12 years, the family members of those who were murdered in the Lockerbie have worked hard for some measure of justice. As a result of our efforts, and with the support of our many friends on Capitol Hill, legislation has been passed which sought to make aviation safer from terrorist acts and to put pressure on countries such as Libya which have been state sponsors of terrorism. The Aviation Security Act of 1992, the Lautenberg Amendment, and the Iran-Libya Sanctions Act would not be law without the efforts of the Lockerbie families.

On January 31 of this year, we achieved another victory when Abdel Basset al-Megrahi, a Libyan security agent (JSO), was convicted of the murders of my husband and 269 others. The Scottish Court was strong in its opinion that Megrahi was acting at the behest of the Libyan government:

"The clear inference which we draw from this evidence is that the conception, planning and execution of the plot which led to the planting of the explosive device was of Libyan origin." (p.75)

"We accept the evidence that he was a member of the JSO, occupying posts of fairly high rank." (p. 80)

Since the verdict, the Bush administration has been firm in its insistence that Libya abide by the terms of the U.N. Security Council Resolutions, which call for Libya to accept responsibility for the bombing, and for payment of appropriate compensation to the families. The sanctions are rooted in the concept in international law that a government is responsible for the wrongful acts of its officials.

In a meeting with family members on February 8 of this year, Secretary of State Colin Powell was clear in detailing the Bush administration's policy:

"President Bush intends to keep the pressure on the Libyan leadership, pressure to fulfill the remaining requirements of the U.N. Security Council, including Libya's accepting responsibility for the actions of its officials and paying appropriate compensation."

The Bush administration has stated that the investigation into the Lockerbie bombing is still open. A \$5 million dollar award is still in place for information leading to the arrest and conviction of others involved in the bombing. State Department spokesman Richard Boucher said last month that the United States will follow the evidence "wherever it leads." Secretary Powell, in his meeting with the families, elaborated on this as well:

"However we resolve this and however we move forward from this point on, we reserve the right to continue to gather more evidence and to bring more charges and new indictments . . . So accepting responsibility as a leader of a nation, and as a nation, doesn't excuse other criminals who might come to the fore and be subject to indictment."

Unfortunately, there are others who have not supported the reasonable aims of the Security Council, the United States, and Great

Britain. In an interview with *The Independent* on February 9 of this year, Nelson Mandela, who helped broker the agreement which persuaded Gaddafi to turn the suspects over for trial, accused the U.S. and Great Britain of having "moved the goalposts" on the issue of lifting sanctions.

"The condition that Gaddafi must accept responsibility for Lockerbie is totally unacceptable. As President for five years I know that my intelligence services many times didn't inform me before they took action. Sometimes I approved, sometime I reprimanded them. Unless it's clear that Gaddafi was involved in giving orders it's unfair to act on that basis.

I ask: is it really possible to believe that a Libyan intelligence agent would carry out a massive operation such as the downing of a passenger aircraft without approval from those higher up the chain of command?

Similarly, oil companies, some of whom I know are represented here today, have seen the verdict as the first step in resuming normal relations with Libya. Archie Dunham, the Chairman and Chief Executive of Conoco, stated last month that he was "very optimistic" that President Bush will lift the unilateral U.S. sanctions against Libya, in part because of the President and Vice President Cheney's ties to the Texas oil industry.

I find these efforts to promote business at the expense of justice to be deeply disturbing. I am afraid that comments such as those by Mr. Dunham and Mr. Mandela send a message that terrorists and the countries which sponsor or harbor them will not have to pay a significant price for their actions. When we allow ourselves to believe, as is a popular view now, that encouraging business relationships with countries such as Libya which carry out terrorist acts will somehow inoculate us against further terrorist attacks, I believe that we are dangerously naive. Is it really good business to do business with terrorists? Every corporation represented in this room today must ask if it is worth it to resume business in a country whose leader refuses to acknowledge his responsibility for the mass murder of 270 human beings. Anyone in this room could have easily had a loved one on Pan Am 103.

Where do we go from here? The government of Libya and Col. Gaddafi must accept responsibility for the bombing of Pan Am 103 and the murders of 270 people. The government of Libya must pay appropriate compensation to the families. The government of the United States must continue to pursue and develop information leading to the indictments, arrest, and conviction of the others responsible for the bombing. The world community must realize that lifting the sanctions against Libya before Libya has fully complied with them sends a signal that the civilized countries of the world are not serious about going after perpetrators of mass murder. The business community must know that sweeping Pan Am 103 under the rug will, ultimately, not be good for business. We must press for renewal of the Iran-Libya Sanctions Act which is due to expire in August. We must re-impose the U.N. sanctions if the Libyan government does not comply with the terms of the original sanctions. Support for these positions is embodied in a current Sense of Congress resolution which has bipartisan support.

Finally, I think it is vital for everyone to know that the Pan Am families will not go away. In a Reuters article dated February 13 of this year, Saad Djebbar, a London based lawyer who has advised the Libyan government was quoted as follows:

"The more the United States sticks to the original agreement that the aim of the process was the surrender and trial of the two accused, the more the Libyans will cooperate and compensate the families."

I interpret this to mean that if the families back off, the government of Libya will pay compensation to the families. This cynical approach dishonors the memories of our loved ones and we will never agree to it. Continuing to pursue what and who was behind the Lockerbie bombing and the acceptance of responsibility by the Libyan government are goals which will not be abandoned by the families.

Another British expert on Libya, George Joffe, was quoted in the same article as follows:

"Gaddafi knows he's going to have to pay compensation. The question is whether he can control the domestic agenda and curb his own tongue over the next few months, and whether extremists on the other side of the Atlantic among the families and their supporters in Congress can be kept under control."

The ultimate resolution of the rift between the United States and Libya does not hinge on whether Gaddafi can "keep his tongue." The ultimate resolution will come when the Libyan government meets its responsibilities to the families and to the international community. As for the families and our supporters in Congress being "kept under control"—we have been invigorated by the verdict of the Scottish court, and we will not go away.

SWORD TO PLOUGHSHARES

Mr. DOMENICI. Mr. President, I rise today to discuss some efforts in defense conversion that are reaping great gains. In the book, "The Idea of National Interest", Charles Beard wrote:

Government might legitimately take the initiative and pursue some interests aggressively. Furthermore, it might make use of its own citizens and their interests to advance the national interest.

Early on U.S. foreign policy for the Former Soviet Union, FSU, was designed to do just that: make use of U.S. citizens' interest to advance our national security objectives.

Today, I would like to briefly underscore some successes, specifically in the realm of defense conversion. Before doing so, however, I wanted to offer some insights regarding the scope of the problem.

First, the legacies of a command economy were prevalent in all nations behind the Iron Curtain. Such legacies included: a structure of production dominated by heavy industry, distorted factor and product prices, antiquated or obsolescent capital stock, inadequate skills to compete in a modern economy; a neglected infrastructure, severe environmental degradation, trade oriented towards other uncompetitive markets, and large volumes of non-performing loans and heavy foreign debt.

The FSU was no exception with respect to inheritance of these burdens and impediments. And despite all these similarities with other eastern European states, the FSU, especially Russia, was unique in one very important way.

For Russia, Ukraine, Belarus, and Kazakhstan "heavy industry" was that of defense. Fifty-two percent of Russia's industry was involved in military-related research, design and manufac-

turing. In Ukraine, Belarus, and Kazakhstan, the defense industry comprised about fifteen percent of their heavy industry.

This distinction made the Soviet industry not merely an economic concern, but rather a central threat to international security. As Soviet central authority deteriorated, control over its massive military complex also crumbled. As such international security concerns are not limited to issues of control over nuclear weapons and material, but include attaining a degree of economic stability to offer stable employment to a vast number of persons in military and military-related occupations, especially scientists and engineers in that sector.

The threat was apparent; the risk of inadequate action has been readily apparent. The national interest, indeed, the global interest, is in securing stability in the region. Stability in the region equates with global stability, especially in light of the potential leakage of knowhow from weapons complex.

Our approach has come in fits and starts. We have not offered a integrated, comprehensive plan for U.S. economic assistance or nonproliferation programs. Increasingly, however, we are coming to recognize the interrelationship between these two elements of our Russia policy, even if we still haven't achieved a semblance of a strategy.

I did, however, want to discuss some efforts that have succeeded. They are not sufficient in breadth, depth or financial means. Nonetheless, they are an exception to the rule in our efforts to provide meaningful, stable employment to former Soviet scientists and engineers.

I begin with the efforts of the Cooperative Research and Development Foundation, CRDF. CRDF was created pursuant to Section 511 of the Freedom Support Act of 1992 in 1995. Its mission is to conduct innovative activities of mutual benefit with the countries of the FSU. Further, CRDF was to offer opportunities to former weapons scientists to achieve transition to productive civilian research. They have been remarkably successful.

Since its inception, CRDF has expended \$16 million of U.S. Government funds and \$1 million from private foundations. The FSU, in turn, has committed \$4.8 million to these activities. These funds have backed 597 projects that supported a total of 4300 scientists and engineers.

In addition, with major contracts from the DOE, DoD, NIH, and EPA as well as industry, CRDF is helping U.S. participants address issues of financial integrity in their dealings with the FSU. Over \$30 million for over 500 projects has been managed by CRDF through these contracts.

The Foundation has committed an additional \$11.8 million to projects in five program areas.

CRDF's industry programs reduce the risk for U.S. companies to engage